

# East Penn School District Middle Level Discipline Code

## Middle School Discipline Code Belief Statement

We believe that all students, parents, teachers, and staff shall create and maintain a safe environment of respect and responsibility for themselves, one another, their school, and the East Penn community. This environment, free of distractions and disruptions, shall foster opportunities for students to learn and teachers to teach.

In applying discipline guidelines, **administrators reserve the right to use their discretion in reviewing individually a student's disciplinary infraction and dealing with that infraction on an individual basis, apart from the discipline responses listed herein.** The administration will use a wide variety of interventions to insure the safety, health, security, and well being of all the students at LMMS/EYER MS.

## Statement of Agreement

1. We agree to respect ourselves and others.
2. We agree not to devalue or discount ourselves and others.
3. We agree to respect the property of ourselves and others.
4. We agree to follow rules in specific areas.
5. We agree to work together courteously and cooperatively.

## Acronyms

**After School Detention**  
**In School Suspension**  
**Student Assistance Program**

**ASD**  
**ISS**  
**SAP**

**Lunch Detention**  
**Out of School Suspension**

**LD**  
**OSS**

## TEAM LEVEL

In order to establish and maintain strong teacher-student relationships, we believe discipline issues should be handled at the team level whenever possible. The team and every adult in the school community are responsible for modeling and teaching appropriate behavior to our students.

Team level infractions include, but are not limited to:

Offense	Notes	Team Action
Misconduct	<ul style="list-style-type: none"> <li>- Excessive talking</li> <li>- Unassigned area of the classroom</li> <li>- Misuse of materials</li> <li>- Throwing or tossing items</li> </ul>	<ul style="list-style-type: none"> <li>- Student/Teacher Conference</li> <li>- Behavior intervention - change seat, private cuing, etc.</li> <li>- Parent phone call</li> <li>- Team conference - In most cases, it is preferable to call home prior to the team meeting.</li> </ul> <p style="text-align: center;">After the <b>third</b> occurrence, refer to administrator.</p>
Insubordination	<ul style="list-style-type: none"> <li>- Passive defiance</li> <li>- Work refusal</li> </ul>	<ul style="list-style-type: none"> <li>- Student/Teacher Conference</li> <li>- Behavior intervention - change seat, private cuing, etc.</li> <li>- Involve guidance counselor</li> <li>- Parent phone call</li> <li>- Team conference - In most cases, it is preferable to call home prior to the team meeting.</li> </ul> <p style="text-align: center;">After the <b>third</b> occurrence, refer to administrator.</p>
Inappropriate language and/or gestures <i>OR</i> Inappropriate Displays of Affection	<ul style="list-style-type: none"> <li>- Words or gestures considered inappropriate in the school setting.</li> <li>- This does NOT include racial/ethnic intimidation, which should be referred to an administrator.</li> </ul>	<ul style="list-style-type: none"> <li>- Student/Teacher Conference</li> <li>- Behavior intervention - change seat, private cuing, etc.</li> <li>- Involve guidance counselor</li> <li>- Parent phone call</li> <li>- Team conference - In most cases, it is preferable to call home prior to the team meeting.</li> </ul> <p style="text-align: center;">After the <b>third</b> occurrence, refer to administrator.</p>

<p>Pass Violation</p>	<ul style="list-style-type: none"> <li>- In location not designated by pass</li> <li>- Wandering the halls/excessive travel time</li> <li>- Pass not signed</li> <li>- Never arrived in designated area</li> </ul>	<ul style="list-style-type: none"> <li>- Student/Teacher Conference</li> <li>- Behavior intervention - pass restriction</li> <li>- Parent phone call</li> <li>- Team conference - In most cases, it is preferable to call home prior to the team meeting.</li> </ul> <p>After the <b>third</b> occurrence, refer to administrator.</p>
<p>Failure to return forms</p>	<ul style="list-style-type: none"> <li>- Attendance forms</li> <li>- Emergency contact</li> <li>- Guidance</li> </ul>	<ul style="list-style-type: none"> <li>- Student/Teacher Conference</li> <li>- Involve guidance counselor</li> <li>- Parent phone call</li> <li>- Team conference - In most cases, it is preferable to call home prior to the team meeting.</li> </ul> <p>After the <b>third</b> occurrence, refer to administrator.</p>
<p>Dress Code Violation</p>	<ul style="list-style-type: none"> <li>- Wearing clothing items that are not compliant with the Dress Code outlined in the Student Handbook.</li> </ul>	<ul style="list-style-type: none"> <li>- Student/Teacher Conference <ul style="list-style-type: none"> <li>- “Your [clothing item] is not compliant with our school Dress Code.”</li> </ul> </li> <li>- Student returns to class once dressed appropriately.</li> <li>- Parent phone call</li> </ul> <p>After the <b>third</b> occurrence, refer to administrator.</p>
<p>Lying</p>		<ul style="list-style-type: none"> <li>- Student/Teacher Conference</li> <li>- Involve guidance counselor</li> <li>- Parent phone call</li> <li>- Team conference - In most cases, it is preferable to call home prior to the team meeting.</li> </ul> <p>After the <b>third</b> occurrence, refer to administrator.</p>

Late to Class	- < 10 minutes tardy	<ul style="list-style-type: none"> <li>- Student/Teacher Conference</li> <li>- Involve guidance counselor</li> <li>- Parent phone call</li> <li>- Team conference - In most cases, it is preferable to call home prior to the team meeting.</li> </ul> <p>After the <b>third</b> occurrence, refer to administrator.</p>
Leaving class without permission		<ul style="list-style-type: none"> <li>- Student/Teacher Conference</li> <li>- Involve guidance counselor</li> <li>- Parent phone call</li> <li>- Team conference - In most cases, it is preferable to call home prior to the team meeting.</li> </ul> <p>After the <b>third</b> occurrence, refer to administrator.</p>
Cell Phone/Electronic Device Violation	- Use of a personal electronic device without permission	<p>Use Cell Phone Violation Form</p> <ul style="list-style-type: none"> <li>- 1st Offense - Warning</li> <li>- 2nd Offense - Confiscate until end of day; student pick up</li> <li>- 3rd Offense - Confiscate until end of day; parent pick up; teacher calls home.</li> <li>- 4th Offense - ADMIN LEVEL - Confiscate until end of day; parent pick up; admin calls home.</li> </ul>
Cheating	Giving, requesting, obtaining, or using content on test, quizzes, projects, or homework.	<ul style="list-style-type: none"> <li>- Student/Teacher Conference</li> <li>- Involve guidance counselor</li> <li>- Parent phone call</li> <li>- Student completes the assignment/activity with academic integrity.</li> </ul> <p>After first occurrence, may be referred to administrator.</p>
Plagiarism	Taking someone else's work or ideas and passing them off as one's own.	
Forgery		<ul style="list-style-type: none"> <li>- Student/Teacher Conference</li> <li>- Involve guidance counselor</li> <li>- Parent phone call</li> </ul> <p>After the <b>third</b> occurrence, refer to administrator.</p>

