

# Exeter Township School District

200 Elm Street

Reading, PA 19606

*www.exeter.k12.pa.us*

## CODE of STUDENT CONDUCT and NOTIFICATION of RIGHTS for STUDENT RECORDS



CONTENTS	PAGE
Education and attendance	3
School rules	3
Harassment	4
Student responsibilities	6
Corporal punishment	7
Suspension and exclusion	8
Freedom of expression	12
Pledge of allegiance	13
Student dress	13
Searches	14
Confidential communications	14
Pupil records	15
Drug & alcohol policy	15
Terroristic threats/acts	18
Weapons possession	18
Objection to resource material	18
Equal rights and opportunities	19
Bullying/Cyberbullying prohibited	19
Use of Student Photos & Video Images	22
Notification of Rights Regarding Student Records	23

# EXETER TOWNSHIP SCHOOL DISTRICT CODE of STUDENT CONDUCT

## FOREWORD

Public schools are governed by the complex interaction of the U.S. Constitution, the statutes of the General Assembly, the regulations of the State Board of Education, the policies of schools directors, the rules of individual school buildings, and court decisions. This code summarizes the law of student discipline as it pertains to pupils attending the schools of Exeter Township School District.

The laws of the Commonwealth give the State Board of Education authority to establish regulations governing student discipline. The first comprehensive set of regulations was developed in the mid 1970's in response to the developing case law defining the constitutional rights of students. The regulations were initially passed in 1976 amid great controversy. They subsequently gained general acceptance and have been implemented by the school districts of the Commonwealth. As part of the regular review of its own regulations, the State Board of Education readopted the provisions on student discipline with revisions on March 10, 1983.

The regulations recognize the need to maintain a safe and orderly learning environment and balance the comprehensive authority of school administrators against the rights of individual students.

School officials' general authority over students flows from the School Code and is reiterated in the regulations. Section 510 of the School Code states in part:

*The board of school directors in any school district may adopt and enforce such reasonable rules and regulations as it may deem necessary and proper, regarding the management of its school affairs and the conduct and deportment of...all pupils attending the public schools in the district, during such time as they are under the supervision of the board of school directors and teachers, including the time necessarily spent in coming and returning from school.*

Further, designated professional employees are given in loco parentis status by Section 1317 of the Code. It states:

*Every teacher, vice principal, and principal in the public schools shall have the right to exercise the same authority as to conduct and behavior over the pupils attending his school, during the time they are in attendance, including the time required in going to and from their homes, as the parents, guardians, or persons in parental relation to such pupils may exercise over them.*

This authority has been read to authorize corporal punishment and the reasonable search of students and their property. The authority granted must of course be exercised in accordance with the State Board Regulations discussed below. Student suspensions and expulsions are also authorized by the statute. The length of the exclusions from school and the nature of the hearings are addressed by the State Board Regulation, Section 1318 of the statute that states:

*Every principal or teacher in charge of a public school may temporarily suspend any pupil on account of disobedience or misconduct, and any principal or teacher suspending any pupil shall promptly notify the district superintendent or secretary of the board of school directors. The board may, after a proper hearing, suspend such child for such time as it may determine or may permanently expel him. Such hearings, suspensions, or expulsions may be delegated to a duly authorized committee of the board or to a duly qualified hearing member, who need not be a member of the board, but whose adjudication must be approved by the board.*

The comprehensive authority of school officials over students provided by these statutory provisions must of course be exercised in a Constitutional manner. The Constitution provides students with certain rights. Schools must, therefore, recognize these rights as they enforce their rules with punishments that may affect these interests.

The Board of School Directors of the Exeter Township School District has adopted policies which relate to school climate and student conduct. All policies are available on the district website and policy manuals are available for review in the district administration building and the offices and libraries of each school building.

The complete text of the PA State Board of Education Chapter 12 Regulations – Student Rights and Responsibilities is maintained in all school libraries. The sections included are:

- 12.1 Free education and attendance
- 12.2 Student responsibilities
- 12.3 School Rules
- 12.4 Discrimination
- 12.5 Corporal punishment
- 12.6 Exclusions from school
- 12.7 Exclusion from classes in-school suspension
- 12.8 Hearings
- 12.9 Freedom of expression
- 12.10 Flag salute and the Pledge of Allegiance

- 12.11 Hair and dress
- 12.12 Confidential communications
- 12.14 Searches
- 12.31 General requirements for pupil records
- 12.32 Elements of the plan for pupil records
- 12.33 Guidelines for pupil records

Building principals will assist in obtaining this information.

