

# **Student Code of Conduct**



**1006 West 10<sup>th</sup> Street2**

## **Students / Parents Responsibilities and Rights**

**Grades K-8**

**2019-2020**

**Erie Rise Leadership Academy Charter School  
1006 West 10<sup>th</sup> Street  
Erie, Pennsylvania 16502  
814-520-6468**

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## Our Mission

*Erie Rise Leadership Academy Charter School will educate, prepare and encourage its students to develop a love for learning through effective teaching and real life experiences, as they become college and career ready.*

## OUR VISION

We are a gender-based school with a strong foundation that promotes the success of all students to meet and exceed local, state, and national standards, and Every Student Succeeds Act expectations. A major focus of the Erie Rise Leadership Academy Charter School is to provide a multitude of necessary services to our students and their families. Knowing that our families/parents are the first and primary educators of our students and therefore we encourage and support a positive home and community-learning environment. This enables our students to successfully accomplish his or her dreams, our school's mission, the needs and goals of their community and the world around them. We want them to experience more of life successes as well as have a positive impact on their world.

Erie Rise Leadership Academy serves our community...its children, their families and makes a difference in the lives of many. We thank the School Board of the Erie Public Schools for their approval of our charter school and our mission. The support of all segments of the Erie County communities has certainly been encouraging and appreciated.

## SCHOOL-WIDE POSITIVE BEHAVIOR SUPPORT

***SWPBS Mission:*** Erie Rise Leadership Academy Charter School provides a School-Wide Positive Behavior Support Program that is a highly effective, approach to creating, teaching, and reinforcing students' social, emotional, moral, and academic learning skills that improves and sustains academic achievement and mental and emotional wellness of all students.

ERLACS recognizes and believes that it is important for a young person to master math, reading, and many other academic subjects. But when schooling ends – and whether the next step is a job, more schooling, or a family – each individual must be able to interact in a group, function in a work environment, and be an engaged and effective member of the broader community. Schools have an important role in helping all children and young adults acquire these essential life skills. In short, schools are not just about academics. ERLACS implements the SWPBS that is a research-based program. All school staff use uniform and positive approaches in the school settings (classroom, hallways and cafeteria, even on the bus). ERLACS establishes a predictable, consistent, and positive school culture for all students and staff. ERLACS focuses on prevention, intercede to correct individual student

behavioral "miscues," and consistently and frequently reward students who do the right thing. Family and student engagement is essential to ERLACS SWPBS success.

**Erie Rise Leadership Academy Charter School  
School Wide Positive Behavior Program**

<b>RISE</b>	<b>Restroom</b>	<b>Hallway</b>	<b>Cafeteria</b>	<b>Bus</b>
<b>R</b> espect	<i>by leaving others alone and giving others privacy</i>	<i>by showing respect to other classes by moving quietly</i>	<i>by showing respect to the people who help me in the cafeteria</i>	<i>by being kind and courteous to everyone on my bus</i>
<b>I</b> ntegrity	<i>by getting in and out of the restroom quickly and always having a hall pass</i>	<i>by moving quickly to where I need to be with a hall pass</i>	<i>by showing good manners when I choose and eat food. -keep area clean -stay seated -use please and thank you -use a hall pass to leave the room</i>	<i>by keeping my bus safe and clean</i>
<b>S</b> elf-Control	<i>by returning to my class quickly and quietly and following safety rules</i>	<i>-by walking and keeping my hands to myself - by staying in line and with my class - by following safety rules</i>	<i>-by lining up quickly without pushing or hitting -by talking quietly to people at my table -by following safety rules.</i>	<i>-by staying seated and keep my head, hands and feet where they belong -by following safety rules</i>
<b>E</b> xcellence	<i>by keeping the restroom clean, conserving water, soap and paper towels and modeling RISE</i>	<i>by keeping the hallway clean and reminding others of rules and modeling RISE</i>	<i>by helping others, cleaning up, and reminding others of rules, and modeling RISE</i>	<i>by helping others, keeping the bus clean, reminding others of rules, and modeling RISE</i>

## **Erie Rise Leadership Academy Charter School**

### **BOARD OF TRUSTEES**

Mrs. Constance Ratcliff, President

Mr. Ed Williams, Vice President

Ms. Sonya Adams, Treasurer

Mr. Wayne Patterson, Secretary

Dr. Margaret Smith, Trustee

Mr. Shantel Hilliard, Trustee

Mr. Michael Hooks, Trustee

Mr. Tim Kuzma, Trustee

Mrs. Brenda Abrue-Baker, Trustee

Atty. Thomas Fitzpatrick, Solicitor

## **Erie Rise Leadership Academy Charter School**

### **ADMINISTRATION**

#### **NAME**

#### **TITLE**

Mr. Terry A. Lang

Chief Executive Officer

Mrs. Veronica Will

Principal

Mr. Aubrey Favors

Human Resource Director

Mr. Homer Smith

Facilitator of Special Programs

Ms. Pearl Jeffries-Steele

Facilitator of Social Services

Mr. Kirk Paskell

State and Federal Programs

Mr. Marcus Ghent

Director of Student Conduct

## **ADMISSIONS POLICY**

Erie Rise Leadership Academy Charter School abides by all Pennsylvania Department of Education, Federal laws and Erie Public School District that pertains to student admissions. Admissions and referrals will be made without regard to race, color, religious creed, disability, ancestry, national origin or sex.

