

SYLVAN HEIGHTS SCIENCE CHARTER SCHOOL
Policy 98-205

CODE OF STUDENT CONDUCT

This Code of Student Conduct was approved for implementation at the Sylvan Heights Science Charter School in accordance with the provisions of the Regulations of the State Board of Education of Pennsylvania, Chapter 12, Section 12.3 (c), effective August 31, 1998. Policies of the Board which are consistent with the Code of Student Conduct are repealed to the extent of such inconsistency.

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I. STUDENT RIGHTS AND RESPONSIBILITIES

The Board recognizes that each student is entitled to equal treatment and equal access to the educational program, due process, a presumption of innocence and free expression and association. For each student these rights are accompanied by certain responsibilities, as set forth in this Code of Student Conduct.

A. 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.

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

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

D. It is the responsibility of the students to conform to the following:

1. Be aware of all rules and regulations for student behavior and conduct themselves in accordance with them. Student should assume that, until a rule is waived, altered or repealed in writing, it is in effect.

2. Volunteer information in matters relating to the health, safety and welfare of the school community and the protection of school property.

3. Dress and groom to meet fair standards of safety and health, and to wear the uniform as adopted by the Board.

4. Assist the school staff in operating a safe school for all students enrolled therein.

5. Comply with Commonwealth and local laws.

6. Exercise proper care when using public facilities and equipment

7. Attend school daily and be on time at all classes and other school functions.

8. Make up work when absent from school.

II. GENERAL DISCIPLINE PROCEDURES FOR ALL STUDENTS

A. It is the intent of the School that student behavior in all classrooms is exemplary and conducive to learning. Under no circumstances will any misbehavior that will detract from the educational activities of the students who do want to learn be accepted.

Although disciplinary procedures will vary for individual cases, the following general procedures will be followed:

1. Repeated misbehavior in a classroom resulting in a student's need to leave the classroom will result in a conference with the parent and teacher.

2. Repeated misbehavior in the school, other than in the classroom, will result in a meeting between the parent and school authorities.

B. Behaviors requiring corrective action:

These are non-negotiable behaviors which may require automatic suspension on the first offense.

1. Throwing chairs and other materials.
2. Acts that endanger student and others (tripping, aggressively pushing a child, etc.)
3. Striking teaching faculty or staff
4. Biting
5. Intentional destruction of property
6. Intent to do bodily harm
7. Physical injury to others caused by kicking, scratching and slapping
8. Fighting
9. Indecent behavior
10. Use of profanity

Guidelines for Corrective Action

1. First Stage - Child is removed from the classroom and taken to the Principal or designee. Incident is documented in the child's record; parent is informed in this regard. Resources are offered to the parent(s).

2. Second Stage - Child is suspended for the following day. Parent conference is held to discuss the concern. Resources are offered to the parent(s). At this point, administration may decide to guide the development of intervention strategies to resolve the issue.

3. Third Stage - Child is expelled from school. Parent conference is held. Recommendation for referral services should be sought by parent(s).

Depending on the age of the child and other factors, the Principal may use his/her discretion in the use of corrective actions, including additional suspension days.

C. Exclusions from School (Suspensions and Expulsions)

Exclusions from school may be effected by temporary suspension, full suspension or expulsion.

1. "Temporary Suspension" shall mean exclusion from school for an offense for a period of up to three (3) school days.

2. "Full Suspension" shall mean exclusion from school for an offense for a period of up to ten (10) days.

a. Suspensions may be given by the principal or designee.

b. No student shall be suspended until the student and parent(s) have been informed of the reasons for the suspension and given an opportunity to respond. 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.

c. The parent(s) shall be notified immediately in writing when the student is suspended.

d. When the suspension exceeds three school days, the student and parent shall be given the opportunity for an informal hearing.

e. Students shall have the responsibility to make up work missed while being disciplined by exclusion.

4. "Expulsion" shall mean exclusion from school for an offense for a period exceeding ten (10) school days, and may be mean permanent expulsion from the school rolls.

a. All expulsions require a prior formal hearing.

b. During the period prior to the hearing and decision of the Board of School Trustees in an expulsion case, the student can be suspended, but shall first be informed of the reasons and given an opportunity to respond.

c. The student may be suspended from school for more than ten (10) school days if the formal hearing is not unreasonably delayed. Any student so excluded shall be provided with alternative education which may include home study.

d. Student and parent(s) should be advised of this process and their rights to obtain legal counsel.