## **GENERAL PROVISIONS**

### **FREE EDUCATION and ATTENDANCE**

All persons residing within the Exeter Township School District between the ages of 6 and 21 are entitled to a free and full education in public schools of the district. Parents and guardians of all children between the ages of 8 and 17 are required by the Compulsory Attendance Law to ensure that their children attend school. Students who have not graduated and are attending regularly may not be asked to leave school after they reach 17 years of age if they are fulfilling their responsibilities as students. A student may not be excluded from school or from extracurricular activities because of being married or pregnant, unless it can be medically determined that the activity would be harmful to the health and welfare of the individual. Consistent with the Pennsylvania Human Relations Act (43 P.S. S. 951-963), no student shall be denied access to a free and full education on account of race, religion, sex, national origin, or handicap.

### **SCHOOL RULES**

The school board has the authority to make reasonable and necessary rules governing the conduct of students in school. The rule-making power however, is not unlimited: it must operate within statutory and constitutional restraints. A school board has only those powers which are enumerated in the statutes of this Commonwealth, or which may reasonably be implied or necessary for the orderly operation of the school.

Annually, the school board approves the publication of school rules in elementary, junior high, and senior high school handbooks and this district-wide code of student conduct. Copies are distributed to students and parents.

School boards may not make rules which are arbitrary, capricious, or outside their grant of authority from the General Assembly. Their rules must stand the test of fairness and reasonableness. A rule

is generally considered reasonable if it uses a rational means of accomplishing some legitimate school purpose.

## **DISCRIMINATION**

Consistent with the Pennsylvania Human Relations Act, no student shall be denied access to a free and full public education on account of race, religion, sex, national origin, or handicaps.

## **HARASSMENT and OTHER CONDUCT**

1. It is the policy of the Exeter Township School District to maintain a learning and working environment that provides a safe, positive climate for all students and staff. The Board is committed to establishing and maintaining an educational environment in which harassment in any form will not be tolerated. It is the further policy of this District that all students and staff are to be treated with dignity, respect, and courtesy at all times and in all situations.

2. The Board prohibits all forms of unlawful harassment. It shall be a violation of Board policy for any member of the District staff to harass, as hereinafter defined, any student, other staff member, contracted individual, vendor, or volunteer. It shall also be a violation of this policy for any student to harass, as hereinafter defined, any other student, staff member, contracted individual, vendor, or volunteer.

3. The prohibition against harassment shall extend to all activities of the staff member or student during school hours or during, or in conjunction with, any school sponsored activities. It shall also extend to any conduct or activities directed toward the staff or students of any other school with whom the District is engaged in extracurricular academic, athletic, or other events.

4. The term harassment shall include, but is not limited to any act or action on the part of any staff member or student that interferes with another individual's education or employment by creating an intimidating, hostile, threatening, or offensive environment. It may include, but is not limited to, threats, slurs, jokes, or other verbal, graphic, or physical conduct which is disparaging to another individual's race, color, religion, ancestry, sex, national origin, age, or disability. For activity or conduct to be considered harassment, it shall not be required that the actor intended to actually intimidate, threaten, or otherwise offend another individual.

5. Sexual harassment shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, graphic, or physical conduct of a sexual nature when made by any member of the school staff to a student or when made by any student to another

student or to a staff member when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of another individual's employment or education; or when
- b. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual, or when
- c. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment of educational environment.

Sexual harassment as defined above may include, but is not limited to the following: verbal harassment or abuse; pressure for sexual activity; repeated remarks to a person with sexual or demeaning implications; unwelcome touching; suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, job, etc.; graphic or suggestive comments about an individual's dress or body; using sexual degrading words to describe an individual; sexually degrading jokes, pin-ups, calendars, objects, graffiti, or vulgar statements; sexual innuendoes; references to sexual activities.

6. The Board directs that complaints of harassment shall be investigated promptly and, when allegation is verified, that corrective action is taken.

Students shall be informed that an allegation of harassment may be reported to a teacher, nurse, guidance counselor, assistant principal, or principal. Any staff member who receives a complaint of harassment shall immediately report the complaint to his/her building principal or supervisor.

Any staff member who alleges harassment shall report the same to his/her building principal or supervisor.

In the event that a building principal or supervisor is the subject of a complaint, the student or staff member shall report the complaint directly to the superintendent of schools.

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

8. A filing of a complaint or otherwise reporting harassment under this policy shall not reflect upon the individual's status, nor will it affect future employment, grades or work assignment. An allegation or charge of harassment brought in good faith shall not result in any reprisal or retaliation.

9. A substantial charge against a District student shall subject such student to disciplinary action, consistent with the Student Disciplinary Code. Any such disciplinary action may include suspension or expulsion and may also include other educational activities or counseling services related to the activity giving rise to the charge.

10. If it is concluded that a student has made false accusations, that student shall also be subject to disciplinary action consistent with the student disciplinary code which may include suspension or expulsion.

11. A substantiated charge against a District staff member shall subject such staff member to disciplinary action that may include discharge.

