

Code of Student Conduct



Northern York County School District

Approved by the Board of School Directors

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Intellectually Prepared, Civically Engaged, Personally Responsible

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STATUTORY AUTHORITY

Public schools are governed by the complex interaction of the U.S. and Pennsylvania Constitutions, federal statutes and regulations, the statutes of the General Assembly of the Commonwealth of Pennsylvania, the regulations of the State Board of Education, adopted policies of the board of school directors, and court decisions. The Board of School Directors of the Northern York County School District has adopted policies that relate to its expectations regarding school climate and pupil conduct. Copies of these policies are available in the district office, school offices, and libraries, and on the district website at <http://www.northernpolarbears.com>. Administrative authority at the district and building levels flows from these laws and policies. The general authority of school officials governing student conduct can be found in Section 510 of the School Code that reads 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 to and returning from school."

This general authority is extended to administrators and teachers in Section 1317 of the PA School Code. This section gives school personnel in loco parentis (in the place of a parent/guardian) status and reads:

"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/her 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 broad authority is limited by the constitutional rights of students, court decisions, and the regulations of the State Board of Education. Suspension and expulsion of students, the most serious penalties for misbehavior, are also authorized by statute. Section 1318 of the statute provides:

"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, suspension, or expulsion may be delegated to a duly authorized committee of the board, or to a duly qualified hearing examiner, who need not be a member of the board, but whose adjudication must be approved by the board."

The length of exclusion from school and the nature of the hearings required are outlined in Sections 12.6 and 12.8 of the State Board regulations.

This publication meets the federal, state and local requirements by establishing a code of student conduct that clearly states the responsibilities of students, teachers, and administrators in maintaining a classroom environment that:

- Allows a teacher to communicate effectively with all students in the class.
- Allows all students in the class to learn.
- Has consequences that are fair and developmentally appropriate.
- Considers the student and the circumstances of the situation.
- Is enforced accordingly.

This Code of Student Conduct also meets the legal requirements of Section 12.3(c) of the Pennsylvania Code, which requires that the District adopt these provisions and distribute copies to both students and parents/guardians. Additionally, it meets the requirements of Act 26 of 1995 as it relates to possession of weapons and the Safe Schools Initiative.

PHILOSOPHY

The Northern York County Board of Education adopted policies relating to the rights and responsibilities of students. In order to communicate this information, Student Code of Conduct was developed. Further, as stated in School Board Student Discipline Policy (218), “the Board shall establish fair, reasonable and nondiscriminatory rules and regulations regarding the conduct of all students in the school district during the time they are under the supervision of the school or at any time while on school property, while present at school-sponsored activities, and while traveling to or from school and school-sponsored activities. The Board shall adopt a Student Code of Conduct to govern student discipline, and students shall not be subject to disciplinary action because of race, sex, color, religion, sexual orientation, national origin or handicap/disability. Each student must adhere to Board policies and the Student Code of Conduct governing student discipline.”

Included in this manual is a summary of all phases of the district program as it pertains to students’ rights and responsibilities.

All students enrolled in the Northern York County School District are expected to conduct themselves in accordance with the rules of the school district and the individual schools. Such rules require proper conduct, regular attendance, adherence to the district dress code policy, good relations with peers, and respect for those in authority. It is expected that parents and guardians will cooperate with school authorities in helping students maintain such conduct.

Student Rights and Responsibilities

Each individual student in the Northern York County School District is granted certain rights under the legal system. These rights include the right to an education, the right to express their opinions, and the right to be free from discrimination. These rights are clearly stated in the Pennsylvania School Code, Title 22, Chapter 12, Section 12.1, 12.4 and 12.9, which is available online at www.pacode.com.

As indicated in the School Code, Title 22, Chapter 12, Section 12.2, students do have certain responsibilities including regular school attendance, conscientious effort in classroom work, and conformance to school rules and regulations. Most of all, students should 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:

- 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.
- 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 fair 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 all 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 Commonwealth and local school authorities.
- Report accurately and do not use indecent or obscene language in student newspapers or publications.

Rights of the Board of Education (Policy #002)

Section 12.3, Chapter 12, Title 22 of the Pennsylvania School Code provides the Board of Education with the following authority as it pertains to student discipline:

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.

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 used a rational means of accomplishing some legitimate school purpose.

Each board of school directors shall adopt a code of student conduct, which shall include policies governing student discipline and a listing of student rights and responsibilities as outlined in Chapter 12 of the Pennsylvania School Code.

This code of conduct shall be posted on the district website (www.northernpolarbears.com) and hard copies will be made available in the main office of each building.

A need for specific district wide school board policies always exists in a public school setting. Established school board policies in certain areas are reprinted so that a greater understanding to all students, parents, teachers and interested parties can be achieved.

ATTENDANCE: ABSENCE AND TRUANCY (Policy #204)

Attendance shall be required of all students enrolled in district schools during the days and hours that school is in session. Regular attendance is necessary to ensure the continuity of the educational process, and to ensure that students are able to take full advantage of the educational opportunities offered to them.

Excused absences result from an illness, family emergency, recovery from accident, death in family, prearranged medical appointment, authorized school activities, and approved prearranged travel. District policy states that parent excuses will be accepted with limitations; the cumulative limit of parental excuses is 10 days per school year. Any absence beyond ten (10) cumulative parent excused days will require an excuse from a licensed physician. Students will be required to complete work missed due to absence in accordance with the student handbook and at the discretion of the instructor.

Prearranged absences for purposes of accompanying parents on educational trips are permitted, upon receipt of a written request from parents. These forms are available in the school office. Forms should be submitted to the school for teacher and principal approval at least one (1) week prior to the trip. Students are permitted to take two (2) prearranged absences per school year, not to exceed a total of ten (10) school days. Trips may not be taken during the first two (2) weeks of the school term, during the last two (2) weeks of the school term, or during any state assessment window. The Principal may grant special permission for trips not in compliance with these dates.