5. The following types of offenses are designated by the Board of Trustees of the Sylvan Heights Science Charter School as offenses which subject a student to exclusion from school (suspension up to ten (10) days or expulsion, which may be permanent):

a. A flagrant or persistent misbehavior on school property, in school vehicles or buildings, including but not necessarily limited to fighting, stealing, excessive tardiness, leaving school grounds without permission, disorderly conduct, violation of this Code of Student Conduct and any other school regulations, interfering with the rights of others and/or the orderly administration of the school.

b. Misbehavior with respect to school property, including, but not necessarily limited to entering a school building without proper authorization, and defacement or destruction of school property. Repair costs for damage caused by vandalism or misconduct shall be paid by the person(s) and/or legal parent or guardian of the student causing the damage.

c. A criminal act, as defined in the Pennsylvania Crimes Code, committed on school property, vehicles or buildings.

D. In-School Suspensions

1. Disruptive students may be removed from the regular program and assigned to an in-school suspension.

2. Students are required to complete academic assignments while on in-school suspension.

3. Students shall be informed of the reason(s) for in-school suspension and given an opportunity to respond before the in-school suspension becomes effective.

4. Communication to the parent(s) or guardian shall follow the suspension action taken by the school.

E. Hearings

1. A formal hearing is required in all expulsion actions. This hearing may be held before the Board of Trustees or a duly authorized committee of the board, or a qualified hearing examiner appointed by the Board. Where the hearing is conducted by a committee of the board or a hearing examiner, a majority vote of the entire school board is required to expel a student. The following due process requirements are to be observed with regard to the formal hearing:

a. Notification of the charges shall be sent to the student's parent(s) or guardian by certified mail- Sufficient notice of the time and place of the hearing must be given.

b. The hearing shall be held in private unless the student or parent requests a public hearing.

c. The student has the right to be represented by counsel.

d. The student has the right to be presented with the names of witnesses against the student and upon request, copies of any existing statements and affidavits of those witnesses.

e. The student has the right to request that any such witnesses appear in person and answer questions or be cross-examined.

f. The student has the right to testify and present witnesses on his or her own behalf.

g. 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.

h. The processing must be held with all reasonable speed.

i. Where the student disagrees with the results of the hearing, recourse is available in the appropriate court of the Commonwealth. If it is alleged that a constitutional issue is involved, the student may file a claim for relief in the appropriate Federal District Court.

2. In those instances where an informal hearing is required, an informal hearing with an appropriate school official will be held to enable the student to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended. The informal hearing is meant to encourage the student's parent(s) or guardian to meet with the principal to discuss ways by which future offenses can be avoided. The following due process requirements are to be observed in regard to the informal hearing.

a. Notification of the reasons for the suspension shall be given in writing to the parents or guardian and to the student.

b. Sufficient notice of the time and place of the normal hearing shall be given.

c. A student has the right to speak and produce witnesses on his or her own behalf.

d. The Board of Trustees shall schedule the informal hearing within the first three (3) days of the suspension, and if said hearing is postponed at the request of the student or parent(s), or if the student fails to attend, the suspension may be continued.

F. Flag Salute and the Pledge of Allegiance: It is the responsibility of every citizen to show proper respect for the country and its flag.

1. Students may decline to recite the Pledge of Allegiance and may refrain from saluting the flag on the basis of personal belief or religious convictions.

2. Students who choose to refrain from such participation shall respect the rights and interests of classmates who do wish to participate.

3. A student who chooses not to participate may either stand or sit, and shall remain silent and reasonably motionless so that his or her conduct will not interfere with or degrade the observance for those who wish to participate.

G. Appearance and Dress

1. Accessories or items of apparel which disrupts the educational process shall not be worn.

2. Clothing and hair shall never be worn in a fashion that presents a hazard to the health or safety of any student or groups of students.

3. Students are required to wear gray or navy blue sweats or shorts and shirts, and plain sneakers while participating in physical education classes.

4. Students may be required to wear certain types of clothing while participating in situations where special attire may be required to ensure the health or safety of the student and in situations where the school authorities have determined that a uniform serves some other useful or aesthetic purpose.

5. Students have the responsibility to keep themselves, their clothes, and their hair clean. School officials may impose limitations on student participation in the regular instructional program where there is evidence that the lack of cleanliness constitutes a health hazard.

