



STUDENT HANDBOOK 2018-2019

* EXCELLENCE * RESPECT *
* PERSEVERANCE *

Student Responsibilities

(from PA School Code)

- Student responsibilities include regular school attendance, conscientious effort in classroom work and homework, and conformance to school rules and regulations. Most of all, students are responsible to 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 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:
 - Be aware of all rules and regulations for student behavior and conduct themselves in accordance with them. Students should assume that, until a rule is waived, altered or repealed in writing, it is in effect.
 - Volunteer information in matters relating to the health, safety and welfare of the school community and the protection of school property.
 - Dress and groom to meet standards of safety and health, and not to cause substantial disruption to the educational processes.
 - Assist the school staff in operating a safe school for the students enrolled therein.
 - Comply with Commonwealth and local laws.
 - Exercise proper care when using public facilities and equipment.
 - Attend school daily and be on time at all classes and other school functions.
 - Make up work when absent from school.
 - Pursue and attempt to complete satisfactorily the courses of study prescribed by local school authorities.
 - Report accurately in student media.
 - Not use obscene language in student media or on school premises.

Student Use of Internet Access, e-Mail & Network Resources Policy

Use of School Network Resources Is Privilege

Internet access, electronic mail (e-mail) and network resources are available to students at YouthBuild Philadelphia Charter School for educational and instructional purposes and other purposes consistent with the educational mission of YouthBuild Philadelphia. Use of the Internet and e-mail network by students is a privilege. YouthBuild Philadelphia educates all students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyber-bullying awareness and response.

Uses of School Computers Are Not Private

YouthBuild Philadelphia reserves the right to log, monitor and review Internet, e-mail and other network use of each student. This logging, monitoring and review may be conducted without cause and without notice. By using the school computers, each student agrees and consents to such logging, monitoring and review of their computer use and acknowledges that he/she has no right or expectation of confidentiality or privacy with respect to Internet, e-mail or other network usage. In addition, students should expect that files stored on the school's servers or computers will not be private. (Note: Once students graduate and become alumni, their computer files are accessible by all other alumni.) YouthBuild Philadelphia maintains archives of all e-mail messages.

Students may not use the school's computers for access to the Internet or for e-mail without the approval or supervision of a teacher or school staff member.

Prohibited Uses

The following uses of the Internet, e-mail and network technology are expressly prohibited:

- Use for inappropriate or illegal purposes
- Use in an illegal manner or to facilitate illegal activity
- Use for commercial, private advertisement or for-profit purposes
- Use for lobbying or political purposes
- Use to infiltrate or interfere with a computer system and/or damage the data, files, operations, software or hardware components of a computer or system
- Hate mail, harassment, discriminatory remarks, threatening statements and other antisocial communications on the network
- The illegal installation, distribution, reproduction or use of copyrighted software
- Use to access, view or obtain material that is pornography or child pornography
- Use to transmit material likely to be offensive or objectionable to recipients
- Use to obtain, copy or modify files, passwords, data, or information belonging to other users
- Use to misrepresent other users on the network
- Use of another person's e-mail address, user account or password
- Loading or use of unauthorized games, programs, files, music or other electronic media
- Use to disrupt the work of other persons (the hardware or software of other persons shall not be destroyed, modified or abused in any way)
- Use to upload, create or attempt to create a computer virus
- The unauthorized disclosure, use or dissemination of personal information regarding minors
- Use for purposes of accessing, sending, creating or posting, materials or communications that are:
 - Damaging to another's reputation,
 - Abusive,
 - Obscene,
 - Sexually oriented,
 - Threatening,
 - Bullying,
 - Harassing, or
 - Illegal
 - Use which involves any copyright violation or for the copying, downloading or distributing copyrighted material without the owner's permission, unless permitted in accordance with the Fair Use Guidelines. (Copies of the Fair Use Guidelines are available upon request.)
 - Use to invade the privacy of other persons
 - Posting anonymous messages
 - Use to read, delete, copy or modify the e-mail or files of other users or deliberately interfering with the ability of other users to send or receive e-mail
 - Use while access privileges are suspended or revoked
 - Any attempt to circumvent or disable the filter or any security measure, and
 - Use inconsistent with Network etiquette and other generally accepted etiquette.

