

FIRST PHILADELPHIA PREPARATORY CHARTER SCHOOL

CODE OF CONDUCT

2020-2021

SCHOOL DISCIPLINARY APPROACH

We believe that all scholars are capable of achieving high levels of success. A scholar is most successful when cooperative strategies are implemented between school and home. Parents/Guardians and families are an integral part of the learning process and a scholar's success.

We believe that a safe and nurturing environment is essential to student learning. All members of the school community deserve to be treated with dignity and respect. We support all scholars regardless of race, ethnicity, gender, class, sexual orientation or religious beliefs. We believe that all scholars have unique qualities that contribute to a positive learning environment.

WE BELIEVE IN YOUR SUCCESS!

We promise to respect and trust you.

We vow to prepare you for college, career and beyond.

We care about your future.

You are important to our Caring School Community.

WE PLEDGE TO

- support scholars by giving them proper tools to ensure academic, social and emotional development
- prepare scholars for high school, college and career readiness
- work cooperatively with students and families to ensure an optimal learning environment for all scholars
- build relationships through a variety of activities that encourage trust and a focus on community
- uphold the school wide norms that support academic achievement and positive social conduct

CARING SCHOOL COMMUNITY

First Philadelphia Preparatory Charter School has instituted the Collaborative Classroom's Caring School Community model. This is a well-researched program designed to promote fairness, personal responsibility, kindness, and appreciation for diversity throughout the school community. First Philadelphia will focus on building communities within each classroom, each grade level and school-wide through the use of class meetings, cooperative structures, buddy classes and inclusive school wide activities. Class meetings provide teachers and scholars with a forum to get to know one another, discuss issues, identify and solve problems, and make decisions that affect the classroom and school climate. Conducting daily class meetings and monthly scholar assemblies, will create an environment in which scholars' learning, opinions and concerns are taken seriously. As scholars learn to listen and talk to each other, they begin building a safe learning environment.

POSITIVE BEHAVIOR SUPPORT STATEMENT

It is the goal of First Philadelphia Preparatory Charter School to provide a positive educational setting for every scholar. This requires an understanding of and adherence to acceptable standards of respectful behavior which will allow learning to take place in classroom settings. The policies of the Family Guidebook must be implemented with attention to creating an environment where expected behaviors are taught and positively reinforced and where student interventions match the need.

It is therefore the school’s responsibility to ensure that the standards of behavior are taught and positively reinforced in each classroom on a daily basis, using a school-wide process of positive behavior support. This includes careful monitoring of each scholar’s academic progress with appropriate interventions, to avoid behavioral disruptions often caused by academic failure, as well as attention to classroom and school environment. It is the school’s belief that with an organized process of providing positive support, the school can reduce disruptions and disciplinary referrals. Interventions work best when they are proactive, not reactive. The utilization of an efficient and well-understood system of reinforcing expected behaviors and monitoring student progress using all available data is essential to scholar’s success.

Teachers will focus on fostering classroom organization and creating clear expectations about daily routines. Teachers will model and practice all expectations with scholars. The entire First Philadelphia staff will focus on consistent follow-through with the understanding that responding to the seemingly smaller issues helps scholars understand the specifics of daily procedures and classroom expectations, therefore preventing larger issues from occurring.

DISCIPLINARY CONSEQUENCES

While the following procedures outline First Philadelphia Preparatory Charter School’s process of progressive discipline, First Philadelphia considers the facts of each incident in determining whether suspension or expulsion may be an option. Therefore, while First Philadelphia is committed to progressive discipline, the severity of a given action by a scholar may warrant direct consideration of suspension and/or expulsion.

First Philadelphia Preparatory Charter School practices progressive discipline. This is defined as a system of discipline where the consequences increase upon repeat occurrences. We consider previous behaviors, and when those behaviors are repeated, consequences build from minor to moderate to severe.

First Philadelphia Preparatory Charter School has developed the following guidance for the conduct of scholars, school employees/volunteers, and parents/guardians. These guidelines will apply at all times that school is in session, during any school program or function, either in the building or at any other location, as well as during arrival and dismissal, and traveling to and from school. This includes travel on school district vehicles, private and public transportation.

TIER 1 INCIDENTS AND CONSEQUENCES

The table below outlines the possible consequences for various scholar behaviors. Examples of inappropriate behavior include, but are not limited to, those listed in the left-hand column. The right hand column lists the possible consequences, all of which may apply to any of the listed behaviors.

Behavior*	Possible Consequences* <i>(More than one consequence may be assigned)</i>
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<ul style="list-style-type: none"> ● Damage of property ● Disrespectful tone and/or body language toward a school employee ● Dress Code violation ● Eating gum, candy, seeds ● Hurtful word/action ● Inappropriate displays of affection ● Misuse of technology ● Not following directions (including during safety drills) ● Play fighting ● Scholar arguments ● Unexcused lateness to class ● Taking other people’s belongings (K-2) ● Talking back ● Tantrums (K-1) that disrupt learning and/or make the class feel unsafe ● Unkind toward other 	<p>The following may apply to ALL behaviors listed in the column to the left:</p> <ul style="list-style-type: none"> ● Scholar may Take a Break. ● Scholar will discuss and practice expected behavior with a teacher and/or peers. ● Mediation may occur between all participants. This will include a chance to “fix” relationships or objects. ● Teacher may contact parents by phone, note or by email. ● Scholar may lose a privilege ● Scholar may be given a reflective assignment to be done at home. ● Scholar may be given in-school community service to “fix” relationships or objects. ● Parent Meeting may be requested. ● Behavior Success Plan may be implemented. ● Scholar may be assigned an After-School Detention (2nd-12th grade) ● Scholar may be assigned Saturday Detention (2nd – 12th grade)
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HIERARCHY OF CONSEQUENCES:

- If a scholar displays the same behavior for a third time, the scholar consequence will likely move to the next level of severity and a parent meeting will be required.
 - For example:
 - If a scholar has been assigned two after school detentions a Saturday Detention may be assigned
 - If a scholar has been assigned two Saturday Detentions a parent meeting may be requested, and other administrative team members (teachers, counselors, administration) may be present.
- If a scholar has repeated Tier 1 infractions, a Behavior Success Plan may be implemented.

TIER 2 INCIDENTS AND CONSEQUENCES

The table below outlines the possible consequences for various scholar behaviors. Examples of inappropriate behavior include, but are not limited to, those listed in the left-hand column. The right hand column lists the possible consequences, all of which may apply to any of the listed behaviors.

Behavior	Possible Consequences (More than one consequence may be assigned)
<ul style="list-style-type: none"> ● Use of slurs or offensive language motivated either by any actual or perceived characteristic such as gender, age, race, color, sexual orientation, gender identity expression (known or perceived), ethnicity, national origin, religion, disability, physical appearance, socioeconomic status and/or political beliefs. ● Deliberately throwing chairs, furniture, school property ● Destruction of property ● Endangering self or others ● Harassing or instigating the harassment of another scholar ● Inappropriate use of the Internet and other social media ● Inappropriate touching ● Instigating a fight or assault ● Making threats ● Making threats that refer to the use of a weapon to cause harm ● Not following directions during safety drills ● Plagiarism/Cheating ● Physical Violence ● Spitting on another person or their things ● Stealing or assisting another scholar who is stealing ● Tantrums that disrupt learning and/or make the class feel unsafe ● Bullying and Cyberbullying 	<ul style="list-style-type: none"> ● The scholar may be immediately removed from the classroom and sent to the dean’s office. ● Scholar may discuss and practice expected behavior with the Dean and/or teacher. ● Mediation may be held for all participants. This will include a chance to “fix” relationships or objects. ● Parent may be called by the Dean.. ● Parent may be asked to speak with the scholar at the time of the call to discuss the behavior and expectations. ● A letter, documenting the incident, may be given to the parent. ● Parents are expected to sign and return the letter on the next school day. ● Scholar may lose a privilege. ● Scholar may be given an assignment to be done at home. ● Scholar may be given after-school community service. ● Scholar may be assigned after-school detention. ● Scholar may be assigned Saturday Detention. ● Scholar may be suspended. Parent will be asked to come to school and take the scholar home within one and-a-half hours. A reinstatement meeting will be held. ● Parent meeting may be required ● Behavior Success Plan may be implemented. Scholar may be suspended¹. Parent may be asked to come to school and take the scholar home within one and-a-half hours. A reinstatement meeting will be held. ● Parent meeting may be required. ● Behavior Success Planning may be implemented.

EARLY ELEMENTARY DISCIPLINE - GRADES K-2

- Prior to suspension of K-2 grade scholars, the Principal must review the incident to ensure that all progressive options have been explored. Scholars in K-2 will only be suspended for behaviors that are violent. For repeated violations students may be referred to the MTSS process. It is preferred that K-2 scholars be referred to a counselor to discuss appropriate behavioral or behavioral health support.