## ADMINISTRATIVE LEVEL

**LEVEL I – STUDENT’S MISBEHAVIOR THAT IMPEDES ORDERLY CLASSROOM PROCEDURES OR INTERFERES WITH THE ORDERLY OPERATION OF THE SCHOOL. THESE MISBEHAVIORS CAN USUALLY BE HANDLED BY THE INDIVIDUAL TEACHER, BUT SOMETIMES REQUIRE THE INTERVENTION OF THE SCHOOL ADMINISTRATOR.**

Code: <b>103</b>  <b>Inappropriate attire</b>	Notes: Non-compliance with school dress code  <i>See Team Level</i>	<b>1st Offense</b>  Administrative warning conference and return to class	<b>2nd Offense</b>  1 LD/ASD *return to class when properly attired	<b>3rd Offense</b>  3 LD/ASD *return to class when properly attired	<b>4th Offense</b>  Administrative discretion
Code: <b>106</b>  <b>Pass Violation</b>	Notes: <i>See Team Level</i>	<b>1st Offense</b>  Administrative warning	<b>2nd Offense</b>  1-3 LD/ASD	<b>3rd Offense</b>  3-5 LD/ASD	<b>4th Offense</b>  1-3 ISS
Code: <b>107</b>  <b>Misconduct</b>	Notes: <i>See Team Level</i>	<b>1st Offense</b>  1-3 LD/ASD	<b>2nd Offense</b>  3-5 LD/ASD	<b>3rd Offense</b>  1-3 ISS	<b>4th Offense</b>  1-3 ISS
Code: <b>108 A</b>  <b>Late to class</b>	Notes: < 10 minutes late  <i>See Team Level</i>	<b>5th - 7th Offense</b>  1 LD per occurrence	<b>8th - 10th Offense</b>  2 LD per occurrence	<b>11th - 13th Offense</b>  3 LD per occurrence	<b>14th - 15th Offense</b>  Administrative Discretion
Code: <b>108 B</b>  <b>Late to school</b>	Notes: Arriving to class after 7:40	<b>1st - 4th Offense</b>  Warning	<b>5th Offense</b>  1 LD per occurrence	<b>6th Offense</b>  2 LD per occurrence	<b>Additional Offenses</b>  Administrative discretion

Code: <b>115</b>  <b>Cafeteria Misconduct</b>	Notes: <i>See Team Level</i>	<b>1st Offense</b>  Warning or 1-3 LD/ASD	<b>2nd Offense</b>  1 - 5 LD/ASD	<b>3rd Offense</b>  2 Weeks LD/ASD	<b>4th Offense</b>  Administrative Discretion
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Code: <b>207</b>  <b>Truancy/Unexcused Absence</b>	Notes: After the 5th day of truancy a notice will be filed with the magistrate which may result in a fine.	<b>Follow District Attendance Policy/Procedures</b> <b>UX(Unexcused) Absences.</b> <ul style="list-style-type: none"> <li>● 1 UX - Absence reflected in Student Management System (SMS)</li> <li>● 2 UX - Absence reflected in SMS</li> <li>● 3 UX - Warning Letter Sent</li> <li>● 4 UX - Warning Letter sent with scheduled Student Attendance Improvement Conference (SAIC) meeting date.</li> <li>● 5 UX - Citation Letter and Citation sent</li> <li>● 6 UX- Habitually Truant procedures enacted</li> </ul>			
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Code: <b>217</b>  <b>Inappropriate Affection</b>	Notes: <i>See Team Level</i>	<b>1st Offense</b>  Warning	<b>2nd Offense</b>  1 ASD	<b>3rd Offense</b>  - 1 ISS - Parent phone call/conference	<b>4th Offense</b>  Administrative discretion
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Code: <b>232</b>  <b>Excessive Absence</b>	Notes: After 20 lates to school OR 20 absences, whether excused or unexcused.	<b>Follow District Attendance Policy/Procedures</b> School will require a physician's note to cover all absences, including requests for early dismissals and late arrivals.			
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Code: <b>234 A</b>  <b>Electronic Device</b>	Notes: <i>See Team Level</i>	<b>Administrative discretion</b> Consequences may include but are not limited to: <ul style="list-style-type: none"> <li>- Confiscation of phone</li> <li>- Parent asked to pick up phone</li> <li>- Device privileges denied</li> </ul> <p style="text-align: right;"><b>Additional offenses - see <i>Insubordination</i></b></p>			
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**LEVEL II** – INFRACTIONS THAT TEND TO DISRUPT THE LEARNING CLIMATE BECAUSE OF THEIR SERIOUSNESS. THESE INFRACTIONS REQUIRE THE INTERVENTION OF ADMINISTRATIVE PERSONNEL. INCLUDED IN THIS LEVEL ARE MISBEHAVIORS WHICH DO NOT REPRESENT A DIRECT THREAT TO THE HEALTH AND SAFETY OF OTHERS BUT WHOSE EDUCATIONAL CONSEQUENCES ARE SERIOUS ENOUGH TO REQUIRE CORRECTIVE ACTION. SOME OF THESE ACTIONS MAY REQUIRE A REFERRAL TO THE LEGAL AUTHORITIES.