6. Students are required to wear uniforms at all school activities unless stated by the administration. Students' uniforms include shirts, blouses, sweaters, jumpers, shorts, skirts, and long pants. Sweaters, jumpers, shorts, skirts, and pants should be navy blue. Shirts and blouses should be white, gray, or light blue. Students' shoes and sneakers should be plain (no lights, no wheels, no fancy decorations, etc.). Students will need to wear sneakers for gym classes.

H. Confidential Communication

1. Use of a student's confidential communications to school personnel in legal proceedings is governed by statutes and regulations appropriate in the proceeding.

2. Information received in confidence from a student may be revealed to the student's parents, the principal or other appropriate authority where the health, welfare or safety of the student or other persons is clearly in jeopardy.

I. Student Exposure to Drugs

It is a violation of the Sylvan Heights Science Charter School's policy for any student, on school property, vehicles and buildings, or during school activities, to be under the influence of any controlled substance, to use, possess, possess with intent to deliver, control, sell, deliver, distribute or traffic in any controlled substance, "look alike drug" as herein defined, drug paraphernalia, or any pill, capsule, powder, liquid or other substance of whatever form or texture (including, but not limited to, stimulants or depressants) which may adversely affect the health, safety or welfare of any student.

For purposes hereof, the term "controlled substance" shall have the same definition it has in The Controlled Substance, Drug, Device and Cosmetic Act, Act of April 14, 1972, P.L. 233, No. 64 as amended, 35 P.S. 780-101, et set.

The term "look alike drug" means any pill, lozenge, capsule or other tablet or substance which has been manufactured, packaged or re-packaged in a manner normally used for the illegal delivery of controlled substances, but contains non-prescription or non-controlled substances.

The term "possession" means having on a student's person or in a place within the student's reach or control, or in a car, locker, desk, book bag, handbag or other container or article which is within the exclusive control of the student.

The term "delivery" means placing in another student's possession, transferring possession, actual or constructive, to another, whether or not for a price.

It is understood that medication issued on the advice of a physician and used by the authorized person is not subject to the above conditions. School administrators and employees have an affirmative duty to initiate the following procedures when there is a suspicion that a student is in violation of the above drug policy, either in school or during a school related activity. Whenever such suspicion comes to the attention of an employee, the employee shall immediately notify the student's Principal who, in turn, shall follow the due process procedures of the charter school, notifying the Board of Trustees or designee.

If after investigation it appears to the Principal or designee that a student has been under the influence of any controlled substance or has used, possessed, possessed with intent to deliver, controlled, sold, delivered, distributed, or trafficked in any controlled substance or look-a-like drug, the Principal or designee is authorized to immediately suspend the student pending a hearing before the Board or a committee of the Board of Trustees. As soon as practical thereafter, the Board or a committee of the Board of Trustees shall, upon reasonable notice, hold a due process hearing. The Board of Trustees, based upon evidence disclosed at the hearing, may suspend the student for such additional time as the Board in its discretion shall determine, or may expel the student permanently. Other violations not involving a controlled substance or look-a-like drug may result in a suspension and/or Board hearing.

The Principal or designee thereof shall have the sole duty and authority to inform local or state law enforcement agencies or to invite participation or assistance of any other public agency in the investigation or resolution of any problem involving drugs.

J. Student Smoking/Possession of Tobacco and the Laws of Pennsylvania

Section 6305 - Sale of tobacco

A person is guilty of a summary offense if he or she sells tobacco, in any form, to any minor, under the age of 16 years, or by purchase, gift or other means, furnishes tobacco, in any form to a minor under the age of 16 years.

Section 6306 - Furnishing cigarettes or cigarette papers

1. Offense defined. A person commits an offense if he or she furnishes to any minor, by gift, sale or otherwise, any cigarettes or cigarette paper.
2. Grading. Whoever commits an offense under this section shall, upon being convicted thereof in a summary proceeding, be sentenced for the first offense to pay a fine not exceeding \$25.00 and for the second offense shall be fined not exceeding \$100.00; and for the third or subsequent offense shall be guilty of a misdemeanor of the third degree.

The Principal is instructed to enforce the following regulations:

1. Prohibit smoking and/or possession of tobacco by students on or in all school properties of the Sylvan Heights Science Charter School.
2. "Tobacco" as used herein shall include tobacco products such as, but not limited to, chewing tobacco, snuff and other smokeless tobaccos.
3. "Smoking" includes possession of a lighted cigarette, cigar, pipe or other lighted smoking equipment.