Referrals are accepted from participating school districts. Potential students include those who are at-risk or who are struggling with academic, emotional or behavioral problems in their current school setting. Erie Rise Leadership Academy Charter School also makes an effort to recruit students who have dropped out of school. Tours and visits of the school are offered to interested students and their families.

Students wishing to attend Erie Rise Leadership Charter School will sign an agreement to abide by the rules of the school. Upon arrival, each student will be familiarized with the facility, class schedules, philosophy, rules and policies, and will be issued a handbook.

Students who meet all of the above criteria will be admitted to the school. After the needs have been met of Erie Public School District, all available seats will be open to the other local school districts.

When classrooms are at capacity, students will be added to a first come-first served wait list. When families on the wait list are notified of a potential classroom spot, they will have one week (7 days) to produce the necessary documentation.

### **REQUESTED DOCUMENTS FOR ENROLLMENT:**

Child's birth certificate

Two forms of residency

Parent Registration Statement

Health and immunization to include dental

Completed emergency data card from the parent or guardian

Completed Individual Education Plan (IEP Information if student has an IEP)

Home Language Survey

Student Census Enrollment Information

FERPA Document

Title 1 Parent Notification

Free Lunch form

## **After School Late Pick Up Policy**

Erie Rise Leadership Academy Charter School does not have provisions for supervising students for any length of time at the end of the school day or after school event. ERLACS cannot provide child care for your child once the school day or after school class/event has ended, and we cannot leave children unattended. You must arrive promptly at the end of the school day or after school event to pick up your child! The ERLACS office closes at 4:00 pm. If you are late you must contact the school to inform us of your situation, and you will need to sign a form acknowledging the late pickup.

## **VISITORS**

To gain access to the building, ring “buzzer” located at the front entrance of ERLACS. All visitors must report to the school office. A “visitor badge” will be supplied after signing in. Under NO CIRCUMSTANCES may a parent visit a classroom without signing in at and receiving permission from the office. The Board welcomes and encourages visits to the schools by parents, adult residents and other interested parties. However, the Board is also sensitive to the fact that such visits may potentially be disruptive to the education process. Administration is authorized to prohibit the entry of any person to a school building in accordance with the following guidelines:

1. All prospective visitors to a classroom should contact the classroom teacher or principal in advance to make appropriate arrangements.
2. Upon arrival at the building, all visitors are to immediately report to the office and register their presence.
3. All staff members shall require that all visitors register at the school office and have authorization to be present.

No. 907

SECTION: COMMUNITY

TITLE: SCHOOL VISITORS

ADOPTED: May 13, 2014

## **Erie Rise Leadership Academy Charter School**

### **907. SCHOOL VISITORS**

#### **1. AUTHORITY**

SC 510

The Erie Rise Leadership Academy Charter School (ERLACS) Board welcomes and encourages interest in district educational programs and other school-related activities. The ERLACS Board recognizes that such interest may result in visits to school by parents/guardians, adult residents, educators and other officials. To ensure order in the

schools and to protect students and employees, it is necessary for the Board to establish policy governing school visits.

## **2. DELEGATION OF RESPONSIBILITY**

The CEO, building principal, or administration have the authority to prohibit the entry of any individual to a district school, or to have any individual removed for disruptive behavior, in accordance with ERLACS Board guidelines and state and federal law and regulations.

The Administration shall develop administrative regulations to implement this policy and control access to school buildings and school classrooms.

## **3. GUIDELINES**

Persons wishing to visit ERLACS should make arrangements in advance with the school office in that building. Parents wishing to visit their child's classroom should make arrangements 24 hours in advance with the classroom teacher.

Upon arrival at the school, all visitors must register at the office where they will sign in, receive a visitor's pass/badge and sign out when their business is complete. After the start of the school day, only one (1) entrance shall be used by visitors to the school. All other entrances shall be locked.

All staff members shall be responsible for requiring a visitor demonstrate that she/he has a visitor's pass/badge.

No visitor may confer with a student in school without the approval of the principal or facilitator of security, safety and prevention. Should an emergency require that a student be called to the school office to meet a visitor, the principal or designee shall be present during the meeting.

### **CLASSROOM VISITATIONS**

SC 510

Title 22

Sec. 14.108

Parents/Guardians may request to visit their child's classroom, but the request must be made prior to the visit, in accordance with established administrative regulations. (24 hours) The teacher, building principal or facilitator of security, safety and prevention must grant prior approval for the visit, and shall notify the classroom teacher prior to the visit if the teacher was not aware of the request.

Parents/Guardians shall be limited to one (1) class period per month, per child in the school for classroom visitations, in order to minimize disruption of the classroom schedule and the educational program, unless additional classroom visitations are approved by the administration. Parental participation in classroom activities or programs such as room parents, back-to-school events, and chaperones for field trips shall not constitute a classroom visit for purposes of this policy.

The building principal, facilitator of security, safety and prevention, and the classroom teacher have the authority to ask a visitor to leave if the visitor disrupts the classroom routine, educational program or daily schedule, or if a visitor violates ERLACS Board policy. Failure to leave when asked or repeated, documented disruptions may result in loss of classroom visitation privileges.

Under exceptional circumstances and upon request of the facilitator of security, safety and prevention, classroom teacher or parent/guardian, the administration may authorize additional or longer classroom visits by a parent/guardian.