Code: <b>26</b>  <b>Possession, use, or sale of smoking materials or tobacco products.</b>	Notes:	<b>1st Offense</b>  - 1-3 Days OSS - Referral to District Magistrate - Referral to SAP	<b>2nd Offense</b>  - 1-3 Days OSS - Referral to District Magistrate - Referral to SAP	<b>3rd Offense</b>  - 1-3 Days OSS - Referral to District Magistrate - Referral to SAP	<b>4th Offense</b>  - 1-3 Days OSS - Referral to District Magistrate - Referral to SAP
Code: <b>46</b>  <b>Minor Altercation</b>	Notes: Altercation that includes, but is not limited to yelling, shoving, name calling threats - no physical blows. Single offender.	<b>1st Offense</b>  1-3 Days ISS	<b>2nd Offense</b>  1-3 Days ISS	<b>3rd Offense</b>  1-3 Days OSS Parent Conference	<b>4th Offense</b>  1-3 Days OSS
Code: <b>50</b>  <b>Theft</b>	Notes: Theft or burglary < \$100	<b>1st Offense</b>  - 1- 3 Days ISS - Referral to police per admin discretion	<b>2nd Offense</b>  - 1- 3 Days OSS - Referral to police per admin discretion	<b>3rd Offense</b>  - 3-5 Days OSS - Referral to police per admin discretion	<b>4th Offense</b>  - 3-5 Days OSS - Referral to police per admin discretion - Referral to Superintendent
Code: <b>101</b>  <b>Insubordination</b>	Notes: <i>See Team Level</i>	<b>1st Offense</b>  1-3 Days ISS	<b>2nd Offense</b>  1-3 Days ISS	<b>3rd Offense</b>  - 1-3 Days OSS - Parent Conference	<b>4th Offense</b>  1-3 Days OSS

Code: <b>104</b>  <b>Abusive, Obscene, Profane, Foul, Vulgar, and/or Offensive Language</b>	Notes:	<b>1st Offense</b>  1-3 Days ISS	<b>2nd Offense</b>  1-3 Days ISS	<b>3rd Offense</b>  - 1-3 Days OSS - Parent Conference	<b>4th Offense</b>  1-3 Days OSS
Code: <b>109</b>  <b>Bus Misconduct</b>	Notes: Unacceptable behavior, profanity, insubordination	<b>1st Offense</b>  Administrative discretion	<b>2nd Offense</b>  Administrative discretion	<b>3rd Offense</b>  Administrative discretion	<b>4th Offense</b>  Administrative discretion
Code: <b>204</b>  <b>Detention Cut</b>	Notes: Student intentionally misses LD or ASD	<b>1st Offense</b>  1 additional detention	<b>2nd Offense</b>  2 additional detentions	<b>3rd Offense</b>  1 ISS	<b>4th Offense</b>  1-3 ISS
Code: <b>205</b>  <b>Class Cut</b>	Notes: Unexcused absence > 10 minutes More than 3 periods missed will become an unexcused absence or truancy.	<b>1st Offense</b>  1 ISS	<b>2nd Offense</b>  1-3 ISS	<b>3rd Offense</b>  1-3 ISS	<b>4th Offense</b>  1-3 ISS * SAP Referral
Code: <b>205 C</b>  <b>Leaving Class Without Permission</b>	Notes: <i>See Team Level</i>	<b>1st Offense</b>  1-3 Days ISS	<b>2nd Offense</b>  1-3 ISS	<b>3rd Offense</b>  1-3 ISS	<b>4th Offense</b>  Administrative Discretion



Code: <b>206</b>  <b>Leaving School Without Permission</b>	Notes: Students returning to school upon leaving without permission may be subjected to search by school official.	<b>1st Offense</b>  1-3 ISS	<b>2nd Offense</b>  1-3 ISS	<b>3rd Offense</b>  1-3 ISS	<b>4th Offense</b>  1-3 OSS
Code: <b>208</b>  <b>Forgery</b>	Notes: <i>See Team Level</i>	<b>1st Offense</b>  1-3 ISS	<b>2nd Offense</b>  1-3 ISS	<b>3rd Offense</b>  1-3 ISS	<b>4th Offense</b>  1-3 OSS
Code: <b>210 A</b>  <b>Cheating</b>	Notes: Giving, requesting, obtaining, or using content on test, quizzes, projects, or homework.  <i>See Team Level</i>	<b>1st Offense</b>  1-3 ISS	<b>2nd Offense</b>  1-3 ISS	<b>3rd Offense</b>  1-3 ISS	<b>4th Offense</b>  - 1-3 OSS - Administrator may deny participation in extracurricular activities.
Code: <b>210 B</b>  <b>Plagiarism</b>	Notes: <i>See Team Level</i>  <i>See Team Level</i>	<b>1st Offense</b>  1-3 ISS	<b>2nd Offense</b>  1-3 ISS	<b>3rd Offense</b>  1-3 ISS	<b>4th Offense</b>  - 1-3 OSS - Administrator may deny participation in extracurricular activities.
Code: <b>236</b>  <b>Gross Misconduct</b>	Notes: Student behavior is causing or might cause a major disruption or interference with school activities.	<b>1st Offense</b>  Administrative discretion	<b>2nd Offense</b>  Administrative discretion	<b>3rd Offense</b>  Administrative discretion	<b>4th Offense</b>  Administrative discretion

**LEVEL III – ACTS DIRECTED AGAINST PERSONS OR PROPERTY. THESE ACTS MIGHT BE CONSIDERED CRIMINAL, BUT MOST FREQUENTLY CAN BE HANDLED BY THE DISCIPLINARY MECHANISM OF THE SCHOOL. WHERE APPLICABLE, APPROPRIATE LEGAL ACTION MAY BE TAKEN. RESTITUTION OF PROPERTY AND DAMAGES WILL BE MADE WHEN THE SITUATION WARRANTS IT.**