BEHAVIOR GRID - GRADES 3 - 5

- Students in Grades 3 - 5 who exhibit a pattern or disruptive behavior(s) and/or who commit serious violation(s) of the Code of Conduct will be referred to the Multi-tiered Systems of Support (MTSS)

¹No student shall be issued out-of-school suspension unless his or her conduct was violent and/or materially disrupted the health, safety, welfare, or education of another student or the school community.

process.

- Any suspension over 5 days for Grade 5 must be approved by the Principal. Students must be provided with assignments to perform at home.
- For certain infractions marked with an asterisk (*), attempt of at least one strategic instruction or intensive intervention must be documented. If committed by a Student in Grade 5, he or she also must be referred to the counselor for a meeting to discuss appropriate behavior or behavioral health interventions and supports.

INFRACTIONS	LEVEL A In School Interventions	LEVEL B Out of School Suspension	LEVEL C Referral for Expulsion
Possession or use of tobacco or electronic smoking devices	✓	X	X
Profane or obscene language or gestures*	✓	X	X
Inappropriate use of an electronic device	✓	✓	X
Mutual fighting (without serious bodily injury)*	✓	X	X
Forgery of school staff or parent's/guardian's signature or cheating*	✓	X	X
Alteration of grade reporting, excuse notes, and/or school documents	✓	X	X
Destruction and/or theft of property (less than \$500)	✓	X	X
Harassment (including Sexual Harassment)	✓	✓	X
Bullying/cyberbullying*	✓	✓	X
Verbal or Physical Intimidation based on race, disability, sex, gender, religion, etc.*	✓	✓	X
Sexual act (consensual)*	✓	✓	X
Threatening students/staff with aggravated assault*	✓	✓	X
Destruction and/or theft of property (totaling \$500 or more)*	✓	✓	X
Breaking and entering school property	✓	X	X

Robbery	✓	✓	X
Extortion	✓	✓	X
Mutual fighting (with documented serious bodily injury)*	✓	✓	X
Simple assault on a school community member	✓	✓	X
Possession of alcohol and/or drugs	✓	✓	X
Possession and/or use of fireworks, including devices and/or explosives	✓	✓	X
Instigation and/or participation in a group assault*	✓	✓	X
Aggravated assault*	✓	✓	X
Sexual act (non-consensual)*	✓	✓	✓
Possession of a weapon	✓	✓	✓
Reckless endangerment*	✓	✓	X
Inappropriate touch	✓	✓	X
Possessing Pornographic Material	✓	✓	X
Gambling	✓	X	X
Leading/Participating in Riot in School or Out of School Conduct Adversely Affecting the School Community	✓	✓	X
Unauthorized use of school fire alarm system	✓	✓	X
Threatening phone calls or bomb scares	✓	✓	✓
Possession of a controlled dangerous substance	✓	✓	X

BEHAVIOR GRID - GRADES 6 - 12

- Any suspension over 5 days for Grades 6-12 must be approved by the Principal. Scholars must be provided with assignments to perform at home.
- Scholars in Grades 6 through 12 who exhibit a pattern or disruptive behavior(s) and/or who commit serious violation(s) of the Code of Conduct may be referred for a formal hearing for possible expulsion.
- For certain infractions marked with a pound sign (#), attempt of at least one strategic instruction or intensive intervention must be documented.
- When a formal hearing is not scheduled during the period of scholar's suspension, he or she has the right to return to school pending the outcome of the hearing, unless the behavior of the scholar continues to create such a risk of harm to the school community. In such cases, the school may seek an interim placement where available, and subject to a formal hearing prior to transfer unless waived. For a special education student, an interim placement also is subject to Manifestation Determination and formal hearing.
- For a weapons-related offense under Act 26, the CEO may, after a hearing, decide to allow the student who brought a weapon to school to remain in school.

INFRACTIONS	LEVEL A In School Interventions	LEVEL B Out of School Suspension	LEVEL C Referral for Expulsion
Possession or use of tobacco or electronic smoking devices	✓	X	X
Profane or obscene language or gestures#	✓	✓	X
Inappropriate use of an electronic device	✓	✓	✓
Mutual fighting (without serious bodily injury)#	✓	✓	X
Forgery of school staff or parent's/guardian's signature or cheating#	✓	✓	X
Alteration of grade reporting, excuse notes, and/or school documents	✓	✓	X
Destruction and/or theft of property (less than \$500)	✓	✓	X

Harassment (including Sexual Harassment)	✓	✓	✓
Bullying/cyberbullying#	✓	✓	✓
Verbal or Physical Intimidation based on race, disability, sex, gender, religion, etc.#	✓	✓	✓
Sexual act (consensual)#	✓	✓	X
Threatening students/staff with aggravated assault	X	✓	✓
Destruction and/or theft of property (totaling \$500 or more)	X	✓	X
Breaking and entering school property	X	✓	X
Robbery	X	✓	✓
Extortion	X	✓	✓
Mutual fighting (with documented serious bodily injury)#	X	✓	X
Simple assault on a school community member	X	✓	X
Possession of alcohol and/or drugs	X	✓	✓
Possession and/or use of fireworks, including devices and/or explosives	X	✓	✓
Instigation and/or participation in a group assault	X	✓	✓
Aggravated assault	X	✓	✓
Sexual act (non-consensual)	X	✓	✓

Reckless endangerment	X	✓	✓
Inappropriate touch	X	✓	✓
Possessing Pornographic Material	X	✓	✓
Gambling	X	✓	✓
Leading/Participating in Riot in School or Out of School Conduct Adversely Affecting the School Community	X	✓	✓
Unauthorized use of school fire alarm system	X	✓	✓
Threatening phone calls or bomb scares	X	✓	✓
Possession of a controlled dangerous substance	✓	✓	✓

GUIDELINES FOR INCIDENTS QUALIFYING FOR EXPULSION

When a scholar displays egregious behavior in the Behavior Grid above, including, but not limited to:

Behavior	Consequences
<ul style="list-style-type: none"> ● Inappropriate use of an electronic device ● Harassment (including Sexual Harassment) ● Bullying/cyber-bullying ● Intimidation ● Threatening students/staff with aggravated assault (including terroristic threat) ● Robbery ● Extortion ● Possession of alcohol and/or drugs ● Possession and/or use of fireworks, incendiary devices and/or explosives ● Instigation and/or participation in a group assault ● Aggravated assault ● Sexual act (non-consensual) ● Possession of a weapon ● Reckless endangerment ● Inappropriate touching ● Possession of pornographic material ● Gambling ● Leading/Participating in Riot ● Unauthorized use of fire alarm ● Threatening phone calls 	<p>The following may apply to ALL behaviors listed in the column to the left:</p> <ul style="list-style-type: none"> ● Scholars will be escorted to the Dean's office. ● Parent/Guardians will be notified immediately. ● Parent/guardians will be asked to pick their scholar up IMMEDIATELY. ● A letter, documenting the incident, may be given to the parent. Parents are expected to sign and return the letter within five (5) days. ● Scholars will be suspended from First Philadelphia Preparatory Charter School ● until a full evidentiary hearing on the expulsion of the scholar can be held before the Board of Trustees. ● FPPCS may call the Department of Human Services (DHS).

First Philadelphia Preparatory Charter School will consider the facts of each case in determining whether

expulsion of a student should be an option, under the Behavior Grid.

APPLICATION OF CODE OF CONDUCT TO OFF-CAMPUS ACTIVITIES

A scholar may be subject to discipline for violation(s) of the Code of Student Conduct which occur even off school property, or in transit to/from school on the bus or other vehicle, if any of the following circumstances exist:

- The conduct occurs during the time the scholar is traveling to and from school or traveling to and from school-sponsored activities, whether or not via school-furnished transportation.
- The scholar is a member of an extracurricular activity and has been notified that particular off-campus conduct could result in exclusion from such activities.
- Scholar expression, language, or conduct materially and substantially disrupts the operations of the school, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school.
- The conduct has a direct nexus to attendance at school or a school-sponsored activity, for example, a transaction conducted outside of school pursuant to an agreement made in school that would violate the Code of Scholar Conduct if conducted in school.
- The conduct involves the theft or vandalism of school property.
- There is otherwise a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities.