12. Any person who aids and abets another in any act or conduct that is in violation of this policy may be held to have violated this policy and may be subject to the discipline and other sanctions set forth herein.

Please refer to Board Policy 248 available on the district website ([www.exeter.k12.pa.us](http://www.exeter.k12.pa.us)) under the "School Board" section or in policy manuals available in school offices or the Administration Building.

## **STUDENT RESPONSIBILITIES**

Student responsibilities include regular attendance, conscientious effort on classroom work, and conforming 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 teachers, students, administrators, and all others who are involved in the educational process. Students should express their ideas and opinions in a respectful manner. 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 accord with them. Students 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 not to cause substantial disruption to the educational processes.
4. Assist the school staff in operating a safe school for all stu-

students enrolled therein.

- a. Students will agree not to bring guns, weapons, drugs, or alcohol to school or to any school event.
  - b. Students will agree to tell their peers to seek adult assistance when conflict situations begin to get out of control.
  - c. Students will agree to not carry another person's illegal items.
  - d. Students agree to alert an adult about the existence of guns, weapons, drugs, or alcohol on campus or at a school event.
5. Comply with Commonwealth and local laws and regulations.
  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.
  9. Pursue and attempt to complete satisfactorily the courses of study prescribed by the Commonwealth and Exeter Township School District.
  10. Follow directions of bus drivers regarding behavior on school buses and cooperate in following procedures designed to provide safe transportation to and from school.
  11. Report accurately and not use indecent or obscene language in student newspapers or publications.

## **CORPORAL PUNISHMENT**

The School Laws of Pennsylvania, Section 1317, contain the in loco parentis provision, which indicates that every teacher, assistant principal, and principal in the public school has the right to exercise the same authority as parents or guardians in regards to conduct and behavior over the pupils attending school, including the time required in going to and from their homes. Therefore, the Board of School Directors of Exeter Township School District has set forth guidelines in respect to the administration of corporal punishment, which is as follows:

Corporal punishment is not to be used as a means of discipline within the school district.

School personnel, however, may use reasonable force in emergency situations to:

1. quell a disturbance; or
2. obtain possession of weapons or other dangerous objects; or
3. self-defense; or
4. protect persons or property.

## **STUDENT SUSPENSION and EXCLUSION**

An exclusion of a pupil from school or from the typical activities associated herewith may take the form of an In-School Suspension/Restriction, Out-of-School Suspension, or Expulsion.

Expulsion may result from a violation of the Student Code of Conduct. Offenses include, but are not limited to, excessive tardiness, unexcused absence, smoking, use of, possession, consumption or being under the influence of alcoholic beverages or any illegal drugs or controlled substances not legally prescribed by a physician, use or possession of look-alike drugs, striking school employees or other students, vandalism, possession or use of a weapon, or persistent refusal to comply with school rules and regulations.

### **1. IN-SCHOOL SUSPENSION/RESTRICTION**

A structured program that is designed to contribute to the students' self-discipline and academic achievement. It shall mean exclusion from normal classroom and extracurricular activities. Students are assigned to in-school suspension/restriction at the direction of the principal or assistant principal.

Procedural rules for the operation of the in-school suspension/restriction shall be prepared by the appropriate administrator. Notification to the parents/student of the reasons for the suspension in writing is required.

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

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

- a. Suspensions may be given by the principal or assistant principal.
- b. No student shall be suspended until the student has been informed of the reasons for the suspension and has been given the 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 parents and the superintendent shall be notified in writing when the student is suspended. The notice shall include: the offense committed and the date of re-admittance to school at which time the parent, guardian, or persons in parental relation to the student are to accompany the suspended pupil to sign the pupil back in school.
- d. If the suspension exceeds three (3) school days, the student

- and parent shall be given the opportunity for an informal hearing with the principal or assistant principal.
- e. Suspensions may not be made to run consecutively beyond the ten (10) day period.
  - f. Students shall have the responsibility to make up exams and work missed while being disciplined by suspension and shall be permitted to complete these assignments within guidelines established by the school administration.
  - g. Suspension from school shall include a prohibition for participation in or attendance at any school sponsored activity during the period of suspension.
  - h. Parents of guardians assume full responsibility for the welfare of the students during the entire time of out-of-school suspension.
  - i. Building administrators may delay admission of a student requesting permission to transfer from another school while serving an unfinished suspension or expulsion imposed by that school entity pending a formal hearing before the directors.
  - j. At the discretion of administration, students who accumulated multiple suspensions (in and out) may be denied participation in extracurricular activities (beyond the period of exclusion).

### **3. EXPULSION**

Expulsion is exclusion from school by the Board of School Directors for a period exceeding ten (10) days and may be permanent expulsion from the school's rolls. All expulsions require a formal hearing and shall follow the due process requirements set forth in Chapter 12, Section 12.8 of the Regulations of the State Board of Education of Pennsylvania.

