



CHARTER SCHOOL OF  
**EXCELLENCE**

---

# **DISCIPLINE POLICY**

## **Student Handbook**

### **2023-24**

#### **Mission Statement**

**“The Mission of the Charter School of Excellence is to provide a variety of educational opportunities to foster academic and personal excellence through partnerships with families, community and school.”**

**Discovery Center**  
**1307 French Street**  
**Erie PA 16501**  
**(814) 459 – 5070**

**Skills Center**  
**1309 French Street**  
**Erie PA 16501**  
**(814) 651 – 9089**

**Leadership Center**  
**1511 Peach Street**  
**Erie PA 16501**  
**(814) 480 – 5914**

## LANGUAGE ASSISTANCE AVAILABLE

**Notice of Language Assistance:** If you have difficulty understanding English, you may access [www.charterschoolofexcellence.org](http://www.charterschoolofexcellence.org) and translate the text of the Student Handbook to the appropriate language. If you have questions about the translated document, you may request, free of charge, language assistance services from the Charter School of Excellence by calling 814-480-5908 or emailing [cfortin@phcse.org](mailto:cfortin@phcse.org)

وترجمة نص [www.phcse.org](http://www.phcse.org) إشعار المساعدة اللغوية: إذا كنت تعاني من صعوبة في فهم اللغة الإنجليزية، يمكنك الوصول إلى مكتب الطالب إلى اللغة المناسبة. إذا كانت لديك أسئلة حول الوثيقة المترجمة، يمكنك أن تطلب، مجاناً، خدمات المساعدة اللغوية من مدرسة الامتياز المستقلة من خلال الاتصال بالرقم 814-480-5908 أو إرسال البريد الإلكتروني إلى [cfortin@phcse.org](mailto:cfortin@phcse.org) Arabic

Taarifa ya Usaidizi wa Lugha: Ikiwa una shida kuelewa Kiingereza, unaweza kufikia [www.phcse.org](http://www.phcse.org) na kutafsiri maneno ya Kitabu cha Wanafunzi kwa lugha inayofaa. Ikiwa una maswali kuhusu hati iliyotafsiriwa, unaweza kuomba, bila malipo, huduma za usaidizi wa lugha kutoka Shule ya Mkataba wa Uboru kwa kumwita 814-480-5908 au barua pepe kwa [cfortin@phcse.org](mailto:cfortin@phcse.org) Swahili

Obaveštenje o pomoći na jeziku: Ako imate teškoća s razumijevanjem na engleskom, možete pristupiti [www.phcse.org](http://www.phcse.org) i prevesti tekst Studentskog priručnika na odgovarajući jezik. Ako imate pitanja u vezi sa prevedenim dokumentom, možete besplatno zatražiti usluge jezičke pomoći iz Povelje škole odličnosti pozivom 814-480-5908 ili putem e-pošte [cfortin@phcse.org](mailto:cfortin@phcse.org) Bosnian

भाषा सहयोगको सूचना: यदि तपाईंलाई अंग्रेजी बुझ्नमा कठिनाई छ भने, तपाईंले [www.phcse.org](http://www.phcse.org) मा पहुँच गर्न सक्नुहुनेछ र विद्यार्थी भाषा पुस्तिकाको पाठ उपयुक्त भाषामा अनुवाद गर्नुहोस्। यदि तपाईंसँग अनुवाद गरिएको कागजातको बारेमा प्रश्नहरू छन् भने, तपाईं अनुरोध गर्न सक्नुहुन्छ, नि: शुल्क शुल्क, चार्टर सेवाको उत्कृष्टताबाट भाषा सहायता सेवाहरू 814-480-5 9 8 बाट फोन गरेर [cfortin@phcse.org](mailto:cfortin@phcse.org) इमेल गरेर। Nepali

Aviso de asistencia lingüística: Si tiene dificultad para entender inglés, puede acceder a [www.phcse.org](http://www.phcse.org) y traducir el texto del Manual del estudiante al idioma apropiado. Si tiene preguntas sobre el documento traducido, puede solicitar gratuitamente servicios de asistencia lingüística de la Carta de la Escuela de Excelencia llamando al 814-480-5908 o enviando un correo electrónico a [cfortin@phcse.org](mailto:cfortin@phcse.org) Spanish

Avis d'assistance linguistique: si vous avez de la difficulté à comprendre l'anglais, vous pouvez accéder à [www.phcse.org](http://www.phcse.org) et traduire le texte du manuel de l'élève à la langue appropriée. Si vous avez des questions sur le document traduit, vous pouvez demander gratuitement des services d'assistance linguistique de l'École d'excellence de la Charte en composant le 814-480-5908 ou en envoyant un courriel à [cfortin@phcse.org](mailto:cfortin@phcse.org) French

語言援助通知：如果您難以理解英語，您可以訪問[www.phcse.org](http://www.phcse.org)並將“學生手冊”的文本翻譯成適當的語言。如果您對翻譯文件有任何疑問，可以致電814-480-5908或發送電子郵件至[cfortin@phcse.org](mailto:cfortin@phcse.org)免費向憲章授權學院提供語言援助服務。Chinese

# TABLE OF CONTENTS

	<u>PAGE</u>
I. INTRODUCTION .....	1
II. RIGHTS OF STUDENTS, PARENTS, AND STAFF .....	2
A. Responsibilities of the Students.....	2
B. Responsibilities of Parents/Guardians:.....	2
C. Responsibilities of Teachers/Staff .....	3
D. Responsibilities of Administrators: .....	4
III. STUDENT BEHAVIORAL EXPECTATIONS.....	4
A. ARRIVE TO SCHOOL AND CLASS ON TIME .....	4
B. Report to class with necessary books, materials, supplies, and assignments. ....	4
C. Move through the building in an orderly manner.....	5
D. Use daily planner for class assignments.....	5
E. Appropriate hallway Procedures .....	5
F. Follow lunch schedules and rules.....	5
G. Dress code.....	5
H. Smoking/Use or Possession of Tobacco Product.....	6
I. Lockers and locks.....	6
J. Settle conflicts appropriately.....	6
K. Use appropriate language.....	7
L. Respect school property and the property of others.....	7
M. respect your peers.....	7
N. Respect the staff and visitors.....	7
O. Respect yourself.....	7
P. End of school day.....	7
IV. ATTENDANCE POLICY .....	7
A. Policy Statement.....	7
B. Excused Absence.....	7
C. Unexcused Absence.....	9
D. Illegal absence .....	10
E. Truancy.....	10

F. Participation in School Activities .....	12
V. Continuum of consequences .....	15
SPECIAL EDUCATION .....	15
FERPA .....	16
VI. DISCIPLINARY PROCEDURES .....	16
A. Life Space Crisis Intervention .....	16
B. In School Support .....	17
C. Community Service .....	17
D. Make-up Hours .....	17
E. Remove Privileges .....	17
F. Contracts .....	17
G. Peer Mediation/Conflict Resolution .....	17
H. Before/After School intervention .....	17
I. Out of School Suspension (O.S.S.) .....	17
J. Charges Filed with the Police Department/Law Enforcement Involvement .....	18
K. Agency Referrals .....	18
L. Expulsion .....	18
VII. STUDENT DUE PROCESS RIGHTS and EXPULSION POLICY .....	18
Suspension .....	18
A. In-School Suspension .....	18
B. Out-of-School suspension .....	19
C. Expulsion .....	20
D. Formal Hearing Procedure .....	22
VIII. STUDENT CODE OF CONDUCT .....	22
A. Assault/Physical Acts of Violence .....	22
B. Bullying .....	23
C. Cheating/Plagiarism .....	24
D. Classroom Laboratory/School Safety .....	24
E. Computer Misuse .....	24
F. Conspiracy .....	28
G. Disorderly Conduct .....	29

H.	Disrespect .....	29
I.	Disruptive Behavior.....	29
J.	Electronic Devices .....	30
K.	Endangerment (Arson, Bomb Threat, Riot, and Other Related Actions).....	32
L.	Extortion .....	34
M.	False I.D. ....	34
N.	Fighting.....	34
O.	Forgery .....	35
P.	Gambling .....	35
Q.	Harassment .....	35
R.	Inappropriate touching.....	37
S.	Indecent Exposure .....	37
T.	Insubordination.....	37
U.	Loitering .....	38
V.	Profane, Vulgar Language or Gestures .....	38
W.	Sexual Conduct.....	39
X.	Smoking/Use or Possession of Tobacco Product. ....	39
Y.	Stealing .....	39
Z.	Student Dress .....	40
AA.	Student Parking .....	41
BB.	Student Transportation Policy .....	41
CC.	Terroristic Threats/Terroristic Acts .....	42
DD.	Trespassing/Defiant Trepass.....	43
EE.	Unauthorized Substances (Illegal Drug Policy) .....	43
FF.	Vandalism.....	46
GG.	Weapons .....	46
HH.	Weapons Search With A Metal Detector .....	47
II.	Zero Tolerance .....	49
IX.	Homeless.....	49

# I. INTRODUCTION

\*\*\* New Information has been added to this policy that is specific to the COVID Pandemic and any future "Special Circumstances." This information is included under the Insubordination Section starting on page 37.

The Charter School of Excellence (CSE) is committed to creating a safe learning environment based on caring and mutual respect. We have established a discipline policy, not as a means of punishment, but rather as a set of consequences to improve the student's behavior.

The contents of this policy are presented in alphabetical order. There is a glossary of terms at the end of the policy. The following infractions may result in immediate removal pending placement in an Alternative Education Program or Expulsion from CSE - Assault/Physical Acts of Violence, Endangerment, Sexual Harassment, Illegal Drugs/Alcohol, Terroristic Threats/Terroristic Acts and Weapons. Other infractions, such as extortion and stealing will be dealt with as the severity dictates. As provided by Section 510 of the Pennsylvania Public School Code, all disciplinary infractions apply to student behavior when students are going to and returning from school, and at all school-sponsored activities including graduation, dances, field trips, etc.

In the event a student continues to commit violations beyond the offenses listed, disciplinary penalties may be increased progressively. Any single offense may be treated immediately as a second or third offense depending on the severity of the offense or circumstances. In the event that multiple violations are committed during the same incident, discipline will be administered based upon the most serious violation. These measures will not only create and maintain a safe environment within the school building for all students, but will also insure the safety of students coming to and going from school.

Those infractions that are in violation of federal, Pennsylvania or local law could result in adjudication by various law enforcement agencies.

Student discipline records will remain a part of the student's educational records. When a student transfers to CSE, a certified copy of the student's discipline record is requested and obtained from the school entity from which the student is transferring. The same is true when a student transfers out of the CSE. This record shall be maintained as part of the student's permanent discipline record and shall be made available for inspection as required and authorized by law.

CSE officials have the authority to search a student when they have reasonable suspicion that a particular student has violated or is violating the rules of CSE or the law. Students may also be subject to searches by metal detectors in conformance with the Charter School's "Weapons Search with a Metal Detector" policy, contained herein and other searches in an effort to maintain a safe weapon and drug-free environment, in conformance with Pennsylvania and federal law. **NOTE: If a student is caught "tipping off" or warning other students that a drug or weapon search (or search for any other contraband) is underway, that student shall be subject to discipline up to and including referral for expulsion.**

## NOTES:

- This Discipline Policy Handbook applies to students attending the Discovery Center, Skills Center and Leadership Center. The Administration in each of those institutions reserves the right to waive various provisions of this Handbook in certain situations or regarding certain students based on location, student age, grade levels, etc.
- Charter School of Excellence buildings and grounds are equipped with electronic surveillance for the safety and security of students, staff and visitors. Your actions may be recorded and preserved.

## **II. RIGHTS OF STUDENTS, PARENTS, AND STAFF**

The rights of students, parents, and staff are those guaranteed to all citizens in accord with the Constitution of the United States, the laws of the Commonwealth of Pennsylvania, and the rules and regulations of the Pennsylvania Department of Education.

### **A. RESPONSIBILITIES OF THE STUDENTS**

1. Accept each person as an individual human being and promote intercultural and group relations and understanding.
2. Apply abilities and interests to the improvement of a knowledge base and to the development and application of learning skills.
3. Recognize and function within the policies established by the school board and school officials.
4. Attend school for the purpose of obtaining a quality and meaningful education.
5. Abide by rules and regulations necessary for the orderly conduct of school activities by the administration and faculty.
6. Implement and abide by rules and regulations developed through the cooperation of student-faculty committees.
7. Contribute cooperatively toward the improvement of the teaching-learning situation and strive for the overall betterment of the total school environment.
8. Maintain respect for school officials and other students and exhibit conduct reflecting self-control, self-regulation and self-discipline.

### **B. RESPONSIBILITIES OF PARENTS/GUARDIANS:**

1. Exemplify an enthusiastic and supportive attitude toward work and education.
2. Build a good working relationship between themselves and school personnel.
3. Teach their children self-respect, self-control, respect for the law, respect for others and the property of others, and accountability for their actions.
4. Insist on prompt and regular attendance.
5. Encourage their children to take pride in their appearance.
6. Cooperate with the school in jointly resolving school-related problems.
7. Become involved in the school.
8. Set realistic standards of behavior for their children.
9. Help their children to develop skills to withstand negative peer pressure.