Unexcused absences result from an absence from school with a parent's consent, for reasons other than those considered excusable (noted above) and/or leaving school during school hours without office permission. Additionally, an absence shall be treated as unexcused until the school receives an acceptable written excuse explaining the absence. This must be submitted within three (3) days of the absence. **Note:** The unexcused absence will become unlawful for students of compulsory age if an acceptable written excuse is not provided within three (3) days of the absence.

All written excuses for absences (medical and/or parent excuses) must be handed to the secretary responsible for attendance. Three (3) unlawful absences will result in a certified first notice letter. Four (4) unlawful absences will result in the completion of a School Attendance Improvement Plan (SAIP). A student with six (6) or more days of unlawful absence during a school year is considered Habitually Truant and may result in a referral to County Children and Youth Services as well as parents/guardians and/or student prosecution under the Compulsory Attendance Laws of Pennsylvania School Code.

It is important to note, a student may not participate in after school or evening activities unless he/she is in school the day of the activity. This restriction may be waived by the building principal due to extenuating circumstances.

Excuse Blanks For Absences: An excuse book with twenty (20) excuses is provided for each child. Both portions of the blank are to be completed. Please forward the larger portion to the school with your child and retain the stub. In this manner, a complete record of absence is maintained. In the event that the excuse blanks are exhausted, please contact the office of your child's school for a new booklet. **Note:** All schools will accept written excuse notes other than the district form.

Tardiness results from any unexcused lateness to school. The following time schedule will be used to record absences:

Middle School/High School

| | |
|--------------------|-----------------|
| 7:40 am - 8:59 am | Tardy |
| 9:00 am - 11:00 am | 1/2 day absence |
| 11:01 am - 2:40 pm | 1 day absence |

Elementary Schools

| | |
|---------------------|-----------------|
| 9:00 am - 10:00 am | Tardy |
| 10:01 am - 12:15 pm | 1/2 day absence |
| 12:16 pm - 3:40 pm | 1 day absence |

Early dismissal from school, in the case of emergencies and with parental permission, will be recorded in the following manner:

- up to 1 hour - no charge
- 1 hour to 3 hours 15 minutes - 1/2 day absence
- 3 hours 16 minutes and beyond - 1 day absence

To validate the early dismissal for medical appointments (doctor, dentist, etc), a medical excuse (appointment card) must accompany the student upon return to school, within three (3) days of the absence.

Reminder: Any absence beyond ten (10) cumulative parent excused days will require an excuse from a licensed physician.

STUDENT CONDUCT POLICIES

Student Dress (Policy #221)

Students at the Northern York County School District will dress in a neat, clean manner. School clothing must fit well and be appropriate for school activities. Extremes in clothing will be discouraged. ***Discretion may be used based upon specific circumstances.***

Administrative Interpretation :

- Transparent or immodest clothing or any indecent exposure will not be permitted. This includes but is not limited to the exposure of the midriff and/or undergarments and any other garment/clothing deemed inappropriate.
- Skirts, dresses and shorts must be of an appropriate length (generally, mid-thigh or longer is considered appropriate).
- No hats, baseball caps, sunglasses, visors, bandanas or head coverings of any type or kind may be worn without administrative approval. Refusal to comply will result in confiscation of the item.
- A form of foot apparel must be worn at all times with standard styles of shoes recommended. Students are discouraged from wearing flip-flops and beach/pool footwear. Footwear with wheels are not permitted due to safety concerns.
- Any clothing that presents a safety hazard or interferes with the educational process will not be permitted. Certain areas of the school program, such as technology education and physical education, have enforced special clothing regulations.
- Clothing or other personal belongings displaying slogans/pictures which suggest the use of tobacco, weapons, alcohol, drugs, obscene language, sexual innuendos, gang-related behavior, lewd or illegal behavior or are derogatory to any racial, religious, disabled, age, gender or ethnic group are not permitted.
- Clothing with ornamentation that will scratch or mark furniture or presents possible danger of injury to the wearer or others (fish hooks, chains, spiked wristbands, studded bracelets or extra length belts) will not be considered acceptable in school.

Dress code violators will be required to change/modify attire and the violation will be handled in accordance with the school's student handbook.

Electronic Devices (Policy #237)

The Board prohibits use of electronic devices by students during the school day in district buildings and on district property. Dependent upon the school and/or grade level, the principal may allow the use of electronic devices, including cell phones, at specifically identified times of the school day. The use of any electronic device to cheat shall result in disciplinary action as defined in the school's student handbook.

The Northern York County School District reserves the right to define the educational value of any new electronic wireless device that may become available and to prohibit use dependent upon the educational value of the device or if such use creates learner distraction or disruption or is used to cheat.

The building administrator may grant approval for possession and use of an electronic device by a student for the following reasons:

1. Health, safety or emergency reasons.
2. An individualized education program (IEP).
3. Classroom or instructional-related activities.
4. Other reasons determined appropriate by the building principal.

The building administrator may grant approval for possession and use of a telephone paging device/beeper by a student for the following reasons:

1. Student is a member of a volunteer fire company, ambulance or rescue squad.
2. Student has a need due to the medical condition of an immediate family member.
3. Other reasons determined appropriate by the building principal.

Possession of a cell phone or any electronic device by a student is a privilege that may be forfeited by any student not abiding by the terms of the policy. Students shall be personally and solely responsible for the security and protection of their devices. Northern York County School District shall not assume any responsibility for theft, loss or damage of a cell, or unauthorized calls, texts, or communication made on a cell phone.