#### **MILITARY PERSONNEL**

24 P.S.

Sec. 2402

Pol. 250

Members of the active and retired Armed Forces, including the National Guard and Reserves, shall be permitted to:

1. Visit and meet with district employees and students when such visit is in compliance with ERLACS Board policy and procedures.
2. Wear official military uniforms while on district property.

References:

School Code – 24 P.S. Sec. 510

State Board of Education Regulations – 22 PA Code Sec. 14.108

Military Visitors – 24 P.S. Sec. 2402

Board Policy – 000, 250

## CHAPTER 1 INTRODUCTION

Erie Rise Leadership Charter School is dedicated to achieving the goal of **Promoting the Success of ALL Students** by developing each student's potential for learning in a positive school environment. Schools must be free from disruptions that interfere with teaching and learning activities. Students, parents, and school staff must be responsible for promoting behavior that encourages learning and the development of individual potential.

### WHAT IS THE CODE OF STUDENT CONDUCT?

The Code is an official document of Erie Rise Leadership Academy Charter School Board of Trustees which

- Describes a positive and safe school environment.
- Specifies the rights and responsibilities of students.
- Defines attendance responsibilities.
- Safeguards the rights of students.
- Defines conduct that disrupts a positive and productive learning environment.
- Standardizes procedures for disciplinary action.
- Incorporates the State Board of Education Policy for school districts on violence, weapons, possession, use, and distribution of drugs and alcohol.

Provisions in the Code of Conduct apply to all students in Grades K-8.

Differences in age and maturity are considered in determining the type of disciplinary action to be taken. All students have a greater responsibility for their actions as they increase in age. This Code does not restrict the Board's legal/statutory authority to protect the health, safety, and welfare of students and staff.

A copy of the Student Code of Conduct is given to each student on school entry. Orientation to the code is held in each school at the beginning of the school year. Questions by students or by parents/guardians concerning the code should be directed to the facilitator of Security and Safety or the principal of the school.

### WHEN IS THE CODE IN FORCE?

The Code is in force

- On school property prior to, during, and following regular school hours.
- While students are on a school bus or in a District vehicle for any purpose.
- At all school-sponsored events and other activities at which school administrators have jurisdiction over students.

## **OUT OF SCHOOL CONDUCT**

The Code of Conduct shall also apply to out-of-school conduct by a student if the ERLACS believes that the nature of such conduct indicates that the student presents a threat to the health, safety, welfare of other students, or to the reputation of a school or ERLACS.

Such out-of-school conduct shall include, but is not limited to

- Act of violence that is punishable by law.
- Sexual offense that is punishable by law.
- The sale, transfer or possession of drugs that would constitute an offense punishable by law.
- Felony charges.

Additionally, the principal/administration is authorized to take administrative action when a student's misconduct to and from school has a harmful effect on other students, the community, or the orderly conduct of school business.

*Days*, as used in this document are defined as days in which school is in session, including Saturday school. When school is out of session, such as breaks, the time limits shall be used as guidelines but not requirements.

## **WHAT IS A GOOD SCHOOL ENVIRONMENT?**

A good school environment is best described as

- SAFE and POSITIVE.
- Providing a range of educational opportunities.
- Making improvement of student behavior the primary goal of disciplinary action.

It is also the presence of a friendly, yet business-like atmosphere in which students and school personnel work cooperatively toward recognized and acceptable goals. A good school environment is free from distractions, friction, and disturbances.

## **WHO ESTABLISHES A GOOD SCHOOL ENVIRONMENT?**

The Code recognizes the need for a working, cooperative relationship among students, parents, and school personnel. This relationship is most productive when

## **STUDENTS**

- Attend all classes daily and on time.
- Are prepared for class assignments and activities.
- Come to class with appropriate working materials.
- Respect all persons and property.

- Refrain from using profanity, abusive language or inflammatory actions in personal interactions.
- Conduct themselves in a safe and responsible manner.
- Are healthy, clean, and neat.
- Are responsible for their own work and behavior.
- Abide by the rules and regulations set forth by the school and individual classroom teacher.
- Seek changes in an orderly and approved manner.

## **PARENTS/GUARDIANS**

- Keep in contact with the school concerning their child's progress and conduct.
- Insure that their child attends school each day and promptly report and explain an absence or tardiness to the school.
- Provide their child with resources needed to complete class work and homework.
- Assist their child in being healthy, neat, and clean.
- Refrain from using profanity, abusive language or inflammatory actions in personal interactions.
- Bring to the attention of school authorities any problem or condition which affects their child or other children of the school community.
- Discuss report cards and work assignments with their child.
- Attend Parent/Teacher conferences.
- Maintain up-to-date home, work, and emergency numbers at the school.
- Seek changes in an orderly and approved manner.

## **SCHOOL PERSONNEL**

- Are in regular attendance and on time.
- Are prepared to perform their duties with appropriate working materials.
- Respect all persons and property.
- Refrain from using profanity, abusive language or inflammatory actions in personal interactions.
- Conduct themselves in a safe and responsible manner.
- Are healthy, clean, and neat.
- Abide by the rules and regulations set forth by the school.
- Seek changes in an orderly and approved manner.
- Maintain an atmosphere that encourages good behavior and active learning.
- Plan flexible lessons to meet the needs of all students.
- Develop a good working relationship among staff and with students.
- Encourage the school staff, parents, and students to use the services of community agencies.

