

Quakertown Community School District



# Elementary Student Rights and Responsibilities

QUAKERTOWN COMMUNITY SCHOOL DISTRICT

**ELEMENTARY STUDENT  
RIGHTS AND RESPONSIBILITIES**

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## **STUDENT RESPONSIBILITIES**

(as adapted from the recommended guidelines for student rights and responsibilities for the state of Pennsylvania)

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

No student has the right to interfere with the education of his fellow students. It is the responsibility of each student to respect the rights of all who are involved in the educational process.

Students should express their ideas and opinions in a respectful manner, so as not to offend or slander others.

The students' responsibilities are to:

1. Be aware of all rules and regulations for student behavior and conduct themselves in accord with them.
2. Be willing to volunteer information in disciplinary cases and cooperate with school staffs, should they have knowledge of importance in relation to such cases.
3. Dress and groom themselves so as to meet fair standards of safety and health and common standards of decency.
4. Assume that until a rule is waived, altered, or repealed, it is in full effect.
5. Assist the school staff in running a safe school for all students enrolled therein.
6. Be aware of and comply with state and local laws.
7. Exercise proper care when using public facilities and equipment.
8. Attend school daily, except when excused, and be on time at all classes and other school functions.
9. Make all necessary arrangements for making up work when absent from school.
10. Pursue and attempt to complete the course of study prescribed by state and local school authorities.
11. Avoid inaccuracies in student newspapers or publications and indecent or obscene language.

### **School Jurisdiction**

All rights, responsibilities, and regulations shall apply to all students:

1. On the school grounds during and immediately before or immediately after school hours;
2. On the school grounds as either a spectator or participant at any other time when school is being used by a school group;
3. Off the school grounds at any school activity, function, or event as a participant or spectator; and

4. During the time required in going to and from the home, including time spent at bus stops and on school bus transportation.

### **ADMINISTRATIVE RESPONSIBILITIES**

The administrators' responsibilities are to:

1. Guarantee student rights and privileges to those who demonstrate their willingness to accept accompanying responsibilities.
2. Insure consistent and equitable application of the school's discipline policy.

It is recognized that extenuating circumstances might arise regarding the interpretation of the application of the school's discipline policy. When it is found to be in the best interest of an individual or the total school community, administrative prerogative will be utilized.

### **TEACHER RESPONSIBILITIES**

As stated in Administration Regulation 218-AR of the School Board's policies and regulations on discipline:

"Each teacher is responsible for handling his/her own discipline problems which are of a common or minor nature. Punishment for such offenses (short of corporal punishment) shall be responsibly administered by the teacher.

If the discipline problem is of a serious nature, it is the responsibility of the teacher to inform an administrator of all the details in the incident. It is the responsibility of the administrator to oversee the punishment."

This policy shall be followed in handling routine classroom conduct situations, as well as for initial action to many of the regulations contained in this document. In many of the following regulations, the initial step to handling violations is listed as "teacher responsibility." The following steps are proposed as being the procedure to be followed for "teacher responsibility":

1. The teacher should discuss the problem with the student, preferably on non-school time. A teacher might assign a personal detention to provide this time or find time during the school day when both parties are available.
2. The teacher should contact the student's parents (by telephone or through a teacher-parent conference) concerning the problem. It is in the best interest of all parties concerned that parents be involved with problems when they start rather than after they get out of control.
3. The teacher should document all incidents of student behavior problems and indicate steps taken to solve them.

## **FREEDOM OF EXPRESSION**

Students have the right to express themselves in any manner unless such expression directly interferes with the educational process, threatens immediate harm to the welfare of the school or community, encourages unlawful activity, or interferes with another individual's rights.

### Bulletin Boards

1. School authorities may restrict the use of certain bulletin boards to school announcements. Bulletin board space should be provided for the use of students and student organizations.
2. The following general limitations on postings may be applied:
  - a. School officials shall prohibit material which is obscene according to current legal definitions, which is libelous, or which inflames or incites students so as to create a clear and present danger of the commission of unlawful acts or of physical disruption of the orderly operation of the school.
  - b. Identification on any posted notice is required of student or student group, including the name of at least one person of the group posting such notice.
  - c. School officials may require that notices or other communications be officially dated before posting, and that such material be removed after a prescribed reasonable time to assure full access to the bulletin boards.