10. Provide a place conducive for study and the completion of homework assignments.
11. Motivate their children to develop a keen interest in learning and exploring multiple fields of knowledge.
12. Review the Discipline Policy as a family, being especially aware of attendance, discipline, and Zero Tolerance policies.
13. Make sure that their children are in good health. Good health is essential to ensure effective classroom performance.
14. Learn all they can about the curriculum and curriculum activities.
15. Attend parent/teacher conferences, parent/teacher organization meetings, and special events sponsored by the school.
16. Be aware that they are responsible should their children have any financial obligations. These include, but are not limited to, lost or stolen books or technology, fines, and damage of property.

**C. RESPONSIBILITIES OF TEACHERS/STAFF**

1. Promote a climate of mutual respect and dignity that will strengthen the student's self-image.
2. Utilize classroom strategies and techniques that contribute to student success.
3. Teach students the skills to become responsible citizens.
4. Honor "Time on Task." This helps tremendously in preventing most discipline problems.
5. Stay close enough to students to know what they are doing.
6. Always stand outside their doors to greet students, and to say goodbye to them.
7. Reflect a personal enthusiasm for teaching and learning as well as a genuine concern for the individual student.
8. Guide classroom activities as students learn to think and reason, to assume responsibility for their actions, and to respect the rights of others.
9. Help students to cope with negative peer pressure.
10. Be sensitive to changing behavioral patterns.
11. Strive for mutually respectful relationships with students.
12. Assist students and administrators in developing a climate in the school that is conducive to wholesome learning and living.
13. Report immediately to the principal any student who may jeopardize his/her own safety, the safety of other students, the safety of teachers, or who seriously interferes with the instructional program of the classroom as required by the Student Code of Conduct.
14. Serve as surrogate parents/guardians in matters of behavior, discipline and academics in accordance with Pennsylvania School Law.
15. Interpret and review the discipline policy with students in class/advisory period/homeroom.
16. Be fair, firm, and consistent in enforcing the Discipline Policy in the classroom, in the hallway, in the restrooms, on school transportation, on the school campus, and at all school-sponsored activities.



#### **D. RESPONSIBILITIES OF ADMINISTRATORS:**

1. Promote a climate of mutual respect and dignity that will strengthen the students' self-image.
2. Reflect a personal enthusiasm for teaching and learning as well as a genuine concern for the individual students.
3. Develop procedures that reduce the likelihood of student misconduct.
4. Make sure that all incidents are carefully and thoroughly investigated.
5. Provide the opportunity for students, staff, and parents to approach the administrator directly for redress of grievance.
6. Develop close, cooperative relationships with parents for the educational benefit of students.
7. Utilize all appropriate auxiliary staff and community agencies to help parents and students identify problems and seek solutions.
8. Be fair, firm, and consistent in all decisions affecting students, parents, and staff.
9. Demonstrate, by word and personal example, respect for law and order, self-discipline, and a genuine concern for all persons.
10. Strive for mutually respectful relationships with students.
11. Establish and maintain building security.
12. Assume responsibility for the dissemination and enforcement of the discipline policy.
13. Comply with pertinent laws governing hearings, suspensions, and the rights of students.
14. Support teachers and parents in their effort to enforce discipline policy.

### **III. STUDENT BEHAVIORAL EXPECTATIONS**

#### **A. ARRIVE TO SCHOOL AND CLASS ON TIME**

Students and staff will have the opportunity to stand, salute the Flag and to recite the Pledge of Allegiance. Students or staffs who choose to refrain from standing, saluting the Flag and/or reciting the Pledge of Allegiance shall respect the rights of those who do wish to participate by maintaining a respectful silence.

1. Listen to all announcements and respect the rights of others to listen. Review the weekly schedule.
2. Follow the rules of conduct posted in each homeroom/classroom.

#### **B. REPORT TO CLASS WITH NECESSARY BOOKS, MATERIALS, SUPPLIES, AND ASSIGNMENTS.**

Sit in seat immediately and prepare for the course work.

1. The teacher acknowledges all administrators and visitors when they enter the classroom.
2. Refrain from sleeping in class. This is unacceptable.
3. Refrain from putting feet on the desks and chairs.

4. Refrain from eating and drinking in class.
5. Stay on academic tasks until the end of the class period.
6. DO NOT STAND IN THE DOORWAY WAITING FOR DISMISSAL

**C. MOVE THROUGH THE BUILDING IN AN ORDERLY MANNER.**

Use “inside voice” when talking to teachers and peers.

When walking in the halls, stay to the right.

If there is a fire drill or disaster of any kind, follow directions and move silently.

**D. USE DAILY PLANNER FOR CLASS ASSIGNMENTS.**

CSE encourages the use of a daily planner to keep track of assignments and upcoming events.

**E. APPROPRIATE HALLWAY PROCEDURES**

A hall pass is for one student and it must be assigned by the teacher.

Limit displays of affection (See Inappropriate Sexual Conduct, below).

**F. FOLLOW LUNCH SCHEDULES AND RULES.**

Lunch is a time for fellowship with friends and faculty. Consuming food or beverages (other than water) in the hallways and classrooms is strictly prohibited. All food and beverages are to be consumed in the cafeteria and only during designated times e.g. breakfast and lunch. Students who enter the building with food or drinks will be required to place these items in their locker/coat rack area and wait until their assigned lunch to retrieve them. However, all open food items **MUST** be discarded in the appropriate receptacle. Students who violate this policy will be subject to disciplinary consequences.

**G. DRESS CODE.**

The student is expected to be mature enough to exercise good judgment in the selection of appropriate clothing for school. Clothing must be neat, clean, and tasteful. Outdoor clothing such as coats, hoods, jackets, hats, and gloves are not permitted to be worn during the school day, unless directed so by staff. Pants should be secured around the waist. Bare midriffs are not permitted. Clothing with suggestive or derogatory pictures, phrases, of advertising of alcohol, tobacco, or drugs are not to be worn. Bandanas, winter headbands (wider than 2 inches), hats, hoods, and sunglasses are not to be worn anywhere in school. In questionable situations, the administration will make the final decision about what constitutes appropriate dress for school. **The CSE administration may impose additional limitations on dress if the attire causes a disruption of the educational process or constitutes a health or safety hazard.**

NOTE: See specific dress policy under Student Dress Code.

## H. SMOKING / USE OR POSSESSION OF TOBACCO PRODUCTS

The use or possession of tobacco products and paraphernalia used to aid in the ingestion of tobacco/nicotine (i.e.-E-cigarettes, vapes, lighters, rolling papers, etc.) is prohibited in the school building, a school bus, field trips or on school property owned by, leased by or under the control of the school district. (Smoking on school property is also prohibited under Section 28.3 of the Fire Code.) Pursuant to 18 Pa. C.S.A. §6306.1 of the Pennsylvania Crimes Code, a pupil convicted of the summary offense of using or possessing tobacco product in a school building, a school bus or on school property owned by, leased by or under the control of the school, shall be sentenced to pay a fine plus court costs.

## I. LOCKERS AND LOCKS.

Students are given the privilege of being assigned a specific locker (depending on site location) in which to store school materials and personal property during school hours. Students are allowed and are encouraged to keep their assigned lockers secure and locked to safeguard their belongings from other students. However, students must understand it is not the intent of CSE to relinquish its exclusive control over the locker.

**All lockers are and shall remain property of the CSE. Accordingly, students shall have no expectation of privacy in their school lockers. Students are hereby notified that all authorized Charter School of Excellence school employees and officials may inspect students' lockers at any time, for any reason.**

In order to be granted the privilege of having the use of a school locker, the student at the beginning of each school year will be required to sign an acknowledgment, which asserts that they have reviewed the locker search policy and they understand they have no reasonable expectations of privacy in their school lockers. Students are not allowed to share lockers or use lockers not assigned by their advisors. Only school-supplied locks are permitted.

Most locker thefts are the result of carelessness on the students' part. REMEMBER TO LOCK THE LOCKER. DO NOT GIVE COMBINATIONS TO OTHER STUDENTS. If a lock has to be removed by the custodial staff, the student must obtain a permission slip from the mentoring period/homeroom teacher and have it signed by an administrator verifying that the locker is assigned to the student. The student is responsible for returning the lock at the end of the school year. THERE WILL BE A \$10.00 CHARGE FOR MISSING LOCKS.

Note: Skills Center students use open coat racks. Privacy and expectations are consistent with locker regulations. CSE is not responsible for lost or stolen items.

## J. SETTLE CONFLICTS APPROPRIATELY.

The expectations at CSE are to maintain a non-violent environment.

- K. USE APPROPRIATE LANGUAGE.**
- L. RESPECT SCHOOL PROPERTY AND THE PROPERTY OF OTHERS.**
- M. RESPECT YOUR PEERS.**
- N. RESPECT THE STAFF AND VISITORS.**
- O. RESPECT YOURSELF.**
- P. END OF SCHOOL DAY.**

All students must leave the building at the end of their session unless supervised by a member of the staff.

#### **IV. ATTENDANCE POLICY**

**ATTENDANCE** – “Attendance” is the presence of a student on days school is in session. “Absence” is the failure of a student to attend school on those days, half days and hours school is in session. Attendance shall be required of all students enrolled in the schools during the days and hours that school is in session, except when the absence is “excused” as set forth below.

##### **A. POLICY STATEMENT**

The Board of Trustees of CSE requires that school-aged students enrolled in the CSE attend school regularly in accordance with the laws of the state. The educational program offered by this Charter School depends on the presence of the student and requires continuity of instruction and classroom participation. The regular contact of students with one another in the classroom and participation in well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose. As the Board believes there is a direct connection between classroom presence and student achievement and that class attendance is relevant to the pupils’ overall performance and grades, it is the policy of CSE that students who are “truant” or have missed class due to unexcused or illegal absences may not receive credit for the class for the days which were actually missed by the pupil. In the alternative, the Administration and/or the teacher may allow the truant student to make up all incomplete work.

##### **B. EXCUSED ABSENCE**

An “excused absence” includes the absence of a student for any of the reasons set forth below. Parents are requested to call the office to verify all excused absences or excused tardies. Within three (3) days from when a student returns to school after an absence, she/he presents a written note to the homeroom teacher giving the **student’s full name, grade, and homeroom, listing the dates of absence and detailing the reason(s) for the absence. The parent or guardian signs and dates the note and indicates the**

**home phone number.** Upon receipt of the required written excuse in the mandatory time frame, the absence will be recorded as a “legal absence.”

The types of "legal" absences are as follows:

1. **Illness**—If a student becomes ill during the school day, the student must obtain a pass from the teacher to see the nurse. If necessary, a parent will be contacted by the nurse and the student is given written permission to be excused to go home. The nurse must inform the attendance office of the illness.

If a student is unable to attend school due to illness, the student shall submit to CSE a written excuse from either his/her parent or licensed practitioner of the healing arts within three (3) school days after the absence. Failure to submit a written excuse within this timeframe shall result in the absence being record as illegal or unexcused.

If a student accumulates more than ten (10) absences due to illness during one school year, the school administration shall require that student to provide a medical statement or excuse from a licensed practitioner of the healing arts for every subsequent absence due to illness. Failure to provide the requested medical excuse shall result in such absence being classified as unexcused and/or unlawful depending upon the age of the student. Forms for medical excuses are available in the school office.

2. Death in the family
3. Religious holidays and religious instruction (with religious instruction limited to a total of not more than 36 hours per school year)
4. Impassable roads
5. Emergency – school administrators will determine whether a specific circumstance qualifies as an "emergency" on a case by case basis
6. Delay or absence of school bus
7. Educational tour/trip
8. Quarantine or isolation ordered by medical or appropriate public officiating body.
9. Family vacation – Parent/guardian must submit in writing a request two weeks prior to vacationing dates and this request must be approved by school personnel.
10. Court appearance
11. College visitation (if applicable)
12. Junior/Senior excusal for interviews — When students have a written invitation or appointment to go for a job interview, college admission, nurses’ training, trade or

technical school as well as other post-high school plans, they may be excused for a total of three (3) days during their Junior/Senior year. The student/parent is to obtain a permission slip from the appropriate guidance counselor and have this completed before the day she/he is to be excused. After the appropriate counselor gives permission, the counselor sends a copy of the same to the attendance secretary. For early morning appointments, the request from the parent may be brought the day prior to the appointment. (If applicable)

13. Dental and Medical Appointments - Students who wish to leave the school for dental or medical appointments shall submit a note from the parent or an appointment card from the doctor to the school office prior to the appointment.

**Students/Parents are asked to schedule medical appointments after school as much as possible.** The student must obtain written proof from the doctor/dentist that he/she appeared at the appointment, which must be returned to the Attendance Office upon the student's return to school or the absence from school will be considered UNEXCUSED or ILLEGAL, depending on the age of the student.