<p>Code: <b>10</b></p> <p><b>Threatening a school official or student</b></p>	<p>Notes: Physical, verbal, written, or electronic threat or intimidation; no weapon displayed.</p>	<p><b>1st Offense</b></p> <ul style="list-style-type: none"> <li>- 1-3 OSS</li> <li>- Referral to police per administrative discretion</li> </ul>	<p><b>2nd Offense</b></p> <ul style="list-style-type: none"> <li>- 1-3 OSS</li> <li>- Referral to police per administrative discretion</li> </ul>	<p><b>3rd Offense</b></p> <ul style="list-style-type: none"> <li>- 3-5 OSS</li> <li>- Referral to police per administrative discretion</li> </ul>	<p><b>4th Offense</b></p> <ul style="list-style-type: none"> <li>- 3-5 OSS</li> <li>- Referral to police per administrative discretion</li> <li>- Referral to superintendent</li> </ul>
<p>Code: <b>15A</b></p> <p><b>Vandalism</b></p>	<p>Notes: &lt;\$100</p>	<p><b>1st Offense</b></p> <ul style="list-style-type: none"> <li>- 1-3 OSS</li> <li>- Restitution of damages</li> </ul>	<p><b>2nd Offense</b></p> <ul style="list-style-type: none"> <li>- 1-3 OSS</li> <li>- Restitution of damages</li> </ul>	<p><b>3rd Offense</b></p> <ul style="list-style-type: none"> <li>- 3-5 OSS</li> <li>- Restitution of damages</li> </ul>	<p><b>4th Offense</b></p> <ul style="list-style-type: none"> <li>- 3-5 OSS</li> <li>- Restitution of damages</li> <li>- Referral to superintendent</li> </ul>
<p>Code: <b>23</b></p> <p><b>Possession or use of a controlled substance</b></p>	<p>Notes: <b>See Appendix E</b> - Summarization of Drug and Alcohol Administrative Policies</p>	<p><b>1st Offense</b></p> <ul style="list-style-type: none"> <li>- Administrative discretion</li> <li>- Referral to police per administrative discretion</li> <li>- Referral to superintendent</li> </ul>	<p><b>2nd Offense</b></p> <ul style="list-style-type: none"> <li>- Administrative discretion</li> <li>- Referral to police per administrative discretion</li> <li>- Referral to superintendent</li> </ul>	<p><b>3rd Offense</b></p> <ul style="list-style-type: none"> <li>- Administrative discretion</li> <li>- Referral to police per administrative discretion</li> <li>- Referral to superintendent</li> </ul>	<p><b>4th Offense</b></p> <ul style="list-style-type: none"> <li>- Administrative discretion</li> <li>- Referral to police per administrative discretion</li> <li>- Referral to superintendent</li> </ul>

<b>Code: 24</b> <b>Sale or distribution of a controlled substance</b>	Notes: <b>See Appendix E</b> - Summarization of Drug and Alcohol Administrative Policies	<b>1st Offense</b> - Administrative discretion - Referral to police per administrative discretion - Referral to superintendent	<b>2nd Offense</b> - Administrative discretion - Referral to police per administrative discretion - Referral to superintendent	<b>3rd Offense</b> - Administrative discretion - Referral to police per administrative discretion - Referral to superintendent	<b>4th Offense</b> - Administrative discretion - Referral to police per administrative discretion - Referral to superintendent
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<b>Code: 25</b> <b>Sale, possession, use, or under the influence of alcohol</b>	Notes: <b>See Appendix E</b> - Summarization of Drug and Alcohol Administrative Policies	<b>1st Offense</b> - Administrative discretion - Referral to police per administrative discretion - Referral to superintendent	<b>2nd Offense</b> - Administrative discretion - Referral to police per administrative discretion - Referral to superintendent	<b>3rd Offense</b> - Administrative discretion - Referral to police per administrative discretion - Referral to superintendent	<b>4th Offense</b> - Administrative discretion - Referral to police per administrative discretion - Referral to superintendent
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<b>Code: 27</b> <b>Possession of other substance</b>	Notes: <b>See Appendix E</b> - Summarization of Drug and Alcohol Administrative Policies	<b>1st Offense</b> - Administrative discretion - Referral to police per administrative discretion - Referral to superintendent	<b>2nd Offense</b> - Administrative discretion - Referral to police per administrative discretion - Referral to superintendent	<b>3rd Offense</b> - Administrative discretion - Referral to police per administrative discretion - Referral to superintendent	<b>4th Offense</b> - Administrative discretion - Referral to police per administrative discretion - Referral to superintendent
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<p>Code <b>35</b></p> <p><b>Sexual Harassment</b></p>	<p>Notes: Unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communication of a sexual nature, and any other gender based harassment which has the purpose or effect to interfere with the individual performance, work environment, or participation in school activities, or creates an intimidating environment.</p>	<p><b>1st Offense</b></p> <ul style="list-style-type: none"> <li>- Administrative Discretion</li> <li>- Referral to Police per administrative discretion</li> </ul>	<p><b>2nd Offense</b></p> <ul style="list-style-type: none"> <li>- Administrative Discretion</li> <li>- Referral to Police per administrative discretion</li> </ul>	<p><b>3rd Offense</b></p> <ul style="list-style-type: none"> <li>- Administrative Discretion</li> <li>- Referral to Police per administrative discretion</li> </ul>	<p><b>4th Offense</b></p> <ul style="list-style-type: none"> <li>- Administrative Discretion</li> <li>- Referral to Police per administrative discretion</li> <li>- Referral to the superintendent</li> </ul>
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<p>Code <b>36</b></p> <p><b>Racial/Ethnic Intimidation</b></p>	<p>Notes: Malicious intent toward another person or property based on race, color, religion or national origin</p>	<p><b>1st Offense</b></p> <ul style="list-style-type: none"> <li>- Administrative Discretion</li> <li>- Referral to Police per administrative discretion</li> </ul>	<p><b>2nd Offense</b></p> <ul style="list-style-type: none"> <li>- Administrative Discretion</li> <li>- Referral to Police per administrative discretion</li> </ul>	<p><b>3rd Offense</b></p> <ul style="list-style-type: none"> <li>- Administrative Discretion</li> <li>- Referral to Police per administrative discretion</li> </ul>	<p><b>4th Offense</b></p> <ul style="list-style-type: none"> <li>- Administrative Discretion</li> <li>- Referral to Police per administrative discretion</li> <li>- Referral to the superintendent</li> </ul>
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<p>Code: <b>42</b></p> <p><b>Fighting</b></p>	<p>Notes: Mutual altercation, exchange of blows damage to persons/property.</p> <p>Includes physical assault.</p>	<p><b>1st Offense</b></p> <ul style="list-style-type: none"> <li>- 3-10 OSS</li> <li>- Referral to police per administrative discretion</li> </ul>	<p><b>2nd Offense</b></p> <ul style="list-style-type: none"> <li>- 3-10 OSS</li> <li>- Referral to police per administrative discretion</li> </ul>	<p><b>3rd Offense</b></p> <ul style="list-style-type: none"> <li>- 3-10 OSS</li> <li>- Referral to police per administrative discretion</li> </ul>	<p><b>4th Offense</b></p> <ul style="list-style-type: none"> <li>- 3-10 OSS</li> <li>- Referral to police per administrative discretion</li> <li>- Referral to superintendent</li> </ul>
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Code: <b>47</b>  <b>Stalking</b>	Notes: Repeated attempt to cause reasonable fear and/or substantial emotional distress of another	<b>1st Offense</b>  - Administrative Discretion - Referral to Police per administrative discretion	<b>2nd Offense</b>  - Administrative Discretion - Referral to Police per administrative discretion	<b>3rd Offense</b>  - Administrative Discretion - Referral to Police per administrative discretion	<b>4th Offense</b>  - Administrative Discretion - Referral to Police per administrative discretion - Referral to the superintendent
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Code: <b>52</b>  <b>Bullying</b>	Notes: Intentional electronic, written, verbal or physical act, or a series of acts: directed at another, occurs in a school setting, is severe, persistent or pervasive, and interferes with the school setting or creates a threatening environment.	<b>1st Offense</b>  - Administrative Discretion - Referral to Police per administrative discretion	<b>2nd Offense</b>  - Administrative Discretion - Referral to Police per administrative discretion	<b>3rd Offense</b>  - Administrative Discretion - Referral to Police per administrative discretion	<b>4th Offense</b>  - Administrative Discretion - Referral to Police per administrative discretion - Referral to the superintendent
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Code: <b>116</b>  <b>Disrespecting Faculty/Staff</b>	Notes: Student behavior that is contemptuous, rude, defiant, discourteous, or otherwise illustrates a lack of regard for authority.	<b>1st Offense</b>  1-3 Days ISS	<b>2nd Offense</b>  1-3 Days OSS	<b>3rd Offense</b>  3-5 Days OSS	<b>4th Offense</b>  Administrative Discretion
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Code: <b>116</b>  <b>Chronic Misconduct</b>	Notes:	<b>1st Offense</b>  1-3 Days ISS	<b>2nd Offense</b>  1-3 Days OSS	<b>3rd Offense</b>  3-5 Days OSS	<b>4th Offense</b>  Administrative Discretion
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Code: <b>229</b>  <b>Computer Misconduct</b>	Notes: Intentional misuse of any school district computer hardware/software in any fraudulent or destructive manner, including but not limited to sending a harmful or threatening message, unauthorized entry into a file, altering a software program, vandalizing software components. <i>District Policy 138</i>	<b>1st Offense</b>  - 1-3 Days ISS - Restitution where applicable - Administrative Discretion	<b>2nd Offense</b>  - 1-3 Days OSS - Restitution where applicable - Administrative Discretion	<b>3rd Offense</b>  - 4-10 Days ISS - Restitution where applicable - Administrative Discretion	<b>4th Offense</b>  - 4-10 Days ISS - Restitution where applicable - Administrative Discretion - Referral to Superintendent
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**LEVEL IV**– ACTS THAT RESULT IN VIOLENCE THAT POSES A DIRECT THREAT TO THE SAFETY OF OTHERS IN SCHOOL. THESE ACTS ARE CLEARLY CRIMINAL AND ARE SO SERIOUS THAT THEY ALWAYS REQUIRE ADMINISTRATIVE ACTION, WHICH RESULTS IN THE IMMEDIATE REMOVAL OF THE STUDENT FROM SCHOOL, THE INTERVENTION OF LAW ENFORCEMENT AUTHORITIES, AND POSSIBLE ACTION BY THE SCHOOL BOARD OF DIRECTORS.