### Display of Posters

No person shall display any poster, notice, bulletin, or advertisement not directly related to school activities in any school building or grounds, except as may be approved by a principal or his designee.

## **SUSPENSIONS**

1. A student may be temporarily suspended for an offense by the principal, in accordance with policies of the Board of School Directors, for a period of up to three school days.
2. When an informal hearing before the principal is offered to the student and the student's parents or guardian within that three-day period, the suspension may be for a period of up to ten school days in accordance with guidelines established by the Board of School Directors.
3. The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for

which the student is being suspended, to demonstrate that there is a case of mistaken identity, or to show that there is some compelling reason why the student should not be suspended. The informal hearing also encourages the student's parents or guardian to meet with the principal to discuss ways by which future offenses can be avoided.

4. Students shall be permitted to make up, without penalty, exams and work missed while being disciplined, within guidelines established by the Board of School Directors.

## **EXPULSION POLICY**

"BE AND IT IS HEREBY RESOLVED, by the Board of School Directors of the Quakertown Community School District, in accordance with Section 1318 of Article 13 of the Public School Code, that:

1. Every Principal or Teacher in charge of a Public School may temporarily suspend any pupil on account of disobedience or misconduct.
2. In cases involving serious infractions, the Principal suspending any pupil shall promptly deliver a signed written statement of the facts and the name and address of the pupil to the Assistant Superintendent.
3. Thereafter, the Board of School Directors may, after a proper hearing, suspend such pupil for such time as it may determine, or may permanently expel him or her.
4. The powers of the Board of School Directors are hereby delegated to a committee of members of the Board, appointed by the President of the Board from time to time, which committee shall be known as Committee on Suspension and Expulsion of Pupils or to the Board as a committee of the whole.
5. Upon receipt by the said Committee of a written report of the suspension of any pupil, the Committee shall, by written notice to the parents or guardian of the said pupil, fix a time and place for a hearing upon the suspension, enclosing a copy of the reported facts. Said notice shall be sent by certified mail and shall request the attendance of the pupil at the hearing. In addition, the said notice shall state that the pupil and any person acting for him/her will have the right to hear the testimony of the accuser or accusers, examine witnesses, and offer testimony, and that the pupil may be represented by counsel. The notice to the parents or guardian of said pupil shall also state that if the pupil and his/her parents or guardians are indigent, counsel will be provided by the School District, if requested.
6. The Committee shall make and retain a written record of the proceedings at the hearing and with names of the persons in attendance. All witnesses shall be sworn before presenting testimony. The accuser or accusers and his or their

witnesses will be heard, in the event that the pupil or any person acting on his or her behalf desires to offer any testimony.

7. As promptly as possible after the conclusion of the hearing, the Committee by written order may reinstate the pupil, suspend the pupil for as much further time as it may determine, or may permanently expel him or her.
8. A copy of the order of the Committee shall be sent by certified mail to the pupil in care of his parents or guardian, and to the District Superintendent, Principal, and Secretary of the Board of School Directors.”

## **EXTENDED SUSPENSION OR EXPULSION**

The student body should realize that the Board of School Directors of the Quakertown Community School District may suspend or expel, for an extended period of time, students who consistently violate school rules and regulations or commit acts which endanger the health and safety of other students and staff members. This policy refers to, but is not limited to, all actions discussed in the approved discipline guidelines and procedures.

### Formal Hearings

1. Students must be afforded all appropriate elements of due process if they are to be excluded from school. In a case involving a possible expulsion, the student is entitled to a formal hearing, which is a fundamental element of due process.
2. A formal hearing may be held before the Board of School Directors or a duly authorized committee of the Board, preferably composed of no fewer than three members of the School Board. The hearing committee’s decision is advisory to the School Board where expulsion is recommended. A majority vote of the entire School Board is required to expel a student.
3. At the formal hearing, the following due process requirements are to be observed:
  - a. Notification of the charges, in writing, sent to the parents or guardian by certified mail and to the student.
  - b. Sufficient notice of the time and place of the hearing.
  - c. The right to an impartial tribunal.
  - d. The right to be represented by counsel.
  - e. 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 right to demand that any such witnesses appear in person and answer questions or be cross-examined.
  - g. The student’s right to testify and produce witnesses on his/her own behalf.