Inappropriate use of the cell phone camera/video function, including photographing another individual without their consent, will result in disciplinary action. Sexting, or any form of harassment utilizing an electronic device, is prohibited. The Board prohibits the taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to texting, emailing, or the use of any photo sharing application. Because such violations may constitute a crime under state and/or federal law, the district may report such conduct to state and/or federal law enforcement agencies and the device may be turned over to law enforcement. Students who violate this policy may NOT remove anything from the device prior to investigation by law enforcement. Students refusing to relinquish their cell phone will be subject to discipline as published in the school's student handbook.

Cell phones or other devices used to cheat or to conduct unauthorized communication via voice, text or application, shall be confiscated upon violation of this section, or any other guidelines specifically established and communicated via the school's student handbook, and shall result in disciplinary action as defined in the school's student handbook.

Unlawful Harassment (Policy #103)

The Board strives to provide a safe, positive learning climate for students in the schools. Therefore, it shall be the policy of the district to maintain an educational environment in which harassment in any form is not tolerated.

Students will be expected to express themselves and resolve conflict appropriately. Students who choose to ignore this direction and engage in inappropriate expressions of feelings such as verbal or physical harassment of others, will be subject to disciplinary action. Students should not retaliate physically or verbally. They should use pro-social strategies or report the infraction of others to a school employee.

The Board prohibits all forms of unlawful harassment of students and third parties by all district students and staff members, contracted individuals, vendors, volunteers, and third parties in the schools. The Board encourages students and third parties who have been harassed to promptly report such incidents to the designated employees.

The Board directs that complaints of harassment shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations.

No reprisals or retaliation shall occur as a result of good faith charges of harassment.

For purposes of this policy, **harassment** shall consist of verbal, written, graphic or physical conduct relating to an individual's race, color, nation origin/ethnicity, gender, age, disability, religion, or other protected classes when such conduct:

1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive educational environment.
2. Has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance.
3. Otherwise adversely affects an individual's learning opportunities.

In order to maintain an educational environment that discourages and prohibits unlawful harassment, the Board designates the Superintendent as the district's Compliance Officer.

Sexual Harassment (Policy #103)

It is the policy of the Northern York County School district to maintain learning and working environment that is free from sexual harassment. It shall be a violation of this policy for any employee, student, or approved volunteer, to harass an employee, student, approved volunteer, or visitor through conduct or communication of a sexual nature as defined below. The Northern York County School District recognizes that sexual harassment is a form of discrimination, which is prohibited by law and violates the standards of the District.

Sexual harassment shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of a student's academic status.
2. Submission to or rejection of such conduct is used as the basis for academic or work decisions affecting the individual
3. Such conduct deprives a student of educational aid, benefits, services or treatment.
4. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the student's school performance or creating an intimidating, hostile or offensive educational environment.

Examples of conduct that may constitute sexual harassment include but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes; pin-up calendars; objects; graffiti; vulgar statements; abusive language; innuendoes; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with a student's ability to work or learn or creates an intimidating, hostile or offensive learning or working environment.

Any person who alleges sexual harassment by any staff member or student in the district may use the district's complaint procedure or may complain directly to his/her immediate supervisor, building principal, guidance counselor or other individual designated to receive such complaints.

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 allegations of misconduct and to take corrective action when this conduct has occurred.

A substantiated charge against a staff member in the district shall subject such staff member to disciplinary action, including discharge. A substantiated charge against a student in the school district shall subject that student to student disciplinary action including suspension or expulsion, consistent with the student discipline code.

Bullying and Cyberbullying (Policy #249)

The Northern York County School District will not tolerate actions that could fall under the classification of bullying, intimidation, or extortion. Bullying means an intentional electronic, written, verbal, or physical act or series of acts directed at another student or students, which occurs in a school setting, and/or outside a school setting, that is severe, persistent, or pervasive and has the effect of doing any of the following:

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

Bullying, as defined in school policy, includes cyberbullying.

Students who have been bullied should promptly report such incidents to the building principal or designee. Complaints of bullying shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith reports of bullying.

The highest level of discipline could be imposed if the misbehavior were of a persistent nature or if a single incident were sufficiently serious.

Incidents of bullying may be reported on the District's "See Something...Say Something" website at www.northernpolarbears.com.

Tobacco/Nicotine Use and Electronic Cigarettes (Policy #222)

This policy includes:

- The use and/or possession of a lighted or unlighted cigarette, cigar, pipe, or any other tobacco product as defined in Board Policy
- The use of electronic cigarettes as defined in Board Policy
- Tobacco related devices and look-alike products as defined in Board Policy
- The use of smokeless tobacco in any form.

Such use and/or possession is prohibited by students, at any time, in a school building and on any property, buses, vans, and vehicles that are owned, leased or controlled by the school district. This includes use and possession by students at school-sponsored activities that are held off school property.

The school district may initiate prosecution of a student who possesses or uses tobacco/nicotine or electronic cigarettes as noted above. A student convicted of possessing or using tobacco/nicotine or electronic cigarettes in a school building or on a school bus or school property shall be subject to the following disciplinary actions:

1. First offense: the District will initiate prosecution, including filing a report with the Magisterial District Judge, which could result in a fine of \$75 plus court costs. Items will be confiscated and the student shall be assigned In-School Suspension as determined by the building administrator. The student will be referred to the Student Assistance Program.
2. Subsequent offenses will result in additional report filing with the Magisterial District Judge and may result in additional in-school suspension, out-of-school suspension, or expulsion.

**Students who are involved in extra-curricular activities will be subject to additional consequences according to the code of conduct for athletics, extra-curricular, and co-curricular handbooks.*

Possession of Weapons on School Property (Policy #218.1)

“Weapon” for purposes of this section shall include but not be limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, replica of a weapon, and any other tool, instrument or implement capable of inflicting serious bodily injury.