14. Home Tutored Instruction - The parent must secure a form from the building principal or designee for the doctor to complete. The form must be returned to the building administrator in charge of attendance.

All home tutored assignments, books, materials and return of materials must be coordinated through the appropriate counselor, or administrator.

15. Weather emergency – If CSE is officially closed due to extreme weather, parents are not required to send a written excuse for their child's absence on that day. On days where CSE remains open but parents think conditions in their specific area are hazardous, they should keep their children home from school. In such cases, absences will be excused when verified by notes from parents that the absences are due to hazardous weather conditions.

**Excused absences are not to be considered perfect attendance.** The only exceptions to this policy are: school related field trips, sports, or absence from school for religious instruction. No other exceptions are made.

The following reasons for absences are NOT legal and shall NOT count as "excused" absences: personal business (work/hair appointment/shopping), oversleeping, missing the bus, car problems, hunting, babysitting siblings or others, senior skip day, general excuses (such as "out of town," "at an appointment," or "family emergency"). Building administrators will contact parents to gain further explanation of general excuses.

## C. UNEXCUSED ABSENCE

An "unexcused absence" is the absence of a student who is beyond compulsory school age (18 years or older) who leaves school during school hours without school

authorization or absences from school for reasons other than those defined as legally excused as set forth in Section V.B., above.

Students who are beyond compulsory age for education are not subject to the truancy provisions of the Pennsylvania Public School Code. However, consistent with CSE policy that attendance in class is directly related to a student's performance, achievement and ultimate success, a student's unexcused absence/s shall trigger the following interventions and behavioral modifications:

1. On the 4<sup>th</sup> day of unexcused absences, the school shall notify the parent, in writing, of the unexcused absence. This shall be the first warning.
2. When the next unexcused day of absence occurs, the school shall notify the parent of the unexcused absence and request the parent to attend a conference to discuss the reasons for the absence. The parent, student, and school administrator shall agree on a pattern of regular school attendance. As a result of this conference, the attendance of the student will be monitored for a period of twenty (20) school days.

#### **D. ILLEGAL ABSENCE**

An "illegal absence" is an absence from school for all students of compulsory school age (years) for reasons other than those defined as "legally excused."

Again, consistent with the CSE policy, that attendance in class is directly related to a student's performance, achievement and ultimate success, a student's illegal absence/s shall trigger the following interventions and behavioral modifications:

1. After three (3) days of illegal absences, the school shall notify the parent, in writing, of the illegal absence. This shall be the first warning.
2. When the next illegal absence occurs, the school shall notify the parent of the illegal absence and request the parent to attend a conference to discuss the reasons for the absence. The parent, student, and school administrator shall agree on a pattern of regular school attendance. As a result of this conference, the attendance of the student will be monitored for a period of twenty (20) school days.

#### **E. TRUANCY**

In addition to any interventions and behavioral modifications utilized by the Charter School of Excellence for students who have acquired illegal absences or their equivalent (e.g., accumulation of illegal tardies or half-day absences), compulsory aged students (years 6-18) must comply with the compulsory education/truancy provisions of the Pennsylvania Public School Code. The following procedure will be followed:

1. First Notice—A first notice shall be served to the student's parent(s)/guardian as soon as a student has accumulated three (3) days of illegal absences. It

remains a first notice until three (3) calendar days have elapsed after legal notice has been served on the parent(s)/guardian.

Compulsory attendance is a matter of state law and regulations. Students who do not comply with compulsory attendance regulations will be subject to the consequences outlined in the Charter School of Excellence attendance policy, which requires your participation in a school-family conference in which the school will assist you in improving attendance.

The purpose of the school-family conference (an aspect of the Truancy Elimination Plan) is to discuss the cause(s) of the truancy and to develop a mutually agreed-upon plan to ensure regular school attendance. The school-family conference provides both parties with the opportunity to identify, understand, and explore all issues contributing to the student's truant behavior. Participation by the student and family is a central component for this conference. Issues to be addressed at the school-family conference would include but not limited to:

- Appropriateness of the student's educational environment
- Possible elements of the school environment that inhibit student success
- Student's current academic level and needs
- Social, emotional, physical, mental, and behavioral health issues
- Issues concerning family and home environment
- Any other issues affecting the student's attendance

Parents/Guardians who do not schedule a school-family conference within the first week of receiving the letter who refuse to cooperate with the school, upon the next illegal or unlawful student absence will have proceedings initiated against them before a District Judge.

2. Second Notice—The next illegal absence after the first notice is closed becomes a second offense and the appropriate administrator will serve a second notice on the student's parent(s)/guardian. Upon serving the second notice on the student's parent(s)/guardian, charges will be filed with the District Judge.
3. Hearing before District Judge—After charges are filed with the District Judge, the student's parent(s)/guardian will receive notice of a hearing before the District Judge. Both the truant child and the parent(s)/guardian must appear at the hearing. If the parent(s)/guardian show that they took reasonable steps to ensure the attendance of the child, they will not be convicted of a summary offense.
  - a. Upon conviction of a summary offense for failure to comply with compulsory attendance laws, the truant student's parent(s)/guardian may be sentenced to pay a fine, not to exceed three hundred dollars (\$300.00). A truant student's parent(s)/guardian may be sentenced to a fine not exceeding \$500 for a second



offense and not exceeding \$750 for a third offense and must pay court costs or be sentenced to complete a parenting education program.

- b. If the parent(s)/guardian are not convicted, and the child continues to be truant and has reached the age of thirteen (13), and has been convicted of violating the compulsory attendance laws:
  - (i) The child may be fined up to \$300.00 or be assigned to an adjudication alternative program; and
  - (ii) The Pennsylvania Department of Transportation (PennDOT) will suspend the child's driving privileges for 90 days.
  - (iii) If the child is convicted of a second or subsequent violation, PennDOT will suspend the child's driving privileges for six months.
  - (iv) If the child convicted of a violation of compulsory attendance laws is unlicensed, that child will be ineligible to apply for a learner's permit or driver's license for 90 days after a first offense, or for six months after a second or subsequent offense. If the child is under sixteen years of age when convicted, suspension of operating privileges will commence upon the child's sixteenth birthday.
4. Attendance subsequent to District Judge hearings – If students are illegally absent again after a hearing before a District Judge, the Charter School shall again file charges (another Second Notice) with the District Judge for subsequent illegal absences.

## F. PARTICIPATION IN SCHOOL ACTIVITIES

Any student not in attendance for the full day WILL NOT BE PERMITTED to participate in any school activity that day. This rule does not apply to those students who receive pre-approval from the appropriate school administrator for the reasons stated above, or other reasons as determined by the administration.

### 1. TARDINESS

- a. Tardiness is arriving to school past the start of the school day. Any student who comes in tardy should report to the Main Office for a tardy slip to take to their class. After **3 unexcused tardies**, a meeting with the parent and student will be requested to alleviate the tardiness problem.
- b. Chronic tardiness may result in further disciplinary action. Additionally, illegal tardies may, when added together, constitute the equivalent of an illegal absence from a day/s of school, which triggers both internal CSE interventions and/or truancy procedures. NOTE: 330 illegal tardy minutes constitute one illegal day of absence.

## 2. HOMEWORK AND ASSIGNMENTS

Purpose: Homework contributes toward building responsibility, self-discipline, and life-long learning habits. Homework introduces, reinforces, or extends knowledge and skills learned in the classroom.

### Underlying points:

- Homework should serve to enhance a student's grade as opposed to reducing their grade.
  - Homework should never impact more than 10% of the student's final semester and year end grade for normal CSE courses.
  - Homework for Honors and Dual Enrolled courses could impact up to 20% of a student's final semester and year end grade.
- It is the intention of the Charter School of Excellence to assign relevant, challenging, and meaningful homework assignments that reinforce classroom learning objectives.

### Homework will be:

- Rigorous: challenging and appropriate to the academic zone of proximal development, structured for high completion rate, and designed to be done independently without the assistance of the teacher or the parent.
- Relevant: students will realize the value of the homework as it is applied to the learning goals.
- Related: teachers will relate homework directly to identified learning goals. Homework should provide students with the opportunity to apply information they have learned, and develop independence

### Homework assignments include:

- Practice exercises to follow classroom instruction
- Preview assignments to prepare for subsequent lessons
- Extension assignments to transfer new skills, concepts, or knowledge
- Creative activities to integrate many skills toward the production of a presentation or product

### Responsibilities of Teachers:

- Assign relevant, challenging, and meaningful homework that reinforces classroom learning
- Give clear instructions and make sure students understand the purpose
- Provide feedback and post grades of homework by the end of the week
- Communicate with other teachers and school staff
- Involve parents and contact them if a pattern of late or incomplete homework develops

### Responsibilities of Students:

- Write down assignments and maintain organization.
- Be sure all assignments are clear; ask questions if necessary

- Set aside a regular time for studying
- Produce quality work.
- Make sure assignments are done according to the given instructions and completed on time.

When a student is absent (excused), a homework assignment request must be made by parents through the appropriate staff. At least one day (24 hours) prior notice should be given for instructors to gather all materials requested.

Requests are presented to teachers by the appropriate staff. Teachers will then send assignments to the appropriate staff. The counselor will document that the assignments were received and given to the administrative assistant. Parents may pick up assignments in the office during regular school hours. After returning to school, the student will be expected to complete all schoolwork.

### 3. LEAVING WITHOUT PERMISSION/”WALKOUTS”

Unless the student has a Parent Permission Form signed by the parent describing a legal reason to be absent from school, as set forth in the Excused Absence section set forth above, she/he is not to leave the building for any reason. (If the student forgot to return the permission form, an administrator may call the parent, documenting permission received by phone.) The Permission Form must be approved by the appropriate administrator and taken to the Attendance Office. The Attendance Office will verify the permission slip with the parent/doctor and issue an early excusal slip. This slip should be retained by the student and should be presented to and signed by all teachers whose classes are missed to verify the absence as excused.

Under **no** circumstances should a student call home and ask her/his parents to come and take her/him home. When necessary such calls should be made by the school nurse or the appropriate administrator.

A student found to have left school property **without written permission** by the appropriate administrator will be considered illegally absent or unexcused absent, as defined above, for the time not in attendance. Again, a “0” will be given for all classes for which the student is illegally or unexcused absent.

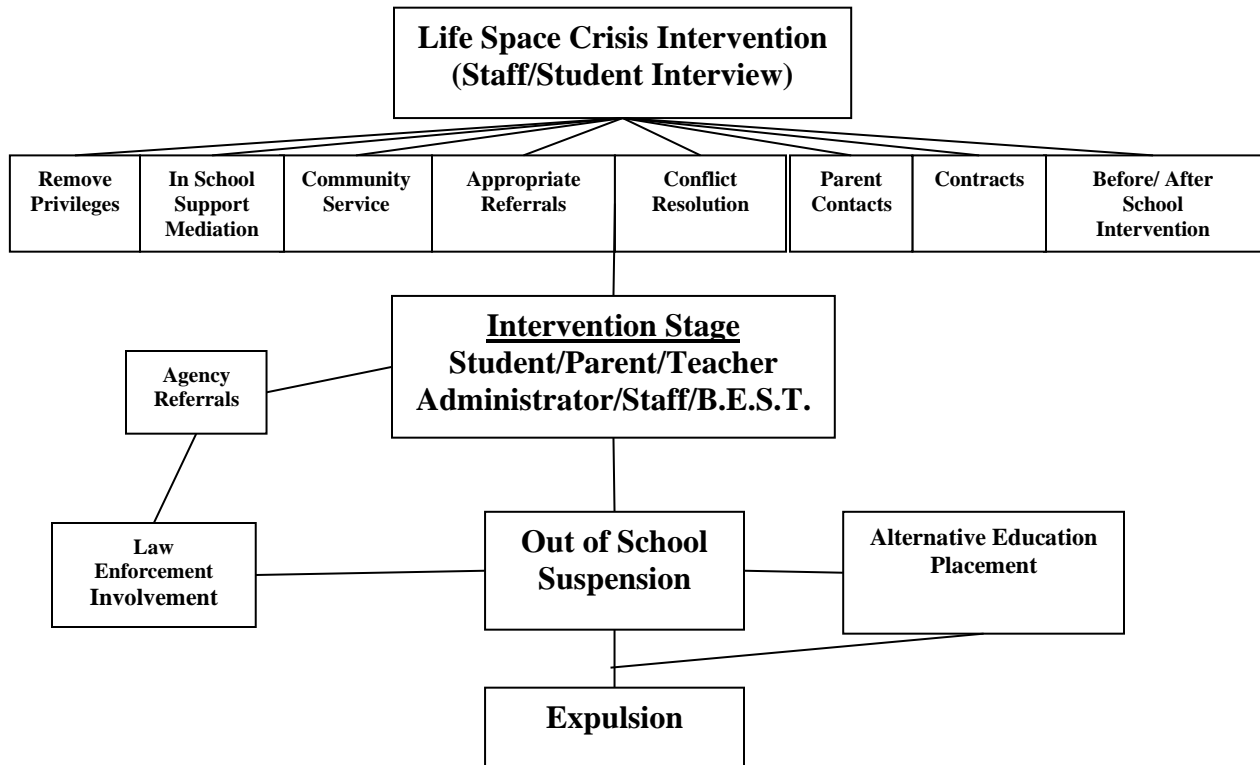
Students who chronically leave without permission/walk out may be assigned in school support or further disciplinary action.