- h. A record must be kept of the hearing, either by a stenographer or by tape recorder. The student is entitled, at the student's expense, to a copy of the transcript.
  - i. The proceeding must be held with all reasonable speed.
4. If requested by the student or the student's parents, the hearing shall be held in private.
  5. Where the student is dissatisfied with the results of the hearing, recourse can be had to the appropriate state court. If it is alleged that a constitutional issue is involved, the student may file a claim for relief in the appropriate federal district court.

## **DESK AND BOOK BAGS**

1. Each student is assigned an area for books and other personal belongings. Students are responsible for the conditions of their areas at all times. A student should use only the area he or she has been assigned.
2. No illegal or dangerous items may be stored in assigned areas or book bags. This would include, but not be limited to, such items as knives, guns, gasoline, paint, etc.
3. School authorities may search a student's assigned area or book bag and seize any illegal materials. Such materials may be used as evidence against the student in disciplinary proceedings.

## **SCHOOL REGULATIONS AND PROCEDURES**

### **ATTENDANCE**

Regular school attendance is essential to the successful completion of the educational objectives of the school system. However, the philosophy and standards of the school district (as mandated by the State) require a strong work ethic in areas such as self-understanding, understanding others, citizenship, creativity, etc., in addition to skill development and subject matter understanding. The socialization requirements of the educational process certainly cannot be attained by a student who does not participate consistently in the overall school program.

The school laws of Pennsylvania require all school-age children to be in attendance on all days the school is open. The only acceptable reasons for absence, according to the law, are physical and mental disability, religious holidays, and other urgent reasons. The term "urgent reasons" shall be strictly construed and shall not permit irregular attendance.



The school attendance laws also require the school to hold students and their parents accountable for valid documentation of reasons for absence.

### School Attendance Regulations

Once a student has compiled ten (10) absences (including educational trip requests), the student and his/her parents will be notified that a doctor's excuse will be required for each absence thereafter.

It is highly questionable whether a student who is absent more than forty-five (45) days in one year can possibly achieve the goals and objectives set forth by the total instructional program. Students who exceed the maximum limitation described above may be referred to the Superintendent of Schools or his designee for further action.

Any student who accumulates more than ten (10) days of unexcused absence in any one school year may be referred to the Superintendent of Schools for further action.

### Procedures for Lawful/Excused Absences

1. A student returning from an absence has three school days to return a written excuse. The excuse may be written on the district excuse blank, or parents may elect to use regular paper. Calls, faxes and/or emails notifying the school that a student will be absent are appreciated, but do not replace a written excuse. A written excuse must include the following information: (1) name of student; (2) student grade level; (3) date(s) of absence; (4) reason for absence; and (5) a parent or legal guardian's signature
2. If a parent anticipates an absence for reasons other than illness, he/she should submit a request for approval to the office prior to the date of such absence.

### Procedures for Unlawful / Unexcused Absences

If a written excuse is not provided within three school days, the absence is considered unlawful and known as "unexcused". Pennsylvania school laws provide the following procedures to be used in cases of unlawful absence:

1. First offense (School Code 1354) – "First Notice" Issued  
"A first offense consists of three or more days of absence without lawful excuse."
  - a. "Written Notice to Parents – The school district's official notice of absence to parents shall be served in person, otherwise by registered mail, by the attendance officer, home and school visitor, or secretary of the School Board, as soon as a pupil has three days, or their equivalent, of unlawful absence."
  - b. "Closing of First Offense – The first offense is closed at the end of three calendar days after the serving of the 'Notice', or upon the return of the pupil to school within the three days following the serving of the 'Notice.' "

## 2. Second offense (School Code 1333) – Citation Issued

“After the first offense is closed, the next session during the school year that the child is unlawfully absent becomes a second offense and requires the serving of a warrant on the parent through the office of an alderman, magistrate, or justice of the peace. The serving of the warrant closes the second offense.”