Computer Etiquette

Students are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:

- Be polite. Do not become abusive in messages to others. General school rules and policies for behavior and communicating apply.
- Use appropriate language. Do not swear or use vulgarities or other inappropriate language.
- Do not reveal the personal addresses or telephone numbers of others.
- Recognize that e-mail is not private or confidential.
- Do not use the Internet or e-mail in any way that would interfere with or disrupt its use by other users.
- Consider all communications and information accessible via the Internet to be private property.
- Respect the rights of others users to an open and hospitable technology environment, regardless of race, sexual orientation, color, religion, creed, ethnicity, age, marital status or handicap status.

System Security Is High Priority

Security on any computer system is a high priority especially when the system involves many users. Each student is required to report any security problems to the Network Administrator. The problem is not to be demonstrated to other users.

Damage to Equipment, Systems or Software is Strictly Prohibited

Students are responsible for damages to equipment, systems or software resulting from deliberate or willful acts. In addition to other appropriate disciplinary procedures, failure by any student to follow the procedures and prohibitions listed in this Policy may result in the loss of access to the Internet and e-mail. Illegal activities or use (for example, intentional deletion or damage to files or data belonging to others, copyright violations, etc.) may be reported to the appropriate legal authorities for possible prosecution. YouthBuild reserves the right to remove a student account from the network to prevent unauthorized or illegal activity.

The use of the Internet and e-mail is a privilege, not a right. YouthBuild administrative staff, along with the Network Administrator, will deem what is appropriate and inappropriate use, and their decision is final. A list of the various levels of discipline is posted in the Student Handbook.

Students Use Computers at Their Own Risk

YouthBuild is not responsible, and will not be responsible, for any damages, including loss of data resulting from delays, non-deliveries, missed deliveries, or service interruption. Use of any information obtained through the use of the school's computers is at the student's risk. YouthBuild assumes no responsibility or liability for any charges incurred by a student. Under normal operating procedures, there will be no cost incurred.

Downloading Software Is Prohibited

A student may not download or install any commercial software, shareware, or freeware onto network drives or disks, unless he/she has the specific, prior written permission from a teacher or the Network Administrator.

"Effort only fully releases its reward after a person refuses to quit."

CODE OF CONDUCT

Consistent with the school's values of Excellence, Respect and Perseverance, all YouthBuild Philadelphia students are expected to demonstrate professional conduct at all times. That is, students are expected at all times—in both their dress and their actions—to be respectful, courteous and cooperative, adapt to change, and demonstrate respect for authority

Dress Code

Consistent with the expectation that all students demonstrate professional conduct, YouthBuild Philadelphia has adopted a Dress Code to both ensure that your primary focus at the school is on learning and education and to begin to prepare you for a professional work environment. In addition, the Dress Code promotes school safety, improves discipline, and enhances the learning environment.

Failure to adhere to this Dress Code will lead to a Rule One: Disruption of School violation and repeated failures could result in a Rule Two: Disruptive Behavior violation.

School Building Uniform Policy

Top

Students should wear clothes with the YouthBuild or AmeriCorps logo—T-shirts, polo shirts, or sweatshirts. And the clothing with the YouthBuild logo needs be the outermost layer.

Bottom

Students should wear solid colored pants, jeans, capris, or skirts (below the knee).

Students may not wear leggings, stockings, tights, sweat pants or stretch pants. Pants should not be ripped, torn or frayed, or have printed design.

Accessories

Earrings— Student may wear any earrings.

Scarfs / Hats – Students may wear scarfs or other professional head accessories that do not fully cover their whole head. Students may not wear head accessories that cover their whole head for example; do-rags, hats, jeff caps, etc. Students may wear head accessories for religious devotions.

Footwear – Students may not wear flip flops, house shoes, slippers, or shoes with heel larger than 2 inches.

Vocation Site Uniform Policy

Building Trades

Required Items: Hard hat, Work boots, and Safety goggles.

Note: if you lose any of these items or any of the tools which are issued to you, you must replace them yourself immediately. Being unprepared will adversely affect your Building Trades grade.