A student is in possession of a weapon when the weapon is found on the person of the student; in the student’s locker; and under the student’s control while on school property, on property being used by the school, at any school function or activity, at any school event held away from the school, or while the student is coming to or from school.

As noted, the Board prohibits students from possessing and bringing weapons and replicas of weapons into any school district buildings, onto school property, to any school-sponsored activity, and onto any public vehicle providing transportation to school or a school-sponsored activity or while the student is coming to or from school.

The Board shall expel for a period of not less than one (1) year any student who violates this weapons policy. Such expulsion shall be given in conformance with formal due process proceedings required by law and Board policy. The Superintendent may recommend modifications of such expulsion requirement on a case-by-case basis.

In the case of a student with disabilities, the district shall take all steps required to comply with the Individuals with Disabilities Education Act and Board policy.

Controlled Substance (Policy #227)

Possessing, using, delivering or selling alcohol, anabolic steroids, or any controlled substance within the meaning of the Controlled Substance, Drug, Device and Cosmetic Act or a non-controlled substance that has a stimulant or depressant effect on humans which, or the label or container of which, substantially resembles a specific controlled substance on school property (buildings, grounds, buses) or on school trips or activities before, during or after regular school hours is a serious violation of the rules and regulations of the Northern York County School District.

Students shall be deemed to be under the influence if there is evidence of his/her recent use of alcohol or a controlled substance as exhibited by slurred speech and/or staggered walking (not walking straight). School administrators and teachers may act “in loco parentis” and establish reasonable rules and regulations to protect any and all students enrolled in the public schools from the acts of one or several of the membership.

Recognizing that trafficking in controlled substances is a real and present danger to young people the Board of School Directors, with the advice of the Student Assistance Team, implements the following program to assist school personnel in the detection of Controlled Substances on or within school property. The detection program is under the control and supervision of the district superintendent and his designee, the building principal. It may include but not be restricted to the following procedures:

- Detection as a result of information received from other students, teachers, citizens of the community that controlled substances are present or located within the building or on the person of a particular student or students.
- Detection as a result of a general inspection of school premises by the superintendent, or his designee, which at the time may include the utilization of a trained dog to assist with the inspection. The dog, when utilized, will be under the control of law enforcement as provided by Section 510.1 of The School Code. If as a result of the inspection controlled substances are detected, the superintendent or his designee will conduct a follow-up investigation.
A dog would not be utilized when an immediate danger to any student would exist. The dog would be utilized on all school district property.

Below are the guidelines the administration will follow if there is reasonable suspicion that a student has violated the Controlled Substance Policy.

CONTROLLED SUBSTANCE VIOLATION GUIDELINES

Immediate Action

1. Principal or designee notified and briefed on situation
2. Principal or designee should search student, student's possessions, student's locker, and student's vehicle if parked on district property
3. Parent/Guardian notified
4. Police Notified (if items found)
5. Submit report to the Superintendent and Police

Disposition of Substance

1. Items found during the search that are related to the infraction should be placed in an envelope that is sealed and labeled with the student's name, the date, and the names of those present during the search
2. The envelope should be given to the police

Due Process

1. If a principal, assistant principal, or any other person designated by the Board to enforce this policy, shall have reason to believe that a student has violated this policy, the administration shall:
 - a. Schedule an informal hearing on the alleged violation as soon as possible (See informal hearings Pa Code 12.8 (c)). The building principal or designee shall be the presiding officer to receive, hear, and evaluate all relevant evidence. The student, his/her parent(s)/guardian(s), and other district administration involved with incident shall be present.
2. As a result of the informal hearing, the building principal or administrative designee may make either of the following determinations:
 - a. Dismiss the charge of the alleged violation and continue or reinstate the student in school or
 - b. Conclude that a violation of Policy 227 has occurred

Discipline

When a violation has occurred, the administration shall:

| 1st Offense | 2nd Offense | 3rd & Subsequent Offense |
|---|--|---|
| Impose suspension from school not to exceed ten (10) school days and place student on 45 school day *probation period following the last day of school suspension | Recommend to Board for action a 365-calendar day expulsion and determine an educational placement for the student if compulsory age (administrative consideration may be given to the number of years that have transpired between violations) | Recommend to Board for action a permanent expulsion and determine an educational placement for the student if compulsory age (administrative consideration may be given to the number of years that have transpired between violations) |
| Refer student to SAP | Refer student to SAP | Refer student to SAP |
| Notify the supervisor(s) of any extra-curricular, co-curricular, athletic, and/or club activity for which the student is a member | Notify the supervisor(s) of any extra-curricular, co-curricular, athletic, and/or club activity for which the student is a member | Notify the supervisor(s) of any extra-curricular, co-curricular, athletic, and/or club activity for which the student is a member |
| File the appropriate report immediately with the corresponding Law Enforcement Agency | File the appropriate report immediately with the corresponding Law Enforcement Agency | File the appropriate report immediately with the corresponding Law Enforcement Agency |
| Report the incident on the annual safe schools report | Report the incident on the annual safe schools report | Report the incident on the annual safe schools report |
| Impose 30 calendar day suspension, (within the School Year Calendar) | Impose 365 calendar day suspension (which begins on | Impose permanent suspension (which begins on day 1 of school |

| | | |
|--|--|--|
| which begins on day 1 of school suspension, from attending or participating in school related events (athletics, music, theater, dances, etc...) and from driving/parking on district property | day 1 of school suspension) from attending or participating in school related events (athletics, music, theater, dances, etc...) and from driving/parking on district property | suspension) from attending or participating in school related events (athletics, music, theater, dances, etc...) and from driving/parking on district property |
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*45 School Day Probation Conditions

- student and belongings can be searched at any time while at school or a school related function
- student and parents/guardians shall meet with social worker to assess needs and refer to resources and support services
- student will meet weekly with school counselor for well-being check and to review grades, attendance, and behavior
- student will provide evidence that he/she is receiving services through the NYCSD Student Assistance Program or has sought and is successfully participating in outside counseling regarding use of controlled substances
- student will provide evidence of participating in a minimum of 10-hours community service at an administration-approved organization

Building administration will lead a review meeting at the end of the 45-school day probation period to determine whether the student is in good academic, attendance, and behavior standing and has followed through with the conditions of probation. If the student has not met expectations, the team will implement further disciplinary action.