4. Advise, in writing, those students who are first-time offenders, about the existing tobacco/smoking laws of Pennsylvania and regulations established by this policy. (A copy of the school policy will be provided to the parent(s) or guardian(s) of the offender.) A first-time offense will result in a three (3) day out-of-school suspension.

5. Second and third offenses will result in five (5) and ten (10) day suspensions respectively.

6. Professional school personnel should carry on intensive programs of education designated to make students fully informed of the hazards of smoking.

K. Discipline of Students Misbehaving on School Buses

The drivers of all school buses or other vehicles transporting public or non-public students will fill out bus conduct reports on misbehaving students who are violating the rules of proper bus behavior.

The reports will be signed by the driver and submitted to the administrator of the school which the student attends.

Copies of the report will be distributed to the parents and the driver after the administrator has met with the student. The form indicates the violations as well as the action taken by the administrator. The administrator should retain one copy of the form.

Procedures to be followed by Sylvan Heights Science Charter School will be as follows:

1. First discipline reports - student should be advised, on report, that a recurrence will result in suspension of bus privileges.

2. Second discipline report - notification to parent(s) with warning.

3. Third discipline report - three (3) days suspension of bus privileges

4. Fourth discipline report - five (5) days suspension of bus privileges

5. Fifth discipline report - ten (10) days suspension of bus privileges

6. Fighting on the bus - automatic five (5) days suspension of bus privileges

The bus drivers are the school's representatives on the bus and their judgment will be respected in evaluating the conduct report.

L. Alcoholic Beverages

The possession of and/or consumption of any malt, brewed or liquor beverage on school property, in the school buildings, on buses owned or under contract to the school, at school sanctioned functions, is prohibited. Students found violating this regulation will be immediately suspended. A violation of this regulation may result in a hearing before the Board of Trustees with the recommendation for expulsion.

For the purposes of this section, the terms "possession" and "consumption" shall include being intoxicated or under the influence of alcohol or exhibiting any of the common signs thereof including, but not limited to, slurred speech, glassy eyes, bloodshot eyes, impaired coordination, or the odor of alcohol on the breath.

M. Corporal Punishment

The Board recognizes the negative effect on students from the use of corporal punishment. Therefore, reasonable force may only be used, in accordance with the School Code, by teachers and school authorities under the following circumstances.

- 1 - to quell a disturbance
- 2 - to obtain possession of weapons or other dangerous objects
- 3 - for the purpose of self-defense
- 4 - for the protection of persons or property

Corporal punishment administered by any professional employee in violation of the conditions of this policy shall be regarded as insubordinate conduct on the part of the professional employee.

N. Standards of Conduct for Students

The following rules have been established to provide an atmosphere conducive to learning. Students are expected to obey these rules for their safety and the good of the student body.

1. Hallways

- a. Walk quietly on the right side of the hallways. Follow the direction of the adults who supervise.
- b. Running, tripping, pushing is prohibited.
- c. Voices must be controlled.

2. Classrooms

- a. Enter a room only if assigned to be there and/or a teacher or aide is present for supervision.
- b. Students are responsible for their own belongings.
- c. Follow teachers or aides to assigned rooms or designated areas.
- d. Voices shall be controlled.
- e. Students must be escorted by teachers or aides to assigned classrooms or designated areas.
- f. Students must have a hall pass when not escorted by a teacher or aide.
- g. Hats are not permitted.
- h. Chewing of gum is prohibited.
- i. Work missed because of absences must be made up. Students may request that homework be provided after a 3-day absence.

3. Rest Rooms

- a. Playing or inappropriate behavior is forbidden inside the rest rooms.
- b. Students should help to keep the rest rooms clean and neat by proper use.
- c. Students should use the nearest rest room to their class or activity.

4. Cafeteria

- a. No loud talking, yelling, or horse-play.
- b. No tossing of food or squashing of milk containers.
- c. Food is to be consumed only in the cafeteria.
- d. Walk in the cafeteria.
- e. Students shall not leave the cafeteria until dismissed by lunch duty personnel.

5. Bus

- a. When dismissed from classrooms, go to the assigned waiting areas. Walk quietly to the bus when directed. Stay seated on the bus. Only the bus driver may grant permission to leave the bus.
- b. Student must travel on assigned buses unless they have a note stating that the parent or parent's designee will pick them up
- c. Students will show respect for the bus driver.
- d. Obey all other rules as posted or given by the bus driver.