Code: <b>1</b>  <b>Simple Assault on Student</b>	Notes: Unlawful physical attack upon another where neither the offender displays a weapon, nor the victim suffers obvious injury.	- Immediate full suspension (4-10 days OSS) - Referral to police - Referral to Superintendent
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<p>Code: <b>2</b></p> <p><b>Aggravated Assault on Student</b></p>	<p>Notes: Unlawful attack by one person upon another in which the offender uses a weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury.</p>	<ul style="list-style-type: none"> <li>- Immediate full suspension (4-10 days OSS)</li> <li>- Referral to police</li> <li>- Referral to Superintendent</li> </ul>
<p>Code: <b>3</b></p> <p><b>Simple Assault on Staff</b></p>	<p>Notes: Unlawful physical attack upon another where neither the offender displays a weapon, nor the victim suffers obvious injury.</p>	<ul style="list-style-type: none"> <li>- Immediate full suspension (4-10 days OSS)</li> <li>- Referral to police</li> <li>- Referral to Superintendent</li> </ul>
<p>Code: <b>4</b></p> <p><b>Aggravated Assault on Staff</b></p>	<p>Notes: Unlawful attack by one person upon another in which the offender uses a weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury.</p>	<ul style="list-style-type: none"> <li>- Immediate full suspension (4-10 days OSS)</li> <li>- Referral to police</li> <li>- Referral to Superintendent</li> </ul>
<p>Code: <b>5</b></p> <p><b>Rape</b></p>	<p>Notes:</p>	<ul style="list-style-type: none"> <li>- Immediate full suspension (4-10 days OSS)</li> <li>- Referral to police</li> <li>- Referral to Superintendent</li> </ul>