**IF A STUDENT LEAVES SCHOOL PROPERTY WITHOUT PERMISSION, THEY MUST RETURN WITH A PARENT OR LEGAL GUARDIAN TO GAIN RE-ADMITTANCE TO SCHOOL.**

4. **CLASS CUT**— Is the absence from class without the knowledge and prior written permission of the teacher whose class will be missed. The teacher who requests the presence of the student should write the note and give it to the student to get the required signature.

5. **WITHDRAWAL**—If a student is absent from school for ten consecutive school days, that student shall be removed from the active membership roll unless one of the following occurs:
- a. CSE has been provided with evidence that the student’s absence may be legally excused, or compulsory attendance prosecution has been or is being pursued.

## V. CONTINUUM OF CONSEQUENCES



### SPECIAL EDUCATION

According to state and federal special education regulations, annual public notice to parents of children who reside within a school district is required regarding Child Find responsibilities. School districts, intermediate units, and charter schools are required to conduct Child Find activities for children who may be eligible for services via Section 504 of the Rehabilitation Act of 1973. For additional information related to Section 504/Chapter 15 services, the parent may refer to Section 504, Chapter 15, and the Basic Education Circular entitled Implementation of Chapter 15. Also, school districts are required to conduct Child Find activities for children who may be eligible for gifted

services via 22 PA Code Chapter 16. For additional information regarding gifted services, the parent may refer to 22 PA Code Chapter 16. If a student is both gifted and eligible for Special Education, the procedure in IDEA and Chapter 14 shall take precedence. For more information including a summary of the special education services, evaluation and screening activities, and rights and protections pertaining to children with disabilities, children thought to be disabled, and their parents or to request evaluation or screening of a preschool or school aged child, public or private, contact the school or district where your child attends or view the complete document on the CSE website [www.charterschoolofexcellence.org](http://www.charterschoolofexcellence.org) . Additionally, one may contact a school representative through the contact information listed below: Director of Pupil Services 1511 Peach St. Erie PA 16501 814-480-5908. CSE will not discriminate in employment, educational programs, or activities based on race, color, national origin, age, sex, handicap, creed, marital status or because a person is a disabled veteran or a veteran of the Vietnam era. No middle or secondary school pupil enrolled in the CSE program shall be denied equal opportunity to participate in age and program-appropriate instruction or activities due to race, color, handicap, creed, national origin, marital status, or financial hardship

### **FERPA**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students 18 years of age and over (eligible students) certain rights with respect to the student's education records. The complete notice is available on the Charter School of Excellence website: [www.charterschoolofexcellence.org](http://www.charterschoolofexcellence.org) and at CSE school offices.

## **VI. DISCIPLINARY PROCEDURES**

Discipline procedures will generally follow a continuum of consequences for students who exhibit negative behaviors. Discipline will be administered according to the continuum unless the severity of the incident(s) dictate increased disciplinary penalties or if chronic behavior problems exist after attempts have been made to correct infractions. Listings of the infractions are listed within the Student Code of Conduct.

Categories of **disciplinary action for violations of the Student Code of Conduct** could include and of the following:

### **A. LIFE SPACE CRISIS INTERVENTION**

This is a therapeutic, verbal strategy for intervention with students in crisis or presenting behavioral problems. The process uses students' reactions to stressful events to (a) change behavior (b) enhance self-esteem, (c) reduce anxiety, and (d) expand understanding and insight into their own and others' behavior and feelings (Long, 2001 p.

5). The last stage of the interview incorporates competency development by teaching new skills on how to handle similar situations in the future.

**B. IN SCHOOL SUPPORT**

Student is placed under the direct supervision of an administrator or their designee for instruction and to address behavior issues.

**C. COMMUNITY SERVICE**

Students may be assigned community service hours in a controlled setting.

**D. MAKE-UP HOURS**

Students may be required to attend additional hours to make-up missed class time, or lost time due to misbehavior.

**E. REMOVE PRIVILEGES**

Certain privileges may be revoked due to inappropriate behaviors.

**F. CONTRACTS**

Mutually agreed upon goals and objectives of improved behavior are written and signed by involved parties which can include but are not limited to students, teachers, administrators, parents, and other appropriate staff. Non-compliance with the contract will lead to the next level of discipline.

**G. PEER MEDIATION/CONFLICT RESOLUTION**

This program is designed to create awareness with students as to how to resolve differences by talking about them and by finding ways to control their anger. This process is used as a method of solving problems that arise among students before these problems reach a point where violence is likely.

**H. BEFORE/AFTER SCHOOL INTERVENTION**

Provides intervention and support to address academic, behavioral, or social issues.

**I. OUT OF SCHOOL SUSPENSION (O.S.S.)**

A student may be suspended from school for a period of one (1) to ten (10) days and is in the custody of the parent/guardian. A continuum of discretion shall follow a 1, 3, 5, 7, 10 day allotment for subsequent suspensions when applicable. Students shall have the responsibility to make up exams and work missed while on suspension. The Administration will arrange for classroom assignments and parents may pick up assignments at the school office. *It is the responsibility of the parents and students to contact the school to collect assignments during the student's period of suspension.*

Teachers must be given one day to prepare assignments. Students are not permitted on school grounds during the suspension and are excluded from participation in all school-sponsored activities including, but not limited to field trips, academic challenges, and cooperative work experience. Violation of this rule shall be considered a defiant trespass, which shall be considered a suspendable or expellable offense, depending on the circumstances. A conference will be held with the parent, student, and appropriate staff.

**J. CHARGES FILED WITH THE POLICE DEPARTMENT/LAW ENFORCEMENT INVOLVEMENT**

Any behavior that is in violation of civil or criminal law will be dealt with as the law permits. CSE will report incidents to law enforcement officials who may, after investigating the incident, file criminal charges against the student when warranted.

**K. AGENCY REFERRALS**

Certain referrals may be made to appropriate agencies for assistance.

**L. EXPULSION**

Expulsion is the exclusion of a student from school property, at any school-sponsored activity, or on any public conveyance providing transportation to a school or school-sponsored activity for any period of time greater than ten (10) school days. Prior to any student being expelled, a formal hearing will be conducted by members of the CSE Board of Trustees, although students may waive their right to this hearing. **Students who are expelled may not attend or participate in any school activities/events including Graduation and Proms. Students who are expelled are not permitted on school property. A violation of this rule shall be considered a defiant trespass and the local police may be notified.**

Students who have been expelled may petition the Chief Administrative Officer (after one year) for return to the Charter School of Excellence through the Alternative Education Program.

**VII. STUDENT DUE PROCESS RIGHTS AND EXPULSION POLICY**

**SUSPENSION**

**A. IN-SCHOOL SUSPENSION**

A student may receive in-school suspension. The suspension will not become effective until the student has been informed of the reasons for the suspension and given an opportunity to respond. The parent will be informed as promptly as possible of the suspension action taken. When an in-school suspension exceeds ten (10) consecutive school days, an informal hearing with the principal shall be offered

to the student and the student's parent/guardian prior to the eleventh school day (*See* 22 Pa.Code § 12.7.)

## **B. OUT-OF-SCHOOL SUSPENSION**

A student may be suspended from school for a period of one (1) to ten (10) days and is in the custody of the parent/guardian. A continuum of discretion shall follow a 1, 3, 5, 7, 10 day allotment for subsequent suspensions when applicable. Students shall have the responsibility to make up exams and work missed while on suspension. The Administration will arrange for classroom assignments and parents may pick up assignments at the school office. *It is the responsibility of the parents and students to contact the school to collect assignments during the student's period of suspension.* Teachers must be given one day to prepare assignments. Students are not permitted on school grounds during the suspension and are excluded from participation in all school-sponsored activities including, but not limited to field trips, academic challenges, and cooperative work experience. Violation of this rule shall be considered a defiant trespass, which shall be considered a suspendable or expellable offense, depending on the circumstances. A conference will be held with the parent, student, and appropriate staff.

Suspension is exclusion from school for a period of one (1) to ten (10) consecutive school days.

1. No student shall be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond. However, prior notice of the intended suspension need not be given when it is clear that the health, safety, or welfare of the school community is threatened.
2. The student's parents/guardians shall be notified immediately in writing when the student is suspended.
3. When the suspension exceeds three (3) school days, the student and parent/guardian shall be given the opportunity for an **informal hearing**. The purpose of the informal hearing is to enable the student and/or parents/guardians to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended. (NOTE: When a student is referred for expulsion, the informal hearing is used to make the determination of whether the student's presence in his/her normal class during the period of time after the 10 day suspension has run out but prior to the Board of Trustees making its final determination on expulsion would constitute a threat to the health, safety or welfare of others.)



The student has the following due process rights in regards to the informal hearing:

- a. Notification of the reasons for the suspension shall be given in writing to the parents/guardians and to the student.
- b. Sufficient notice of the time and place of the informal hearing shall be given.
- c. A student has the right to question any witnesses present at the hearing.
- d. A student has the right to speak and produce witnesses on his/her own behalf.
- e. The Charter School of Excellence shall offer to hold the informal hearing within the first five (5) days of the suspension.

### **C. EXPULSION.**

Expulsion is exclusion from school by the Board of Trustees for a period exceeding the (10) school days and may be permanent expulsion from the school rolls.

1. Students referred to the Board of Trustees of CSE for expulsion are entitled to a **formal hearing**.
2. Formal hearings may be held before the entire Board of Trustees, before a committee of the Board, or a single Board Representative.
3. Formal hearings shall be scheduled during the ten day suspension period whenever possible. A student will not be excluded from school for longer than fifteen school days without a formal hearing unless mutually agreed upon by the CSE and the student although the formal hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible:
  - a. Laboratory reports are needed from law enforcement agencies.
  - b. Evaluations or other court or administrative proceedings are pending due to a student invoking his/her rights under the Individuals with Disabilities Education Act (20 U.S.C.A. §1400-1482).
  - c. In cases in juvenile or criminal court involving sexual assault or serious bodily injury, delay is necessary due to the condition or best interests of the victim.
4. When a student is referred for expulsion and after the ten day suspension has run out, but before the formal expulsion hearing has been held and/or a final decision has been rendered by the Board of Trustees, the student shall be

placed in his/her normal class except when it is determined that the student's presence in his/her normal class would constitute a threat to the health, safety, or welfare of others. Such determination shall be made at the informal hearing. When it is determined that the student may not be returned to his/her normal class during this interim time period, the student shall be provided with alternative education, which may include home study.

5. The following due process requirements shall be observed with regards to formal hearings:
  - a. Notification of the charges shall be sent to the student's parents/guardians by certified mail.
  - b. Sufficient notice, at least three days prior to the hearing, setting forth the time and place of the hearing must be given. A copy of this expulsion policy and hearing procedures shall be included with the hearing notice, as well as notice that legal counsel may represent the student. A student may request the rescheduling of the hearing when the student demonstrates good cause for an extension.
  - c. The hearing shall be held in private unless the student or parent/guardian requests a public hearing.
  - d. The student has the right to be represented by counsel, at the expense of his/her parent/guardian, and to have his/her parent/guardian attend the hearing.
  - e. The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses.
  - f. The student has the right to request that any such witnesses appear in person and answer questions or be cross-examined.
  - g. The student has the right to testify and present witnesses on his or her own behalf.
  - h. A written or audio record must be kept of the hearing. The student is entitled, at the student's expense, to a copy of the transcript, although a copy shall be provided at no cost to a student who is indigent.
  - i. Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.
6. Unless the decision of the Board of Trustees specifies that the expulsion is for a shorter period, students who have been expelled may petition the Chief Administrative Officer (after one year) for return to the Charter School of Excellence through the Alternative Education Program.

#### **D. FORMAL HEARING PROCEDURE.**

At the formal expulsion hearing, the committee of the Board of Trustees sits as judge and jury and the Administration presents evidence of the Student Code of Conduct violation to the Board of Trustees. The Board of Trustees and the Administration are represented by separate counsel. The formal hearings are bifurcated proceedings. The Administration presents evidence of due process and of the alleged Student Code of Conduct behavior violations in the first stage of the hearing. If the Board of Trustees feels the Administration has shown substantial evidence exists to support the student's alleged behavior violations, then the second stage of the hearing will commence, at which the Administration recommends a disciplinary consequence. The Administration may present evidence pertaining to the student's prior academic achievement, attendance, discipline history, and any other extenuating circumstances it feels relevant to support its recommendation. The student will have an opportunity to cross examine District witnesses in both stages of the hearing, and will be given the opportunity to present his/her own evidence at both stages of the hearing. The committee of the Board of Trustees shall make a recommendation to the Board of Trustees regarding the outcome of the hearing, which recommendation must be approved by a vote of the Board of Trustees at a public meeting.