The Hearing may be held before the Board of School Directors or a duly authorized Committee thereof. The Committee shall consist of at least three members of the Board; one of who shall be designated Chairman. The Hearing Committee shall make a report and recommendation to the Board of School Directors at the next regularly scheduled School Board meeting subsequent to the conclusion of the Hearing. The Committee report shall include findings of fact, conclusions of law, and recommended action. The Board of School Directors shall, upon a majority vote, accept, amend, or reject the report and recommendations of the

Committee.

#### **4. REASONS FOR EXCLUSIONS**

A pupil enrolled in any school of the Exeter Township School District may be excluded from school via in-school suspension/restriction, out-of-school suspension, expulsion, or alternative education for any of the following reasons:

- a. Possession, use and/or distribution of marijuana, alcoholic beverages, “look-alike” drugs or any item listed as a “controlled substance” by Federal or State statutes.
- b. Aggravated assault upon another pupil or school district employee.
- c. Insubordination or defiance of authorized school personnel.
- a. Malicious destruction or theft of property belonging to the school district, other pupils, or school personnel.
- b. Smoking and/or possession of tobacco.
- c. Leaving school without written permission from the school office.
- d. Excessive unexcused absence or tardiness.
- e. Being in or around automobiles owned by pupils or school district personnel during school hours when permission has not been granted.
- f. Unauthorized presence in a school building before the normal morning arrival or after afternoon dismissal.
- g. Use of profanity directed toward a school staff member.
- h. Causing or participating in a civil disturbance at school sponsored activities, including events where Exeter Township School District pupils are hosted by other school districts and agencies.
- i. Excessive cutting of assigned classes, study halls, or of detention hall. Repeated offenses of disturbing classes, study hall, and the like.
- n. Incurability.
- o. Use of vulgar or obscene language or gestures.
- p. Possession or use of any offensive weapon as that term is defined in the School Code of the Commonwealth of Pennsylvania.
- q. Engaging in any conduct or activity directed towards

another student or staff member of this district or any other district, during school hours, or during any school sponsored activity which is of an intimidating, threatening, hostile, or other nature and which is defined as harassment under the applicable provisions of the policies of the school district.

- r. Engaging in any conduct that constitutes terroristic threats or acts as defined by the policies of this district.

## **5. TRANSFER STUDENTS**

Any student requesting permission to transfer from another school while serving an unfinished suspension and/or expulsion imposed by that school entity may appear, with a parent or guardian, at a formal hearing before the Exeter Township Board of School Directors, or committee thereof, to determine the legitimacy of the imposed suspension or expulsion. The Board reserves the right to continue or modify the existing suspension or expulsion and impose conditions for a student's admission to district-operated school or programs.

## **6. OTHER CONDITIONS**

A pupil who has been suspended shall be permitted to make up examinations and classwork missed while on suspension; however, during the period of an expulsion, an alternate form of education shall be necessary for pupils who are less than seventeen (17) years of age and still subject to the compulsory school attendance law.

- a. The responsibility for placing a pupil in school rests initially with the pupil's parent, guardian, or person in parental relation.
- b. A pupil who is unable to attend another public school, or who cannot afford to attend or is not accepted at a private school, will be provided an alternative education as determined by local school officials to satisfy the requirements of the Department of Education.

## **7. HEARINGS**

In a case involving a possible expulsion, the student is entitled to a formal hearing, which is a fundamental element of due process. A formal hearing is required in all expulsion actions. This hearing shall be held before the Board of

priate to the proceeding.

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.

## **PUPIL RECORDS**

The governing board of every school district, intermediate unit, and area vocational-technical school shall adopt a plan for the collection, maintenance, and dissemination of pupil records and submit the same to the Department for approval.

Copies of the approved plan shall be maintained by the local educational agencies and updated as required by changes in State or Federal law. Copies of the updated plan shall be submitted to the Department only upon the request of the Secretary.

The plan for pupil records shall conform to State guidelines, except that a school district may modify with the approval of the Secretary to conform with local policy.

The plan shall establish policies on pupil records consistent with the minimum requirements of the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g) and in 34 C.F.R. Part 99 (relating to privacy rights of parents and students).

## **DRUGS & ALCOHOLIC BEVERAGES**

1. The basis for the rules and regulations established herewith is "The Controlled Substance, Drug, Device, and Cosmetic Act of April 14, 1975" and any amendments to said Act.