BULLYING, CYBERBULLYING, HARASSMENT, CYBER HARASSMENT AND HAZING

The Board of Trustees of First Philadelphia Preparatory Charter School recognizes its responsibility for, and is committed to, creation and maintenance of a safe and supportive learning environment, through student awareness activities, staff professional development, intervention and other efforts to prevent, mitigate and intervene in incidents of bullying, cyberbullying, harassment, cyberharassment and hazing (collectively "bullying behaviors"). **All forms of such bullying behaviors are prohibited, as well as reprisal or retaliation against persons who report such acts.**

DEFINITIONS

"Bullying" means an intentional electronic, written, verbal or physical act, or a series of acts:

- i) directed at another student or group of scholars;
- ii) which occurs in a "school setting" or outside of school and materially and substantially interferes with the educational process or program at the school such as to create a sufficient nexus with the school, as allowed by law;
- iii) that is severe, persistent or pervasive; and
- iv) that has the effect of doing any of the following:
 - substantially interfering with a scholar's education;
 - creating a threatening environment; or
 - substantially disrupting the orderly operation of the school.

Bullying takes many forms and can include a variety of behaviors and may include, but is not limited to:

- i) Physical -- touching, hitting, kicking, pushing, shoving, or causing or encouraging another

person to hurt someone.

ii) Verbal -- slurs, name-calling, teasing, taunting, gossiping or spreading rumors.

iii) Nonverbal -- threatening, intimidation, obscene gestures, isolation, exclusion, stalking or cyberbullying.

"Cyberbullying" means the use of electronic communication technologies with the intention of harming another person or with reckless disregard for the well-being of another person. Cyberbullying can occur through an electronic or communication device including, but not limited to, a telephone, cellular phone or computer, through email, instant messaging, text messaging, blogging, photo and video sharing, chat room messaging, posting on message boards or social networking sites, or any other medium of communication.

As a form of bullying, even if occurring off school premises, cyberbullying shall be subject to the Code of Student Conduct, if it materially and substantially disrupts the operations of the school, or if the school administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school.

"Harassment" means unwelcome verbal, written, graphic or physical conduct relating to a person'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. Harassment does not depend on intent to harm, need to be directed at a specific target, or involve repeated incidents. Harassment creates a hostile environment when it:

i) is directed at another scholar or group of scholars;

ii) has the purpose or effect of substantially or unreasonably interfering with a scholar's education;
or

iii) otherwise adversely affects a person's learning opportunities, health, safety or wellbeing.

"Sexual harassment" is unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.

"Cyberharassment" means direct use of electronic communications or electronic social media service to inflict harm to a scholar, including threats to inflict harm or making seriously disparaging statements or opinions about the student's physical characteristics, sexuality, sexual activity, mental or physical health. Though similar to Cyberbullying, Cyberharassment of a scholar, whether on school grounds or not, is a crime to warrant notification to the Police Department. This may result in a criminal investigation and criminal charges to be filed against the student.

"Hazing" means any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student or which willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization. The term shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual, or any willful destruction or removal of public or private property. For purposes of this definition, any activity as described in this definition upon which the

initiation or admission into or affiliation with or continued membership in an organization is directly or indirectly conditioned shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding.

Hazing of a scholar, whether on school grounds or not, is a crime if committed by any person or by a student in grades 7 and up -- to warrant notification to the Police Department. This may result in a criminal investigation and criminal charges to be filed against the student or person.

“School setting” means in the school, on First Philadelphia grounds, on school property, in school vehicles, at designated bus stops or at any activity sponsored, supervised or sanctioned by First Philadelphia, and any time spent necessarily traveling to and from these locations.

RESPONSIBILITY

The Board of Trustees believes that all students are capable of achieving high levels of success if provided with a safe and nurturing environment that is conducive to learning and personal growth. First Philadelphia scholars, administrators, teachers and other staff all deserve to be treated with dignity and respect, and not only are stakeholders in a positive school climate, but also all must be active participants in, and supporters of, efforts to prevent all forms of bullying behaviors in all school settings. This policy therefore applies to all First Philadelphia students and employees.

The Board delegates to the CEO responsibility for creating and maintaining a safe educational environment through implementation of this policy, including ensuring that:

- i) All administrators, teachers and staff members receive annual review, training and/or professional development on the prevention, identification, reporting, investigation and resolution of allegations of bullying behaviors.
- ii) All allegations of bullying behaviors are promptly, thoroughly and completely investigated.
- iii) Corrective and/or disciplinary action under the Code of Student Conduct is taken, once a complaint of bullying or variant is verified.
- iv) Scholars are made aware of: this policy prohibiting all forms of bullying; that each scholar is a stakeholder in the creation and maintenance of a safe educational environment, where each scholar is expected to treat others with civility and respect, without tolerance for bullying; the adverse consequences of such conduct on the scholar who was bullied, the school community and scholar who engaged in bullying, and that even being a passive bystander or witness to any type of bullying behavior is harmful; and the procedure for reporting bullying in any form without fear of retaliation or reprisal.

DISCIPLINARY CONSEQUENCES

Though protection of a victim of bullying or any form thereof shall be paramount and steadfast, consequences for a scholar who commits one or more acts of bullying behavior, shall be unique to the particular incident, and will vary in method according to the nature and severity of the behavior, the scholar’s history of similar behaviors, and must be consistent with the Code of Student Conduct. Bullying of any type is a Tier Two offense, for which consequences shall range from remedial measures designed to correct the problem behavior, in school or out of school suspension, for Grades 6 - 12, expulsion from First Philadelphia Preparatory Charter School. The full range of possible disciplinary consequences as set forth in the Family Guidebook and Code of Student Conduct shall be considered and enforced, as long as a complaint of bullying, in any form, is founded.

In addition to the above school consequences, a juvenile charged with the crime of Cyber Harassment or Hazing by law authorities may be subjected to a diversionary program that might include an educational program on Cyber Harassment or Hazing. Also, as a criminal misdemeanor of the third degree, Cyber harassment and Hazing are punishable by a maximum \$2,500 fine and/or one year in prison.

PROCEDURES

Though protection of a victim of bullying or any form thereof shall be paramount The Board encourages all members of the school community including scholars, witnesses, parents, guardians and volunteers, to report any and all instances of bullying behavior to the CEO and/or his or her designee, or to any teacher or staff member. Reports may be made anonymously, but formal disciplinary action may not be based solely upon an anonymous report.

The Board requires the CEO and/or his or her designee to be responsible for receiving complaints alleging violations of this policy. All employees must report alleged violations of this policy to the CEO and/or his or her designee.

The Board requires the CEO to be responsible for determining whether an alleged act constitutes a violation of this policy and the Code of Student Conduct. In so doing, a prompt, thorough, and complete investigation of each alleged incident must be conducted, including:

- Individual interviews with the victim, the accused and others with knowledge of the alleged incident;
- Evaluation of any other information and materials that may be relevant to the investigation;
- The victim shall not be required to meet face-to-face with the accused;
- Attempt shall be made to secure statements from all participants in, and witnesses to, the incident(s).
- When a scholar with limited English proficiency is a party to a complaint, interpretation and/or translation services shall be provided.

The parents or guardians of a victim of bullying behavior and the scholar who allegedly committed bullying shall be notified immediately of the incident(s). The parents or guardians of the victim and the accused shall be notified of the progress at appropriate stages of the investigation.

If the complaint of bullying behavior is substantiated, notification of resources and support also shall be given to the student who was bullied.

AWARENESS AND PREVENTION

This policy shall be disseminated annually, including incorporation in the Family Guidebook and Code of Student Conduct, to all school staff, scholars and parents or guardians, with a statement explaining that it applies to all forms of bullying that occur in school, on school grounds, on school property, in school vehicles, at designated bus stops or at any activity sponsored, supervised or sanctioned by the school, and any time spent necessarily traveling to and from these locations. Additionally, any student's out-of-school conduct that materially and substantially interferes with the educational process in the school shall be subject to this policy.

This policy prohibiting all types of bullying also shall be made available:

- In the Family Guidebook
- On school's website;

- In every classroom; and
- By posting in a prominent location within each school building.

The CEO shall ensure annual review of this policy with all teachers and the entire school staff, as well as professional development, on the prevention, identification, reporting, investigation and resolution of allegations of all forms of bullying.

The CEO will ensure that bullying awareness and prevention activities and educational programs are conducted for students, such as:

- Establishing, teaching and reinforcing rules against bullying behaviors; and
- Spotlight of the subject in assemblies.

COMPLIANCE

First Philadelphia Preparatory Charter School shall comply with federal and state laws as may be applicable to this policy, including the Pennsylvania School Code, the Charter School Law, Chapter 711 of Title 22 of the Pennsylvania Code and the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, and applicable implementing regulations.

DISCIPLINE OF STUDENTS WITH DISABILITIES

There are special rules in Pennsylvania for excluding students with disabilities for disciplinary reasons.