Prohibited items:

- Large earrings, excessive jewelry, or long fingernails
- Clothing you are unwilling to get dirtied
- Sweat pants
- Hair styles that prevent proper wearing of your hard hat (e.g., long hair should be tied back and secure)
- Shorts above the knee
- Spandex, tight or revealing clothing
- Oversized shirts outside of your pants.

Health Care, CDA, and BAS – School uniform or professional attire that meets the expectation of the partner organization.

Uniform- Special Day

Students will be given instruction on dress code for non-traditional school days in advance, to include Service Project, Picnic, and REP Days

Dress Down Days

On days when you are allowed to dress down (incentive days, picnics, etc.), you are required to wear appropriate clothing. Excessively revealing clothing, inappropriate writing or insignias, high heels, and large jewelry items are considered to be inappropriate clothing and will not be allowed on these days.

Uniform – Dual Enrollment / Bridge Programming

Professional attire that meets the expectation of the partner organization.

Discipline Policies

Purpose

YouthBuild Philadelphia Charter School has adopted the following discipline policies in order to inform students, parents, and school personnel of the behavior that is expected from all students to ensure a safe and focused learning environment. It is intended to ensure that fair and consistent disciplinary action is taken for similar violations and to inform students and parents of the scope of discipline they will face for particular violations. YouthBuild expects each student to work to the best of his/her ability and to cooperate with the other students and school staff in maintaining a safe, healthy and orderly learning environment. A proper learning environment must be free from disruptive, threatening and dangerous behavior that interferes with teaching and learning.

Above all, **YouthBuild's discipline policies are guided by a restorative discipline philosophy.** This means that the primary approach to addressing Code of Conduct violations and other generally problematic behaviors is through restorative practices. This approach allows for all parties involved in a discipline situation to sit down together, to hear from those who were affected by the problem behavior, to hold the student accountable for his or her behaviors for any harm that was caused, and to problem-solve and determine what needs to be done to correct the specific problem behavior so that it does not happen again. The emphasis of these restorative practices is on teaching the student how to “restore” the other person for any harm that was done as a result of the student’s behavior. Thus, the restorative discipline approach at YouthBuild is intended to be instructional, corrective and restorative, not punitive.

Finally, these discipline policies have been designed to promote safety, order, accountability and responsible conduct in all school-related activities. These activities include all school activities, functions and extra-curricular programs, as well as traveling to and from school. It also includes misconduct off-school premises where the conduct may reasonably be expected to undermine the proper disciplinary authority of the school, endanger the safety of students or staff, or cause disruption within the school.

The range of disciplinary infractions is listed from the least severe to the most severe. Staff members shall consider all mitigating circumstances prior to disciplinary action and ensure due process for each student. Mitigating circumstances include, but are not limited to, the following factors:

- Health, maturity and academic placement of a student
- Prior conduct
- Attitude of a student
- Willingness to make restitution
- Seriousness of offense
- Willingness of student to enroll in a student assistance program

Scope of Rules and Discipline

These rules shall apply to any conduct:

- On school grounds during school day or immediately before or after school hours
- On school grounds at any school activity, function or event
- Off school grounds at any school activity, function or event
- Traveling to and from school, including actions on any school vehicle or public conveyance (e.g., bus or subway)

- Off school grounds when conduct may reasonably be expected to undermine the proper disciplinary authority of the school, to endanger the safety of students or staff, or to cause disruption within the school.

Behavioral Expectations & Responsibilities

Responsibilities of Everyone

- Respect all members of our School community.
- Maintain a positive School climate by being responsible, respectful, and cooperative.
- Communicate Code of Conduct expectations for students and staff.
- Motivate students to live up to the expectations through positive reinforcement.
- Use good judgment to prevent minor incidents from becoming major problems.

Responsibilities of School Staff

- Respect all members of the School community.
- Implement the Code of Conduct and all disciplinary procedures in a fair and consistent manner.
- Inform all School personnel, parents, and students of discipline policies.
- Review and act upon allegations and requests from School personnel concerning violations.
- Teach proper behavior and positively reinforce rules of conduct.
- Maintain a learning environment that provides for academic success.
- Hold students accountable for disorderly conduct in our School.
- Use professional judgment to prevent minor incidents from becoming major problems.