## 3. Subsequent Unlawful Absences (School Code 1333) – Citation Issued

“Each succeeding session of unlawful absence by the same pupil becomes another second offense and the same procedure as outlined in this paragraph is repeated. The school district’s official notice of absence to parents is not served in second offense cases. The notice served after the first three days of unlawful absence is adequate for the school year. Schools should refer all future incidents of truancy directly to the magisterial court judge having jurisdiction in the region.”

### Continued Truancy

“If a child of any age continues to be truant after the above actions have been taken, then school districts are to file citations with the local magisterial district judge citing the child’s continued truancy on a weekly basis. It is imperative that the local magisterial district judge be kept informed if truant behavior continues after a plan is in place.” (Basic Education Circular (BEC), Date of Issue: August 2006)

### Habitually Truant

The School Code defines ‘habitually truant’ as absent for more than three (3) school days or their equivalent following the first notice of truancy given after a child’s third unlawful absence.

### Tardiness

Any student who arrives after the defined starting time is considered tardy to school. An excuse must be signed by the parent or guardian indicating the reason(s) for being tardy. The excuse form must be submitted to the teacher within three (3) days.

### Proceedings and Penalties for Violation of Compulsory Attendance Requirements

Every parent/guardian of any child of compulsory school age is subject to penalties if compulsory school-age attendance requirements are not met. Possible sentences for parents found to be in violation of compulsory attendance law include:

- Paying a fine up to \$300 for each offense and court costs, or
- Completing a parenting education program, and
- In cases where the party convicted fails to pay the fine or complete the parenting education program, a subsequent sentencing to the county jail for no more than five days.
- Possible referral to the county children and youth agency.

## **INSUBORDINATION**

Insubordination is defined as an act of disrespect or disobedience of authority. Lines of authority are absolutely necessary to the successful operation of a community. The teachers, administration, and staff are the authority to which students are responsible in

the school community. Students have a right to appeal a decision concerning authority, but are not to disobey authority until such an appeal is made and a decision rendered. Insubordination on the part of a student should be referred to the administration immediately. Insubordination will result in severe disciplinary action, as well as removal from the situation in which it occurred. Students involved in continual acts of insubordination will be referred to the Superintendent of Schools for disciplinary action.

## **DAMAGE OR DESTRUCTION OF PROPERTY AND ENDANGERING ACTS**

**Damage or Destruction of School Property** – A student shall not cause or attempt to cause damage to school property or attempt to steal school property.

**Damage or Destruction of Private Property** – A student shall not cause or attempt to cause damage to private property or steal or attempt to steal private property either on school grounds or during a school activity, function, or school event off school grounds.

A student caught vandalizing may be suspended. A student committing an act that endangers the welfare or safety of the students and faculty of the school will be suspended and not reinstated until the student and his/her parents have had a hearing with the Superintendent of Schools. A student caught vandalizing must make restitution for damages caused before being reinstated. Any acts causing more than \$50 damage or endangering the welfare of the students and faculty of the school will be reported to the local police for criminal action.

Any incident involving firecrackers, smoke bombs, rodent bombs, small fires set in trash cans, or any other type of incendiary device which might cause a noise, explosion, or smoke which might contribute to panic, catastrophe, or endangering the physical well-being of individuals or the school plant, will be reported to the police, as well as the local fire departments, since this action on the part of any individual can be interpreted as a felony according to the State Penal Code.

## **BUS BEHAVIOR**

The School Laws of Pennsylvania state that the Board of School Directors may provide free transportation for any resident pupil. Transportation for students on a school bus is a privilege which may be revoked. No behavior by a student or group of students which infringes upon the rights of other individuals who might be riding on the bus at the same time, or which endangers the lives of all passengers by interfering with the bus driver's ability to maintain control of the vehicle, will be tolerated.

Such actions are to be brought to the attention of the principal of the building which the pupil attends, who will take immediate steps to correct the situation. Parents will be informed by the principal or his designee of any misbehavior by a student while a passenger on a bus. The Board desires that parents or guardians will cooperate with the district and the administration in controlling the behavior of their child(ren) while on a school bus. To promote safety on buses, students may be monitored by video and audio surveillance systems.