Suspension of a special education scholars identified as Intellectually Disabled may occur only with either written agreement of his or her parent/guardian or written approval of the Bureau of Special Education.

For other disabled students, including those with 504 Service Agreements, out-of-school suspension may be imposed with cessation of educational services for up to five (5) consecutive days without providing special education procedural safeguards. For a scholar with a disability who is excluded for more than 10 consecutive school days, or subjected to a series of removals that constitute a pattern because the removals cumulate to more than 10, and up to fifteen (15), school days in any one school year, a change in placement has occurred and prior written notice is required.

In addition, a “manifestation determination” must be conducted by the IEP team to decide if the scholar’s behavior was caused by the scholar’s disability or is a “manifestation” of the disability. In order to determine that a behavior was not a manifestation of the disability, the team must decide that the current IEP and placement are appropriate and have been put into place; that the scholar was able to understand the consequences of the behavior, and that the scholar could have controlled the behavior. Scholars with disabilities cannot be punished for behaviors that are related to, or are manifestations of their disabilities. If the IEP team decides that the scholar’s behavior was not related to the disability, the scholar’s placement may be changed for disciplinary reasons and the scholar may be subject to the appropriate disciplinary consequences for his or her actions.

DISCIPLINE OF STUDENTS WITH AN IEP

Scholars with IEPs are required to follow First Philadelphia’s Code of Conduct, except as described below.

1. Instead of a Behavior Contract that a student without an IEP might be given, a scholar with disabilities, with the agreement of the IEP team, may be given a Positive Behavior Support Plan based upon a Functional Behavioral Assessment, or if such interventions are already in place, these should be revisited for possible revision.
2. A scholar with disabilities who receives special education services cannot be suspended for more than 10 consecutive days or 15 total days in a school year, unless his or her parent/guardian agrees or a special education hearing officer (appointed by the state, not the school system) approves such suspension.
3. In any case where the school, as a disciplinary measure, proposes to change a special education scholar's placement (exclusion from school for more than 10 consecutive school days or more than 15 cumulative school days or transfer to an alternative educational program absent "special circumstances" below), then within 10 days of any decision to change the placement, the relevant members of the IEP team, including the scholar's parent/guardian must conduct a manifestation determination to determine: (1) if the conduct in question was caused by or had a direct and substantial relationship to the scholar's disability; or (2) if the conduct was the direct result of the local educational agency's failure to implement the IEP. A formal invitation for the manifestation determination meeting will be sent to the scholar's parent/guardian stating the purpose; parent/guardian also will be provided with notice of procedural safeguards.
4. If the answer to both questions above is "no," the scholar may be disciplined as a regular education student including out-of-school suspension and/or permanent exclusion; * However, any alternative educational program must implement the student's IEP and as appropriate, the School must provide a functional behavioral assessment, behavior intervention services and modifications that are designed to address the behavior violation so that it does not recur. The parent/guardian has a right to request an expedited special education due process hearing to challenge the manifestation determination and/or any change in placement.
5. When a scholar with a disability is excluded for more than 10 consecutive school days or subjected to a series of removals that constitute a pattern because the removals cumulate to more than 10 school days in any one school year, a change in placement has occurred and a Notice of Recommended Placement/Prior Written Notice is required.
6. If the answer is "yes" -- to either the question whether the conduct in question was caused by or had a direct and substantial relationship to the scholar's disability, or whether the conduct was the direct result of the local educational agency's failure to implement the IEP -- then the IEP team must: (i) conduct a functional behavioral assessment and implement a behavior intervention plan or, if a behavior plan exists, review the plan and modify it as necessary to address the behavior; and (ii) return the student to the placement from which the student was removed, unless (a) the parent/guardian and the School agree to a change in placement; or (b) "special circumstances" in number (7) exist.
7. A special education scholar can be transferred to an alternative educational placement for up to 45 school days, regardless of whether or not the conduct was a manifestation of disability, if any of the following "special circumstances" exist: (i) the student brings or possesses a dangerous weapon* at school, to or from school, or to any school function, (ii) knowingly possesses, uses, buys, or sells a controlled substance other than a controlled substance legally possessed or used under the supervision of a licensed healthcare professional in school, at school, on school premises, or at a school function or (iii) has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

*Change of placement for a scholar with a disability, on account of possession of a

"dangerous weapon" at school, to or from school, or to any school function, means 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 pocket knife, 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."

8. While any decision to transfer a student must be discussed and is usually made by his or her IEP team, the school may ask for an expedited hearing conducted by a special education hearing officer to seek a 45-day interim placement, if the behavior has been determined to be a manifestation of the scholar's disability and special circumstances do not exist, but the School believes that maintaining the current placement is substantially likely to result in injury to the student or others.

A parent/guardian also can ask for an expedited, special education due process hearing if he or she believes that the transfer or proposed change of placement is inappropriate. 9. First Philadelphia will hold a manifestation determination for scholars diagnosed with an intellectual disability who are excluded for any amount of time. In other words, for scholars with an intellectual disability, a disciplinary exclusion for any length of time amounts to a change in placement, to trigger a manifestation determination.

PROTECTIONS OF "THOUGHT TO BE ELIGIBLE" STUDENTS

If disciplinary procedures are brought against a student who has not been identified as being eligible for special education and related services, First Philadelphia Preparatory Charter School may impose an out-of-school suspension for up to 10 consecutive days and up to 15 total days in a school year, or recommend permanent exclusion, to the same extent that as for a non-disabled student for the same offense, provided, however, that:

1. The school did not have knowledge that the scholar was a scholar with a disability before the violation occurred; and
2. If an evaluation is requested after the violation occurs, the school must conduct the evaluation in an expedited manner and, in the event that a disability is found, then the process for manifestation determination is to be completed, the outcome of which will determine whether discipline may be imposed or if special education and related services will be initiated with parental consent.

First Philadelphia Preparatory Charter School will be deemed to have knowledge of a disability and the student is entitled to the procedures applicable to students with IEPs if, prior to the violation:

1. The parent/guardian expressed a concern, in writing, to supervisory or administrative personnel or a teacher of the student that he or she may require special education and related services; or
2. The student's teacher and/or other school staff has expressed specific concerns about the student's academic and/or functional performance directly to the Special Education Coordinator or other supervisory personnel; or
3. The parent has requested an evaluation; or
4. The student has a 504 plan or the school is in possession of information indicating that he or she has or may have a disability which could have been a causal factor for his or her conduct.

First Philadelphia will not be deemed to have knowledge of a disability if:

1. The parent/guardian of the scholar has not allowed an evaluation despite the school's request; or

2. The parent/guardian of the scholar has refused services; or
3. The scholar has been evaluated and it was determined that he or she is not a scholar with a disability under the IDEA; or
4. No circumstances exist to establish that the School had or should have had knowledge of a disability that could have been a causal factor for the conduct in question.

DRUG AND ALCOHOL POLICY

CONTROLLED SUBSTANCES: DRUG AND ALCOHOL ABUSE POLICY

We recognize that the abuse of controlled substances is a serious problem with legal, physical, and social implications for the entire school community. The schools will strive to eliminate this insidious problem from its Caring School Community, for the safety, health and well-being of all members in general.

For the purposes of this policy, the term “controlled substance” includes all of the following:

1. Any controlled substance prohibited by federal and state law
2. Any item or substance that is designed or intended to resemble a controlled substance prohibited by this policy, or that is used in a manner likely to induce others to believe the material is a controlled substance
3. Alcoholic beverages
4. Anabolic steroids
5. Drug paraphernalia
6. Any volatile solvents or inhalants, such as but not limited to glue and aerosol products
7. Any substance that when ingested causes a physiological effect that is similar to the effect of a controlled substance as defined by state or federal law, such as but not limited to products containing synthetic cannabinoids
8. Prescription or nonprescription (over-the-counter) medications, except those for which permission for use in school has been granted.

Scholars are prohibited from using, possessing, distributing, selling or being under the influence of any “controlled substance” during school hours, on school grounds, at a school program or activity, or traveling to/from school. The Police will be notified promptly if a scholar is suspected of unlawfully possessing any “controlled substance” that is prohibited by federal or state law. If any such substance is seized, the suspected contraband will be turned over to the Police for analysis. If it is determined, after investigation, that a student is in possession of a “controlled substance,” is under the influence of a “controlled substance,” did or attempted to use, distribute or sell any “controlled substance” during school hours, on school grounds, at a school program or activity, or traveling to/from school, then the school will take corrective disciplinary action for this egregious violation, up to referral for expulsion from the School (grades 6-12).