Responsibilities of Students

- Respect all members of the School community.
- Understand and comply with School rules and climate expectations, including the Code of Conduct and Student Handbook.
- Comply with the School's attendance, dress code, unlawful harassment, and bullying policies.
- Behave in a manner that focuses on academic success.
- Be responsible and accountable for following rules.

Due Process

All students are to be treated with fairness and respect. Students have a right to be heard and are to be provided the opportunity to explain their version of events to administrators. Pursuant to Act 26, the School's Executive Director may, after a hearing, decide to allow the student who brought a weapon to School to remain in the School.

Disciplinary Rules

Rule 1: DISRUPTION OF SCHOOL

Students are expected to act in a courteous and respectful manner toward staff, visitors, and each other. A student may not act in any way that disrupts or disturbs any educational or school-related program. Violations of this rule include, but are not limited to:

- Failure to obey directions from school staff
- Running and/or making excessive noise in the hall or building
- Bringing children to school during class or worksite hours
- Violation of the student dress code
- Failing to attend class without an excuse note from a staff member (e.g., cutting class)
- Returning late from lunch or break

- Smoking during school time or on YouthBuild Philadelphia property
- Using a cell phone without permission and/or outside of approved breaks
- Not having necessary materials ready before class or work begins
- Putting your head down and closing your eyes and/or sleeping during class or work
- Refusing to work
- Being loud or disrespectful and causing a disruption in the school
- Cursing or using vulgar, obscene, intentionally disruptive or offensive language in

the school

- Constantly arguing and causing a disruption in the school
- Overtly displaying any indications of gang affiliation
- Eating gum, candy, or any type of food or drink during class time.

Consequences for the above violations vary according to the severity as well as number of times an individual student has been in violation of the rule. Consequences include:

Rule 2: DISRUPTIVE BEHAVIOR

Students are responsible for respecting all members of the School community. When students demonstrate disruptive behavior, they disrespect the School community. Examples in which students demonstrate such disruptive behavior may include:

- Fighting
- Disrespecting and or undermining staff
- Disrespecting another student or member of the community
- False activation of a fire alarm
- Intentionally providing false information to a staff member
- Cheating and/or copying the work of another student or plagiarism from library or Internet sources
- Forgery – signing somebody else’s name/signature on any school related documents
- Maliciously damaging the reputation of anyone in the school community. This includes spoken and written messages including on any bulletin board, flyer or notice, or displayed on a student’s personal belongings
- Continuously displaying a negative or uncooperative attitude
- Failure to leave upon request by a staff member
- Failure to turn over device (including cell phone, pager, musical device) to staff member when requested
- Leaving worksite, school site, classroom, or school activity without permission
- Bullying or cyber-bullying—an intentional electronic, written, verbal or physical act, or a series of acts:
 - (1) directed at another student or students;
 - (2) which occurs in a school setting;
 - (3) that is severe, persistent or pervasive; and
 - (4) that has the effect of --

(i) substantially interfering with a student's education;

(ii) creating a threatening environment; *or*

(iii) substantially disrupting the orderly operation of the school.

Bullying occurs within an interpersonal relationship where there is an imbalance of power (e.g., one person is physically larger, stronger, mentally quicker, or socially more powerful). The conduct may be physical, psychological, verbal, nonverbal, written, or electronic.

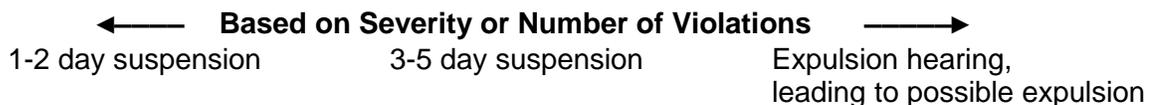
Cyber-bullying is bullying that occurs through electronic communication devices including, but not limited to, social networking, e-mail, instant messaging, text messages, tweets, blogs, photo and video sharing, chat rooms, dash boards, or web sites.

A "school setting" means in the school, on school grounds, in school vehicles, at the nearest bus stop or subway station to the school or a vocational site, or at any activity sponsored, supervised or sanctioned by the school.

Similar acts that occur *outside* a school setting are also considered to be "bullying" if those acts are directed at another student or students, are severe, persistent and pervasive or have the effect of substantially interfering with a student's education, creating a threatening environment or substantially disrupting the orderly operation of the school.