Note: For cases where intent to sell/distribute is evident, the administration reserves the right to forego the consequences above and immediately place the student in an alternative education placement and/or increase the length of school exclusion.

Terroristic Threats (Policy #218.2)

Educators in the Northern York County School District, as well as throughout the nation, are concerned about school safety. Students must realize that any threats or comments regarding the safety of others are not a joke, and in today's environment must be taken seriously. A terroristic threat shall mean a threat communicated either directly or indirectly to commit any crime of violence with the intent to terrorize another; to cause evacuation of a building, place of assembly or facility of public transportation; or to otherwise cause serious public inconvenience, or cause terror or serious public inconvenience with reckless disregard of the risk of causing such terror or inconvenience.

Threats shall be reported to a threat assessment team member, which includes the building principal and school counselor, so the Threat Assessment Team can inquire, assess, respond, intervene, and document the threat.

Concerns can also be reported through safe2say which is accessible from the district website at <https://www.northernpolarbears.com/domain/1429> or directly by going to <https://www.safe2saypa.org/>. Members of the Threat Assessment Team will access the report through the safe2say something and respond accordingly.

Students who make comments about wanting to hurt others will have strong disciplinary consequences. Students, ten and older, may have a referral made about their comments/threats to the police. These types of statements are no longer excusable as a joke or figure of speech. Any threat or comment, which may endanger the safety of students, staff, or school(s), will be investigated, taken seriously, and referred to law enforcement officials. Students must realize how important it is to think about what they say, and the consequences, which could follow their comments.

Cameras

Students and parents are reminded that the District may have cameras inside and outside any of its buildings as part of its District-wide security plan.

Searches (Policy #226)

Students or their belongings, including lockers, automobiles, electronic devices, purses, backpacks, clothing, and other possessions, may be searched without a warrant when in school, on school grounds or when otherwise under school supervision, if there is a reasonable suspicion that the place or thing to be searched contains prohibited contraband, material that would pose a threat to the health, safety and welfare of the school population, or evidence that there has been a violation of the law, Board policy, or school rules. The scope and extent of searches must be reasonable in relation to the nature of the suspected evidence, contraband or dangerous material and to the grounds for suspecting that it may be found in the place or thing being searched.

The district has a compelling interest in protecting and preserving the health, safety and welfare of the school population, which under certain circumstances may warrant general or random searches of students and their lockers, vehicles or other belongings without individualized suspicion, for the purpose of finding or preventing entry onto school property of controlled substances, weapons or other dangerous materials.

Such materials may be used as evidence against the student in disciplinary proceedings. Prior to a locker search students shall be notified and given an opportunity to be present. However, as indicated above, where school authorities have a reasonable suspicion that the locker contains materials that pose a threat to the health, welfare and safety of students in the school, student lockers may be searched without prior warning.

When a search conducted by a handheld security device, such as a wand or other similar device, indicates that an item is in a student's undergarment area, student will be asked to produce the item. If the student refuses to produce the item, it will be presumed that the item is contraband, and the student will be disciplined for both possession of contraband and insubordination.

When the administration has reasonable suspicion to conduct a search of a student, and the administration directs the student to turn out the pocket or area to be searched, the refusal of the student to do so shall result in insubordination and be an automatic presumption that the student is in possession of contraband, and the student will be disciplined for both possession of contraband and insubordination.

Physical Intervention by Staff (Policy #218)

Physical intervention (reasonable force) may be used by teachers and school authorities under any of the following circumstances:

- To quell a disturbance
- To obtain possession of weapons or other dangerous objects
- For the purpose of self-defense
- For the protection of persons or property



DISCIPLINARY HEARINGS AND PROCEDURES (Policy #233)

Exclusion from the educational program of the schools, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and one that cannot be imposed without due process. Education is a statutory right, and students must be afforded all appropriate elements of due process if they are to be excluded from school.

The principal or his/her designee may suspend any student for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days and shall immediately notify the parent/guardian and the Superintendent in writing when the student is suspended.

Exclusion from classes - In-School Suspension

No student may receive an in-school suspension unless the student has been informed of the reasons for the suspension and has been given an opportunity to respond before the suspension becomes effective.

Communication to the parents or guardian shall follow the suspension action taken by the school. The

school district has the responsibility to make some provision for the student's education during the period of the in-school suspension.

When the in-school suspension exceeds ten consecutive school days, an informal hearing with the principal shall be offered to the student and the student's parent or guardian prior to the 11th school day in accordance with the procedures relating to hearings. The procedure shall be the same as the procedure for informal hearings held in connection with out-of-school suspensions.

Exclusion from School – Out of School Suspension

No student may be excluded from school without notice of the reasons for which s/he is suspended and an opportunity to be heard on his/her own behalf before the school official who holds the authority to reinstate the student. Prior notice is not required where it is clear that the health, safety or welfare of the school population is threatened. Suspensions may not be made to run consecutively beyond the ten-school day period.