2. The rules and regulations as established refer to the use, possession, consumption, distribution, or sale of controlled substances as defined below:

- a. Controlled Substance – a drug, substance, or immediate precursor included in Schedule I through V of the Act. Examples of such controlled substances are marijuana, opiates, and other narcotics.
- b. Drugs – as defined in the Act and including substances intended for use in the diagnosis, mitigation, treatment, or prevention of illness and or disease in man or other animals.
- c. Prescription Drugs – those drugs which pursuant to federal law may be dispensed only upon prescription from a doctor.
- d. Alcoholic Beverages – a liquid for consumption with a percentage alcoholic content, including but not limited to liquor, beer, and wine; provided, however, a liquid containing alcohol for medical purposes and necessary for the treatment of

- nomination, sect, or point of view.
- c. advocate the use or advertise the availability of any substance or material, which may reasonably be believed to constitute a direct or substantial danger to the health of students.
- d. are obscene or contain material otherwise deemed to be harmful to impressionable students who may receive them.
- e. incite violence, advocate the use of force, or urge the violation of law or school regulations.
- f. advertise goods or services for the benefit of profit making organizations.
- g. solicit funds for non-school organizations or institutions when such solicitations have not been approved by the Board.

The Board shall require that distribution of printed materials takes place only at the places and during the times set forth in the rules and regulations of the district in order that such distribution not interfere with the orderly operation of the schools. (See Policy # 220.)

Students have the responsibility to obey laws governing libel and obscenity and to be aware of the full meaning of their expression.

Students have the responsibility to be aware of the feelings and opinions of others and to give others a fair opportunity to express their views.

Additional information on freedom of expression and other issues addressed in Chapter 12 of the State Board Regulations is available in each school office and library.

### **FLAG SALUTE and PLEDGE of ALLEGIANCE**

It is the responsibility of every citizen to show proper respect for his country and its flag. Students, with written parental permission, may decline to recite the Pledge of Allegiance and may refrain from saluting the Flag on the basis of personal belief or religious convictions. Students who choose to refrain from such participation shall respect the rights and interests of classmates who do wish to participate.

### **STUDENT DRESS**

Evaluation of student dress with respect to good taste and community standards is an unending process. In all cases, clothing should be neat, clean, and appropriate for school. Any clothing that causes a safety hazard or is disruptive to the educational process is prohibited. Articles of dress which are questionable in the minds of the parents will undoubtedly be inappropriate.

A student in the Exeter Township School District, is expected to dress in clothing that is both conducive to the overall educational pro-

cess and that promotes a positive academic atmosphere. It should be neat, clean, and free from bizarre forms of appearance. It is the student's responsibility to come to school dressed in ways that reflect good taste and modesty. Additionally, whenever a student goes on a field trip or travels to other schools for extracurricular events, he/she should adhere to this policy. Consequences will be in effect if a student dresses in an inappropriate manner.

All students and parents are asked to cooperate with this policy by combining common sense and good judgment with current style of dress. Our wish is to provide for each person's individuality, while at the same time maintain certain standards of dress that will reflect positively upon the school, the student, and the community.

Specific guidelines for school attire are found in each school's student handbook.

## **SEARCHES**

Section 12.14 of the State Board Regulations authorizes the search of lockers. School officials may search a student's locker when reasonable suspicion exists that illegal materials are present. Police will be contacted if illegal materials are found. Said materials will be confiscated and may be used as evidence in disciplinary actions.

School lockers are the property of the school, and the school will insure that they are used properly. A student's locker may be opened and searched by an administrator any time there is reasonable suspicion that the locker's contents pose a danger to the health, safety, and welfare of other students and staff or when there is a reasonable suspicion to believe that its contents may be disruptive to the educational process.

A search of the student's person may be conducted when said student is suspected of possession of illegal materials. The student will be referred to a building administrator. The administrator will explain in a private setting that a search is to take place and why it will be conducted with discretion.

Students will be asked to relinquish any hazardous materials that pose a health or safety threat to the school environment. Such materials would include, but not be limited to, firearms, knives, martial arts equipment, fireworks, explosives or hazardous chemicals. Searches may be conducted when there is reasonable suspicion of contraband on school property.

## **CONFIDENTIAL COMMUNICATIONS**

Use of a student's confidential communications to school personnel in legal proceedings is governed by statutes and regulations appro

priate to the proceeding.

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.

## **PUPIL RECORDS**

The governing board of every school district, intermediate unit, and area vocational-technical school shall adopt a plan for the collection, maintenance, and dissemination of pupil records and submit the same to the Department for approval.

Copies of the approved plan shall be maintained by the local educational agencies and updated as required by changes in State or Federal law. Copies of the updated plan shall be submitted to the Department only upon the request of the Secretary.

The plan for pupil records shall conform to State guidelines, except that a school district may modify with the approval of the Secretary to conform with local policy.

The plan shall establish policies on pupil records consistent with the minimum requirements of the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g) and in 34 C.F.R. Part 99 (relating to privacy rights of parents and students).