HARASSMENT/INTIMIDATION

All scholars shall have the right to a learning environment that is free from intimidation, harassment, and hostility. The forms of harassment that are prohibited may include, but are not limited to the following list:

- Verbal harassment such as derogatory comments, jokes, slurs, or threats.
- Physical harassment such as unnecessary or offensive touching, or impeding or blocking movement

- Visual harassment such as derogatory or offensive posters, cards, pictures, cartoons, graffiti, drawings, gestures, or symbols

Any individual who is found to be responsible for harassment or other prohibited discriminatory conduct shall be subject to appropriate discipline. The severity of the disciplinary action will be based upon the circumstances of the infraction and may result in suspension or expulsion (Grades 6-12).

PERSONAL ELECTRONIC DEVICES

Personal electronic devices, including, but not limited to, iPods, iPads, MP3 players, recorders, cameras and electronic games may not be used while on school grounds. Scholars maintain the responsibility for properly securing their property. Personal electronic devices, including earbuds/earphones, which are used on school property will be confiscated and may be retrieved from the Dean or by a parent or guardian only. If this is a repeated offense, these items will be held by the Dean until the end of the school year. **The school will not assume responsibility for any lost, stolen, or damaged personal electronic devices.**

Scholar cell phones may not be seen or heard in the building at any time. This includes texting in any form, at any time. This also includes using the clock, camera, or calculator feature on a cell phone. Cell phones which are seen or heard will be confiscated and may be retrieved from the Dean or by a parent or guardian only. If this is a repeated offense, the cell phone will be held by the Dean until the end of the school year. **The school will not assume responsibility for any lost, stolen, or damaged cell phones or any other electronic devices.**

Sometimes, personal social media used by students, including off-hours use, may result in disruption at school and the School may need to get involved. All infractions outlined in the Discipline Code prohibiting negative and bullying communication apply to electronic communication as well.

It is understood that scholars attending school events such as sporting events and other activities may take photos or generate social media regarding the event. Unless prohibited, this use of social media is acceptable. It is important to note, however, that if such social media is used to bully, harass, intimidate or otherwise defame students, staff, or the school. The School may decide to take action regarding misuse of social media.

RECORDING AND REPORTING OF BEHAVIORS

The School keeps a record of all behavioral incidents and the resulting outcomes. These records are then kept in a locked filing cabinet. At any time, a parent or guardian may request their student's behavioral record. The request must be written and may be addressed to the Dean. The request will take between 24 and 48 hours to process. The parent/guardian must then come to the school to pick-up the records, as records will not be mailed or delivered via student backpacks. The Parent/ Guardian does have the right to appeal any information in the scholar behavioral record. To appeal the factual information (this is different from "not agreeing" with the decision), please write a letter addressed to:

The Disciplinary Committee of the Board of Trustees

Mail or deliver the letter to your Dean. This letter will then be forwarded to the School's Board of Trustees. Parents will be contacted by the committee within 48 hours regarding their appeal. All records will be redacted to protect the privacy of other scholars involved.

SEARCH AND SEIZURE POLICY

Various types of school property including, but not limited to, lockers, storage bins and computer terminals are assigned to scholars for their convenience of storage or educational usage. School property remains the

property of First Philadelphia Preparatory Charter School. School property is not to be construed as belonging to, or for the sole use of a scholar, even though he or she assumes full responsibility for the security of such property.

In the interest of maintaining an educational environment and providing for the health and safety of all scholars. First Philadelphia reserves the right, when necessary, for the CEO or designee to search, without a warrant, a scholar's his or her locker, purse, book bag or backpack, for school computers, if there are reasonable grounds for suspicion that the scholar has violated or is violating state or federal laws, city codes, or school policies.

If a school official has reasonable suspicion that a scholar's locker contains illegal or unauthorized materials, the school may conduct a locker search upon notification to the scholar, who will be given the opportunity to be present during the search. When school officials have reasonable suspicion that the locker contains materials that pose a threat to the health, welfare or safety of scholars in school, the locker may be searched without prior warning.

Without notice or consent of the scholar or his or her parent, a scholar's person and/or personal effects (i.e., purse, book bag, backpack or athletic bag, electronic devices) or computer may be searched, whenever a school official has reasonable suspicion to believe that the scholar is in possession of illegal or unauthorized material, contraband, evidence of a crime or evidence of a violation of the school's rules and policies. Should a need arise to search a scholar, the search shall be conducted by a school official of the same gender as the student's.

Parents will be immediately contacted if a dangerous or missing item is found on or in the possession of their scholar. Also, parental presence will be required if there is good reason to believe that an item of importance or value may be concealed in such a manner as not to be revealed by the above search procedures.

If items of importance or value are missing and there is a reasonable chance they have not left a defined area, that area and persons in that area may be searched.

If a properly conducted search yields illegal or contraband materials, such findings will be turned over to proper legal authorities for ultimate disposition. Additionally, illegal or prohibited materials seized during a search may be used as evidence against the student in a school disciplinary proceeding.

TO SUMMARIZE:

Personal Searches - A scholar's person and/or personal effects (e.g. purse, book bag, etc.) may be searched whenever a school official has reasonable suspicion to believe that the scholar is in possession of illegal or unauthorized materials.

School Computers - School computers and any data they contain remain under control of First Philadelphia and are subject to inspection at any time.

Locker Searches - Lockers may be searched if a school official has reasonable suspicion that the locker contains illegal or unauthorized materials. The scholar assigned to the locker will be notified, and opportunity to be present during the search will be given. When there is reasonable suspicion that the locker contains materials that pose a threat to the health, welfare or safety of scholars in school, the locker may be searched without prior warning or opportunity to be present during the search.

SOCIAL NETWORKING AND SOCIAL MEDIA POLICY

Purpose

First Philadelphia Preparatory Charter School recognizes that many individuals, including scholars, have embraced social networking and social media as a fun and rewarding way to share one's life and opinions with family, friends and fellow scholars. "Social media" means any form of online posting, publication or presence that allows end users to engage in multi-directional conversations. Social media includes, but is not limited to, Facebook, Twitter, YouTube, blogs, wikis, Second Life, social bookmarking, document sharing and email.

Engaging in such activity, however, carries with it certain risks and/or responsibilities – even though performed away from school or using a computer or other device that was neither supplied by the school nor connected to the school network.

Although the school's regulation of student activities is generally confined to the boundaries of the school, while school is in session or during a school-based or school-sponsored activity, scholars and their parents/guardians must nevertheless be aware that inappropriate behavior at student activities can and will be given consequences by school staff, if warranted, even though the conduct occurred off school premises, not on school-time, through the use of a personally-owned computer or other device, and/or on a non-school-owned or operated Internet or social networking site.

The purposes of this policy are to provide clarity regarding prohibited use of social networking and social media which may be subject to punishment up to, and including expulsion (Grades 6 - 8), and to provide scholars and their parents/guardians with general guidelines for using social media.

Prohibited Use of Social Networking and Social Media

1. At no time during school or upon school premises, whether using school computer equipment or a personal computing device brought to school, may scholars access any social networking site unless specifically authorized to do so by the scholar's teacher for a legitimate educational purpose.
2. Unless specifically authorized by the administration, no scholar may represent himself or herself as a spokesperson for or on behalf of the school.
3. **No electronic communication between any scholar and any teacher is allowed through any social networking site.** Allowable electronic contact between scholars and teachers shall be confined to Email on the school's network, and only for a legitimate educational or school-business purpose.
4. Just as the school does not tolerate bullying, cyber-bullying, intimidation, harassment, obscene or derogatory language, etc., the school also will not tolerate any student's misuse of social media -- regardless of the location of the conduct, or occurrence after school hours -- if the conduct threatens another school community member, amounts to bullying and/or harassment, or otherwise substantially disrupts the school or adversely affects another member of our Caring School Community. *First Philadelphia Preparatory Charter School thus prohibits and may legitimately regulate and punish off-campus behavior (including misuse of social networking or social media) that creates a foreseeable risk of reaching school property or impacting the school environment and which causes a material and substantial disruption or interference with the school's work, operation or discipline, or substantially collides with or invades the rights of others to be secure and to be let alone.*

Accountability

The potential sanction for a violation of the school's Social Networking and Social Media Policy is dependent upon the nature of the posting and the severity of the offense. If the posting constitutes a serious offense such as, but not limited to, bullying or cyberbullying, harassing or intimidating any member of the

school community, or threatening scholars or school personnel with assault then the appropriate consequence may be imposed, including long-term out-of-school suspension, expulsion (Grades 6 - 8) and/or referral to law enforcement officials.