### **VIII. STUDENT CODE OF CONDUCT**

**All provisions regarding student behavior are applicable to students while on school property, at any school-sponsored activity (including graduation, dances, field trips, etc.), on any public conveyance providing transportation to a school or school-sponsored activity, and to students going to and returning from school. Depending on the severity of a student's behavior, any student behavior offense may be treated as a second or third offense.**

**The Student Code of Conduct describes a broad range of misconduct that is prohibited for CSE students. Because the following sections listing acts of misconduct do not include all types of misconduct, students should understand that if they commit an act of misconduct not listed below they may be disciplined subject to the discretionary authority of the building administrator and/or the Chief Administrative Officer of the Charter School of Excellence.**

**Offenses addressing student behavior are as follows:**

#### **A. ASSAULT/PHYSICAL ACTS OF VIOLENCE**

**ZERO TOLERANCE - the deliberate or reckless attempt to cause or the actual causing of physical pain or injury to another or the deliberate or reckless attempt by physical menace to put another in fear of imminent physical pain or injury.**

A student who assaults or commits a physical act of violence on another student or any school personnel may be given ten (10) days Out-of-School Suspension (O.S.S.) and may be referred to the Board of Trustees of the CSE for discipline up to and including expulsion. The incident will be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted. A conference will be held with the parents, student, and appropriate staff.

## **B. BULLYING**

Intentional electronic, cyber-bullying, written, verbal or physical act, or a series of acts:

1. directed at another student or students;
2. which occurs in a school setting;
3. that is severe, persistent or pervasive; and
4. that has the effect of doing any of the following:
  - a. Substantially interfering with a student's education; or
  - b. Creating a threatening environment for any specific student or groups of students; or
  - c. Substantially disrupting the orderly operation of the school.

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

Prohibited bullying acts could also occur *outside* of the school setting if those acts are directed at another student or students and meet the requirements of paragraphs 3 and 4, above. Prohibited bullying acts occurring outside of the school setting specifically include, but are not limited to, a student's use of his/her personal computer or other electronic device outside of school.

Students are also on notice that school officials need not wait for substantial interference with education, the actual creation of a threatening environment, or the substantial disruption of the orderly operation of school to occur. School officials may discipline students when it is reasonably foreseeable that the student's bullying acts pose a realistic threat of creating this substantial interference, threatening environment, or disruption.

Students are encouraged to report incidents of bullying to school officials. Students shall report incidents of bullying to the Principal in each school.

The disciplinary consequences for violating the bullying policy shall vary depending on the seriousness and pervasiveness of the bullying. Students who violate the bullying policy may be referred to the SAP program for counseling and/or peer mediation and shall also be subject to discipline ranging from detention, to out of school suspension, or referral to the Board of Trustees for expulsion.

Copies of this Bullying Policy shall be posted in each classroom in the Charter School, on the CSE website, and shall be posted at a prominent location within each school building where such notices are usually posted.

### **C. CHEATING/PLAGIARISM**

1. **CHEAT** - To deceive, deprive by fraud, pretend, or obtain property/information/answers by distortion of the truth, swindle, or plagiarize another student's work, or aiding another student in copying or plagiarizing another's work. Cheating includes the use of technologies such as text messaging, cell phones, tablets, hand-held computers, etc., in a deceptive or dishonest manner in the classroom or educational setting.
2. **PLAGIARIZE** - To steal and pass off as one's own the ideas or words of another; to present as one's own idea or product derived from an existing source.

Depending on the severity or frequency of the cheating/plagiarism, cheating or plagiarizing may result in the student not receiving a credit for the assignment/test and further discipline ranging from detention up to and including expulsion (as a response to multiple offenses).

### **D. CLASSROOM LABORATORY/SCHOOL SAFETY**

Violation of classroom/laboratory/school safety practice shall include any actions which endanger oneself or others through the use or misuse of classroom and/or laboratory equipment or any object found on school property. If a violation is very serious, the student is removed from the laboratory and will be treated either as a second or third offense. A conference will be held with the parent, student, and appropriate staff.

**Depending on the severity of the behavior, violation of this provision may result in a disciplinary consequence of detention up to and including expulsion.**

### **E. COMPUTER MISUSE**

A student's use of the Charter School's computers and Internet resources is a privilege, not a right. Students are required to abide by the rules and regulations set forth in the Charter School's "Computer/Internet Acceptable Use Policy," the material provisions of which are set forth below. Student-users of the Charter School's computer network and Internet access are expected to use this technology as an education resource.

Student computer network/Internet users are expected to behave responsibly in accessing and viewing information that is pertinent to the educational mission of the Charter School. Students are required to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:

1. **Use of appropriate language.** The Charter School's Internet system has been established for an educational purpose. As such, the Charter School of Excellence prohibits student-users from using the following language which is inconsistent with this educational purpose:
  - a. Criminal speech and speech used in the course of committing a crime (for example: threats to the President or to any other person, instructions on breaking into computer systems, child pornography, drug dealing, purchase of alcohol, gang activities, etc.)
  - b. Speech that is inappropriate in an educational setting or violates Charter School of Excellence rules:
    - (i) Inappropriate language--obscene, profane, lewd, vulgar, threatening, harassing, or discriminatory language; or false or defamatory material about a person or organization
    - (ii) Dangerous information--information that if acted upon, could cause damage or present a danger of disruption
    - (iii) Violations of privacy--revealing personal information about others
  - c. In some circumstances, such as on **CSE** sponsored student Web pages, the **CSE** may require that student publications meet a variety of standards related to adequacy of research, spelling and grammar, and appropriateness of material (i.e., that school Web pages must relate to school and career preparation activities).
2. **Access to Information.** Students are prohibited from accessing the following categories of material or information on the Internet or World Wide Web:
  - a. Material that is profane or obscene;
  - b. Material that is pornographic, expressly including child pornography;
  - c. Material that is harmful to minors (i.e., pictures, as well as photos from cell phones or visual depictions which, taken as a whole, appeal to a prurient interest in nudity, sex, or perverted or lewd acts);
  - d. Material that advocates or condones the commission of unlawful acts;
  - e. Material that advocates or condones violence or discrimination towards other people.

Students are advised that the **CSE** has implemented a Technology Protection Measure that blocks or filters Internet access to the above categories of material or information, as well as other categories of material or information that

the CSE has deemed inappropriate for viewing by students in the educational setting.

**3. Online Safety/Privacy.**

- a. Students are prohibited from giving out personal information pertaining to themselves and pertaining to other students, such as addresses, telephone numbers, parents' work addresses or telephone numbers, or the name and location of their school, even through e-mail correspondence, unless specifically authorized by the Charter School and with the consent of the students' parents/guardians.
- b. Students must tell their teachers or parents immediately if they come across any information that makes them feel uncomfortable.
- c. Students must never agree to get together with someone they "meet" online without first discussing it with their parents. If their parents agree to the meeting, students must ensure that the meeting is in a public place and that they accompanied by one of their parents.
- d. Students are not permitted to access "chat rooms." CSE has implemented a Technology Protection Measure which is intended to block or filter Internet access to "chat rooms."
- e. Students are not permitted to use personal external drives or storage devices or CD's in school computer equipment.

**4. Electronic mail (e-mail)**

- a. Students must understand that there is no guarantee of privacy in their e-mail messages and that e-mail messages are subject to Charter School review at any time. Routine maintenance and monitoring of the Charter School's system may lead to discovery that the student has violated the law or a CSE policy/rule. An individualized search of a student's email will be conducted if there is a reasonable suspicion that a user has violated the law or CSE policy/rule.
- b. E-mail should be used only for legitimate educational purposes or as authorized by the CSE.
- c. Students should be courteous and respectful in their e-mail messages to others.
- d. Students are not given personal email addresses. Students are instead assigned generic classroom email addresses, under the supervision of the teacher, to allow them to communicate with other students and/or mentors.

## 5. Social Media

- a. Students are expected to practice caution when participating in any form of social media or online communications. Avoid communication that is profane, obscene, offensive, sexually explicit, inappropriate, inflammatory, or violent. Students posting to social media sites should ensure that their post does not reflect poorly on the school.
  - b. Personal information should not be shared over social networks to avoid someone using this information to link the name to false information and publishing it on the internet.
  - c. Students should be aware that their use of social media reflects on the CSE community. For this reason, social media interactions that impact the school day are subject to the behavioral standards set forth below:
    - (i) Comments, photos, or videos on social media sites or applications may not, under any circumstances, include any CSE students, faculty, or staff in school, on school grounds, or school sponsored trips or activities. Any student found posting material online or distributing it through social media will be subject to discipline and charged where applicable.
    - (ii) Students may not publish harassing, disparaging, sexually explicit, inappropriate, inflammatory, or violent remarks about CSE students, faculty or staff on social media sites.
    - (iii) Students cannot use the identity of another student, faculty or staff to join or post any social media.
6. **Plagiarism.** Students are reminded that it is plagiarism to “cut and paste” information from the Internet and then pass it off as their own original ideas. Students are prohibited from plagiarizing information and resources from the Internet and are reminded to cite properly sources used from the Internet.
7. **Copyright infringement.** All communications and information via the network (i.e., the Internet) should be assumed to be private property and protected by copyright. Students may not reproduce copyrighted material without explicit permission of the author/owner. Only public domain software can be downloaded.
8. **Unauthorized or Disruptive use “Hacking.”** Students are prohibited from using the Charter School network in such a way that would disrupt the use of the network by other users. Students may not create or share computer viruses. Students may not destroy another person’s data. Students may not break in or attempt to break into other computer systems or access files without authorization.



9. **Purchase of products or services.** Students are prohibited from purchasing products or services through the CSE network. CSE is not responsible for any financial obligations arising from unauthorized use of the Charter School of Excellence network for the purchase of products or services.
10. **Student passwords/accounts.** Students may not give their passwords to anyone. Students may not offer Internet access to any individual via their account.
11. **Unauthorized Disclosure, Use or Dissemination of Personal Information.** Students may not disclose, use, or disseminate personal information about students, especially minor students, without the authorization of that student's parent/guardian and without specific authorization from the Charter School.
12. **Prohibition on using peer-to-peer networking applications on the Internet.** Students are prohibited from using peer-to-peer networking applications on the Internet/World Wide Web, such as, but not limited to "fasttrack," "gnupella," "cazaa," and "napster, etc."

**The disciplinary consequences for a violation of the Computer/Internet Acceptable Use Policy are as follows:**

1. Students will be notified of each alleged violation of the Computer/Internet Use Policy and will be given an opportunity to respond to the allegation.
2. Depending on the severity of the violation of the Computer/Internet Acceptable Use Policy, students face disciplinary consequences ranging from warning to loss or privilege of use of the Internet/Charter School's computers to suspension.
3. Suspicion of a student's illegal use of the Internet or District computers, such as copyright violations, theft of services, or the system to publish defamatory statements, may be reported to the appropriate legal authorities for possible prosecution.
4. Students are responsible for damages to the equipment, systems, and software resulting from deliberate or willful acts.

**F. CONSPIRACY**

A student commits a conspiracy to violate any provision of the Student Code of Conduct when:

1. That student agrees with another student or person that they or one or more of them will engage in conduct which constitutes such violation of the Student Code of Conduct or an attempt or solicitation to commit such violation of the Student Code of Conduct, or
2. That student agrees to aid such other student or person or persons in the planning or commission of such violation of the Student Code of Conduct or of an

attempt or solicitation to commit such violation of the Student Code of Conduct.

A student guilty of conspiracy shall be disciplined to the same extent as the underlying Student Code of Conduct violation. For example, a student who conspires to commit a physical act of violence shall be subject to the disciplinary consequences set forth in the physical act of violation section of the Student Code of Conduct.

## **G. DISORDERLY CONDUCT**

Fighting, threatening, engaging in violent behavior, making unreasonable noise, using obscene language or gestures, creating a hazardous or physically offensive condition for no legitimate reason, for the purpose of creating or resulting in public inconvenience, annoyance, or alarm.

1. First Offense - minimum one (1) days Out-of-School Suspension (O.S.S.) for all involved. Referral to BEST. A conference will be held with parent, student, and appropriate staff. The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted. Depending on the severity of the behavior, student may be referred to the Board of Trustees for discipline up to and including expulsion.
2. Second Offense - five (5) days Out-of-School Suspension (O.S.S.) for all involved. A conference will be held with parent, student, and appropriate staff. The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.
3. Third Offense - ten (10) days Out-of-School Suspension (O.S.S.). A conference will be held with parent, student, and appropriate staff. The incident will be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted. Depending on the severity of the behavior, student may be referred to the Board of Trustees of CSE for discipline up to and including expulsion.

## **H. DISRESPECT**

A lack of respect or deference shown by a student to the authority or position of a school official or employee. The CSE discipline policy is based upon mutual caring and respect. A violation of this provision carries a penalty of before/after school support (for a first offense) up to five days Out-Of-School Suspension (for subsequent offenses).