- Utilize good guidance procedures and practices.
- Encourage parents to maintain regular communication with the school.
- Provide opportunities for parent participation in affairs of the school.
- Encourage and maintain the involvement of students in the operation of the school, i.e., student government.
- Involve the community in order to improve the quality of life within the school and ERLACS.
- Dialogue with parents, students, and employees in a manner that reflects professionalism and caring.

## II. STUDENT RIGHTS AND RESPONSIBILITIES

### REGULATIONS OF THE STATE BOARD OF EDUCATION OF PENNSYLVANIA CHAPTER 12

#### STUDENT RIGHTS AND RESPONSIBILITIES

##### § 12.1. FREE EDUCATION AND ATTENDANCE.

- (a) All persons residing in this Commonwealth between the ages of 6 and 21 years are entitled to a free and full education in the Commonwealth's public schools.
- (b) Parents or guardians of all children between the ages of 8 and 17 are required by compulsory attendance law to ensure that their children attend an approved educational institution, unless legally excused. Students who have not graduated may not be asked to leave school merely because they have reached 17 years of age if they are fulfilling their responsibilities as students. A student may not be excluded from the public schools or from extracurricular activities because:
- (1) The student is married.
  - (2) The student is pregnant.
  - (3) The student has a disability as identified by Chapter 15 (relating to protected handicapped students).
  - (4) The student is an eligible student identified under Chapter 14 (relating to special education services and programs).

## Erie Rise Leadership Academy Charter School Attendance Policy

### **DEFINITIONS:**

**Absence** - Absence is the nonattendance of a student on those days and half days when school is in session.

**Compulsory Attendance** – Compulsory school age refers to the period of a child's life from the time the child enters school, which may be no later than eight years of age, until the age of seventeen or graduation from a high school, whichever occurs first.

**Excused Absence** - Excused absence includes the absence of a student for any one of the reasons listed below in the section titled "Excused Absences."

**Tardy** - The student arrives later than the starting time of the scheduled instruction. Students are marked tardy starting at 8:15 AM.

**Unexcused Absence** - Unexcused absence is the absence of a student for any reason that does not qualify as an excused absence, as defined herein. These absences are recorded as unlawful for a student of compulsory school age (kindergarten to age 17.)

**Excused Tardy**- Lateness of a student that is due to any of the reasons that may be excused for full day absence.

**Unexcused Tardy**- Lateness resulting from any reason that does not qualify as excused lateness. The accumulation several instances of lateness may result in a notice of unexcused absence. Students arriving after 11:30 AM will be marked absent for the instructional day.

**Truant** – Means having incurred three (3) or more school days of unexcused absences during the current school year by a child subject to compulsory school attendance.

**Habitually Truant** - Means having incurred six (6) or more school days of unexcused absences during the current school year by a child subject to compulsory school attendance.

**Truancy Elimination Plan (TEP) Conference** - Schools must make meaningful attempts to encourage parent participation in attendance improvement conferences by advance written notice and attempts to communicate via telephone. The school must hold the conference even if the parent declines to participate or fails to attend. There is no legal requirement for either the child or parent to attend an attendance improvement conference. The school must document the outcome of any attendance improvement conference in a written attendance improvement plan. Schools may not take further legal action to address unexcused absences until after the date of the scheduled attendance improvement conference has passed.

### **TRACKING ATTENDANCE**

School administrators shall have the following powers and responsibilities:

- Tracking student attendance.
- Communicating with parents/guardians regarding truancy.
- Coordinating, attending and participating in school attendance improvement conferences and documenting the outcome of the conference in a written school attendance improvement plan in accordance with the guidelines contained herein.
- Filing truancy citations in the Magisterial District Court when deemed necessary.
- Attending court procedures related to truancy and presenting truancy cases in court.
- Requesting the Magisterial District Court to subpoena any school staff member as a witness in order to prove the District's truancy case.
- Referring habitually truant children to community-based attendance improvement program or to the Erie County Office of Children and Youth for services when appropriate and/or required or permitted by law.

### **UNEXCUSED ABSENCES**

All absences are considered unexcused until Erie Rise Leadership Academy Charter School receives a written note documenting a valid reason for the absence, as detailed below.

### **GENERAL ATTENDANCE GUIDELINES**

Attendance need not always be within school facilities. A student will be considered in attendance if present at any place where school is in session by authority of the administration; the student is receiving approved tutorial instruction, or health or therapeutic services; the student is engaged in an approved and properly supervised independent study, work-study or career education program; the student is receiving approved homebound instruction.

### **EXCUSED ABSENCES**

A student absence is considered excused under the following circumstances:

- When the student is prevented from attendance for mental, physical, or other urgent reasons such as:
  - Specific Illness
  - Family Emergency
  - Death of a Family Member
  - Medical or Dental Appointments
  - Authorized School Activities
  - Required Court Attendance
  - Bona Fide Religious Holiday
- When the student is required to leave school for the purposes of attending court hearings related to their involvement with the county children and youth agency or juvenile probation office.
- If a student is dismissed from school during school hours for health-related reasons by a certified school nurse, registered nurse, licensed practical nurse or a school administrator or designee employed by Erie Rise Leadership Academy Charter School.