General Guidelines for Students Using Social Media and Social Networking

- **Consult the Family Guidebook.** Be aware that all existing policies and behavior guidelines extend to school-related activities in the online environment as well as on school premises.
- **Be respectful.** Remember that you are a member of a “Caring School Community” with responsibility for behaving in a manner that helps promote a school environment that is caring, nurturing, safe, orderly, and conducive to learning and personal and social development. Scholars are a diverse group of people with many different backgrounds, customs, viewpoints and beliefs. Communications which are pornographic, racist, threatening or bullying are never appropriate. Broad generalizations (“all teachers ...”; “all Scholars ...”) are almost never accurate.
- **Be reflective.** Think before you post online. If you are upset or angry, take time to cool down. Read, then Reply. Do not skim statements and respond. Try to understand the thoughts of another before you comment on them.
- **Be wise.** People often share too much information electronically. Those who reveal the names of their pets, parents, or other details may give hackers the clues to passwords. Information about planned vacations can be used by burglars. Think about how information can be used and misused.
- **Do not hack.** Never access someone else’s identity or account, or restricted sources of information.
- **Contact someone immediately,** such as your parents, School Administration or the police, if you are threatened, harassed or bullied.

Guidelines for an online presence

- Exercise good judgment. Think about the type of image that you want to convey when posting to social networks and social media sites. How you represent yourself online should be comparable to how you wish to present yourself to others, consistent with the purpose and mission of the school.
- Be transparent. Do not misrepresent who you are. Never assume another’s identity.
- Be cautious how you set up your profile, bio, avatar, etc. The same guidelines apply to this information as well as the substantive content you post. Do not post on blogs, wikis or other social media any identifying personal information such as full names, addresses or phone numbers.
- Keep confidences. Respect the power of public media, and do not violate the privacy of others. Social media may seem private, but it is highly public and durable. What you post will be viewed and archived permanently online once you hit the “publish” button.
- Do not threaten, harass or bully others using social media. You are responsible for your statements and can be held personally accountable by the school and subjected to discipline under its Code of Conduct, as well as criminally or civilly liable for your statements.
- Use appropriate language. Threatening, derogatory, obscene, insulting, inflammatory or bullying language is never appropriate.
- Be factual. Add to the information available to others, and provide value. Think about what you have to offer, whether it is thoughtful, relevant and based in fact. Do not Spam. Meaningless messages, mass messages or repetitive messages are not appropriate.
- Do not plagiarize. Do not copy the work of others. Follow copyright law. Whenever quoting or relying on another’s work, give proper citation to your source. Develop and write your own thoughts.
- Be aware that photographs taken by professional photographers cannot be scanned and used on the Internet without the photographer’s permission -- even if they are photos of you and for which you paid. It is not uncommon for photographers to seek compensation for “digital rights” to photos. When uploading digital pictures or avatars that represent yourself, be sure you select a school-

- appropriate image. Do not utilize protected images.
- Accept responsibility. If you make a mistake, correct it quickly. If someone correctly points out that you made a mistake, own up to it. Apologize, if an apology is owed.
- Write well. When posting to social networking or other social media sites, your comments convey a public image of you. Therefore, express yourself effectively. Use proper grammar, capitalization and punctuation. Check spelling avoid slang and excessive abbreviations.

General Guidelines for PARENTS/GUARDIANS

- **Discourage rumors.** Do not rely upon or pass on unsubstantiated information or gossip. If information seems unlikely or inflammatory, when in doubt, go directly to the source.
- **Respect confidentiality.** Many issues involving other families and students, or personnel issues, are legitimately confidential.
- **Raise and debate issues constructively.** Schools often face legitimate controversies. The school respects and solicits parent/guardian voices in addressing such issues. You are invited and encouraged to raise your concerns with the school's Administration and/or through attending an open meeting of the Board of Trustees and participating in the "public comment" session of the meeting.

GOOD SPORTING CONDUCT

First Philadelphia Preparatory Charter School believes that athletic competition should be a positive and safe experience for everyone involved, conducted in an environment that cultivates values and ethics, strengthens the community, promotes competition without conflict and enriches the lives of scholar-athletes and all individuals involved. In order to promote core values such as discipline, fairness, responsibility, trustworthiness and citizenship, all participants, including players and spectators, are expected to exhibit good sporting conduct during athletic events and all activities relating to athletic events.

Student-Athletes in exhibiting good sporting conduct shall:

- Understand and follow the rules of the sport;
- Recognize skilled performance of others, regardless of team affiliation;
- Demonstrate respect for teammates, opponents, coaches and officials;
- Respect the judgment of officials and accept their decisions;
- Refrain from antics, taunting opponents, using insulting language or any other negative behavior;
- Be modest when successful and gracious in defeat;
- Recognize that their conduct reflects strongly on their schools; and
- Follow all school Discipline Policy rules pertaining to conduct on school property or during activities that are related to school events.

Spectators attending athletic events shall:

- Realize that the main purpose of the competition is the play of the game and that the role of the spectator is one of support;
- Show positive support to the teams and players;
- Show compassion for injured players, regardless of which team they are on;
- Refrain from angry or abusive language, including heckling, taunting or insulting players, officials, coaches or other spectators;

- Refrain from negative or harmful actions;
- Follow all school Discipline Policy rules pertaining to conduct on school property or during activities that are related to school events.

DISCIPLINARY ACCOUNTABILITY

School athletic events are school activities that are part of the educational program. Appropriate behavior by spectators provides a positive model for scholars and contributes to the value and educational purposes of athletic activities. Conversely, negative comments and unsportsmanlike behaviors are damaging to the purposes of athletic activities. School Administration, officials, and coaches have the authority and discretion to remove any scholar-athletes or spectators who do not comply with these rules of sporting conduct. At the discretion of School Administration, any violation of this Policy by any scholar may result in disciplinary consequences consistent with the Discipline Code of Conduct.

STUDENTS AND THE POLICE

First Philadelphia Preparatory Charter School recognize their responsibility both for the protection of the legal rights of its scholars and for notification to parents/guardians of matters affecting those rights. Whenever the school has reasonable suspicion that a student has committed a criminal act, the Administration will promptly notify the Police.

The CEO and/or Principal shall permit properly identified Police, Court, or law enforcement officers to interview students on school premises. When Police request permission to interrogate a scholar at school, the CEO and/or Principal shall make a record of the name(s) of the scholars; the name and badge number of the officer; the purpose of the interview; and, the date and time of the interview and so inform parents and/or guardians.

Unless instructed otherwise by the Police, whenever a scholar is interrogated within the confines of a school building, the CEO, Principal or his/her representative shall be present throughout the proceedings. A female member of the staff shall be present when female students are interviewed.

When the Police request permission to arrest a scholar at school, the CEO and/or Principal shall attempt to inform the scholar's parents. The CEO and/or Principal must also request the arrest warrant and inspect it.

No scholar shall be released to Police authorities without proper warrant, appropriate evidence or written parental permission, except in the event of emergency or for the protection of life or property as determined by the CEO and/or Principal.

SUSPENSION HEARINGS AND EXPULSIONS

SUSPENSIONS

- Prior to suspension of K-2 grade scholars, the principal must review the incident to ensure that all progressive options have been explored. Scholars in K-2 will only be suspended for behaviors that are violent. For repeated violations and tantrums students will be referred to the MTSS process. It is preferred that K-2 scholars be referred to a counselor to discuss appropriate behavioral or behavioral health support.
- See the Behavior Grids for conditions for suspension and expulsion applicable to each.
- First Philadelphia will not suspend any scholar unless his or her conduct was violent and/or materially disrupted the health, safety, welfare, or education of another scholar or the school community.

- No scholar may receive a suspension unless the scholar 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 guardians shall follow the suspension action taken by the school.
- When the suspension exceeds 3 consecutive school days, an informal hearing with the principal shall be offered to the scholar and the scholar's parent or guardian within the first 5 school days in accordance with the procedures relating to hearings.

Conditions for Suspension

1. The CEO, Principal, Dean will meet with the scholar prior to the suspension and discuss the reasons for the suspension. The scholar is to be offered an opportunity to explain the circumstances surrounding the event for which he/she is being suspended.
2. A suspended scholar is to be retained in the school building under supervision until the end of the school day, unless released to parents, guardian, or other responsible adult. Every effort should be made to establish immediate contact with the responsible adult.
3. Scholars are permitted to make up examinations while under suspension.. Scholars who are suspended must make up missed assignments. Scholars will be provided with assignments to perform at home.