At no time is the driver of the bus to decide whether or not said student(s) will be permitted to ride on the bus or to administer any form of disciplinary action other than the assignment of specific seats to those student(s) involved in the disturbance.

The bus driver has the option of deciding if an incident of misconduct merits a written report to the principal. If the report of misconduct on the bus is of an extremely serious nature, the principal or his designee may suspend the student's bus privileges for the first offense. This decision should be submitted in writing to the District Office. In order to expedite the action, the parents of the child(ren) shall be notified by phone immediately and advised of the fact that suspension of bus privileges is taking place, the length of time of the suspension, and the dates on which the suspension will take effect and end.

If the misconduct is not of an extremely serious nature, yet the driver feels it necessary to report the incident, the principal or his designee should proceed as indicated below. A list of all reported incidents or misconduct on a bus by a student(s) shall be kept in the principal's or his designee's files.

The building principal or his designee should, at all times, attempt to cooperate with the driver(s) and the owner of the transportation company.

Upon receipt from the bus driver of a report indicating misbehavior on the part of a student(s), the principal or his designee shall speak with the individual(s) so reported in order to determine the extent of the misbehavior, as well as the degree of discipline required.

In all cases where the bus driver's report is substantiated, the principal or designee shall notify the parents of the child(ren) of the misconduct and any disciplinary action being contemplated. If a meeting among the parents, student, bus driver, and administration is felt to be desired by any of the parties concerned, such a meeting should be encouraged. The basic intent of this meeting would be to seek understanding and cooperation among all those involved.

Upon the report of a student's second offense of misbehavior on a bus, the parents shall be notified by letter indicating that repeated action of this kind might result in the student(s) being denied the privilege of riding the bus for an indefinite period of time. Proper discipline shall be administered and the parents shall be informed of the discipline measures taken.

Upon receipt of the student's third report of bus misbehavior, the principal may suspend the bus privileges of the student. If suspension occurs, a memo stating the name, age, and grade of the student, a descriptive list of the offenses, and the date on which the offenses occurred, as well as the name, address, and phone number of the parents shall be sent to the District Office.

If said bus privilege is revoked, a letter shall be sent by the principal to the parents of the child(ren) informing them of the decision, the reason for the decision, and the length of

time involved with the suspension. The specific dates as to when the suspension will take effect and end shall be included in the letter. The parents will be notified by phone as to the effective dates of the suspension in order to expedite the matter.

During that period of time in which a student is suspended from riding the school bus, the parents or guardians are responsible for having the student meet the attendance hours of his schedule or the schedule of the school to which he has been previously assigned.

## **ALCOHOL AND DRUGS**

### Preamble

A recognition of the alcohol and drug problem in our current society and a concern for the welfare of its students make it necessary for the Quakertown Community School District to formulate a policy to deal with possession, transmission, use, and abuse of alcohol, intoxicating beverages, drugs, narcotic drugs, and dangerous drugs. This policy will apply to all alcoholic or intoxicating beverages, drugs, dangerous drugs, and narcotic drugs as defined by the laws of the Commonwealth of Pennsylvania<sup>1</sup> and the Congress of the United States<sup>2</sup>, and hallucinogenics, amphetamines, or barbiturates, with the exception of those medicines or drugs dispensed to and used by a student pursuant to a physician's prescription.

- I. Prescribed drugs and medicines brought to school must be registered with a school employee (teacher, nurse, secretary, or principal) and taken in their presence. A note from either the parent(s) or attending physician, which gives permission to the employee(s) to supervise the taking of a drug by the student, must accompany the student and be presented to the employee or must be in the hands of the building principal before the taking of a prescribed drug will be permitted. Medication shall be brought to school by the student or parent.
- II. A student who, while under the school's jurisdiction, is found to possess or be involved in the transmission of an object or substance suspected of being of alcoholic content, a drug, a dangerous drug, or a narcotic drug shall be subject to the following course of action:
  - A. An attempt will be made to positively identify the object or substance as being an alcoholic beverage, a drug, a dangerous drug, or a narcotic drug. If positive identification is made, the following course of action will be taken:
    1. The District Superintendent or his designee will be notified.
    2. The student's parents shall be contacted and an invitation extended to them to come to the school. The student shall be suspended until a satisfactory conference is held with all concerned.