When the out of school suspension exceeds three (3) school days, the student and parent/guardian shall be given the opportunity for an informal hearing with the designated school official. Such hearing shall take place as soon as possible after the suspension, and the district shall offer to hold it within the first five (5) days of the suspension. Informal hearings under this provision shall be conducted by the building principal.

Informal Hearing

The purpose of the informal hearing is to enable the student to meet with the appropriate school officials to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended, and to discuss ways to avoid future offenses. The informal hearing is meant to encourage the student's parents or guardian to meet with the principal to discuss ways by which future offenses can be avoided. The following due process requirements are to be observed in regard to the informal hearing.

Notification of the reasons for the suspension shall be given in writing to the parents or guardian and to the student and 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 and has the right to speak and produce witnesses on his own behalf. The district shall offer to hold the informal hearing within the first 5 days of the suspension.

Formal Hearing

In a case involving a possible expulsion, the student is entitled to a formal hearing, which is a fundamental element of due process. This hearing may be held before the Board of School Directors or a duly authorized committee of the board, or a qualified hearing examiner appointed by the board. Where the hearing is conducted by a committee of the board or a hearing examiner, a majority vote of the entire school board is required to expel a student.

The following due process requirements are to be observed with regard to the formal hearing. Notification of the charges shall be sent to the student's parents or guardian by certified mail and sufficient notice of the 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 the right to be represented by counsel. The student has the right to be presented with the 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 person and answer questions or be cross-examined. The student has the right to testify and present witnesses on his 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 within fifteen (15) school days of the notice of charges, unless both parties mutually agree to a delay.

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

PROGRAMS AND EVENTS

Alternative Instruction or Education Program (Policy #132)

Alternative Education offers a program of instruction in basic skills, academic courses, and counseling support to meet the needs of at-risk students in grades 6-12. At-risk students are defined as those students who show an inability to function in a traditional classroom setting due to continual disruptions to the classroom environment, exhibition of acts of violence, and exhibition of dangerous actions within the regular school environment, such as violations of the weapons or substance abuse policies. Due to the exhaustion of all other approved disciplinary actions, the success of these students requires adaptations and modifications of educational programs to build the foundation for enabling these students to become self-sufficient, contributing, and productive citizens. These at-risk students are students who have a history of academic difficulty, have failed courses or grades, and have a pattern of disciplinary problems, which have led to multiple suspensions.

Students exhibiting inappropriate behavior in the classroom are referred after the following has taken place: parents and the student have met with school personnel concerning general behavior and specific concerns; the student has met with the counselor; the student has been referred to student assistance; and a group meeting of the teachers has taken place to assess potential and to look for solutions to redirect the education program.

Field Trips and other District Sponsored Events

Students who are on field trips or any other district-sponsored events, regardless of location, are subject to the same disciplinary regulations and consequences that they would be subject to if at school.

Students, who have been placed on out of school suspension more than once in any school year, or are currently suspended, may **not** attend the prom.

District Athletic, Extracurricular, and Co-Curricular Programs

These programs also have policies that impact upon students. Individuals participating in these programs should be aware of the policies in addition to the regular disciplinary actions. Please refer to the Code of Conduct for Athletics, Extra-curricular, and Co-Curricular Activities.

STUDENT DISCIPLINE (Policy #218)

Student conduct is closely related to learning. An effective educational program requires a safe and orderly school environment, which includes during the time students are under the supervision of the school or at any time while on school property, while present at school-sponsored activities, and while traveling to or from school and school-sponsored activities. The discipline of students by District staff shall be fair, reasonable and nondiscriminatory.

Discipline should, at a minimum, have three objectives in mind:

- Preserve the optimum environment in which to deliver educational services.
- Respond to disruptive influences with corrective measures in a firm and consistent manner while attempting to correct deviate behavior and keep disrupters in school.
- Remove, as a last resort, the disrupters from the educational environment so that the majority may pursue their educational goals.

There are many behaviors that could be deemed inappropriate dependent upon the circumstance, age or grade level of the child, or the location or environment in which the behavior is exhibited. The following is a list of behaviors generally understood to be examples of misconduct that could result in disciplinary action. This list is not exhaustive.

| | |
|--|---|
| 1. Littering | 21. Use of profanity or obscenity |
| 2. Misuse or abuse of school materials | 22. Gambling |
| 3. Failure to be prepared with class materials and supplies or in making up work | 23. Possession or distribution of pornographic materials |
| 4. Neglecting to return required forms | 24. Leaving class, school, or school grounds without permission |
| 5. Tardiness to school | 25. Threatening a teacher or staff member |
| 6. Careless use of school property/facilities | 26. Theft |
| 7. Cheating or plagiarism | 27. Vandalism |
| 8. Lying | 28. Tampering with the fire alarm; pulling false alarm |
| 9. Disruptive behavior in class, hallways, bathrooms, cafeteria, or assemblies | 29. Physically threatening other students |
| 10. Failure to obey playground rules | 30. Possession of tobacco or electronic cigarette |
| 11. Immodest or inappropriate dress | 31. Possession of alcohol, drugs, or any controlled substance |
| 12. Defiant/insubordinate attitude and/or lack of respect for authority | 32. Possession of a weapon |
| 13. Spitting | 33. Possession and/or sale of stolen property |
| 14. Teasing or intimidating others | 34. Arson |
| 15. Public display of affection | 35. Extortion |
| 16. Violation of student parking policy | 36. Bomb threat |
| 17. Bullying or bully-like behavior | 37. Indecent exposure |
| 18. Harassment of other students (physical and verbal) | 38. Assault and battery |
| 19. Forgery | 39. Possession and/or use of firecrackers or explosives |
| 20. Fighting | |