Procedure for Suspensions

1. Written notification that the scholar has been suspended is to be forwarded to the parent on the day that suspension is initiated. The notice must contain the following information.
 - The reasons for suspension as provided in the Code of Student Conduct
 - The number of days of suspension
 - The reinstatement date of Scholar
 - The date, time, and place for the parental conference.
2. Parents/Guardians will receive a request to come to school for a reinstatement conference as a result of a suspension. The purpose of this conference is to discuss ways by which future offenses can be avoided, as well as to discuss behavioral interventions that are available to support scholars. Parents/Guardians are expected to attend the conference during the scheduled reinstatement date and time. In the event that a parent/guardian is unable to keep the appointment, the parents should call the Dean to reschedule the reinstatement meeting.
3. Parents/Guardians receive a request to come to the main office to pick up missed schoolwork and assignments. Parents/Guardians are encouraged to call the main office to coordinate the exchange of schoolwork and assignments.
4. A scholar who does not return to school on the reinstatement date is to be taken off the suspension list and handled as an absentee. The usual procedures are to be followed to encourage the scholar's return to school.

STATEMENT OF PURPOSE OF SUSPENSIONS

1. The use of suspension is for the engagement of parents/guardians in the remediation of a problem.
2. It offers an opportunity for scholars to reflect on choices and align future behaviors with the school norms.
3. It immediately diffuses a situation when the final resolution is not yet assured.
4. It is a forthright display of the dissatisfaction of the school with the behavior of the scholars.

DUE PROCESS AND SCHOOL HEARINGS

Education is a statutory right, and scholars must be afforded all appropriate elements of due process if they are to be excluded from school, whether by suspension or expulsion. In a case involving a possible expulsion, the scholar is entitled to a formal hearing, which is a fundamental element of due process. In addition, any scholar who is suspended for longer than three consecutive school days shall be entitled to an informal hearing.

Informal Hearings: The purpose of the informal hearing is to enable the scholar to meet with the appropriate school official to explain the circumstances surrounding the event for which the scholar is being suspended or to show why the scholar should not be suspended.

- The informal hearing is held to bring forth all relevant information regarding the event for which the scholar may be suspended and for scholars, their parents or guardians, and school officials to discuss ways by which future offenses might be avoided.
- The following due process requirements shall be observed in regard to the informal hearing:
 1. Notification of the reasons for the suspension shall be given in writing to the parent/guardian and the scholar.
 2. Sufficient notice of the time and place of the informal hearing shall be given.
 3. A scholar has the right to speak and produce witnesses on their own behalf.
 4. A scholar has the right to question any witnesses present at the hearing.
 5. The school shall offer to hold the informal hearing within the first 5 days of the suspension.

Formal Hearings for Expulsions: A formal hearing is required in all expulsion actions. This hearing may be held before the Board of Trustees, a Disciplinary Sub-Committee of the Board, or a qualified hearing examiner appointed by the Board. A majority vote of the entire school Board is required to expel a scholar. The following due process requirements are to be observed with regard to the formal hearing:

1. Notification of the charges shall be sent to the scholar's parents or guardians by certified mail.
2. At least 3 days' notice of the time and place of the hearing shall be given. A copy of the expulsion policy notice that legal counsel may represent the scholar and hearing procedures shall be included with the hearing notice. A scholar may request the rescheduling of the hearing when the scholar demonstrates good cause for an extension.
3. The hearing shall be held in private unless the scholar or parent/guardian requests a public hearing.
4. The scholar may be represented by counsel, at the expense of the parents or guardians, and may have a parent or guardian attend the hearing
5. The scholar has the right to be presented with the names of witnesses against the scholar, and copies of the statements and affidavits of those witnesses. *
6. The scholar has the right to request that any such witnesses appear in person and answer questions or be cross-examined. *
7. The scholar has the right to testify and present witnesses on his own behalf.
8. A record must be kept of the hearing, either by a stenographer or by tape recorder. The scholar is entitled, at the scholar's expense, to a copy of the transcript. A copy shall be provided at no cost to a student who is indigent.

*If the Administration feels that this would be harmful to the scholars involved, we will require written statements in lieu of appearance.

The formal hearing usually occurs before completion of the 10th day of suspension, but must be held within 15 school days of the notification of charges, unless a longer time period is mutually agreed to by both parties. A hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible:

- (i) Laboratory reports are needed from law enforcement agencies.
- (ii) Evaluations or other court or administrative proceedings are pending due to a student invoking his rights under the Individuals with Disabilities Education Act (20 U.S.C.A. §§ 1400-1482).
- (iii) In cases in juvenile or criminal court involving sexual assault or serious bodily injury, delay is necessary due to the condition or best interests of the victim.

Notice of the right to appeal the results of the formal hearing will be provided to the scholar with the expulsion decision. If a scholar is expelled, his or her parent or guardian has thirty (30) days to find another educational program.

TERRORISTIC THREATS

First Philadelphia Preparatory Charter School recognize the danger that terroristic threats by scholars present to the safety and welfare of scholars, staff and community, even if the result is fear or disruption without physical injury. Therefore, First Philadelphia Preparatory Charter School will tolerate any such conduct by any scholar, which is prohibited. "Terroristic threat" is defined as 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. Any scholars who is determined, after investigation, to have engaged in such conduct, alone or having any part thereof, shall have committed the egregious offense of "terroristic threat." If committed by any student, he or she may be recommended for expulsion.

TOBACCO USE

First Philadelphia Preparatory Charter School recognize that tobacco use by scholars poses a health and safety hazard which can have serious consequences for both users and nonusers, and the safety and environment of the school. "Tobacco use" includes the use and/or possession of a lighted or unlighted cigarette, cigar, and pipe; other lighted smoking products; smokeless tobacco in any form; and paraphernalia associated with tobacco use such as rolling papers, matches, and lighters. "Tobacco use" by scholars is prohibited at any time in a school building or any property, facility, bus or other vehicle owned, leased or controlled by the school or by a third-party on behalf of the school and its scholars. Any scholar who is determined, after investigation, to have committed the offense of "tobacco use" will face appropriate disciplinary consequences.

WEAPONS

Possession of weapons in the school setting is a threat to the safety of scholars and staff and is prohibited not only by law.

The term "weapon" shall mean any object, device, or instrument designed as a weapon or capable of threatening or inflicting serious bodily harm or which may be used to inflict self-injury. This definition includes, but is not limited to: any firearm, bb gun, shotgun, or rifle, whether loaded or unloaded; any knife, cutting instrument, or cutting tool; any nunchaku; any chemical agent such as pepper spray or mace; laser pointer; stun gun; incendiary device; any other tool, instrument or object used or intended to be used to inflict serious bodily harm to another. The term "weapon" shall also include any simulated, replica, toy, or look-alike weapon.

Scholars are prohibited from possessing any weapon on the way to or from First Philadelphia Preparatory Charter School, while on school property, while attending any school-sponsored activity, and/or while on any public vehicle providing transportation to school or to a school-sponsored activity, including SEPTA.

A scholar is regarded as in possession of a weapon when the weapon is found on the person of the scholar; in a scholar's designated storage space; or under the scholar'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 scholar is coming to or from school or a school-sponsored activity.

Being in possession of a weapon is not limited to using it or intending to use it. Merely carrying the weapon, keeping it in one's designated storage space, locker, backpack or purse, or even holding it for a friend, is sufficient to be charged with this offense.

REQUIRED EXPULSION HEARING FOR WEAPONS POSSESSION UNDER ACT 26

Act 26 (24 P.S. Section 13-1317.2) is a Pennsylvania law which **requires** the expulsion hearing of any scholar who possesses a weapon on school property, at a school function, or going to or from school. The definition of weapon under Act 26 is "any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, and [anything else] capable of inflicting serious bodily injury," and therefore may include box cutters, pen knives on key chains or other common household items.

Act 26 additionally requires the school to notify the Police upon discovery of any weapon covered by the Act.

Any scholar who violates this weapons policy, which is an egregious offense, will be subject to a referral for expulsion, which constitutes the appropriate disciplinary consequences. However, the CEO may, after a hearing, decide to allow the scholar who brought a weapon to school to remain in school.

DEFINITIONS FOR TERMS FOUND WITHIN THE CODE OF CONDUCT

Act 26: Pennsylvania State Code referring to a weapons violation. Please see a copy of Act 26.

Aggravated assault: An intentional act that causes serious physical harm or creates a substantial risk of serious physical harm to another student and/or school community member.

Alteration of grade reporting, excuse notes, and/or school documents: Scholars who, with the intent to deceive, alter grade reports, excuse notes, or official school documents.

Behavior Success Plan: A scholar may be placed on a Behavioral Success Plan when they display repeated behaviors. These behaviors may be classified Tier 1 or Tier 2 and may or may not result in consequences. The purpose of a Behavioral Success Plan is to give the scholar additional support to experience success in the school environment. This is not a punitive consequence.

A Behavior Success Plan will be created by a TEAM. This team will include the Parent/Guardian, Dean of Scholars, Counselor/Social Worker, Homeroom teacher, possible other teachers and the scholar.