3. Where reasonable suspicion exists, a search shall be made of a student's person, personal property, and locker. An attempt will be made to obtain consent for this search. All such inspections shall be made in the presence of the student involved and a third party.
  4. The proper law enforcement agency will be contacted and requested to confirm identification via official police procedure.
  5. Any additional action deemed necessary will be recommended to the School Board by the District Superintendent upon the circumstances surrounding the incident.
- III. A student who, while under the school's jurisdiction, is suspected to be under the influence of alcohol or other intoxicating beverages, a drug, a dangerous drug, or a narcotic drug, shall be subject to the following course of action:
- A. When it seems that emergency medical attention is necessary, the student will be taken immediately to the nearest medical facility.
  - B. Isolate the student from other students.
  - C. Parents or guardians shall be contacted immediately by the building administration and the student shall be taken home or removed from the school for medical attention. If parents or guardians cannot be contacted, a decision to get medical attention for the student shall be made by the building principal or the District Superintendent or his designee.
  - D. The proper authorities will be notified. Proper authorities may constitute one or more of the following:
    1. School nurse
    2. Physician
    3. Proper law enforcement agency
    4. Juvenile protection officer – through the District Superintendent or his designee
  - E. Appropriate disciplinary action will be recommended to the School Board by the District Superintendent depending upon the circumstances surrounding the incident.

#### Use of Narcotics, Drugs, or Alcohol by Students

It should be recognized that in all instances involving possession or use of alcoholic or intoxicating beverages, drugs, dangerous drugs, or narcotic drugs, the severity of the problem and the physical state of the student will determine the degree of action taken, the number of proper authorities contacted, and the disciplinary action recommended by the District Superintendent to the School Board.

In each instance where such disciplinary action involved suspension, the school authorities will endeavor to involve the student in appropriate rehabilitation experiences or activities. The school will attempt to encourage the parent to obtain psychological or social services appropriate to the student's needs. The school will continue to work closely with authorities and institutions in the community particularly concerned with juveniles, and will seek their advice and assistance in dealing with students violating this policy. The school will make every effort to encourage cooperative action on the part of the offender, his parents, school personnel, and the agencies mentioned above in planning a program of rehabilitation.

<sup>1</sup>ACT 693, "The Drug, Device, and Cosmetic Act," approved by the Commonwealth of Pennsylvania, September 25, 1961.

<sup>2</sup>Public Law 91-513, "Comprehensive Drug Abuse Prevention and Control Act of 1970." This law refers to drugs, dangerous drugs, and narcotic drugs such as controlled substances.

<sup>3</sup>The use of the word "drug" or "drugs" in this procedure and in section III refers to those defined in the preamble and are other than those registered in accordance with this policy.

## **SMOKING**

Smoking by pupils is prohibited at all times and at all places within the school confines. Students who possess or use tobacco products on District property or school buses shall be punished according to Board policy, including citation for committing a summary offense under the law.

## **ACT 26**

- I. On September 28, 1995, the School Code of Pennsylvania, which governs the operation and conduct of all public schools in our state, was amended. Act 26 of the code was changed to reflect provisions found in the federal Gun-Free Schools Act.
- II. Section 1317.2 of the Public School Code states that:

"A school district or area vocational-technical school shall expel, for a period of not less than one year, any student who is determined to have brought a weapon onto any school property, any school-sponsored activity, or any public conveyance providing transportation to a school or school-sponsored activity." (Discipline short of one-year expulsion is legal only when recommended by the Superintendent of the school district.)

## ENDANGERING OTHERS IN SCHOOL SETTING

### Weapons

The Board recognizes the importance of a safe school environment relative to the educational process. Possession of weapons in the school setting is a threat to the safety of students and staff, and is prohibited by law.

1. **Weapon** – the term shall include but not be limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, replica of a weapon, and/or any other tool, instrument or implement capable of inflicting serious bodily injury.
2. **Possessing** – a student is in possession of a weapon when the weapon is found on the person of the student; in the student's locker; under the student's control while 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 coming to or from school.

The Board prohibits students from possessing and/or bringing weapons and replicas of weapons into any school district buildings, onto school property, to any school-sponsored activity, and onto any public vehicle providing transportation to school or a school-sponsored activity.