### **Medical Excuse**

In the case of an absence of three (3) or more consecutive days, the child will be requested to return the absence card or note accompanied with a note from a licensed health care provider. This note must be given to the classroom teacher.

In the case of chronic irregular absences, ten (10) cumulative lawful absences, a medical excuse from a licensed health care provider **will be required** in place of a parental note. A medical excuse will be required for every absence for the remainder of the school year.

### **Family Trips**

Absence due to family trips will be recorded as unexcused unless the family and met with the Principal and filled out the appropriate "Educational Leave" paperwork. Once the requirements of this document have been met, the days will become excused.

### **TEN CONSECUTIVE ABSENCES**

Students who miss ten consecutive school days shall be dropped from the active membership roll unless the school is provided with evidence that the excuse is legal or the school is pursuing compulsory attendance prosecution. Should the student subsequently return to the

school, he/she will not be guaranteed placement in the same classroom as the one left before the withdrawal from attendance.

A maximum of ten days of cumulative lawful absences verified by parental notification may be permitted during a school year. All absences beyond ten cumulative days shall require an excuse from a physician or licensed healthcare provider.

### **First and Second Unexcused Absence**

School administration shall send a notice of unexcused absence to the student's parent/guardian, which describes the consequences of a child violating compulsory school attendance requirements. In addition, the name and telephone number of a designated school official shall be included so that parents/guardians are able to contact a specific person to request assistance in resolving the child's absenteeism.

### **Third Unexcused Absence**

Within ten (10) school days of a child's third unexcused absence, the school principal, assistant principal or designee shall send an Official Notice of Truancy and the recommendation to complete a Truancy Elimination Plan (TEP.) Parents are not required to be part of the TEP and one will be made in their absence if they refuse to attend the meeting.

### **PROCEDURE FOR ADDRESSING HABITUALLY TRUANT CHILDREN**

A child is considered habitually truant when they accumulate 6 (six) unexcused absences.

When a child is habitually truant and under fifteen (15) years of age at the time of referral, the school:

May file a citation in the office of the magisterial district judge having jurisdiction in the region against the person in parental relation who resides in the same household as the child.

When a child is habitually truant and fifteen (15) years of age or older at the time of referral, the school shall:

File a citation in the office of the magisterial district judge having jurisdiction in the region against the child or the person in parental relation who resides in the same household as the child.

When referring a habitually truant child to the Erie County Office of Children and Youth or filing a citation with the magisterial district judge having jurisdiction over the region, the school shall provide verification that a TEP conference was held.

## **§ 12.2. STUDENT RESPONSIBILITIES.**

(a) Student responsibilities include regular school attendance, conscientious effort in classroom work and homework, and conformance to school rules and regulations. Most of all, students are responsible to share with the administration and faculty a responsibility to develop a climate within the school that is conducive to wholesome learning and living.

(b) No student has the right to interfere with the education of fellow students. It is the responsibility of each student to respect the rights of teachers, students, administrators and all others who are involved in the educational process.

- (c) Students should express their ideas and opinions in a respectful manner.
- (d) It is the responsibility of the students to conform to the following:
  - (1) Be aware of all rules and regulations for student behavior and conduct themselves in accordance with them. Students should assume that, until a rule is waived, altered or repealed in writing, it is in effect.
  - (2) Volunteer information in matters relating to the health, safety and welfare of the school community and the protection of school property.
  - (3) Dress and groom to meet standards of safety and health, and not to cause substantial disruption to the educational processes.
  - (4) Assist the school staff in operating a safe school for the students enrolled therein.
  - (5) Comply with Commonwealth and local laws.
  - (6) Exercise proper care when using public facilities and equipment.
  - (7) Attend school daily and be on time at all classes and other school functions.
  - (8) Make up work when absent from school.
  - (9) Pursue and attempt to complete satisfactorily the courses of study prescribed by local school authorities.
  - (10) Report accurately in student media.
  - (11) Not use obscene language in student media or on school premises.

### **§ 12.3. SCHOOL RULES.**

- (a) The governing board has the authority to make reasonable and necessary rules governing the conduct of students in school. The rulemaking power, however, is not unlimited; it must operate within statutory and constitutional restraints. A governing board has only those powers that are enumerated in the statutes of the Commonwealth, or that may reasonably be implied or necessary for the orderly operation of the school.
- (b) Governing boards may not make rules that are arbitrary, capricious, discriminatory or outside their grant of authority from the General Assembly. A rule is generally considered reasonable if it uses a rational means of accomplishing some legitimate school purpose.
- (c) Each governing board shall adopt a code of student conduct that includes policies governing student discipline and a listing of students' rights and responsibilities as outlined in this chapter. This conduct code shall be published and distributed to students and parents or guardians.

Copies of the code are available in the school office.

### **§ 12.4. DISCRIMINATION.**

Consistent with the Pennsylvania Human Relations Act (43 P. S. §§ 951—963), a student may not be denied access to a free and full public education, nor may a student be subject to disciplinary action on account of race, sex, color, religion, sexual orientation, national origin or disability.

## **§ 12.5. CORPORAL PUNISHMENT.**

(a) Corporal punishment is defined as physically punishing a student for an infraction of the discipline policy. Use of corporal punishment is prohibited.

(b) Teachers and school authorities may use reasonable force under the following circumstances:

- (1) To quell a disturbance.
- (2) To obtain possession of weapons or other dangerous objects.
- (3) For the purpose of self-defense.
- (4) For the protection of persons or property.