Claims of "bullying" should be reported immediately to the Director or Assistant Director of Student Life. If they are not available, claims should be reported to the Program Director.

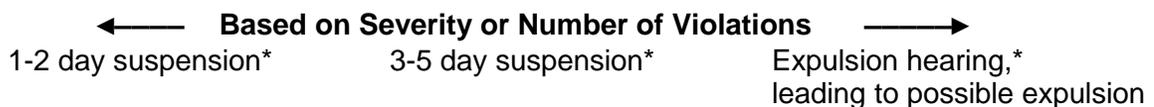
Consequences for the above violations vary according to the severity as well as number of times an individual student has been in violation of the rule. Consequences for disruptive behavior include:



Rule 3: DAMAGE TO PROPERTY

Students are expected to respect property, both school property and the property of others. Students shall not damage any property not owned by them. This includes both school property and the property of others. "Damage" includes writing graffiti, carving, tearing, cutting or otherwise defacing or destroying property. Damage to property will be treated as an aggravated offense under Rule 13.

Consequences for damaging school property or the property of others can vary according to the severity of the damage as well as number of times an individual student has been in violation of the rule and include:



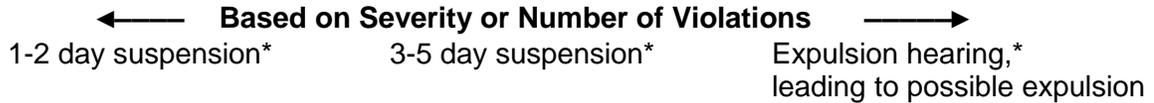
*with restitution (payment for damages)

Rule 4: THEFT OF PROPERTY

Students are expected to respect all property that does not belong to them and not engage in the theft of any property. Theft is the unlawful taking of property, either school property or the property of others, without the authorization of the owner of the property. A student shall not take, or attempt to take, either school property or the property of others without the authorization of the owner of the property. This rule applies whether the theft or attempted theft is on school grounds, during a school activity, function or event off school grounds, or while traveling to or from any

school-sponsored activity, function or event. Theft is a crime and will be reported to the police for investigation and criminal prosecution.

Consequences for the above violations vary according to the severity as well as number of times an individual student has been in violation of the rule. Consequences for theft of property include:



*with restitution (payment for damages)

Rule 5: NEGLIGENCE, RECKLESS ENDANGERMENT, OR THREATS

Students are not only responsible for harmful actions they intend, but they are also responsible for the reasonably predictable consequences of their negligence, reckless actions, or threats. Reckless endangerment is engaging in conduct that places or may place another person in danger of serious bodily injury. A student may not act in a manner which ignores the health, safety or welfare of any member of the school community by placing them in danger of injury, or pain. No student shall attempt, by physical menace, threat, or verbal taunt, to put a member of the school community in fear of injury, pain or social ridicule. The intentional public posting of the addresses or telephone numbers of fellow students or other members of the school community is a violation of this rule.

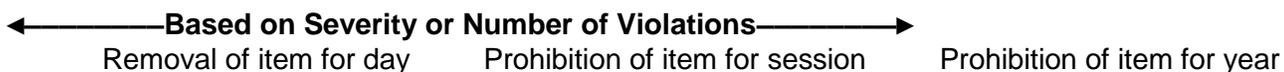
Consequences for the above violations vary according to the severity as well as number of times an individual student has been in violation of the rule. Consequences for negligence, reckless endangerment or threats include:



Rule 6: POSSESSION OF PROHIBITED ITEMS FOR USE OR TRANSFER

Students may carry cell phones and musical devices to school. However, these items are not to be used during school hours or on school property (including YouthBuild worksites) unless authorized by staff or during a break between class instruction. These items must be put away and silenced at all other times.