## **I. DISRUPTIVE BEHAVIOR**

Student behavior, including verbal, physical, or written, etc. actions, which is distracting, detrimental or not conducive to the learning environment of other students

while in school. Disruptive behavior may include (but is not limited to), or may be a combination of, behaviors defined as assault/physical act of violence, disorderly conduct, disrespect, profanity, fighting, endangerment and/or insubordination.

Depending on the level of disruption to the educational process, administrators are authorized to assign Administrative before/after school support, Out of School Suspension or, possibly, referral to the Board of Trustees for expulsion for a violation of this offense.

Students who display frequent but less severe forms of disruptive behaviors (chronic disruptive behavior) may also be referred directly to the Board of Education for expulsion.

## **J. ELECTRONIC DEVICES**

Students shall use or possess electronic devices on school grounds, school buses or vehicles provided by the District, and at school-sponsored activities and events as set forth below:

### 1. Definitions:

“Electronic devices” include permitted electronic devices, prohibited electronic devices, and restricted electronic devices.

“Permitted electronic devices” include, but are not limited to laptop computers, tablets, and any other similar device or new technology developed for similar purposes, which are intended or actually used for instructional or educational purposes as approved by either the administration or classroom teacher.

“Prohibited electronic devices” include, but are not limited to, laser pointers and attachments, radios, headphones, video games, walkie-talkies, two-way communication devices, including new technology developed for similar purposes.

“Restricted electronic devices” include, but are not limited to, cell phones and wireless communication devices of any kind, whether analog, digital or other telephone technology, and any other technologic device designed to receive or send an electronic signal, including any new technology developed for similar purposes.

“School” means, in the context of this policy, on school property, at school-sponsored activities and events, and on school buses or other forms of transportation provided by the CSE.

### 2. Permitted electronic devices.

Students may possess and use permitted electronic devices at school. Students must receive prior authorization by either the administration or the classroom teacher to use permitted electronic devices at school.

A student's use of a permitted electronic device for a purpose other than instruction or education will render the use of that electronic device prohibited, and the consequences for the use of prohibited electronic devices shall apply.

Many permitted electronic devices have wireless Internet connection capabilities. A student using the wireless Internet capabilities on a permitted electronic device shall abide by the Charter School's "Computer/Internet Acceptable Use Policy." A failure to do so will render the use of that electronic device prohibited, and the consequences for the use of prohibited electronic devices, in addition to the consequences set forth in the Computer/Internet Acceptable Use policy, shall apply.

Students should note that the use of permitted electronic devices such as text messaging capabilities, sending photos to cell phones, tablets, hand-held computers, etc., in a deceptive or dishonest or otherwise inappropriate manner in the classroom or educational setting shall render the use of that electronic device prohibited and the appropriate consequences shall apply, in addition to other applicable consequences (such as violations of the Cheating/Plagiarism or Computer Misuse provisions).

### 3. Restricted electronic devices (cell phone policy).

Students may possess and use restricted electronic devices in the following circumstances:

Students may possess restricted electronic devices (cell phones) at school, provided the devices shall be turned off and kept in their locker. If the device is turned on and/or found in the possession of the student outside of his/her locker, the consequences of prohibited electronic devices shall apply. The *use* of restricted electronic device **is prohibited** at school, **unless** the student receives pre-approval from the Administrators to possess and use the device for one of the following reasons:

- a. The student is a member of a volunteer fire company, ambulance, or rescue squad.
- b. The student has a need for use of the restricted device due to his/her own medical condition or the medical condition of an immediate family member.

The building principal shall exercise discretion when deciding whether to grant approval of such requests. In all cases, such request must be in writing and signed by the student's parent(s)/ guardian. The Charter

School of Excellence also reserves the right to request a verified and signed statement from either the treating physician or volunteer fire, ambulance, or rescue squad supervisor attesting to the need for the restricted electronic device.

**Using a restricted electronic device without obtaining the requisite pre-approval will render the possession/use prohibited and the consequences for the use of prohibited electronic devices shall apply.**

4. Prohibited electronic devices.

Students are prohibited from possessing or using prohibited electronic devices at school.

The consequences for the possession or use of a prohibited electronic device are as follows:

- a. First offense: Confiscation of the electronic device and parent contact. (The electronic device will not be returned directly to student; parent must appear to collect the electronic device.) Student will be assigned before/after school support.
- b. Second and subsequent offenses: Confiscation of the electronic device and parent contact. (The electronic device will not be returned directly to student; parent must appear to collect the electronic device.) Student may be assigned Out of School suspension. Student shall lose the privilege to possess/use any electronic device on school property, at school-sponsored events and activities and on school buses and other vehicles provided by the Charter School of Excellence, for one calendar year.

Students should also note that if an electronic device is used in connection with another student behavior offense (for example, Bomb Threat or Cheating/Plagiarism ), the disciplinary consequences ascribed to that offense shall apply in addition to the above consequences.

**K. ENDANGERMENT (ARSON, BOMB THREAT, RIOT, AND OTHER RELATED ACTIONS)**

Deliberate conduct that recklessly causes another person to be placed at risk of death or serious injury, including but not limited to:

1. **ARSON** – Deliberately starting a fire or explosion, helping, asking, or telling another person, to start a fire or explosion, which could or does place property or person(s) in danger of damage or injury.

**Disciplinary consequence:** Any student found guilty of setting a fire or

assisting in setting a fire on school property will receive ten (10) days of Out-of-School Suspension and arson charges will be filed with the appropriate law enforcement agencies against her/him by the CSE. A conference will be held with the parent, student, and appropriate staff. Restitution must be made.

2. **BOMB THREAT** - A threat to detonate an explosive device or a statement that such a device is located in a place where explosion may cause injury to people or damage to property, made to public or school authorities, regardless of whether such an explosive device exists. (NOTE: This does not include informing public or school authorities of such threats or statements made by another person for the purpose of allowing such authorities to take appropriate safety precautions.)

**Disciplinary consequence:** Any student found guilty of making a bomb threat or other serious related activities will be referred to the Board of Trustees of CSE for discipline up to and including expulsion. A conference will be held with the parent, student and appropriate staff. The incident will be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student, when warranted.

3. **RIOT** - Disorderly conduct by two or more persons for the purpose of committing or facilitating the commission of a crime, for the purpose of preventing or coercing official actions, or when the actor knows a firearm or deadly weapon will be used.

**Disciplinary consequence:** Any student found guilty of inciting or participating in a riot will be given ten (10) days Out-of-School Suspension (O.S.S.) or will be referred to the Board of Trustees of CSE for discipline up to and including expulsion. The incident will be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted. A conference will be held with the parent, student, and appropriate staff.

4. **SETTING OFF FALSE FIRE ALARMS**

**Disciplinary consequence:** Any student found guilty of setting off a false fire alarm will receive ten (10) days of Out-of-School Suspension (O.S.S.). The incident will be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted. The student will be referred to the Board of Trustees of CSE for discipline up to and including expulsion. A conference will be held with the parent, student, and appropriate staff. Restitution must be made.

5. **TAMPERING WITH FIRE EXTINGUISHERS**

**Disciplinary consequence:** Any student found guilty of tampering with a fire extinguisher will receive a minimum of ten (10) days of Out-of-School Suspension (O.S.S.) and will be required to pay the cost of refilling it. The student will be referred to the Board of Trustees of CSE for discipline up to and including expulsion. A conference will be held with the parent, student, and appropriate staff. The incident will be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.

**L. EXTORTION**

To obtain money, property or articles by threat or force. Depending on the severity of the incident, extortion will result in a penalty that may range from a minimum of one (1) to ten (10) days Out-of-School Suspension to referral to the Board of Trustees of CSE for discipline up to and including expulsion. The incident will be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted. Restitution must be made. A conference will be held with the parent, student, and appropriate staff.

**M. FALSE I.D.**

Intending to deceive by giving wrong identification. Violation of this provision may result in disciplinary consequence of before/after school support up to five days Out-Of-School Suspension. A conference will be held with the parent, student, and appropriate staff. The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.

**N. FIGHTING - Aggressive physical conflict between two or more persons.**

1. First Offense - minimum one (1) day Out-of-School Suspension (O.S.S.) for all involved. A conference will be held with parent, student, and appropriate staff. There will be a possibility of law enforcement officials involved.
2. Second Offense - minimum five (5) to ten (10) days Out-of-School Suspension (O.S.S.) for all involved. A conference will be held with parent, student and appropriate staff. The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.
3. Third Offense - ten (10) days Out-of-School Suspension (O.S.S.) and will be referred to the Board of Trustees of CSE for discipline up to and including expulsion. A conference will be held with parent, student, and appropriate staff. The incident will be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.

**Interference** - Any student who interferes with a staff member trying to stop a fight will be treated as if fighting. The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the

student when warranted. A parent conference will be held during these days of suspension.

In certain circumstances, an incident which may have begun as a fight could escalate into an act of assault/physical act of violence (an expellable offense). Examples of situations where this occurs is when an individual student refuses to stop fighting or engaging the other student after repeated orders from district staff to do so, or when one student is clearly aggressing on another student after that other student has de-escalated.

**O. FORGERY**

Falsely and fraudulently making or altering a written or other document. Violation of this provision may result in disciplinary consequence ranging from before/after support school to five days Out-Of-School Suspension. A conference will be held with the parent, student and appropriate staff. The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.

**P. GAMBLING**

The making of any bet or wager and/or the organization of or participation in any lottery, numbers game, pool, or bookmaking for money or property. The use of dice or other gambling paraphernalia is not appropriate in school environments. Violation of this provision may result in disciplinary consequence ranging from three days Out-Of-School Suspension or possible referral to the Board of Trustees for expulsion. Possible referral to the BEST Program. A conference will be held with the parent, student, and appropriate staff. The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.

**Q. HARASSMENT**

It is the policy of CSE to maintain a learning environment that is free from the intimidation, bullying and/or abuse of students that rises to the level of “harassment.”

Harassment includes, but is not limited to:

1. Unwelcome and offensive slurs, jokes or other verbal/oral, graphic, or physical conduct,
2. relating to an individual’s race, color, religion, ethnicity, national origin, sex, gender, sexual orientation, age or disability, or any other legally protected class, or for engaging in any other protected activities,
3. Which is so severe or pervasive in nature that it:



- a. Creates, or poses a realistic threat of creating, any substantial or material disruption to the educational process or activities, or
- b. Interferes with, or poses a realistic or well-founded threat of interfering with, the rights of the student/s or the student/s' access to or participation in the benefits or programs offered by the District.

It shall be a violation of this policy to harass a student. **Bullying is a form of harassment. Sexual harassment is also a type of prohibited harassment.** By way of further explanation, sexual harassment shall consist of, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature made to a student when:

- i. Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education, or when
- ii. Submission to or rejection of such conduct by a student is used as the basis for decisions affecting that student.

#### **Reporting Incidents of Harassment:**

**Students are encouraged to report to school officials any incidents of harassment.** Any student who alleges he/she is a victim of harassment in the Charter School may lodge a complaint directly to his/her building principal, guidance counselor or any Charter School administrator. Upon receiving a complaint of harassment, the Charter School of Excellence will investigate the allegations.

Except for claims that are knowingly false, or made in reckless disregard of the facts, the filing of a complaint or otherwise reporting harassment will not reflect upon the complaining individual's status nor will it affect future grades, position, or assignment. Knowingly false claims can, in appropriate circumstances, result in student discipline.

The right to confidentiality, both of the complainant and of the accused, will be respected consistent with the Charter School's legal obligations, basic fairness to the accused, and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

#### **Consequences of Violating the Harassment Policy:**

Any student in this Charter School who is found to have engaged in conduct constituting harassment, shall be subject to discipline ranging from a minimum of five (5) days out-of-school suspension (O.S.S.) up to and including expulsion. The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.

Determination of the appropriate disciplinary sanctions or educational requirements shall be based upon the circumstances of the individual case.

## **R. INAPPROPRIATE TOUCHING**

Intentional physical contact with another person without his/her consent. Inappropriate touching may rise to the level of harassment.

1. First Offense. After school intervention. Parent contact will be made via a telephone call or written notice.
2. Second Offense. One (1) to (3) days Out of School Suspension (OSS). A conference will be held with the parent, student, and appropriate staff.
3. Third Offense. Three (3) to ten (10) days Out of School Suspension (OSS). A conference will be held with the parent, student, and appropriate staff.

## **S. INDECENT EXPOSURE**

A student's exposure of his/her genitals in any public place on school district property, at school-sponsored activities and on any provision of transportation to school or school-sponsored activity, or in any place where there are present other persons under circumstances in which the student knows or should know that this conduct is likely to offend, affront, or alarm.

A student who violates the indecent exposure policy shall be subject to discipline ranging from administrative before/after school support up to and including referral to the Board of Trustees for expulsion depending on circumstances surrounding the exposure.