6. Other

- a. Students are permitted to wear sweaters. The wearing of any outside jackets in the building during the regular school day is prohibited.
- b. After an absence from school, it is the student's responsibility to arrange to make up work.
- c. Students should not come to the office to relate something that happened in the classroom. The information should be reported to the classroom teacher or to the person in charge of the activity.

III. Procedure for Cooperating With Police

1. Criminal acts, as defined in the Pennsylvania Crime Code, shall be reported to the appropriate police department.
2. Police are authorized to question students during school hours under the following conditions.
 - a. The school notifies the student's parent(s)/guardian and receives the approval.
 - b. A school administrator or counselor is present while the student is being questioned.

IV. Equal Opportunity School

Sylvan Heights Science Charter School is an equal opportunity educational institution and will not discriminate in employment, educational programs or activities on the basis of race, sex, color, national origin, religion, age, or disability. Inclusion of this policy in this document in accordance with state and federal laws including Title IX of the Education Amendments of 1972, Section 503 and 504 of the Rehabilitation Act of 1973 and Title VI and VII of the Civil Rights Act of 1964.

V. Weapons

The Sylvan Heights Science Charter School hereby prohibits possession of weapons or ammunition on school property or at any school-related activity, and requires that anyone who has knowledge of the possession or existence of a weapon or ammunition in a prohibited place make an immediate report thereof to a school administrative or professional employee.

The following shall constitute a violation of this policy:

- a. Possession of a weapon or ammunition in a prohibited place.
- b. Failing, neglecting or refusing to immediately report to administrative or professional employee knowledge of the possession or existence of a weapon or ammunition in a prohibited place.

Definitions

For purposes of this policy, the following words and phrases shall have the meaning given to them in this subsection:

"Weapon" - Any tool, instrument, implement, or object capable of inflicting serious bodily injury including, but not limited to, (1) knife, cutting instrument, culling tool, nun-chuck stick, star, firearm, BB gun, pellet gun, shotgun, rifle, pistol; (2) look-alike, replicas of weapons, objects which are capable of inflicting serious bodily injury and possessed under circumstances not manifestly appropriate for lawfulness they may have; and (3) components which can readily be assembled into a weapon. Whether or not an object is loaded or lacks a clip or other component to render it immediately operable is irrelevant in the determination as to whether or not it constitutes a weapon.

"Possession" - The presence of a weapon or ammunition on the person of an individual, or in his/her personal property (for example, but not by limitation, book bag, gym bag, purse, clothing, brief case, etc.) or in a place where the individual exercises substantial control. The term shall also include furnishing a weapon or ammunition to another knowing that it will be transported to a prohibited place, and also concealing or transporting, or aiding in the concealment or transportation, of a weapon or ammunition in or to a prohibited place.

"Prohibited Place" - School property, school grounds, school buildings, any place where a school-related event or activity takes place, bus stop, and any school furnished vehicle or conveyance providing transportation to or from any of the foregoing.

Confiscating Weapons or Ammunition

Any weapon or ammunition found in a prohibited place shall be immediately confiscated, delivered to the building principal, and delivered to law enforcement officials or picked up by law enforcement officials. Confiscation of a weapon or ammunition shall be witnessed by a second Sylvan Heights Science Charter School employee and a signed statement by each employee shall be kept on file at the administration office detailing the circumstances of the confiscation. The weapon or ammunition shall be kept in safe-keeping and a written record shall be maintained identifying all persons involved in the chain of custody of the confiscated weapon until it is delivered to law enforcement officials.

Parent(s)/guardian of students shall be notified immediately. Principal shall provide a written report of the investigation to President of Board of Trustees by the close of the school day.

Discipline

Any student, who violates this policy, as determined by preliminary investigation, shall be subject to discipline depending upon the nature of the offense as follows:

Possession of a firearm, look-alike, ammunition, or replica of a firearm, in a prohibited place

- immediate suspension for a period of 10 consecutive school days, an offer of an informal hearing, and prompt formal hearing before the Board of Trustees or a committee to consider expulsion of the student.