Please be aware that, in allowing students to carry these items, the School is treating you with respect and as adults who have responsibilities outside of the School. The consequences for refusing to follow the rules regarding the above items include:



The following items **may not** be brought to school, worksite, or other school activities at any time:

- Pornographic material
- Alcohol

leading to possible expulsion

Rule 9: HARASSMENT

No student shall engage in verbal or physical activity which he/she should reasonably expect to have the effect of harassing any student, staff member, or school visitor. Harassment, for the purpose of this rule, includes either a course of conduct or a single aggravated incident. Harassment includes, among other things:

1. Unwelcome verbal, written, graphic, or physical conduct relating to a student or School community member's gender, age, race, color, sexual orientation (known or perceived), gender-identity expression (known or perceived), national origin, religion, disability, English language proficiency, socioeconomic status, and/or political beliefs;
2. Unwelcome sexual advances; requests for sexual relations; sexual comments; sexually-oriented gestures, sounds, remarks or comments about a student, staff member or visitor's sexuality or sexual experience;
3. Offensive expressions concerning a person's race, sex, sexual orientation, religion, disability or national origin,
4. Efforts to intimidate, bully or ridicule. (See Rules 10 and 13 for offenses involving other serious forms of sexual or physical misconduct.)

Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. People often react to the same thing in very different ways. Remember that something that does not offend you, may be very hurtful to someone else.

Consequences for the above violations vary according to the severity as well as number of times an individual student has been in violation of the rule. Consequences for harassment include:



Rule 10: POSSESSION OF A WEAPON

Pennsylvania law requires schools to **expel for one year** any "student who brought onto or is in possession of any weapon on any school property, at a school or a school-sponsored activity or onto any public conveyance providing transportation to a school or school-sponsored activity."

A weapon is defined as—

- A firearm of any kind (operable or inoperable, loaded or unloaded): including but not limited to hand, zip, pistol, rifle, shotgun, starter gun, flare gun;
- A knife or any object which one can cut or stab such as, but not limited to any type of knife including a pocket or penknife, razor blades, hatchet, ax, cleaver, scissors, glass, broken bottle, dagger, ice pick, dirks, machete, or similar instruments with sharp cutting edges including pencils and pens, nunchucks and brass knuckles; and
- any instrument or object used to inflict harm on another person, or to intimidate any person. Included in this category are all types of chains, metals or pipes, or any objects or instruments that are not being used for the purpose for which they were normally intended and are capable of harming an individual. Chinese stars, billy clubs, tear gas gun, electrical weapon or device (stun gun), toy guns (if they

are authentic replicas or are used in a threatening manner), M80's, mace, pepper gas, and any other instrument that when implemented can be capable of inflicting serious bodily injury.

Consequence: potential one-year expulsion (Pursuant to Act 26, the School's Executive Director may, after a hearing, decide to allow the student who brought a weapon to School to remain in the School.)

IMPORTANT: Tools used on Building Trades worksites can be weapons if they are not used properly. You must use these tools responsibly. Any student who uses any tool as a weapon to injure or threaten to injure someone else will be expelled.

Rule 11: SIMPLE ASSAULT

No student shall commit a simple assault. A simple assault is an unprovoked attack by one student on another student or on school personnel or visitor.

Consequence: Expulsion.

← **1st Time** →
Expulsion hearing, leading to expulsion

Rule 12: INVOLVEMENT IN CRIMINAL ACTIVITY

Any student involved in any criminal activity (as defined by the Commonwealth of Pennsylvania or the City of Philadelphia) at the School building, any School worksite, or any School-related activity, will be in violation of this rule. The Memorandum of Understanding (MOU) between the School and the Philadelphia Police Department lists the crimes that *must* be reported to the Philadelphia Police Department, including:

- Possession of a weapon
- Criminal homicide
- Aggravated assault
- Stalking
- Kidnapping
- Unlawful restraint
- Rape
- Statutory sexual assault
- Involuntary deviate sexual intercourse
- Sexual assault
- Institutional sexual assault
- Aggravated indecent assault
- Indecent assault
- Arson and related offenses
- Institutional vandalism
- Burglary
- Criminal trespass
- Riot, and
- Possession or sale of a controlled substance, designer drug or drug paraphernalia, as defined by PA Law.

Exception: Possession of a legally prescribed medication carried in the container supplied by a pharmacist shall not be considered a violation of this rule where the supply carried by the student does not exceed the amount necessary for use during that school day.

Consequences for the above violations vary according to the severity as well as number of times an individual student has been in violation of the rule. Consequences for involvement in criminal activity include:

← **1st Time** →
Expulsion hearing,
leading to possible expulsion

Suspension and Expulsion Procedures

Suspension of Students

Suspension Defined

Suspension is exclusion from school for a period of from one to 10 consecutive days. 22 PA Code Sec. 12.6(b)(1).