## **T. INSUBORDINATION**

**Directive Dismissal** - Outright refusal to obey a directive from any staff member after more than one attempt has been made to encourage student to comply without disciplinary action being initiated. Any behavior that is not in direct compliance with the expectations and/or guidelines set forth by the administration, faculty, and staff.

**Agitate, Instigate, Intimidate, Rumor, Social Media, Threats** - Any student provoking or promoting a negative situation - that is, agitating, instigating, intimidating, or spreading rumors so as to cause discomfort and/or negativity to another, threatening another student or any school personnel, or using social media in a manner that directly and negatively impacts the culture, climate, or individual(s) of CSE. The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.

**Special Circumstance** - Under certain conditions, the school may be required to follow certain federal and state guidelines due to prolonged national circumstances, i.e.

pandemic, global conflict, ongoing natural disaster, civil disorder or unrest, etc. In these circumstances, it is the responsibility of the student and parent to be familiar with the state and federal school guidelines as applied to school policy, and to follow them accordingly. Students found in violation of school policy and guidelines during times of special circumstance will be considered insubordinate, and disciplined accordingly.

**Infectious Disease Safety Measures** - An Infectious Disease Pandemic requires coordinated effort and alignment across all school buildings to ensure reasonable safety measures are in place for the benefit of all students, staff, and visitors of CSE based on community spread. Violation of safety guidelines may put others at risk for contracting an infectious disease. Students who demonstrate behaviors that put others at risk may be given consequences, depending on the severity of the offense. This includes violations on the bus, in the classroom, during transitions, mealtime, outside activities, field trips, and any other times students are under the care and supervision of the Charter School of Excellence. While this list is not exhaustive, the following are examples of safety measures:

1. Social distancing rules and guidelines
2. Restrictions for hallway use
3. Face mask requirements
4. Safety precautions when coughing or sneezing
5. Safety precautions regarding “no sharing” of items
6. Protective barriers in place
7. Hand sanitizer equipment and stations
8. Safety precautions related to the dispersal of any bodily fluid
9. Proper wearing of Personal Protective Equipment

A student who violates the insubordination policy shall be subject to discipline ranging from before/after school support and up to and including referral to the Board of Trustees for expulsion.

#### **U. LOITERING**

To hang around, to lag behind, to aimlessly stop or pause without legitimate purposes, to remain on school property after repeated requests to vacate premises by school personnel.

A student who violates the loitering policy shall be subject to discipline ranging from before/after school support up to and including five days Out-Of-School Suspension. The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted. Determination of the appropriate disciplinary sanctions or educational requirements shall be based upon the circumstances of the individual case.

#### **V. PROFANE, VULGAR LANGUAGE OR GESTURES**

Language or gestures used on school grounds/or property, including the office areas, classrooms, hallways, cafeteria, parking lot, school bus, etc., that are rude, course, gross or otherwise detrimental to the learning environment is not permitted at CSE.

A student who violates the profane, vulgar language, or gestures policy shall be subject to discipline ranging from before/after school support up to Out-Of-School Suspension. A conference shall be held with parent, student and appropriate staff.

#### **W. SEXUAL CONDUCT**

Any physical contact of a sexual nature between students, even when voluntary, welcomed, or invited.

Depending on the level of inappropriateness of the sexual conduct in the educational setting, administrators are authorized to assign before/after school support, Out of School Suspension or, possibly, referral to the alternative education program or to the Board of Trustees for expulsion for a violation of this offense.

#### **X. SMOKING / USE OR POSESSION OF TOBACCO PRODUCTS**

The use or possession of tobacco products and paraphernalia used to aid in the ingestion of tobacco/nicotine (i.e. e-cigarettes, vapes, lighters, rolling papers, etc.) on any part of school property, including school buses is prohibited. The definition of tobacco product includes any product containing or made from tobacco/nicotine, electronic devices (including electronic cigarettes) used for ingestion or delivery of nicotine, and components of these electronic devices. Electronic cigarettes are defined as devices to vaporize/inhale nicotine (18 Pa. C.S.A. 6306.1). A conference will be held with parents, students, and appropriate staff. Charges will be filed with the District Justice. (Section 28.3 of the Fire Code, 18 Pa. C.S.A. 6306.1)

*Any student who serves as a “look-out” will be treated as if smoking.*

A student who violates the smoking/use or possession of tobacco products policy, in addition to the criminal consequences, is also subject to discipline ranging from before/after school support up to five days Out-Of-School Suspension.

#### **Y. STEALING**

Depending on the severity of the incident, the penalty shall range from a minimum of one (1) to ten (10) days Out-of-School Suspension (O.S.S.) to referral to the Board of Trustees for expulsion. “Stealing” is defined as follows:

1. Taking the property of another without the intent of returning the property to the owner.
2. Obtaining possession of the property of another by deception, extortion, or blackmail without the intent of returning the property to the owner.

3. Failing to return or make reasonable efforts to return property to its owner or to turn found property in at an appropriate “lost and found.”
4. Taking possession of property one knows or has reason to know is stolen, without the intent of returning it to the owner.

The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted. The student shall make restitution for article(s) stolen. A conference will be held with parent, student, and appropriate staff.

## Z. STUDENT DRESS

Although an individual’s dress and adornment/appearance is a matter of personal preference and choice, certain styles of dress/appearance are not appropriate for school, for the health, safety, welfare, morals, and rights of students and staff. Students will be required to change inappropriate clothing or appearance or be sent home to do so and return. For this reason, the following guidelines are established:

### Guidelines:

- Students’ clothing is to be neat and clean in appearance.
- Wear clothes that are not **revealing or suggestive**, such as see-through blouses, halter tops, tank tops and bare midriffs, cut offs, and other extremely tight fitting clothes. Pajama-type clothing is not appropriate for school.
- Wear clothing that does not **promote, depict, or suggest** the use of drugs, alcohol, cigarettes, cards, dice, vulgar language, cults, sexual language, sexual pictures as well as any clothing that signals gang membership, or refers to violent acts is prohibited.
- The wearing of hats, scarves, sweatbands, bandanas, chains, and picks is not permitted during the school day. **(These belongings must be kept in student’s locker.)**
- Pants: Must be of reasonable fit. (i.e. length –not to touch floor, and pants or shorts may not be extremely baggy or saggy).
- Dresses/Skirts: Length will not exceed 4 inches above the knee (this includes slits).
- Outerwear: Any heavy coat or outdoor jacket will be removed upon arrival and placed in locker or designated area.
- All purses, hygiene, and/or cosmetic products will be kept in student’s locker or designated area.
- Appropriate footwear is to be worn in school – slippers are not permitted.
- Clothing with hoods are not to be worn with hoods up from the moment of entry into the building and throughout the school day.
- Culinary program students are to adhere to culinary program dress requirements.

**Student clothing which disrupts the educational process may be deemed inappropriate. Staff discretion determines what is appropriate under these guidelines and the law.**

**Failure to comply with the dress code will result in one or more of the following:**

- Student must change clothes
- A phone call home to parent/guardian
- The student will be sent home to change into appropriate clothing
- Parent Conference
- Continual infractions of the dress code may result in further disciplinary consequences.

#### **AA. STUDENT PARKING**

Student parking is permitted only in areas designated “student parking.”

1. Students are prohibited from parking in spaces designated for teacher parking. Students will have their cars towed. Parents will be contacted.
2. Loitering in the parking areas is not permitted.

#### **BB. STUDENT TRANSPORTATION POLICY**

The following subsection outlines what is expected of students who ride any Erie Metropolitan Transit Authority bus or school bus. All CSE rules and regulations apply to students while traveling on any Erie Metropolitan Transit Authority bus or any other form of transportation to or from a school or school sponsored activity. In addition to the following requirements, students are required to abide by the rules and regulations set forth in the Charter School’s “Transportation Policy.”

Behavior on the bus/vans:

- No student shall throw objects or substances in or around the bus
- No student shall use loud or profane language in or around the bus.
- No student shall indulge in pushing, fighting, or other unruly behavior in or around the bus.
- No student shall deliberately destroy, abuse, or otherwise show disrespect for the driver of the vehicle or staff assigned to monitor student behavior on the bus.
- All students shall remain seated at all times while on the bus. Aisles must be kept clear.
- No student shall deliberately mar, deface, or tamper with any part of the vehicle. Damages will be paid by the individual. The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.

- There shall be no smoking in or around the vehicle at any time. Lighting of matches or lighter in or around the bus is prohibited.
- There shall be no drinking of pop or any other beverage on the bus unless permitted by the driver.
- There shall be no littering from the bus.
- Students shall be courteous to fellow students.
- Students must board and exit the bus at his/her designated stop. No student is permitted to change his/her bus stop for any reason other than a change of residency. Proof of change must be provided before change is permitted.
- Students who have not been approved for transportation are not permitted on the school bus for any reason.

Students suspended from the bus continue to attend school. Lack of transportation arrangements will not be considered legal absences. The bus suspension will be enforced for the accumulation of referrals as set forth below:

- 1<sup>st</sup> referral = Parent Contact/Verbal warning and/or 1 day bus suspension
- 2<sup>nd</sup> referral = 3 day bus suspension
- 3<sup>rd</sup> referral = 5 day bus suspension
- 4<sup>th</sup> referral = Loss of Transportation Privileges

In addition to the above procedures, the school reserves the right to go outside of the above guidelines in extreme circumstances.

All bus incident reports will be filed with the principal or designated staff who will take appropriate action per written school code. Repeat offenders will be denied bus privileges. The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges. **Additional referrals will be enforced on an individual basis and suspensions will be given at the discretion of the school administration. School staff may also use videotape from the bus camera to determine suspensions or additional disciplinary actions.**

## CC. TERRORISTIC THREATS/TERRORISTIC ACTS

The following definitions apply as used in this section:

“Terroristic threats” are threats to commit any crime of violence to another or to cause evacuation of a building, place of assembly or facility, or to cause serious public inconvenience, or in reckless disregard of the risk of causing such terror or inconvenience.

“Terroristic acts” are offenses against property or involving danger to another person.

**Any student who communicates a terroristic threat to or about or commits a terroristic act directed at any student, teacher, administrator, any other**

employee of CSE, Board member, community member, or toward any school building shall be given Out-of-School Suspension (O.S.S.) and will be referred to the Board of Trustees of the Charter School of Excellence for discipline up to and including expulsion from the Charter School. The student's violation of this terroristic threat/terroristic act policy will immediately be reported to her or his parents. A conference will be held with the student's parents. The incident will be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.

**NOTE:** Any parent or guardian of a CSE student who communicates a terroristic threat to or commits a terroristic act directed at any student, teacher, administrator, any other employee of the Perseus House Inc., Board member, community member, or toward any school building shall be immediately escorted off School District property and local law officials will be notified. The parent or guardian or individuals will be notified that he or she has lost the privilege of entering school property and of attending any school-related functions to which parents or guardians are invited to attend.

#### **DD. TRESPASSING/DEFIANT TRESPASS**

To enter or remain in or on property, knowing or having reason to know that one is not permitted to enter or remain.

A student found trespassing will be given a minimum of one (1) to ten (10) days Out-of-School Suspension (O.S.S.) or, possibly, referral for expulsion. The incident will be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted. A conference will be held with the parent, student, and appropriate staff.

Students who have been suspended from school and/or who have been expelled from the Charter School are not permitted on school property nor at school-sponsored events, extra-curricular activities, graduation ceremonies, school dances, etc. A violation of this rule shall be considered a "defiant trespass" and shall result in discipline up to and including expulsion and, in the case of expelled students, a referral to the local police.

#### **EE. UNAUTHORIZED SUBSTANCES (ILLEGAL DRUG POLICY)**

ADMINISTRATORS MAY SEARCH AND SEIZE ANY EVIDENCE THAT INDICATES THAT A STUDENT IS VIOLATING OR HAS VIOLATED THE LAW OR SCHOOL RULE OR THAT THE ADMINISTRATOR MAY FIND AS A RESULT OF A SEARCH OF A STUDENT'S PROPERTY, CLOTHED BODY, OR AREAS DESIGNATED FOR A STUDENT'S USE IF THE SEARCH IS PROPER AND REASONABLE. A STUDENT WHO REFUSES THE REQUEST FOR A SEARCH BY AN ADMINISTRATOR THAT IS PROPER AND REASONABLE MAY BE



SUBJECT TO DISCIPLINARY ACTION THAT MAY INCLUDE SUSPENSION OR REFERRAL TO THE BOARD FOR EXPULSION.