## **DRUGS & ALCOHOLIC BEVERAGES**

1. The basis for the rules and regulations established herewith is "The Controlled Substance, Drug, Device, and Cosmetic Act of April 14, 1975" and any amendments to said Act.

2. The rules and regulations as established refer to the use, possession, consumption, distribution, or sale of controlled substances as defined below:

- a. Controlled Substance – a drug, substance, or immediate precursor included in Schedule I through V of the Act. Examples of such controlled substances are marijuana, opiates, and other narcotics.
- b. Drugs – as defined in the Act and including substances intended for use in the diagnosis, mitigation, treatment, or prevention of illness and or disease in man or other animals.
- c. Prescription Drugs – those drugs which pursuant to federal law may be dispensed only upon prescription from a doctor.
- d. Alcoholic Beverages – a liquid for consumption with a percentage alcoholic content, including but not limited to liquor, beer, and wine; provided, however, a liquid containing alcohol for medical purposes and necessary for the treatment of

an existing condition shall not be included if registered with a school nurse.

3. A student possessing, using, or otherwise maintaining drugs, medicines, controlled substances, or alcoholic beverages on school premises for the treatment of an existing condition shall register the same with the school nurse at the time they are first brought onto school premises and shall use or maintain the same in accord with instructions of the school nurse or prescribing physician, if any.

4. A student who, while subject to school district jurisdiction possesses, uses, is under the influence, sells or distributes, or offers to sell or distribute any controlled substance, alcoholic beverage, or prescription drug, other than individual use of drugs registered and used in accordance with this policy, and any other drugs as defined in Section 6250.2, and including the sale, possession, or distribution of any other pills and/or capsules of any nature or description, and further including look-alike drugs, shall be suspended from school for a period of three (3) days to be followed by an informal hearing by a school administrator, and if found to be necessary, resuspended for seven (7) days and referred for a hearing before the Board of School Directors to determine future educational status.

There could also be: a referral to SAP; informal hearing with the principal; up to 10 days out-of-school suspension, assessment by a licensed drug and alcohol facility within ten days and compliance with its recommendation. (Note: Failure to comply with the assessment and recommendation will result in a referral to the Board of Education for an expulsion hearing.)

5. A student subject to probation under this policy may be readmitted to school, but shall be required to observe certain conditions relating to in-school conduct and behavior which conditions may include but need not be limited to:

- a. prohibition of any further violation of this policy;
- b. prohibition of participation in extracurricular activities;
- c. reporting at stated periods to appropriate persons for counseling;
- d. attending after school hours disciplinary detention or study hall;
- e. adhering to such other conditions reasonably related to insuring a correction of the misbehavior or misconduct for which the probation was imposed.

6. A violation of any condition of probation by a student, shall after a hearing result in suspension, expulsion, more restrictive probation, or continuation of studies outside school premises.

7. The school authorities will endeavor to involve students in appropriate rehabilitation experiences or activities when they are placed on probation or suspended from school. The school will attempt to arrange for psychological or social services appropriate to the students' needs. The school will continue to work closely with authorities and institutions and in particular those within the community 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 offenders, their parents, school personnel, and the agencies mentioned above, in planning a program of rehabilitation.

8. All building principals or their designees are to take positive action to enforce this policy, and in all instances when a student is apprehended in school, the following administrative actions will be taken:

- a. The Superintendent of Schools will receive a verbal summary report as soon as possible after the principal or designee becomes aware of an incident.
- b. The proper authorities will be notified immediately by the building principal or designee. If possible, parents will be notified prior to communicating with juvenile authorities.
- c. The student shall be immediately suspended by the building principal or designee. Such suspension shall continue within the limits set by the policy.
- d. A student will be responsible for any work missed during a period of suspension.
- e. Every avenue of district-approved rehabilitation available to the school will be used to work with the students and his/her parents during a probationary period. This can and may include psychological and psychiatric services as well as making available non-school, but school-approved, drug clinics and medical information centers. The cost of transportation shall be born by the parent or guardian. Any costs associated with such services, to specifically include transportation, shall be the sole responsibility of the parents or guardians.
- f. A close liaison will be maintained with either the juvenile court authorities and the Exeter Police Department, reporting to them at periodic times the level of cooperation of the student and the parents, and receiving from them information and instructions concerning each individual case.
- g. A committee consisting of the building principal, guidance counselor, school nurse, and other faculty members chosen

- by the building principal will meet to decide on the extent of the student's participation in school social and extracurricular functions. Specific rules concerning this participation will be outlined for the student, the parents, and all faculty members.
- h. A copy of all correspondence related to any case will be forwarded by the building principal to the Superintendent of Schools.
  - i. A copy of all correspondence related to any case will be forwarded by the Superintendent of Schools to the building principal and members of the Board of School Directors.

### **TERRORISTIC THREATS/ACTS**

**Purpose.** 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 response to a situation involving such a threat or act.