The school district shall expel for a period of not less than one (1) year any student who violates this weapons policy. Such expulsion shall be given in conformance with formal due process proceedings required by law. The Superintendent may recommend modifications of such expulsion requirement on a case-by-case basis.

### Terroristic Threats/Acts

The Board recognizes the danger that terroristic threats and acts by students presents to the safety and welfare of district students, staff and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat or act.

1. **Terroristic threat** – shall mean a threat to commit violence communicated with the intent to terrorize another; to cause evacuation of a building; or to cause serious public inconvenience, in reckless disregard of the risk of causing such terror or inconvenience.
2. **Terroristic act** – shall mean an offense against property or involving danger to another person.

The Board prohibits any district student from communicating terroristic threats or committing terroristic acts directed at any student, employee, Board member,



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

1. The building principal may immediately suspend the student.
2. The building principal shall promptly report the incident to the Superintendent.
3. Based on further investigation, the building principal may report the student to law enforcement officials.
4. The building principal may inform any person directly referenced or affected by a terroristic threat.
5. The Superintendent may recommend expulsion of the student to the Board.

### Anti-Bullying

A student is being bullied or victimized when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more other students (Olweus, 1986 and 1991). It is a negative action when someone intentionally inflicts, or attempts to inflict, injury or discomfort upon another.

**Direct bullying** – a negative action when somebody hits, pushes, kicks, pinches or restrains another by physical contact. Direct bullying can also be carried out by words (verbally), by threatening, taunting, teasing, and calling names when such behavior compromises a safe and civil environment.

**Cyber-bullying** – using electronic device mediums such as but not limited to computers, cell phones and pagers to bully (bullying defined above) others through methods such as posting comments or pictures on blogs or websites, text messaging, instant messaging and email. This cyber-bullying behavior is not to be confused with terroristic threats, which can be communicated through similar methods.

The school district will not tolerate known acts of bullying, including cyber-bullying, occurring on school district property, at school sponsored activities scheduled on or off school grounds including bus stops and bus routes.

1. It is the responsibility of students, parents/guardians, families to adhere to this policy and report bullying behaviors.
2. It is the responsibility of employees to take appropriate steps to intervene, including reporting bullying behaviors to the designated administrator.
3. It is the responsibility of the designated administrator to enforce the policy clearly and consistently; coordinate education of students, parents/guardians and teachers regarding the policy.

## Unlawful Harassment

All forms of unlawful harassment of students and third parties by all district students and staff members, contracted individuals, vendors, volunteers, and third parties in the schools are prohibited. The Board encourages students and third parties who have been harassed to promptly report such incidents to the designated employees.

Complaints of harassment shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations.

Neither reprisals nor retaliation shall occur as a result of good faith charges of harassment.

**Harassment** shall be defined as verbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, gender, age, disability, sexual orientation or religion when such conduct:

1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive educational environment.
2. Has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance.
3. Otherwise adversely affects an individual's learning opportunities.

**Sexual harassment** shall be defined as unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of a student's academic status.
2. Submission to or rejection of such conduct is used as the basis for academic or work decisions affecting the individual.
3. Such conduct deprives a student of educational aid, benefits, services or treatment.
4. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the student's school performance or creating an intimidating, hostile or offensive educational environment.

Examples of conduct that may constitute sexual harassment include but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual

nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes; pin-ups; calendars; objects; graffiti; vulgar statements; abusive language; innuendoes; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with a student's ability to work or learn or creates an intimidating, hostile or offensive learning or working environment.

Each student shall be responsible to respect the rights of their fellow students and district employees and to ensure an atmosphere free from all forms of unlawful harassment.

The building principal or designee shall be responsible to complete the following duties when receiving a complaint of unlawful harassment:

1. Inform the student or third party of the right to file a complaint and the complaint procedure.
2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.
3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
4. Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint.



**Quakertown Community School District**

[www.qcsd.org](http://www.qcsd.org)

*Last Revised: August 2012*

The Quakertown Community School District does not discriminate on the basis of race, color, religion, sex, national origin, age, marital status, or the presence of non-job-related medical conditions or handicaps.