## **§ 12.6. EXCLUSIONS FROM SCHOOL.**

(a) The governing board shall define and publish the types of offenses that would lead to exclusion from school. Exclusions affecting certain students with disabilities shall be governed by § 14.143 (relating to disciplinary placements) and 34 CFR 300.519—300.529 (relating to discipline procedures).

(b) Exclusion from school may take the form of suspension, out of school suspension (OSS), in school suspension (ISS), school after school suspension (SAS) or expulsion.

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

(i) Suspensions may be given by the principal for out of school suspension (OSS), in school suspension (ISS) or school after school suspension (SAS).

(ii) A student may not be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond. Prior notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened.

(iii) The parents or guardians and the CEO of ERLACS shall be notified immediately in writing when the student is assigned an In-School-Suspension (ISS), School-After-School Suspension (SAS), and Out-of-School Suspension (OSS).

(iv) When the suspension exceeds 3 school days, the student and parent shall be given the opportunity for an informal hearing consistent with the requirements in § 12.8(c) (relating to hearings).

(v) Suspensions may not be made to run consecutively beyond the 10 school day period.

(vi) Students shall have the responsibility to make up exams and work missed while being disciplined by suspension and shall be permitted to complete these assignments within guidelines established by the board.

(2) Expulsion is exclusion from school by the governing board for a period exceeding 10 school days and may be permanent expulsion from the school rolls. Expulsions require a prior formal hearing under § 12.8.

(c) During the period prior to the hearing and decision of the board in an expulsion case, the student shall be placed in his normal class except as set forth in subsection

(d) If it is determined after an informal hearing that a student's presence in his normal class would constitute a threat to the health, safety or welfare of others and it is not possible to hold a formal hearing within the period of a suspension, the student may be excluded from school for more than 10 school days. A student may not be excluded from school for longer than 15 school days without a formal hearing unless mutually agreed upon by both parties. Any student so excluded shall be provided with alternative education, which may include home study.

(e) Students who are under 17 years of age are still subject to the compulsory school attendance law even though expelled and shall be provided an education.

(1) The initial responsibility for providing the required education rests with the student's parents or guardian, through placement in another school, tutorial or correspondence study, or another educational program approved by ERLACS CEO.

(2) Within 30 days of action by the board, the parents or guardians shall submit to the school district written evidence that the required education is being provided as described in paragraph

(1) or that they are unable to do so. If the parents or guardians are unable to provide the required education the school entity shall, within 10 days of receipt of the notification, make provision for the student's education. A student with a disability shall be provided educational services as required by the Individuals With Disabilities Education Act (20 U.S.C.A. §§ 1400—1482).

(3) If the approved educational program is not complied with, the school entity may take action in accordance with 42 Pa.C.S. Chapter 63 (relating to the Juvenile Act) to ensure that the child will receive a proper education. See § 12.1(b) (relating to free education and attendance). Regulations governing the types of offenses that would lead to exclusion from school may be published by individual schools.

#### **§ 12.7. EXCLUSION FROM CLASSES—IN-SCHOOL SUSPENSION.**

(a) A student may not receive an in-school suspension (ISS) or an in-school after school suspension (SAS) 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.

(b) Communication to the parents or guardian shall follow the suspension action taken by the school.

(c) When the ISS or SAS exceeds 10 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 in §12.8 (relating to hearings).

(d) The student's school entity has the responsibility to make provision for the student's education during the period of the ISS or SAS.

## § 12.8. HEARINGS.

(a) General. Education is a statutory right, and students shall be afforded due process if they are to be excluded from school. In a case involving a possible expulsion, the student is entitled to a formal hearing.

(b) Formal hearings. A formal hearing is required in all expulsion actions. This hearing may be held before the governing board or an authorized committee of the board, or a qualified hearing examiner appointed by the board. When a committee of the board or a hearing examiner conducts the hearing, a majority vote of the entire board is required to expel a student. The following due process requirements shall be observed with regard to the formal hearing:

(1) Notification of the charges shall be sent to the student'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 student and hearing procedures shall be included the hearing notice. A student may request the rescheduling of the hearing when the student demonstrates good cause for an extension.

(3) The hearing shall be held in private unless the student or parent requests a public hearing.

(4) The student 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 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.

(6) The student has the right to request that the witnesses appear in person and answer questions or be cross-examined.

(7) The student has the right to testify and present witnesses on his own behalf.

(8) A written or audio record shall be kept of the hearing. The student is entitled, at the student's expense, to a copy. A copy shall be provided at no cost to a student who is indigent.

(9) The proceeding shall be held within 15 school days of the notification of charges, unless 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.

(10) Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

(c) Informal hearings. The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended.

(1) The informal hearing is held to bring forth all relevant information regarding the event for which the student may be suspended and for students, their parents or guardians and school officials to discuss ways by which future offenses might be avoided.

(2) The following due process requirements shall be observed in regard to the informal hearing:

(i) Notification of the reasons for the suspension shall be given in writing to the parents or guardians and to the student.

(ii) Sufficient notice of the time and place of the informal hearing shall be given.

(iii) A student has the right to question any witnesses present at the hearing.

(iv) A student has the right to speak and produce witnesses on his own behalf.

(v) The school entity shall offer to hold the informal hearing within the first 5 days of the suspension.