Notifications

No student shall be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond. However, when the health, safety, or welfare of the school community is threatened, prior notice of the intended suspension need not be given. 22 PA Code Sec. 12.6(b)(1).

Informal Hearings

When the suspension exceeds 3 days, the student shall be given the opportunity for an informal hearing. The school shall offer to hold the hearing within the first 5 days of the suspension.

The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended. The informal hearing is meant to encourage the student to meet with the principal to discuss ways by which future offenses can be avoided.

The following due process requirements are to be observed in regard to the informal hearing:

- Notification of the reasons for the suspension shall be given in writing to the parent or guardian and to the student;
- Sufficient notice of the time and place of the informal hearing shall be given;
- A student has the right to question any witnesses present at the hearing;
- A student has the right to speak and produce witnesses on his/her own behalf. 22 PA Code Sec. 12.8(c)(2).

Duration

Suspensions may not be made to run consecutively beyond the 10-day period.

Responsibility for Work During the Suspension

Students have the responsibility to make up exams and work missed while being disciplined by suspension and will be permitted to complete these assignments within the following guidelines set by the Board of Trustees:

In order to be permitted to make up exams and work missed while being disciplined, you must—

- within two (2) school days of returning to school from suspension, go to the teacher or course instructor and tell her/him that you want to make up tests, exams, work or other assignments you missed while on suspension,

- within two (2) school days of going to the teacher, agree on a day and time that is convenient for the teacher to sit down with you and review the missed tests, exams, work or other assignments;
- within five (5) school days of receiving the missed work or assignments from the teacher, complete and submit the missed work or other assignments to the teacher; and/or
- within five (5) school days of the student being notified of the missed tests or exams, take make-up tests or exams on a day and time that is mutually convenient for both the teacher and the student.

If a student chooses **not** to assume his/her responsibilities for making up tests, exams, work or other assignments missed while on suspension, the consequences are that the student will receive no credit for the missed tests, exams, work or other assignments.

Expulsion of Students

Expellable Offenses

Expulsion is an exclusion from school by the Board of Trustees for a period exceeding 10 school days and may be permanent expulsion from the School roll. The types of offenses that would lead to expulsion from school are described in more detail in the Discipline Policies section of this Handbook. These offenses include, among other things:

- Bringing a weapon to school premises or at a YouthBuild activity
- Conduct that physically endangers other community members
- Engaging in criminal activity (as defined by state or local law) on or around school premises. For example,
- Deliberately damaging or defacing property
- Assaulting another member of the community
- Possessing, selling, distributing or using illegal drugs or controlled substances on school premises
- Theft or trafficking of stolen property
- Violence, threats or intimidation against community members
- Sexual activity on school grounds or when participating as YouthBuild students in extra-curricular and off-campus activities.

Expulsion Hearings

All expulsions require a prior formal hearing. This hearing may be held before:

- § A representation of the Board of Trustees or
- § an authorized committee of the Board or
- § a qualified hearing examiner appointed by the Board.

In any event, a majority vote of the entire Board is required to expel a student.

Prior to expulsion, the following steps must be taken:

- notification of the charges shall be sent to the student's parents or guardian by certified mail,
- sufficient notice of time and place of the hearing must be given,
- the hearing shall be held in private unless the student or parent requests a public hearing,
- the student has a right to be represented by counsel,
- the student has the right to be presented with names of witnesses against the student, and copies of the statements and affidavits of those witnesses,

- the student has the right to request that any such witnesses appear in the person and answer questions or be cross-examined,
- the student has the right to testify and present witnesses on his/her own behalf,
- A record must be kept of the hearing, either by a stenographer or by tape recorder. The student is entitled, at the student's expense, to a copy of the transcript;
- The proceeding must be held with all reasonable speed.

When the student disagrees with the results of the hearing, recourse is available through the courts.

Placement Prior to a Hearing

During the period prior to the hearing and decision by the representation of the Board of Trustees, the student shall be placed in his/her normal class, except if—

- (1) it is determined after an informal hearing that a student's presence in his/her normal class would create a threat to the health, safety, morals or welfare of others

and

- (2) it is not possible to hold a formal hearing within the period of the suspension (that is, up to 10 consecutive school days), if the formal hearing is not unreasonably delayed.

