

EAST STROUDSBURG AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENT DISCIPLINE

ADOPTED: August 19, 2002

REVISED: July 17, 2006
November 20, 2006
August 19, 2013
May 16, 2022

218. STUDENT DISCIPLINE	
1. Purpose	The Board recognizes that student conduct is closely related to learning. An effective educational program requires a safe and orderly school environment.
3. Authority SC 510 Title 22 Sec. 12.3, 12.4 Pol. 103, 103.1	The Board shall establish fair, reasonable and nondiscriminatory rules and regulations regarding the conduct of all students in the school district.
Title 22 Sec. 12.2, 12.3, 12.4 Pol. 103, 103.1, 113.1, 235, 832 Pol. 235, 832	The Board shall adopt a Code of Student Conduct to govern student discipline, and students shall not be subject to disciplinary action based upon race, gender, color, religion, sexual orientation, national origin or handicap/disability. Each student must adhere to Board policies and the Code of Student Conduct governing student discipline.
Title 22 Sec. 12.5	The Board shall approve the inclusion of restorative practices in the Code of Student Conduct to address violations where applicable.
Pol. 233	The Board prohibits the use of corporal punishment by district staff to discipline students for violations of Board policies, the Code of Student Conduct and district rules and regulations.
Pol. 113.1, 233	Any student disciplined by a district employee shall have the right to be informed of the nature of the infraction and the applicable rule or rules violated.
Title 22 Sec. 10.23 20 U.S.C. Sec. 1400 et seq Pol. 103.1, 113.1, 113.2, 805.1	When suspensions and expulsions are imposed, they shall be carried out in accordance with Board policy
	In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.

<p>SC 1317, 1318 Pol.113.1, 233</p>	<p>The building principal or designee shall have the authority to assign discipline to students, subject to Board policies, administrative regulations, the Code of Student Conduct and to the student’s due process right to notice, hearing and appeal.</p>
<p>SC 1317</p>	<p>Teaching staff and other school district employees responsible for students shall have the authority to take reasonable actions necessary to control the conduct of students in all situations and in all places where students are within the jurisdiction of this Board, and when such conduct interferes with the educational program of the schools or threatens the health and safety of others, in accordance with Board policy, administrative regulations, and the Code of Student Conduct.</p>
<p>Title 22 Sec. 12.5</p>	<p>Reasonable force may be used by teachers and school authorities under any of the following circumstance: to quell a disturbance, obtain possession of weapons or other dangerous objects, for the purpose of self-defense, and for the protection of persons or property.</p>
<p></p>	<p><u>Referral To Law Enforcement And Reporting Requirements</u></p>
<p>SC 1303-A Title 22 Sec. 10.2 35 P.S. Sec. 780-102</p>	<p>For reporting purposes, the term incident shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.</p>
<p>SC 1302.1-A, 1303-A Title 22 Sec. 10.2, 10.21, 10.22 Pol. 805.1</p>	<p>The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school’s property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.</p>
<p>Title 22 Sec. 10.2, 10.25 Pol. 805.1</p>	<p>The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident as a victim or suspect, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.</p>
<p>SC 1303-A Pol. 218.1, 218.2, 222, 227, 805.1</p>	<p>In accordance with state law, the Superintendent shall annually, by July 31, report all new incidents to the Office for Safe Schools on the required form.</p>

<p>SC 1302-E Pol 236.1</p>	<p>When a student’s behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable laws and Board policy.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 510, 1302-E, 1302.1-A, 1303-A, 1317, 1318</p> <p>PA Controlled Substance, Drug, Device and Cosmetic Act – 35 P.S. Sec. 780-102</p> <p>State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.21, 10.22, 10.23, 10.25, 12.1 et seq., 12.2, 12.3, 12.4, 12.5, 403.1</p> <p>Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.</p> <p>No Child Left Behind Act – 20 U.S.C. Sec. 7114</p> <p>Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations – 34 CFR Part 300</p> <p>Board Policy – 103, 103.1, 113.1, 113.2, 122, 123, 146.1, 218.1, 218.2, 222, 227, 233, 235, 236.1, 805, 805.1, 832</p>
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