**Definitions.** 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.

**Terroristic act** – shall mean an offense against property or involving danger to another person.

### **\*\*WEAPONS POSSESSION**

#### **on SCHOOL PROPERTY OR in the SCHOOL**

Offenses of this category will result in a ten-day suspension and a recommendation to the superintendent that the student is taken to a hearing before the school board for an expulsion. Weapons offenses will be turned over to the authorities for investigation and prosecution according to local laws.

*\*\*These offenses may also result in local police participation based on the nature and circumstances of the offense.*

### **PARENTAL OBJECTION to RESOURCE MATERIAL in the CURRICULUM**

Parents have the opportunity to have their child excused from an activity that utilizes a resource material the family finds objectionable. If this should occur, the parents should notify the teacher and building

administrator in writing. An alternative activity will be substituted.

## **EQUAL RIGHTS & OPPORTUNITIES, DISCRIMINATION & HARASSMENT**

The Exeter Township School District is an equal opportunity educational institution and is in compliance with the requirements of Title VI, Title IX, Sections 503 and 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA). The district will not discriminate on the basis of gender, race, color, religion, national origin, sex, national origin, disability, or handicap in its programs or employment practices.

Inquires should be directed to the Administration Building at 3650 Perkiomen Ave., Reading, PA 19606 or 610-779-0700. The Director of Human Resources serves as the Title IX compliance officer.

In accordance with guidelines established by the U.S. Office of Civil Rights, the district policy on unlawful discrimination and harassment has been updated. Revisions include modifications to the grievance procedure.

Requests for copies of the policy and/or questions related to unlawful discrimination or harassment should be addressed to Mrs. Elizabeth Weber, Director of Human Resources, at 3650 Perkiomen Avenue, Reading, PA 19606. The phone number of this office is 610-779-0700.

## **BULLYING/CYBERBULLYING PROHIBITED**

The Board is committed to providing a safe, positive learning environment for district students. The Board recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, and may lead to more serious violence. Therefore, the Board prohibits all forms of bullying by district students.

Please refer to Board Policy 249 available on the district website ([www.exeter.k12.pa.us](http://www.exeter.k12.pa.us)) under the "School Board" section or in policy manuals available in each school and the Administration Building.

**\*\*\*DRUG TESTING  
for STUDENTS PARTICIPATING in ATHLETICS  
and EXTRACURRICULAR ACTIVITIES**

**\*\*\*This policy is currently suspended.**

*Every member of an Exeter Township School District athletic and extracurricular organization must consent to random urine testing. Each member must also agree to follow-up testing if any test indicates use of controlled substances. Each member must also agree to selective testing based on any evidence which establishes a reasonable belief of drug use.*

*Each year, participants will sign a contract authorizing the school district to request that, at any time and without prior warning during the school year, the participants must submit a urine sample for drug screening. A laboratory of the school district's choosing will evaluate this urine sample. The district shall pay all costs associated with the testing.*

*All test results will be provided to the office of the Superintendent or his designee. The Superintendent will receive a confidential report and will advise the building principal of the test results.*

*If the screening test is positive, a second more sensitive test is administered to confirm the results. The second test is completed utilizing the original urine sample. If the second urine test is negative, no action is taken. A letter of congratulation will be sent to all parents of students who tested negative.*

*If the second confirming test is positive, the participant's parents are notified, and the school principal convenes a meeting with the student and his parents/guardians. They will be informed of the test results. Students and parents will be informed of the following steps, which must be completed.*

*The student must participate in the Student Assistance Program. The student will be required to participate in a drug/alcohol assessment and program with a certified drug and alcohol evaluator/counselor. The student will be charged with a violation of the Exeter extracurricular Code of Conduct and assessed the corresponding first violation penalty. Failure to immediately comply with the evaluator's recommendation will result in dismissal from the activity. Suspension includes all extracurricular activities. The student can only resume involvement with activities upon compliance with the certified drug and alcohol evaluator.*

*The Student may be required to be retested weekly. The student must test negative in subsequent tests. Testing positive on a subsequent test will be the second violation of the Code of Conduct and*

*mandate suspension from the activity for the remainder of the school year. If the student refuses to be tested, the student will be suspended for one (1) calendar year. In order to be readmitted to an extracurricular program in the Exeter Township School District, the student must comply with Section VI of the Code of Conduct.*

*Students will be randomly selected to participate in the screening from each activity. If a participant refuses to submit a urine sample for testing, s/he will be suspended from participation of all extracurricular activities. The student will not be permitted to participate in any other extracurricular activity until he/she submits to a drug test and tests negative. The student will comply with the athletic and extracurricular suspension guidelines as described in the policy.*

*All other Board policies on drugs and alcohol concerning the use, possession, or distribution of illegal substances on school premises shall remain unaffected by this policy.*



## **USE of STUDENT PHOTOS & VIDEO IMAGES**

In order to conduct an effective public relations program, the Exeter Township School District shares news about activities and events that occur within the schools. To do this, names and photos of students might be placed on the district website and in district publications, as well as names, photos, and video images could appear in the local media. Respecting the right to privacy, parents/guardians are asked to notify the student's school office if there are any objections to their child's name, photo, or video image appearing in district publications (including the web site) or in the local media. It will be assumed that parental/guardian permission for the above activities is granted unless a written denial of permission is provided by the parent or guardian and on file in the child's school.