Possession of a weapon other than a firearm, look-alike, or replica of a firearm, coupled with a threat by the student to use such weapon to inflict bodily harm on another person

- immediate suspension for a period of 10 consecutive school days, an offer of an informal hearing, and prompt formal hearing before the Board of Trustees or a committee of the Board of Trustees to consider expulsion of the student.

Any other violation of this policy

- immediate suspension for a period of up to 3 consecutive school days; at the discretion of the principal or designee, an additional suspension of up to seven (7) consecutive school days and an offer of an informal hearing; and at the discretion of the principal or designee a formal hearing before the Board of Trustees or a committee of the Board of Trustees to consider expulsion of the student.

Any Sylvan Heights Science Charter School employee who violates this policy shall be subject to appropriate discipline, including termination.

Any other person who violates this policy shall, at the discretion of the Principal and Board of Trustees, be banned from all school property and all school-sponsored events and activities.

Mandatory Expulsion

Any student who is determined to have been in unauthorized possession of a weapon as defined herein (except look alike, replicas or fewer than all the components which could be readily assembled into a weapon) in a prohibited place, shall be expelled for a period of not less than one calendar year.

The principal may recommend discipline short of expulsion for a calendar year, on a case-by-case basis. In any case involving an exceptional student, procedural matters and discipline shall be in compliance with the Individual with Disabilities Education Act (20 U.S.C. #1400, et seq.), and Pennsylvania Law.

Reporting to Police

Employees who become aware of the possession or existence of a weapon in a prohibited place shall immediately report same to an administrator.

Administrators shall promptly report individuals suspected of possessing weapons in a prohibited place to the appropriate law enforcement officials. Employees shall cooperate with law enforcement officials in the detection and prosecution of all violators of this policy.

Authorized Possession

It shall be a defense to violation of this policy that the weapon is possessed and used in conjunction with a lawful supervised school activity or course, only after prior approval and compliance with the following procedures:

Staff members shall keep supervised school activities or course requirements involving the possession of weapons to a minimum. To that end, staff members are encouraged to find alternate means of conducting activities or courses where weapons might be brought to school or school-sponsored activities. For example, rather than allowing "props" to be brought for a speech assignment, the student should be instructed to bring a picture of the item.

If a weapon is to be brought to school for an approved school or school-related activity, the student who brings it must follow the following procedure:

The student's parent or guardian shall bring the weapon to the school office to be left with an administrator. The parent or guardian shall return at the end of the day to retrieve the weapon from the school office.

VI. Improper Conduct toward School Employees

It is the policy of the Board of Trustees to provide an educational environment free from all forms of intimidation, hostility, offensive behavior, sexual harassment and unlawful discrimination, hereinafter referred to either individually or collectively as "improper conduct." By way of example and not limitation, such improper conduct may take the form of:

- verbal or written derogatory or discriminatory statements, racial slurs, or unwelcome sexual remarks or advances; or
- discrimination or verbal or written derogatory statements based on race, color, religion, gender, national origin, age, or disability.

The standard for determining whether particular verbal or physical conduct is "improper conduct" is whether a reasonable person in the same similar circumstances would find the conduct intimidating, hostile, offensive or abusive. The "reasonable person" standard includes consideration of the perspective of persons of the alleged victim's race, color, religion, gender, national origin, age, or disability.

Such behavior on the part of a student directed toward any employee of the Sylvan Heights Science Charter School violates this policy and may result in disciplinary action, including expulsion of students.

VII. Student Complaint Process

In furtherance of this policy, a student complaint process is hereby established in accordance with the following provisions:

Step I

Any student who believes that he/she is, or may be, the victim of any improper conduct by an employee of the School, may file a complaint with the principal. Said complaint may be filed by the student or on behalf of the student by the student's parent(s) or guardian.

With respect to alleged improper conduct by a student, the alleged victim shall first refer the matter to his/her teacher for resolution. If either student is dissatisfied with the teacher's resolution or if the teacher believes the alleged improper conduct is so serious as to warrant review by the principal, the complaint shall be referred to the principal.

Upon receipt of such complaint of a student or referral from a teacher, the principal will provide the complainant with a "Notice to Individuals Complaining of Improper Conduct" form, impartially investigate the complaint, interview both parties to provide complainant and accused with the opportunity to discuss charges made, explore personal feelings with confidentiality and impartiality, and evaluate complaints which might be irresponsible, unfounded, or involve misperceptions of fact or intent. It is the principal's responsibility to provide oral remedies, including imposition of discipline. The principal will attempt to remedy the situation by reaching mutual agreement.