## **§ 12.9. FREEDOM OF EXPRESSION.**

(a) The right of public school students to freedom of speech is guaranteed by the Constitution of the United States and the Constitution of the Commonwealth.

(b) Students shall have the right to express themselves unless the expression materially and substantially interferes with the educational process, threatens serious harm to the school or community, encourages unlawful activity or interferes with another individual's rights.

(c) Students may use publications, handbills, announcements, assemblies, group meetings, buttons, armbands and any other means of common communication, provided that the use of public school communications facilities shall be in accordance with the regulations of the authority in charge of those facilities.

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

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

(d) Identification of the individual student or at least one responsible person in a student group may be required on posted or distributed materials.

(e) School officials may require students to submit for prior approval a copy of materials to be displayed, posted or distributed on school property.

(f) Bulletin boards must conform to the following:

(1) School authorities may restrict the use of certain bulletin boards.

(2) Bulletin board space should be provided for the use of students and student organizations.

(3) School officials may require that notices or other communications be officially dated before posting, and that the materials be removed after a prescribed reasonable time to assure full access to the bulletin boards.

(g) School newspapers and publications must conform to the following:

(1) Students have a right and are as free as editors of other newspapers to report the news and to editorialize within the provisions in paragraphs (4) and (5).

(2) School officials shall supervise student newspapers published with school equipment, remove obscene or libelous material and edit other material that would cause a substantial disruption or interference with school activities.

(3) School officials may not censor or restrict material simply because it is critical of the school or its administration.

(4) Prior approval procedures regarding copy for school newspapers must identify the individual to whom the material is to be submitted and establish a limitation on the time required to make a decision. If the prescribed time for approval elapses without a decision, the material shall be considered authorized for distribution.

(5) Students who are not members of the newspaper staff shall have access to pages. Written criteria for submission of material by non-staff members shall be developed and distributed to all students.

(h) The wearing of buttons, badges or armbands shall be permitted as another form of expression within the restrictions listed in subsection (c).

(i) School officials may set forth the time and place of distribution of materials so that distribution would not materially or substantially interfere with the requirements of appropriate discipline in the operation of the school.

(1) A proper time and place set for distribution is one that would give the students the opportunity to reach fellow students.

(2) The place of the activity may be restricted to permit the normal flow of traffic within the school and at exterior doors.

## **§ 12.10. FLAG SALUTE AND THE PLEDGE OF ALLEGIANCE.**

It is the responsibility of every citizen to show proper respect for his country and its flag.

(1) Students may decline to recite the Pledge of Allegiance and may refrain from saluting the Flag on the basis of personal belief or religious convictions.

(2) Students who choose to refrain from such participation shall respect the rights and interests of classmates who do wish to participate.

## **§ 12.11. HAIR AND DRESS.**

(a) The board may establish dress codes or require that students wear school uniforms. Policies may apply to individual school buildings or to all school buildings.

(b) Students have the right to govern the length or style of their hair, including facial hair. Any limitation of this right must include evidence that length or style of hair causes disruption of the educational process or constitutes a health or safety hazard. When length or style of the hair presents a health or safety hazard, some types of covering shall be used.

(c) Students may be required to wear certain types of clothing while participating in physical education classes, shops, extracurricular activities or other situations when special attire may be required to insure the health or safety of the student.

(d) Students have the responsibility to keep themselves, their clothes and their hair clean. School officials may impose limitations on student participation in the regular instructional program when there is evidence that the lack of cleanliness constitutes a health hazard.

## **§ 12.12. CONFIDENTIAL COMMUNICATIONS.**

(a) Use of a student's confidential communications to school personnel in legal proceedings is governed by statutes and regulations appropriate to the proceeding. See, for example, 42 Pa.C.S. § 5945 (relating to confidential communications to school personnel).

(b) Information received in confidence from a student may be revealed to the student's parents or guardians, the principal or other appropriate authority when the health, welfare or safety of the student or other persons is clearly in jeopardy. § 12.13. [Reserved].

## **§ 12.14. SEARCHES.**

(a) The governing board of every school entity shall adopt reasonable policies and procedures regarding student searches. The local education agency shall notify students and their parents or guardians of the policies and procedures regarding student searches.

(b) Illegal or prohibited materials seized during a student search may be used as evidence against the student in a school disciplinary proceeding.

(c) Prior to a locker search, students shall be notified and given an opportunity to be present. When school authorities have a reasonable suspicion that the locker contains materials that pose a threat to the health, welfare or safety of students in the school, student lockers may be searched without prior warning.

## **Erie Rise Leadership Academy Charter School Search and Seizure Provisions**

School authorities may search a student's locker and seize any illegal materials. School lockers are school property loaned to the student for the student's convenience and only for legitimate purposes. Prior to a locker search, students shall be notified and given an opportunity to be present. When school authorities have a reasonable suspicion that the locker contains materials that pose a threat to the health, welfare or safety of students in the school, student lockers may be searched without prior warning. School officials have access to lockers through a master key to make unannounced repairs and inspections.

Additionally, school authorities may search the student's personal possessions upon reasonable suspicion that the student is secreting evidence of an illegal act. Such searches are a reasonable exercise of Board power in the interests of the health, safety and welfare of all school students. Illegal or prohibited materials seized during a student or locker search may be used as evidence against a student in school disciplinary and/or legal proceedings. Searches are to be made only by an official duly authorized for that purpose by the principal or district.