<p>Code: <b>12</b></p> <p><b>Robbery</b></p>	<p>Notes: In the course of committing a theft threatens or intentionally puts victim in fear of bodily injury</p>	<ul style="list-style-type: none"> <li>- Immediate full suspension (4-10 days OSS)</li> <li>- Referral to police</li> <li>- Referral to Superintendent</li> </ul>
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<p><b>Possession of:</b></p> <p>Code: <b>21</b> <b>Knife</b></p> <p>Code: <b>22</b> <b>Other Weapon</b></p> <p>Code: <b>39</b> <b>Handgun</b></p> <p>Code: <b>40</b> <b>Rifle/Shotgun</b></p> <p>Code: <b>43</b> <b>Cutting instrument (Razor, Box Cutter, etc)</b></p> <p>Code: <b>45</b> <b>BB/Pellet Gun</b></p>	<p>Notes:</p>	<ul style="list-style-type: none"> <li>- Immediate full suspension (4-10 days OSS)</li> <li>- Referral to police</li> <li>- Referral to Superintendent</li> </ul>
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<p>Code: <b>14</b> <b>Arson</b></p>	<p>Notes: Intentionally starting a fire or causing an explosion or aided in starting a fire or causing an explosion</p>	<ul style="list-style-type: none"> <li>- Immediate full suspension (4-10 days OSS)</li> <li>- Referral to police</li> <li>- Referral to Superintendent</li> </ul>
<p>Code: <b>15</b> <b>Vandalism</b></p>	<p>Notes: &gt; \$100</p>	<ul style="list-style-type: none"> <li>- Immediate full suspension (4-10 days OSS)</li> <li>- Referral to police</li> <li>- Referral to Superintendent</li> </ul>
<p>Code: <b>18</b> <b>Bomb Threat</b></p>	<p>Notes:</p>	<ul style="list-style-type: none"> <li>- Immediate full suspension (4-10 days OSS)</li> <li>- Referral to police</li> <li>- Referral to Superintendent</li> </ul>
<p>Code: <b>14</b> <b>Terroristic Threats</b></p>	<p>Notes: Communicates, either directly or indirectly, a threat to: (1) Commit any crime of violence with intent to terrorize another; (2) Cause evacuation of a building, place of assembly or facility of public transportation; or (3) Otherwise cause serious public inconvenience, or cause terror or serious public inconvenience.</p>	<ul style="list-style-type: none"> <li>- Immediate full suspension (4-10 days OSS)</li> <li>- Referral to police</li> <li>- Referral to Superintendent</li> </ul>

Code: <b>20 Theft</b>	Notes: > \$100	<ul style="list-style-type: none"> <li>- Immediate full suspension (4-10 days OSS)</li> <li>- Referral to police</li> <li>- Referral to Superintendent</li> </ul>
Code: <b>216 Arson</b>	Notes: Knowingly caused a false alarm of fire or other emergency to be transmitted to or within an organization involving danger.	<ul style="list-style-type: none"> <li>- Immediate full suspension (4-10 days OSS)</li> <li>- Referral to police</li> <li>- Referral to Superintendent</li> </ul>

## APPENDIX A

*(For up-to-date dress code procedures, please see your building's Student Handbook)*

### MIDDLE SCHOOL STUDENT DRESS CODE (IF IN DOUBT, DON'T WEAR IT TO SCHOOL)

Students are expected to dress in a manner that is appropriate for a school setting. Clothing is expected to be clean and in good repair. The dress guidelines for the middle level are as follows:

- All students must wear shirts or tops that extend to and cover the midsection of the body. Shoulders are to be covered and arm openings must not reveal undergarments. No tube tops, halter tops, tank tops, etc. are permitted. No mesh fabrics or see through fabrics are permitted.
- Pajama pants are not permitted to be worn in school unless it is a designated school event.
- Shorts, dresses, skirts, and sweater tops accompanied **with or without** leggings or tights, must be modest in nature and long enough so that the hem is at least mid-thigh/finger-tip length when the arms are fully extended at the side.
- Leggings, yoga pants, tights must be accompanied with tops that are modest in nature and long enough to extend to mid-thigh/finger-tip length when the arms are fully extended at the side.
- Basketball jerseys and similar sleeveless shirts must be worn over another shirt with sleeves
- All undergarments must be covered and not exposed, with the exception of t-shirts exposed at neck areas. Tops which are inappropriately low cut are not acceptable. Form fitting skirts, dresses, leggings, yoga pants, tights, or (form fitting) shorts worn alone as outer garments are not acceptable.
- Clothing that contains cuts, tears, shredding, slashing, or fraying will be left to the discretion of LMMS faculty and administration. Clothing that contains cuts, tears, shredding, and slashing located above the knees must be accompanied with leggings, tights, or other appropriate undergarments to conceal bare skin.
- No clothing item can contain a logo or wording that relates to drug or alcohol use, weapons, vulgar or offensive language or acts, cigarettes, cigars, or other smoking or smokeless tobacco products.
- Footwear must be worn at all times and be secured to the foot. No backless shoes, shower shoes, soft soled backless shoes, flip-flops, slides, slippers, or open toed footwear will be permitted.
- No hats, head scarves, bandanas worn on any part of the body, etc. are permitted.
- Students may not wear coats or jackets during the school day. They may keep a sweater or sweatshirt in their locker for use on cooler days.
- Jewelry items, belts and other accessories must not contain sharp projections, metal studs, or be designed in such a way that injury may result from contact with that jewelry.
- Students may not wear chains suspended from their belts or pants. These chains are covered under the State of PA weapons law.
- Students may not tie shirts, jackets, etc. around their waist, shoulders, or other body areas.
- Body and face paint (including stickers, stamps, etc.) are not appropriate except on designated School Spirit Days.
- Shorts or pants with words or printed messages on the buttocks are not permitted.

\* Wellness/Fitness: NO JEWELRY OF ANY KIND MAY BE WORN DURING CLASS PARTICIPATION.

\*Any attire, which the administration considers to be an impediment to the quality of instruction or the welfare of the student or school building, will not be permitted.

Students in violation of the middle level dress guidelines will be asked to change into more appropriate school attire. Clean clothing that meets the middle level dress guidelines is available in the school nurse's office. If necessary, parents or guardians may be asked to provide a change of clothing.

## **APPENDIX B SMOKING AND/OR TOBACCO USE**

The Board recognizes that the possession or use of tobacco presents a health hazard, which can have significant consequences for the user as well as those indirectly exposed to tobacco smoke.

Any pupil (a person between the ages of 6 and 21 who is enrolled in school as that term is defined under the Public School Code) who possesses or uses tobacco in a school building, a school bus, or on school property owned by, leased by, or under the control of the East Penn School District, commits a summary offense. The term “tobacco” shall mean a lighted or unlighted cigarette; cigar, pipe, or other lighted smoking product and smokeless tobacco in any form.

A pupil who violates this policy also commits a criminal offense and shall, upon conviction, be sentenced to pay a fine of not more than \$500.00 for the benefit of the School District, and to pay court costs.

This policy shall be published in student handbooks, parent newsletters, calendars, and other appropriate means.