Any students so excluded shall be provided with alternative education which may include home study.

Appeal

When the student disagrees with the decision of the Board of Trustees to expel, the student may appeal that decision to the appropriate court of the Commonwealth.

Suspension or Expulsion of Special Education Students

Students Identified as Intellectually Disabled

The School can suspend students identified as Intellectually Disabled only with either written agreement of the parent/guardian or the written approval of the Bureau of Special Education of the Pennsylvania Department of Education (PDE).

Suspension and Expulsion for All Other Special Education Students--Including Students with 504 Service Agreements

The School may suspend students with disabilities and cease educational services for up to 10 consecutive schools days or 15 cumulative school days in one school year without providing special-education procedural safeguards.

The School must complete the following due-process steps A through G below, for students with an Individualized Education Program (IEP) or Section 504 Service Agreement, if any of the following is being considered:

1. Expulsion Referral.
2. Suspension for more than 10 consecutive days.
3. Suspension for more than 15 cumulative days.
4. Suspensions totaling more than 10 days in an academic school year and when there is a pattern or problem behavior.

Due-Process Steps

A team must convene a Manifestation Determination meeting within 24 hours of the misconduct, and will invite the parents/guardian. The team must:

A. Provide written notice to the parent/guardian of the recommended disciplinary action and the date of the proposed Individualized Education Program (IEP) team meeting.

B. During the IEP/Manifestation Determination meeting, the IEP team will review the student's most current evaluation, IEP and placement to determine if the referred misconduct is related to the student's disability. Two questions are to be answered by the school team at the manifestation meeting:

(1) is the conduct caused by, or did it have a direct and substantial relationship to, the student's disability?
or

(2) was the conduct in question a direct result of the school's failure to implement the student's IEP?

If the IEP Team determines that either of those conditions was met, then the student's conduct must be determined to BE a manifestation of the student's disability.

C. If the student's conduct IS determined to be a manifestation of the student's disability, then School personnel may not apply the disciplinary suspension or expulsion to that student for the violation of the Code of Conduct. Instead, the IEP Team must either (1) conduct a functional behavioral assessment and implement a behavior support plan for the student, or (2) modify the student's existing behavior support plan, as necessary.

D. If the school team determines that the student's behavior is NOT a manifestation of the disability, school officials may apply the Code of Conduct. In no event, however, may the student be suspended without providing appropriate educational services for more than 5 consecutive or 15 cumulative school days in a school year. Students with disabilities, even if expelled, must be provided with a Free and Appropriate Public Education (FAPE).

E. A Notice of Recommended Educational Placement (NOREP) must be issued with the results of this determination and a copy of the Procedural Safeguard Notice (PSN) must be given to the parent/guardian.

*If parents or caregivers disagree with the decision, they can request an expedited Special Education Hearing and the Commonwealth-appointed hearing officer will review the manifestation determination.

F. The IEP team determines the appropriateness of an interim alternative educational setting, and as indicated, include in the IEP those services and modifications that will enable the student to continue to participate in the general education curriculum and help prevent the problem behavior from recurring.

G. If the student's behavior IS a manifestation of the disability, the student's placement may be changed if:

(1) The student carried a dangerous weapon* to school or a school function;

*NOTE: A "dangerous weapon" is a weapon, device instrument, material, or substance that is used for, or is readily capable of, causing death or serious bodily injury. However, in the case of a pocketknife, blades less than two-and-one half inches in length are not considered dangerous weapons. A multi-tool containing a blade or cutting device is deemed a "dangerous weapon."

- (2) The student knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or at a school function; and
- (3) The student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

In these special circumstances and over parent/guardian objections, School officials may remove the student, by issuing a NOREP to an interim alternative education setting for not more than 45 school days.

- If the behavior IS determined to be a manifestation of the student’s disability, and the conduct is not a “special circumstances” (see step G.1-3 above), and the student is substantially likely to cause injury to himself/herself or others if maintained in the current placement, then the School may ask for an expedited hearing conducted by a Special Education Hearing Officer to obtain a 45-day interim placement.