**STUDENT RECORDS  
NOTIFICATION of RIGHTS  
PARENTS/ELIGIBLE STUDENTS**

The Family Educational Rights and Privacy Act (FERPA) and Pennsylvania law afford parents/guardians and students eighteen (18) years of age and over (eligible students) certain rights with respect to the student's educational records, as follows:

1. The right to inspect and review the student's education records within thirty (30) days of the district's receipt of a request for access.

A parent or eligible student making such a request must submit to the school principal (or appropriate school official) a written request that identifies the record(s) s/he wishes to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading or otherwise violates the privacy rights of the student. A parent or eligible student may request the district to amend a record s/he believes is inaccurate, misleading or violates the privacy rights of the student by clearly identifying in writing the part of the record s/he wants changed and specifying why it is inaccurate, misleading or violates the privacy rights of the student. The request shall be made to the building principal (or appropriate school official).

If the district decides not to amend the record as requested, the principal will notify the parent or eligible student of the decision and advise him/her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosure of personally identifiable information contained in the student's education records, except to the

extent that FERPA and State law authorize disclosure without consent.

Disclosure of personally identifiable information can be made without consent to the following:

- a. School officials, including teachers, with a legitimate need to review an education record in order to fulfill their professional responsibilities. This may include the disclosure of disciplinary information regarding conduct that posed a significant risk to the safety or well-being of the student or others. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
- b. Officials of another school or school system in which the student seeks or intends to enroll. In this case, disciplinary information may be included. The district will make a reasonable attempt to notify the student's parents prior to the disclosure of information and will provide the parent with a copy of the record if so requested.
- c. Authorities named in FERPA and accompanying federal regulations, including authorized representatives of the Comptroller General of the United States, Secretary of Education, and State and local educational authorities.
- d. Officials connected with a student's application for a receipt of financial aid.
- e. State and local officials who are required to get specific information pursuant to State law if the disclosure concerns the juvenile justice system and the system's ability to effectively serve the student whose records are released. If the

State statute was enacted after November 19, 1974, the officials must certify in writing that the information will not be disclosed to any other person, except as provided by State law, without prior written consent of the parent.

- f. Educational testing and research organizations for the purpose of administering student aid programs or improving instruction or predictive tests as long as confidentiality is maintained and such organizations are required to destroy records after they no longer are needed.
- g. Accrediting institutions.
- h. In emergency situations to appropriate persons if the information is necessary to protect the health and safety of the student or others.
- i. Anyone if required by a court order or subpoena. However, where the subpoena is issued by a federal grand jury, the district will make reasonable efforts to notify the parent or eligible student prior to complying with the subpoena or court order.

The school district may disclose group scholastic achievement data from which the individual cannot be identified without written consent of the parent or eligible student.

- 4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
600 Independence Avenue, SW  
Washington DC 20202-4605

- 5. The right to refuse to permit the designation of any or all of the categories of directory information.

The district is permitted by law to disclose directory information without written consent of the parent or eligible student. The parent or eligible student has the right to refuse to permit the designation of any or all of the categories of directory information if a written refusal is forwarded to the building principal by September 15 of the current school term.

Directory information which may be released may include the student's name, date and place of birth; major field of study; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance; degrees and awards received; the most recent and previous education agency or institution attended by the student; email address; photograph and other similar information.

6. The right to request that information not be provided to military recruiting officers.

Names, addresses and home telephone numbers of secondary school students will be released to military recruiting officers unless a student submits within twenty-one (21) calendar days a written request to the Superintendent that such information not be released.

For more information on Student Records refer to Board Policy 216 available on the district website ([www.exeter.k12.pa.us](http://www.exeter.k12.pa.us)) under the "School Board" section or in policy manuals available in school offices or the Administration Building.



### **The Code of Student Conduct**

Excellence in education cannot occur in the absence of an orderly instructional environment. In order to maintain a positive learning climate, school directors and administrators have established standards for student behavior.

This Code of Student Conduct is published in an attempt to inform students and parents of rules and regulations, penalties for violations, and rights and responsibilities of individuals within the system. It is hoped that familiarization with these standards and procedures will encourage parents and students to support the effort of school personnel in maintaining a productive environment for learning.