**\*\* Refer to East Penn School Board Policy Section 222 Tobacco for details outlining school code, definition, authority, and discipline.**

## APPENDIX C HARASSMENT POLICY

The East Penn School District recognizes that students are expected to treat one another with dignity and respect. All students are entitled to freedom from any kind of personal harassment during the school day and related school-sponsored activities.

Harassment is defined as unwelcome and harmful behavior towards another person. Incidents of harassment may include but are not limited to the following areas:

**Physical Harassment-** unnecessary or offensive touching, biting, etc...

**Verbal Harassment** -use of derogatory comments, jokes, slurs or remarks of an inappropriate manner

**Visual Harassment-** derogatory or offensive posters, cards, cartoons, graffiti, drawings, looks, or gestures

**Sexual Harassment** -any unwelcome sexual advances, requests for sexual favors, sexually motivated physical contacts or communications of a sexual nature.

If a student believes he or she is being harassed, one of the following should be contacted immediately:

Principal or Assistant Principal

Guidance Counselor

Teacher

Parent(s) and/or Guardian(s) – (They should also contact school officials)

### Hazing Policy

**Purpose:** The purpose of this policy is to maintain a safe, positive environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the district and are prohibited at all times.

**Definitions:** For the purposes of this policy, hazing is defined as any activity that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or membership in or affiliation with any school-sponsored organization.

**Endanger the physical health** shall include but not be limited to any brutality of a physical nature, such as whipping; beating; branding; forced calisthenics; exposure to the elements; forced consumption of any food, alcoholic beverage, drug, or controlled substance; or other forced physical activity which could adversely affect the physical health or safety of individuals or groups.

Endanger the mental health shall include any activity that would subject an individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of individuals or groups.

## **APPENDIX D WEAPONS POLICY**

“Weapon” – the term shall include but not be limited to any knife, cutting instrument, cutting tool, nunchaku stick, brass or metal knuckles, fire-arm, shotgun, rifle, bb or pellet gun, look-alike gun, chemical agent, explosive device, and/or any other tool, instrument or implement capable of inflicting serious bodily injury.

The Board prohibits possession of weapons and replicas of weapons in any school district building, on school property, at any school sponsored activity, and in any public conveyance 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 weapon policy. Such expulsion shall be given in conformance with formal due process proceedings required by law. The Superintendent may recommend discipline short of expulsion on a case-by-case basis.

In the case of the exceptional student, the Superintendent shall take all necessary steps to comply with the Individuals With Disabilities Act.

The Superintendent shall report the discovery of any weapon prohibited by this policy to the student’s parents and to local law enforcement officials.

The Superintendent shall report all incidents relating to expulsions for possession of a weapon on school grounds to the Department of Education.

The Superintendent or a designee shall take the necessary actions to develop a memorandum of understanding with local law enforcement officials that sets forth procedures to be followed when an incident occurs involving an act of violence or possession of a weapon by any person on school property.

Acts of violence or possession of a weapon on school property in violation of this policy shall be reported to the Office for Safe Schools on the designated form twice per year, as required. Students and staff shall be informed concerning this policy at least annually.

The Superintendent, who shall prescribe special conditions or procedures to be followed, may make an exception to this policy.

Weapons under the control of law enforcement personnel are permitted.  
(SC 1317.2; Act 26 of 1995; Pol. 233; P.L. 91-230, 20 U.S.C., Sec 1400 et seq.)

## APPENDIX E

### \*SUMMARIZATION OF DRUG AND ALCOHOL ADMINISTRATIVE POLICIES

SITUATIONAL DISCIPLINE CATEGORY	IMMEDIATE ACTION	INVESTIGATION	NOTIFICATION OF PARENTS/ GUARDIANS	DISPOSITION OF SUBSTANCE	NOTIFICATION OF POLICE	STUDENT SUPPORT STRATEGY	DISCIPLINARY ACTION
A student Volunteers information about personal use of alcohol and/or other drugs and seeks help.	The student is informed of services available. Referred to SAP team.	As deemed appropriate by SAP Team	If Warranted	Not Applicable	Not Applicable	Implement SAP support strategies	Not Applicable
A student is referred to SAP by a student, staff member, family member, or member of the community. It may or may not be a substance concern.	The student is informed of services available. Referred to SAP Team.	As deemed appropriate by SAP Team	If Warranted	Not applicable	Not applicable	Implement SAP support strategies	Only when required by a violation of the Discipline Code
The student has a medical emergency that may be related to substance abuse, or the student is suspected of being under the influence of alcohol or other mood altering substances.	All standard health and emergency procedures will be followed. If warranted, the student will be transported to a medical facility at parent/guardian expense. A signed release for medical information pertaining to the incident is requested. Referral to SAP Team.	Principal or designee will search the student, his/her locker, car, desk, and other possessions  The principal or designee will investigate the incident.	YES	Provide information to medical staff to aid in the identification and treatment of the emergency	Yes  Submit data and materials to police for analysis and request for a police report.	Implement SAP support strategies	Results of the administrative and/or medical and/or police investigation will determine disciplinary action.