Consequences to inappropriate behavior shall be issued in accordance with board policy, the school's student handbook, and judgment of the staff member responsible for issuing consequences. Consequences shall be fair, reasonable, and nondiscriminatory. Progressive discipline shall be used when appropriate, however the frequency and severity of the offense may require deviation from the progressive discipline model outlined below. This list of consequences is not an exhaustive list.

| <u>Progressive Discipline Model</u> | <u>Other Consequences for Specific Behaviors</u> |
|---|--|
| <ol style="list-style-type: none"> 1. Verbal reprimand 2. Parental contact 3. Restriction of privileges/loss of recess 4. Behavioral contract 5. Temporary withdrawal of privileges 6. Lunch detention 7. After school detention 8. Total loss of privileges (e.g. parking privileges) 9. In-School Suspension 10. Out-of-School Suspension 11. Alternative Education 12. Expulsion | <ol style="list-style-type: none"> 1. Community Service 2. Written apology 3. Isolation 4. Restitution for damages 5. Referral to outside agency 6. Reduction of grade (cheating or plagiarism) 7. Legal intervention |

TRANSPORTATION OF STUDENTS (Policy #810)

Appropriate conduct while riding a bus or van is essential in providing a safe, dependable system of transportation for all students. The school bus driver shall be responsible for the discipline of students while they are being transported. The principal may suspend a student from bus transportation for disciplinary reasons, and the parents/guardians shall be responsible for the student's transportation.

There are many behaviors that could be deemed inappropriate dependent upon the circumstance, age or grade level of the child. The following is a list of behaviors generally understood to be examples of bus misconduct that could result in disciplinary action. This list is not exhaustive.

| | |
|--|---|
| <ol style="list-style-type: none"> 1. Making excessive noise 2. Shifting seats 3. Standing 4. Throwing items 5. Eating food or drinking 6. Pushing or shoving 7. Disobeying the driver 8. Abusive or foul language 9. Use of abusive and/or foul gestures | <ol style="list-style-type: none"> 10. Fighting/assault on others 11. Destroying or defacing the school bus 12. Possession/use of tobacco or electronic cigarette 13. Possession/use of alcohol, drugs, or any controlled substance 14. Placing arms, legs, or any part of the body outside the bus windows 15. Verbal & physical threats |
|--|---|

Stages for Bus Discipline and Interventions/Consequences at Various Levels

At the discretion of the building administrator, the following steps may be observed if conduct is detrimental to the health or safety of the student or others. Severe or dangerous offenses may result in immediate suspension of riding privileges:

First Offense –

A conference between the administrator and student will be held, a warning will be issued to the student and the parent or guardian may be notified. A change of seating assignment may be made.

Second Offense -

A conference between the administrator, student and driver will be held to determine the consequence and the parent or guardian may be notified. A change of seating assignment may be made.

Third Offense -

Conference with parent and student. Riding privileges may be suspended for a minimum of three school days.

- Fourth Offense -** Parents will be informed and riding privileges may be suspended for a minimum of five school days.
- Fifth Offense -** Parents will be notified and riding privileges may be suspended for an indefinite period of time. Riding privileges will not begin until the parent and student meet with the administrator and provide assurance that the student is prepared to exhibit appropriate behavior.

In an effort to provide the safest possible student transportation system, some school buses are fitted with a housing unit that holds a video/audio camera to monitor the behavior on the bus to ensure that the established bus safety and conduct rules are being followed. Video/Audio cameras will be randomly rotated among all regularly scheduled buses based upon the number of incidents of misconduct.

Appendix

Social Media Guidelines for Students

Northern York County School District

Social Media Guidelines for Students

Introduction:

Northern York County School District (NYCSD) is providing all students with access to an education and co/extracurricular activities that prepare them to succeed in college and careers. These Social Media Guidelines are in accordance with, and support of, NYCSD Board Policy numbers 815 and 816, pertaining to “Acceptable Use of Internet” and “Social Media”, respectively. Part of being a successful citizen is understanding that social media and digital communication are essential parts of our world today. It is important to recognize that access to information can result in tremendous advantages, but it can also create new responsibilities of which students should be aware.

Social media is any form of online publication or presence that allows interactive communication, including social networks, blogs, texts, emails, photo sharing platforms, Internet websites, Internet forums, and wikis.

Create the Digital Image You Want

Your digital image says a great deal about you. Consider the following **before** you post anything on social media:

- A **digital footprint** is the reputation you create online.
- Online actions leave a permanent record and remain online, even if you click “delete.”
- Be thoughtful about what you share online and consider how it would appear to family, friends, colleges, and future employers.
- Many colleges, employers and branches of the military search social media before making admissions and hiring decisions.
 - You need to recognize that once you post or send something electronically you have lost complete control over who can and may see it.
 - Assume ANYONE in the world can and may see it.
 - Think carefully BEFORE you post or send it.
- Use social media as a tool to demonstrate your interests in positive ways.
- How you represent yourself online is an extension of yourself. Do not misrepresent yourself by using someone else's identity.
- Take a few extra minutes to think about whether a post will be hurtful or embarrassing or whether it could negatively affect a future opportunity.

Stand Behind Your Words

- Always take responsibility for the content you post in all social media environments.
- While you may think that using a fake name may prevent posts from becoming part of your footprint, there are still ways to link that information to you (for example, through an Internet IP address or other distinguishing information linking posts).
- Be your best self online – post accurate information and be accountable for what you say.
- Linking to other websites to support your thoughts and ideas is recommended. However, be sure to read the entire article prior to linking to it to insure that all information is appropriate for a school setting.

Post Responsibly – Be Mindful of Your Audience

Using social media academically or during a co/extracurricular activity is an extension of your classroom, activity or team environment.