This Plan will include a:

- Behavior modification plan to be completed by each of his/her teachers.
- Daily check-in with Dean and/or Counselor
- Weekly meeting with the Counselor and/or Social Worker
- Additional supports as suggested by the team
- Daily communication between home room teacher and parent
- Weekly phone call check-in with parents

- Bi-weekly parent/guardian meeting with Dean

The behavioral success plan will be revisited bi-weekly until the school decides the scholar is ready to graduate from the plan. Transitioning from the Behavioral Success Plan will be gradual and will vary for each scholar.

Breaking and entering school property: Scholars who enter any property owned or utilized by First Philadelphia Preparatory Charter School or by any vendor under contract to either through force (as minimal as pushing open a door) and without authorization.

Bullying, Cyberbullying, Cyber Harassment and Hazing: See Expanded Definition.

Cheating: To violate rules dishonestly. The consequence may include one or more of the following: loss of grade for the academic activity, loss of grade for the semester, mandatory summer school, or suspension (Grades 5-8).

Destruction and/or theft of property (less than \$500): Willful and malicious acts of damage or defacement to school property, personal property, including but not limited to graffiti, school pranks that cause a major disruption, or arson.

Destruction and/or theft of property (totaling \$500 or more): Scholars who intentionally damage, deface, or take school property or personal property without permission. Damage or defacement includes graffiti, school pranks that cause a major disruption, and arson.

Detention: Consequence that may be assigned by a Dean or a teacher for repeated minor incidents and/or a major incident. The Dean will contact parents 24 hours in advance in advance to inform them about the detention. Parents/Guardians must arrange transportation for the scholar.. Scholars who do not attend detention will be subjected to disciplinary action.

Disciplinary Referral Form: Form used by staff to record major or repeated minor behavioral incidents (see Tier 2 incidents table). When a scholar is sent to the Dean's office, they will be accompanied by a Discipline Referral Form. A copy of the discipline referral form is available from the Dean..

Dress Code Violation: Any scholar in grades 3-12 who does not ARRIVE to school in the approved First Philadelphia Preparatory Charter School, and/or does not comply with the Dress Code throughout the length of the school day will receive a logical consequence. The parent may be contacted to bring appropriate Dress Code attire or the scholar may be loaned appropriate Dress Code attire (if possible). If the scholar continues to dress out of code, a parent meeting will be required. Please note that this consequence will NOT apply to scholars whose parents/guardians contact the school about special circumstances regarding the reason for the dress code violation. Certain clothing items worn in school in violation of the dress code will be confiscated. This item will be returned at a later time.

Extortion: Scholars who obtain money, property or services from other scholars and/or school community members by expressed or implied threat of force.

Fight: Taking part in a physical struggle. Both parties involved will receive consequences. "Hitting Back" will be considered fighting. Scholars are expected to walk away from physical altercations and get help from the nearest staff member.

Forgery of administrator, teacher, or parent's/guardian's signature or cheating: Scholars who reproduce the signature of another with the intent to deceive or who cheat on any school assignment or test

with the intent to copy work that is not their own.

Harassment (including Sexual Harassment): See Expanded Definition.

Impairment: Demonstrating physical signs of concerning behavior including but not limited to slurred speech, loss of balance, irritated eyes, a suspicious odor, or lethargy.

Inappropriate Touch: Unwarranted or unwanted touching of a scholar, personally or with an object

Inappropriate use of an electronic device: Including but not limited to sexting, videotaping fights, videotaping someone in a place where they have an expectation of privacy, or posting videos of inappropriate student conduct to a social media site that affect the school community in a negative manner.

Incident Report: Form used by staff to record major or repeated minor behavioral incidents (see Tier 1,2, and 3 incidents table). When a scholar is referred to the Dean's office, the teacher will be required to document the behavior on an incident report.

Instigation and/or participation in a group assault: Scholars who initiate or antagonize, by verbal, written, or physical act, a simple or aggravated assault (as defined in this section) by multiple scholars on one or more other scholars. This does not refer to a Mutual Fight as defined in this section, but a physical confrontation in which one or more students can be determined to be the aggressor.

Intimidation: Scholars who induce fear or a sense of inferiority in another student and/or school community member.

Logical Consequence: Defined (by Ruth Charney, Teaching Children to Care) as: reasonable and respectful, neither punishment nor permission. The consequence will help scholars assume responsibility through structured learning opportunities and the opportunity to try again.

Manifestation Determination: A Manifestation Determination is a process, required by the Individuals With Disabilities Education Act (IDEA 2004), which is conducted when considering the exclusion of a student with a disability that constitutes a change of placement.

Mutual fighting (without serious bodily injury): If one or more scholars are engaged in a physical confrontation in which, after an investigation is conducted, it is unclear which scholar is the aggressor and which scholar is the victim.

Mutual fighting (with documented serious bodily injury): When one or more scholars engage in a physical confrontation in which it is unclear which scholar is the aggressor and which scholar is the victim. Serious bodily injury means bodily injury that involves (1) a substantial risk of death; (2) extreme physical pain; (3) protracted and obvious disfigurement; or (4) protracted loss or impairment of the function of a body part, organ, or mental faculty

Out of Bounds: To be away from the school, teacher, or classroom without direct permission. All scholars must have a pass at all times to travel through the hallways during non-transitional periods. Consequences will be assigned on an individual basis and will depend on the reason for a scholar being Out of Bounds.

Play Fighting/Roughhousing: Taking part in aggressive physical play that simulates a fight. Play fighting is considered to be dangerous as scholars often become injured or the play fighting escalates into a real fight. It is important to understand that for the safety of all scholars play fighting is not allowed under any circumstances. This would also include "Birthday Punches" and "Two-for-Flinching" type games.

Possession of alcohol and/or drugs: Controlled substances and illegal substances, as well as “look-alikes”, which are defined as any substance that, by appearance, representation, or manner of distribution, would lead a reasonable person to believe that the substance is an illegal drug or other controlled substance.

Possession and/or use of fireworks, incendiary devices and/or explosives: Scholars who have physical control over (including contained within the student’s clothing, locker, or bag) fireworks, incendiary devices, bombs, firecrackers, bombshells and/or other explosives.

Possession or use of tobacco or electronic smoking devices: Scholars shall not use or possess tobacco or any electronic smoking device in school buildings, school buses, or on any school district property. This includes but is not limited to products containing tobacco, electronic cigarettes, cigars, vaping kits, and hookah.

Possession of a weapon: See Act 26.

Profane or obscene language or gestures: Scholars who curse, use sexually explicit language, or gestures.

Reckless endangerment: Taking any action that creates a substantial risk such that serious bodily harm could result to any person. These include, but are not limited to, use of weapons of any kind for any purpose, jeopardizing the physical or emotional safety of oneself or another, or throwing objects, (i.e. snowballs).

Reinstatement: A meeting held to restore the scholar to active standing.

Robbery: Taking or attempting to take the property of another scholar or school community member by force, threat of force, or by putting the victim in fear.

Self Defense: Self Defense applies only to those situations where a scholar could not walk away. Self Defense is NOT reacting to being hit or kicked. “Hitting Back” is not considered self-defense. Scholars are expected to walk away and get help from the nearest staff member if at all possible.

Sexual act (consensual): Scholars who expose or touch their own genitals, breast, or buttocks or those sexual parts of another person, engage in intercourse, oral sex, or simulated sex with the consent of witnesses and/or other participating scholars.

Sexual act (non-consensual): Scholars who touch their own genitals, breast, or buttocks or those sexual parts of another person, engage in aggressive sexual behavior, intercourse, oral sex, or simulated sex without the expressed consent of witnesses and other participating scholars (including compelling or forcing another to engage in sexual conduct).

Simple assault on a school community member: Scholars who intentionally and without provocation, hit, punch, or kick a school community member.

Student Intervention Program: The Multi-Tiered Student Support (MTSS) is designed to assist teachers with identifying behavioral, academic, or attendance concerns that pose a barrier to a scholar’s success. This process is designed to provide Tier 1, Tier 2, and Tier 3 interventions to provide academic and socio-emotional support for scholars.

Teasing: To upset or annoy by taunting or making fun of another scholar. Teasing is a “one time” occurrence. Teasing that occurs on more than one occasion and/or becomes a patterned behavior is considered bullying.

Threatening students/staff with aggravated assault: Scholars who threaten, using aggressive verbal or written language or gestures, communicate a terroristic threat, an act that causes serious physical harm or creates a substantial risk of serious physical harm to another scholar and/or school community member.

Under the Influence: Having any detectable amount of alcohol or a controlled substance in your system and/or showing physical manifestations of being under the influence.