1. Definitions:

- a. Illegal Alcohol - any malt, brewed, or distilled beverage, the purchase or possession of which by a person under twenty-one years of age is prohibited by Pennsylvania State Law.
- b. Illegal Drug –
  - (i) Any substance (other than food) which affects the structure or function of the human body when introduced into the body by ingestion, injection, inhalation, or any other means; the possession, delivery, or use of which is prohibited by Pennsylvania and/or Federal Law, unless prescribed by a physician or licensed by the state or federal government to possess, deliver, or use such substances.
  - (ii) Any legal substance not intended for introduction into the human body, but which when introduced into the body affects the structure or function of the human body; which is possessed for the purpose of introduction into the body; and the introduction into the body of such substance is prohibited by Pennsylvania or Federal Law (such as solvents).
- c. “Look-alike” drugs/substances – Any substance that substantially resembles or is meant to represent any illegal drug or unauthorized substance.
- d. Misrepresentation – Any attempt to distribute a substance that has been inaccurately described or implied to the receiver as an unauthorized substance.
- e. Paraphernalia – Tools or equipment whose function is to aid a user in consuming or selling any type of drug, controlled substance, or alcohol or any other unauthorized substance.
- f. Possession – Student in possession of unauthorized substances found on the person of the student; in the student’s locker; under the student’s control while he/she is on school property, on property being used by the school, at any school function or activity, at any school event held away from the school; or while the student is on his/her way to or from school.
- g. Use (of an unauthorized substance) – Either the actual use during school hours or at school-sponsored activities either during or after school hours; or the use prior to arrival at school or school-sponsored

activities which evidences itself by strong odor or any unusual behavior.

- h. Unauthorized substances – Shall include but are not limited to alcohol, illegal drugs, controlled substances, prescription drugs, non-prescription drugs which are being used in an abusive or unlawful manner or in a manner for which they were not intended or prescribed, anabolic steroids, look-alike drugs/substances and any substance that is intended to alter mood.

**2. Disciplinary consequences for violating Unauthorized Substances provisions:**

**a. Possession and/or Use of an Unauthorized Substance--**

- (i) First Offense – Required notification of parent/guardian and an informal hearing held. In case of a violation involving a controlled or illegal substance, the police shall be notified within 24 hours. Out of school suspension for up to ten (10) school days. Required referral to BEST and possible referral to alternative education or to the Board of Directors for discipline up to and including expulsion.
- (ii) Second and Subsequent Offenses – Required notification of parent/guardian. In the case of a violation involving a controlled or illegal substance, the police shall be notified within 24 hours. Ten days out of school suspension. Possible referral to the Board of Trustees for discipline up to and including expulsion.

**b. Possession of an Unauthorized Substance with the Intent to Deliver--**

Any Offense – Required notification of parent/guardian. In the case of a violation involving a controlled or illegal substance, the police shall be notified within 24 hours. Ten days out of school suspension. Possible referral to the Board of Trustees for discipline up to and including expulsion.

**c. Misrepresentation of an Unauthorized Substance--**

- (i) First Offense – Required notification of parent/guardian and an informal hearing held. Suspension for up to ten (10) days. Required referral to BEST. Possible referral to the Board of Trustees for expulsion.
- (ii) Second and Subsequent Offenses – Required notification of parent/guardian. Ten days out of school suspension.

Possible referral to the Board of Trustees for discipline up to and including expulsion.

**d. Possession of paraphernalia--**

- (i) First Offense – Required notification of parent/guardian and an informal hearing held. In the case of a violation involving a controlled or illegal substance, the police shall be notified within 24 hours. Suspension for ten (10) school days. Required referral to BEST.
- (ii) Second and Subsequent Offense – Required notification of parent/guardian. In the case of a violation involving a controlled or illegal substance, the police shall be notified within 24 hours. Ten days out of school suspension. Possible referral to the Board of Trustees for discipline up to and including expulsion.

**NOTE:** Nothing in this provision relating to the prohibition of using, possessing, delivering, or misrepresenting unauthorized substances is intended to nullify the procedures followed CSE regarding student use of medication.

The Board of School Trustees and/or the administration retain the discretion to waive or amend the penalties associated with violating the Unauthorized Substance provisions of this policy on a case-by-case basis.

**FF. VANDALISM**

Deliberate or reckless destruction, damage or defacement of Charter School property or property under the control of the Charter School of Excellence.

Depending on the severity of the incident, any student found defacing or destroying school or personal property shall be given a minimum of one (1) to ten (10) days in Out-of-School Suspension (O.S.S.). During this time, arrangements must be made for the student to make restitution or repair all damages. A conference will be held with the parents, student, and appropriate staff members. The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted. The administration has the discretion, based on the severity and nature of the offense, to refer the student to the Board of Trustees of CSE for discipline up to and including expulsion.

**GG. WEAPONS**

Shall include, but not be limited to, any of the following or any replica or look-alike of the following: guns; firearms; knives; metal knuckles; straight razors

and razor blades; noxious, irritating or poisonous gases, including mace and pepper spray; poisons; explosive materials; bombs; missiles; chains; metal objects or any other object designed for protection or designed to harm others; or any object intended by the student to do bodily injury or threat of-bodily injury to another.

Students are strictly prohibited from bringing, carrying, using, concealing, or possessing weapons, or any replica or look-alike object thereof, on school property, at any school-sponsored activity, or on any public conveyance providing transportation to a school or school-sponsored activity. **Any student found in possession of or bringing, carrying, using, or concealing a weapon or any replica or look-alike thereof, on school property, at any school-sponsored activity or on any public conveyance providing transportation to a school or school-sponsored activity will be given ten (10) days Out-of-School Suspension (O.S.S.) and referred to the Board of Directors of the Charter School of Excellence for immediate expulsion for a period of not less than one (1) year.** However, the Chief Administrative Officer may recommend modifications of this expulsion requirement for a student on a case-by-case basis.

The Chief Administrative Officer shall, in the case of an exceptional student, take all steps necessary to comply with the Individuals with Disabilities Education Act, 20 U.S.C. §1400 *et seq.*

**The incident will be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.** A conference will be held with the parent, student, and appropriate staff. The Chief Administrative Officer shall report the discovery of possession of any weapon on school property, school-sponsored activities, or on public conveyances providing transportation to a school or school-sponsored activity to the Department of Education.

#### **HH. WEAPONS SEARCH WITH A METAL DETECTOR**

1. Hand held metal detectors may be placed at certain entrances at the Charter School of Excellence for security reasons. Signs will be posted to notify the students that each student may be required to submit to a screening for metal as a condition of entering or continuing attendance at school. The screening will be conducted by staff of CSE.
2. When a hand held metal detector is being used, students will be allowed to use only the entries designated. If a metal detector activates on a student, the student will be asked to remove metal objects from his or her person and walk through or be scanned by a hand-held metal detector ("wand") again. If the metal detector activates a third time on the student after the removal of other metal, the student will be subjected to a "pat down" search or a further search with a hand-held metal detector under the procedures set forth in Points a through d below:

- a. A “pat down” search conducted by school personnel shall be limited to a feeling of the student’s outer clothing for the purpose of discovering only items which may have activated the metal device.
  - b. If the school personnel conducting a “pat down” search feel an object which may have activated the metal detecting device or that feels like a weapon, the student will be asked to remove such object. If the student declines to remove the object, it may then be removed by school personnel.
  - c. If the object removed from the student could have activated the metal detector, the school personnel must cease performing the “pat down” search. In such event, a student will be subjected to a search with a hand-held metal detector or will be asked to walk through the walk-through metal detector again. The “pat down” search will be continued only if either metal detecting device again yields a positive reading.
  - d. Under all circumstances, the “pat down” search will be conducted by school personnel of the same sex as that of the student.
3. School personnel may inspect the contents of any briefcase, knapsack, purse, book bag, or parcel which activates the metal detector for the limited purpose of determining whether a weapon is concealed therein. School personnel may not inspect briefcases, knapsacks, purses, or parcels or items contained therein in which a weapon could not be concealed and may not examine written materials.
4. All property removed from the student as a result of the above procedure which may be legitimately brought onto school premises will be returned to the student.
5. Property removed from the student, possession of which is violation of the Policy on Discipline and Student Rights, shall be confiscated and the student shall be disciplined in accordance with the Code of Student Conduct.
6. Students who fail to cooperate with school personnel performing their duties under these procedures may be subject to discipline for insubordination, disorderly conduct, or disruptive behavior.
7. Nothing in the procedures set forth above shall limit the authority of school officials to search a student when there is individualized reasonable suspicion to believe that a particular student is in violation of any Charter School rule or regulation or any local State or Federal law.

NOTE: School personnel include police personnel hired by the Charter School of Excellence.

## **II. ZERO TOLERANCE**

Any violation of the school's policy concerning assault/physical acts of violence, endangerment, or terroristic threats/terroristic acts will result in the student's immediate suspension from the school. The student will be referred to the Board of Trustees of CSE for discipline up to and including expulsion for a period of not less than one year. These incidents will be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.

## **IX. HOMELESS**

### **Purpose:**

The Charter School of Excellence ("CSE") recognizes its obligation to ensure that homeless students have access to the same educational programs and services provided to other district students. CSE, through its liaison and school personnel and through coordination with other entities and agencies, shall identify homeless children, encourage their enrollment, and eliminate existing barriers to their attendance and education, in compliance with federal and state law and regulations.

CSE shall waive policies, procedures, and administrative regulations that create barriers for enrollment, attendance, transportation, and success in school of homeless students, based on the recommendation of the Chief Administrative Officer.

Homeless students are defined in 42 U.S.C. §11434a as individuals lacking a fixed, regular and nighttime residence, which include the following conditions:

- a. Sharing the housing of other persons due to loss of housing or economic hardship.
- b. Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations.
- c. Living in emergency, transitional, or domestic violence shelters.
- d. Abandoned in hospitals.
- e. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings.
- f. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations, or similar settings.
- g. Living as migratory children in conditions described in previous examples.
- h. Living as run-away children.
- i. Abandoned or forced out of homes by parents/guardians or caretakers.
- j. Living as school-age unwed mothers in houses for unwed mothers if they have no other living accommodations.

The Board of Trustees and the CAO designate the Director of Pupil Services to serve as the district's liaison for homeless students and families. The liaison shall coordinate with:

- a. Local service agencies that provide services to homeless children and youth and families.
- b. School districts on issues of enrollment, records transfer, and transportation.
- c. State and local housing agencies responsible for comprehensive housing affordability strategies.

CSE's liaison shall coordinate with efforts of other entities and agencies to provide public notice of the educational rights of homeless students in schools, family shelters, and soup kitchens.

### **Enrollment/Placement**

To the extent feasible, and in accordance with the student's best interest, a homeless student shall continue to be enrolled in his/her school of origin while he or she remains homeless or until the end of the academic year in which s/he obtains permanent housing. Parents/Guardians of a homeless student may request enrollment in the school in the attendance area where the student is actually living or other schools. If a student is unaccompanied by a parent/guardian, the district liaison will consider the views of the student in determining where he or she will be enrolled.

If a dispute arises over school selection or enrollment, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent/guardian/student will be provided with a written explanation of the school's decision on the dispute, including the right to appeal. The parent/guardian/student will be referred to the liaison, who will carry out the state's grievance procedure as expeditiously as possible after receiving notice of the dispute. In the case of an unaccompanied student, the liaison shall ensure that the student is immediately enrolled in school pending resolution of the dispute.

The selected school shall immediately enroll the student and begin instruction, even if the student is unable to produce records normally required for enrollment pursuant to CSE's policies. However, CSE may require a parent/guardian to submit contact information. The liaison may contact the previous school for oral confirmation of immunizations, and the school shall request records from the previous district or school, pursuant to Board policy. Homeless families are not required to prove residency regarding school enrollment.

If CSE is unable to determine the student's grade level due to missing or incomplete records, CSE shall administer tests or utilize other appropriate means to determine the student's placement.

If disputes or complaints of noncompliance arise regarding the education of homeless students, the following steps shall be taken:

- a. The person filing the complaint shall first contact the school through the liaison, the principal, or CAO to present their concerns to the people closest to the situation and most likely to be able to resolve it quickly.
- b. If Step 1 is not successful or is not possible under the circumstances, contact should be made with the Homeless Project Education Liaison, or the Pennsylvania Department of Education (PDE) will accept complaints directly through the Education for Homeless Children and Youth Program.
- c. Individual cases may be referred to the PDE's Office of Chief Counsel and the Office of the Deputy Secretary for Elementary and Secondary Education, as needed, by the State Homeless Coordinator.

It is anticipated that PDE will deliver a response within fifteen (15) business days of the receipt of the complaint. The complaint may arrive in the form of a copy of the school/district letter or on the Dispute Letter Form if given directly to a Liaison of the Homeless Initiative.

## **Services**

Homeless students shall be provided services comparable to those offered to other CSE students including, but not limited to, transportation services; school nutrition programs; vocational programs and technical education; preschool programs; programs for students with limited English proficiency; and educational services for which students meet eligibility criteria, such as programs for disadvantaged students, students with disabilities, and gifted and talented students.

- a. As per 42 U.S.C. § 11432 (g)(1)(J)(iii): The Charter School liaison under appropriate circumstances will coordinate with local school districts to provide transportation for homeless students to their school of origin or the school they choose to attend within the school.
- b. If the school of origin is outside district boundaries or homeless students live in another district but will attend their school of origin in this district, the school districts shall agree upon a method to apportion the responsibility and costs of the transportation.