- Only post or tweet during a class, activity, practice or contest when you have permission from the teacher, advisor or coach.
- Never post any information that would violate NYCSD Board Policies, the Code of Student Conduct and/or state or federal laws.
- When you use social media for academic purposes, such as for a school assignment, treat the platform as a digital extension of your classroom.
- The same rules apply online as they do at school.
- Do your own work!
 - Do not use other people's intellectual property without their permission.
 - It is a violation of copyright law to copy and paste other's thoughts.
 - When paraphrasing another's idea(s) be sure to cite your source with the URL.
 - It is good practice to hyperlink to your sources.
 - Be aware that pictures may also be protected under copyright laws. Verify you have permission to use the image or it is under Creative Commons attribution.
- All Social Media posts should be well written. Follow writing conventions including proper grammar, capitalization, and punctuation. If you edit someone else's work, be sure it is in the spirit of improving the writing.

Consider the Consequences to Your Online Actions

Personal use of social media may have an effect at school.

- Sometimes, personal social media use, including off-hours use, may result in disruption at school and the school may need to get involved.
- This could include disciplinary action such as a parent conference or suspension. In situations where it is believed a law has been broken, disciplinary action could even take the form of charges being filed with the police.
- It is important to remember that infractions outlined in the NYCSD Code of Student Conduct prohibiting certain types of communication also apply to electronic communication.
- To be safe, be in control of what you do online, even if it is during personal time.
- It is acceptable to disagree with someone else's opinions, however, do it in a respectful way. Make sure that criticism is constructive and not hurtful. What is inappropriate in the classroom is inappropriate online.

Protect yourself.

There are many ways to protect yourself online.

- Only accept friend requests from people you know.
- It is important to remember not to:
 - Post too many identifying details about yourself (such as where you live, social security number, last names, phone numbers, exact birthdates, and pictures).
 - Publicize confidential information about yourself or anyone else that is not considered public knowledge.
 - Reveal information that can be potentially dangerous or compromise your, or someone else's, identity in some way.
- Do not share passwords with friends and be sure that your computers do not automatically save passwords.
- Always log off when you have finished using a site – do not just click out of the browser.

Adjust your privacy settings appropriately.

- Privacy settings are automatically set by social media providers governing who can see your posts, how information is linked, and what data is available to the public.
- Each social media platform has different privacy setting defaults and some change those settings without making it obvious to you.
- As a user of social media, you should determine whether to change the default settings to make access to postings more private.

Take Cyberbullying Seriously

Cyberbullying takes many forms.

Cyberbullying is the use of electronic technologies to hurt or harm other people, including students, teammates, coaches, advisors, teachers and administrators. Examples include:

- Sending offensive text messages or emails;
- Posting statements that are not true and create rumors; or
- Circulating embarrassing photos online.

Sometimes, it may be difficult to draw the line between a harmless joke and one which goes too far and becomes hurtful. Therefore, if you are unsure if a post is appropriate, seek the advice of a trusted adult.

Report cyberbullying and get help.

If you are being cyberbullied or hear about/observe someone else being cyberbullied, report the behavior and get help.

- You can tell a parent, school staff, another adult family member, or a trusted adult.
- You can also complete and submit a bullying form via the School District Website. The form is located under Quick Links on the webpage for each school within the District.
- If no adult is available and you or someone else is in danger, call 911.

Students who cyberbully another individual will be subject to school discipline.

Know what to do.

It is important

- Not to respond to, retaliate to, or forward any harassing, intimidating, or bullying content.
- “De-friend,” block, or remove people who send inappropriate content.
- It may also be a good idea to save harassing messages, as this evidence could be important to show an adult if the behavior continues.
- If the behavior is school-related, print out the messages and provide them to the school when you report the incident (do not email them to anyone).

Text Guidelines

Words and/or phrases that should never appear anywhere on your social networking pages (regardless of who posted them) or in the emails you send, include (but are not limited to):


- Any words or phrases considered to be harassing and/or discriminatory in nature on the basis of sex, race, color, religion, national origin, or sexual orientation.
- Any demeaning or disrespectful statements about or threats to any third party.
- Sexually explicit and/or profane language.
- Words or phrases to describe excessive social activities (e.g., partying, boozing and smoking are not appropriate topics for students.)
- Words or phrases you would not want attributed directly to you should they be released publicly (e.g., newspaper, television story).

Only Text/Post (which includes sending, publishing, tweeting, retweeting, etc.) information and sentiments that are positive, supportive, inspirational and encouraging.

Photo Guidelines

Examples of inappropriate or offensive behaviors posted on social networking sites may include (but are not limited to) depictions or presentations of the following, regardless of who posted them:

- Hazing, an activity that violates the NYCSD Code of Student Conduct.
- Use of alcohol and drugs, regardless of age.
- Lewd or lascivious behavior including sexually explicit pictures.
- Photos meant to demean the individuals included in the photo.
- Any photos you would not want publicly released on television or in a newspaper.

 **What to do.** If you receive or become aware of inappropriate photos (via text, Snapchat, Instagram, Twitter, etc.) report it to a trusted adult (parent, teacher, principal, advisor, coach, etc.) as soon as possible.

NYCSD Social Media Guidelines for Students – Signature Page

I have read the NYCSD Social Media Guidelines for Students and acknowledge that:

Students who do not abide by these guidelines may lose their opportunity to take part in NYCSD activities and/or access to the future use of online tools. They may be subject to disciplinary actions including suspension or removal from the classroom, co/extracurricular activities and/or athletic teams as outlined in the Code of Student Conduct. In situations where it is believed a law has been broken, disciplinary action could even take the form of charges being filed with the police.

Print and Sign Student's Name/Date

Parent's Signature/Date