Step 2

If the complaining student and/or his/her parent(s) are dissatisfied with the disposition of the matter, they have the right to request that the matter be brought to the attention of the Board in accordance with these procedures within ten (10) days after the principal's action. The complainant may advise the principal in writing of his/her desire to bring the matter to the attention of the Board. The principal shall list the matter on the Board agenda at the next regularly scheduled meeting of the Board. The matter will be considered by the Board at its meeting, either in open session or in executive session, as the Board shall determine and in compliance with the Open Meeting Law. The complainant shall be given an opportunity to address the Board and the principal shall provide a report as to his/her findings and recommended disposition. The Board shall take such action as it deems appropriate.

VIII. Anti-Bullying and Extortion Policy (Policy # 249) Approved: Sept.21, 2005; Revised: Aug. 17, 2015

PURPOSE

The Sylvan Heights Science Charter School strives to provide a safe, positive learning climate for students. It shall be the policy of SHSCS to maintain an environment in which the objectives of positive peer interactions are reinforced daily while stressing that bullying and extortion are not tolerated.

DEFINITION

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

1. Substantial interference with a student's education.
2. Creation of a threatening environment.
3. Substantial disruption of the orderly operation of the school.

Bullying behavior includes, but is not limited to, physical intimidation or assault; oral or written threats; teasing, putdowns, or name calling that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive environment; threatening looks, gestures, or actions; psychological cruelty, such as spreading rumors of false accusations; shunning the individual; and cyber-bullying via any form of electronic communication, including but not limited to, phone, text messaging, internet, websites, e-mail, blogs, chat rooms, and/or instant messaging;.

Extortion is the action of one student or a group of students to obtain or withhold the property of another student by force, threat of violence or other harm, or intimidation.

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

PROHIBITION

It shall be a violation of this policy for any student to bully another student or to extort property from another student in the school setting.

DELEGATION OF RESPONSIBILITY

The school expects staff members who observe or become aware of an act of bullying or extortion to take immediate, appropriate steps to intervene. If a staff member believes that his/her intervention has not resolved the matter, or if the bullying/extortion persists, s/he shall report the bullying or extortion to the school principal or designee for further investigation.

If a student or parent becomes aware of an act of bullying or extortion, s/he should promptly report it to a staff member or principal for further investigation. If it is determined that a student has deliberately made a

false accusation, such student shall be subject to disciplinary action, consistent with the Student Code of Conduct.

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

GUIDELINES

INVESTIGATIVE PROCEDURES:

Upon learning about a bullying or extortion incident, the principal or designee shall promptly interview the students involved and thoroughly investigate. This investigation may include interviews with students, parents, and school staff; the review of school records; and identification of parent and family issues.

CONSEQUENCES/INTERVENTION:

Consequences for students who bully others or extort the property of others will be subject to disciplinary options that may include counseling, parent conference, detention, suspension or other consequences as provided in the Code of Student Conduct.

DISSEMINATION AND TRAINING:

- A. A summary of this policy, as well as a copy of the Student Handbook referred to in this policy, shall be included in the student handbook.
- B. This policy shall be made easily available to pupils and staff by the principal.
- C. Discussion of the policy shall be included in the orientation of each new teacher and periodically in staff development workshops.
- D. Faculty will include instruction in bullying/extortion prevention as part of classroom character building instruction.

BULLYING PREVENTION:

SHSCS shall adopt proactive measures to prevent bullying. Such measures may include a daily motto, a school-wide no-bullying contract, a bullying prevention team, rewards for positive student behavior or such other practices as the Principal may deem appropriate. The principal shall report periodically to the Board on the School's bullying prevention efforts.

CONFIDENTIALITY:

The Sylvan Heights Science Charter School recognizes that both the complaining student and the alleged bully/extorter have strong interests in maintaining the confidentiality of the allegations and related information. The privacy of the complaining student, the individual(s) against whom the complaint is filed, and the witnesses will be respected as much as possible, consistent with legal obligations to investigate, to take appropriate action, and to comply with Family Education Privacy Rights Act ("FERPA") and any discovery or disclosure obligations. As limited by FERPA protections, the principal or designee may inform the complaining student/parents of the outcome of the investigation.

REPRISAL:

Any student who retaliates against another student for reporting bullying or extortion or for assisting or testifying in the investigation or hearing may be subject to disciplinary action.