**Drug & Alcohol offenses will accumulate over students' secondary (grade 6 through 12) years.**

SITUATIONAL DISCIPLINE CATEGORY	IMMEDIATE ACTION	INVESTIGATION	NOTIFICATION OF PARENTS/ GUARDIANS	DISPOSITION OF SUBSTANCE	NOTIFICATION OF POLICE	STUDENT SUPPORT STRATEGY	DISCIPLINARY ACTION
<p><b>FIRST OFFENSE</b> A student possesses, uses or is under the influence of alcohol, other mood altering substances, or is suspected of the same or is in possession of drug paraphernalia or "look-alike" substances at school or any school sponsored activity on or off school property.</p> <p>Refer to definition of terms.</p>	<p>Staff member will contact principal or designee. Principal or designee will confiscate chemical substance(s) and/or suspected drug paraphernalia, if possible. Treat as medical emergency if warranted. If treated as a medical emergency, the student will be transported to a medical facility at parent/guardian expense. A signed release of medical information pertaining to the incident is to be requested. Referral to SAP Team.</p>	<p>Principal or designee will search the student, his/her locker, car, desk and other possessions. The principal or designee will investigate the incident.</p>	<p>Yes</p>	<p>Provide information to medical staff to aid in the identification and treatment of the emergency</p>	<p>Submit data and materials to police for analysis and request a police report.</p>	<p>Implement SAP support strategies</p>	<p>Based on the nature and severity of the offense, and at the discretion of the principal or designee. Minimum of 5-10 days out of school suspension. Required evaluation by a licensed D &amp; A facility. Appointment must be scheduled within the suspension period. Failure to comply may result in further disciplinary consequences. Possible referred to School Board for Expulsion Hearing</p>
<p><b>SECOND OFFENSE</b> A student possesses, uses, or is under the influence of alcohol, other mood altering substance, or is suspected of the same or is in possession of suspected drug paraphernalia or "look-alike" substances at school or any school sponsored activity on or off school property</p>	<p>Staff member will contact principal or designee. Principal or designee will confiscate chemical substance(s) and/or suspected drug paraphernalia, if possible. Treat as medical emergency if warranted. If treated as a medical emergency, the student will be transported to a medical facility at parent/guardian expense. A signed release of medical information pertaining to the incident is to be requested. Referral to SAP Team.</p>	<p>Principal or designee will search the student, his/her locker, car, desk and other possessions. The principal or designee will investigate the incident.</p>	<p>Yes</p>	<p>Provide information to medical staff to aid in the identification and treatment of the emergency.</p>	<p>YES Submit data and materials to police for analysis and request a police report.</p>	<p>Implement SAP support strategies</p>	<p>Ten (10) days out-of-school suspension. Required assessment by a licensed D&amp; A facility. Appointment must be scheduled within the suspension period. Failure to comply may result in further disciplinary consequences. Possible referral to School Board for Expulsion Hearing.</p>



**Drug & Alcohol offenses will accumulate over students' secondary (grade 6 through 12) years.**

SITUATIONAL DISCIPLINE CATEGORY	IMMEDIATE ACTION	INVESTIGATION	NOTIFICATION OF PARENTS/ GUARDIANS	DISPOSITION OF SUBSTANCE	NOTIFICATION OF POLICE	STUDENT SUPPORT STRATEGY	DISCIPLINARY ACTION
A student distributes alcohol, mood altering substances, "look-alike" substances or suspected drug paraphernalia during school sponsored activity on or off school property.  Refer to definition of terms.	Staff member will contact principal or designee. Principal or designee will confiscate chemical substance(s) and/or suspected drug paraphernalia, if possible. Referral to SAP Team.	Principal or designee will search the student, his/her locker, car, desk and other possessions. The principal or designee will investigate the incident.	Yes	Provide information to medical staff to aid in identification and treatment of the emergency.	YES Submit data and materials to police for analysis and request a police report.	Implement SAP support strategies.	Grounds for immediate full Suspension Hearing proceedings and consideration for expulsion.

**UNAUTHORIZED GROUP POLICY**

IN THE INTEREST OF MAINTAINING A SAFE AND ORDERLY EDUCATIONAL ATMOSPHERE FOR ALL STUDENTS, THE SCHOOL ADMINISTRATION DOES NOT ALLOW STUDENTS TO CREATE CLUBS, CREWS, CLIQUES OR GROUPS WHICH EXIST WITHOUT THE KNOWLEDGE, RECOGNITION OR CONSENT OF THE SCHOOL DISTRICT. STUDENTS MAY NOT IDENTIFY THEMSELVES IN SUCH GROUPS BY CLOTHING, ACCESSORIES, SYMBOLS, HAND SIGNS, GESTURES OR BEHAVIOR. DEPENDING UPON THE SITUATION, A STUDENT IDENTIFYING HIM OR HERSELF AS A MEMBER OF SUCH A GROUP COULD BE CONSIDERED A THREAT TO THE SCHOOL ENVIRONMENT AND COULD RESULT IN DISCIPLINARY CONSEQUENCES.

## **APPENDIX F PERSONAL COMMUNICATION DEVICES**

Student use of student owned personal communication devices including, but not limited to: cellular telephones, beepers, digital cameras, video cameras, iPods, mp3 players, or other devices that have the capability to take photographs or record audio or video or text messaging is prohibited during the school day (7:35 am to 2:25pm) in the school.

Although PDAs, laptop computers, tablet PCs, etc. may have communications capabilities, they are not to be used for personal communications except as directed in the Acceptable Use Policy and the Bring Your Own Device Policy (BYOD) of East Penn School District School Board Policy. ([www.eastpenn.k12.pa.us/tech/aup.pdf](http://www.eastpenn.k12.pa.us/tech/aup.pdf))

Students may transport cellular phones to and from school provided that they adhere to the following requirements:

1. **The cellular phone must be turned off and remain off from 7:35am to 2:25 pm.**
2. **The cellular phone must be properly stored during school hours within the student's assigned locker or other area designated by the school administration**
3. **The cellular phone must remain off during a school evacuation**

### **EXCEPTION**

Students that are engaged in school sponsored activities such as athletic events, school club activities, yearbook and field trips. Students needing a personal communication device during school hours for any of these reasons must have prior approval from the coach, club sponsor or their assistant principal.

School Administration also prohibits possession of laser pointers in any school zone including the bus and bus stops.

The school shall not be liable for the loss, damage or misuse of any personal communication device brought to school by a student. Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with prior approval of the building principal or designee, or when use is provided for in a student's IEP.

Violations of this policy by a student shall result in disciplinary action and shall result in confiscation of the personal communication device. If the device is not suspected of being stolen, it shall be returned to the student's parent/guardian. If the device is suspected of being stolen, it shall be turned over to the police.

### **Telephone Pager/Beepers**

With prior administrative approval, the telephone paging device/beeper prohibition shall not apply in the following cases:

1. A student who is a member of a volunteer fire company, ambulance or rescue squad.
2. A student who has a need for such a device due to the medical condition of an immediate family member.
3. Other reasons determined appropriate by the building principal or other building administrator.

References:

Pennsylvania Wiretapping and Electronic Surveillance Act: 18 Pa. C.S.A. Sec. 5703

School Code: 24 P.S. Sec. 510, 1317.1

East Penn School District Policy No. 138.1, 100 Programs Section: Acceptable Use of Technology Resources, Electronic Communication and Information Systems