It is the policy of ERLACS to conduct random searches of lockers and students, which may utilize hand held metal detection wands and/or drug and explosive-sniffing canines.

## **DISCLOSURE OF CERTAIN STUDENT INFORMATION**

Erie Rise Leadership Academy Charter School may disclose certain information, known as directory information, at its discretion without consent. Parents, or students eighteen years of age or over, may refuse to permit the release of any or all directory information. If a parent or emancipated student does not want directory information released, he or she must send written notice annually to the Director of Student Services at the address listed in the front of this booklet. Such notice must be received within 30 days of student receipt of this book. The following student information is directory information: name, address, telephone number, date and place of birth, major field of study, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous school attended by the student, and photographs of students in school or school activities provided the photographs do not reveal information concerning academic placement.

## **FERPA RIGHTS**

The Family Education Rights and Privacy Act (FERPA) affords parents, and students over 18 years of age, the following rights:

### **INSPECTION AND REVIEW**

Parents may submit to the school principal a written request identifying records they wish to inspect. The principal will notify them of the time and place at which records may be inspected. Access shall be provided within 45 days of the receipt of the request.

### **AMENDMENT OF RECORDS**

Parents may ask ERLACS to amend a record they believe is inaccurate by submitting to the principal a written request identifying the part of the record they want changed and specifying why it is inaccurate. If ERLACS denies the request, ERLACS will notify them of the decision, advise of the right to a hearing, and provide the hearing procedures.

### **DISCLOSURE WITHOUT CONSENT**

Disclosure of personally identifiable information contained in students' education records requires parent consent with the following exceptions:

1. Such records may be disclosed to school officials with legitimate education interests. School officials include school employees; Board members; a person or company retained by ERLACS to perform a special task, for example, an attorney, auditor, medical consultant, or therapist; or a parent or student serving on a committee or assisting another school official. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill a professional responsibility.
2. Upon request, ERLACS discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

### **COMPLAINT**

Parents may file a complaint with the U.S. Department of Education concerning alleged failures by ERLACS to comply with the requirements of FERPA by submitting a complaint to

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

## **RIGHTS UNDER PPRA**

The Protection of Pupil Rights Amendment (PPRA) affords parents, students who are 18, and emancipated minors the following rights regarding ERLACS conduct of surveys, collection and use of information for marketing purposes, and certain physical examinations.

### **PROTECTED INFORMATION SURVEYS**

ERLACS is required to obtain consent permitting a child to participate in certain school activities, or parents may elect to opt out of such activities. These activities, known as protected information surveys, include a student survey, analysis, or evaluation concerning one or more of the following:

1. Political affiliations or beliefs of the student or student's parent
2. Mental or psychological problems of the student or student's family
3. Sexual behavior or attitudes
4. Illegal, anti-social, self-incrimination, or demeaning behavior
5. Critical appraisals of others with whom respondents have close family relationships
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers
7. Religious practices, affiliations, or beliefs of the student or parents
8. Income, other than as required by law to determine program eligibility Notice and Opportunity to Opt Out.

ERLACS will notify parents of the dates of the following activities and provide an opportunity to opt a student out of participating in such activities:

1. Any protected information survey, regardless of funding source
2. Any non-emergency invasive physical examination or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical examination or screening permitted or required under state law.
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing, to sell or otherwise distribute information

### **INSPECTION**

Parents may, upon request, inspect the following:

- Protected information surveys of students
- Instruments used to collect personal information from students for marketing, sales, or other distribution purposes
  
- Instructional materials used as part of the educational curriculum

# ERIE RISE LEADERSHIP ACADEMY CHARTER SCHOOL

## Student Records Policy

### Definitions

The following terms as used in this policy shall have the following meanings:

1.1 *Directory information.* The name, address, telephone number, electronic mail address, date and place of birth, names of parents and siblings, dates of attendance, whether the student graduated and the date of graduation, awards received, participation in District-approved extracurricular activities, weight and height of interscholastic athletic team members, photographs, schools attended and student identification number, user identification number, or code when such number or code cannot alone be used to access education records, without some other identifier known only to the authorized user of an electronically accessed information system or data base.

1.2 *Disclose;* Permit access to or release, transfer, or otherwise communicate to any person or entity, by any means or medium, personally identifiable information contained in the education record of the student.

1.3 *Education record.* Any personally-identifiable information recorded or stored by any means—including, but not limited to, information that is handwritten, typed, printed, or stored on computer media, microfilm, microfiche, video or audio tape, film, or digital medium—that is directly related to the student and is maintained by ERLACS or by an individual or agency acting on behalf of ERLACS regardless of the current location of such record. The term does not include the following:

(a) records of instructional, supervisory, and administrative personnel and educational personnel ancillary to those persons—including, but not limited to, instructional support teachers, counselors, therapists and clinicians, school psychologists and psychiatrists, nurses, and instructional aides—that are kept in the sole possession of the maker of the record and the contents of which are not accessible or revealed to any other person except a substitute for the maker of the record;

(b) records that contain only information about the student after he or she is no longer a student at ERLACS or receiving ERLACS -supported education;

(c) grades and other forms of peer assessment or rating before they are collected and recorded by a teacher; and

(d) other records specifically excluded from the definition of “education record” under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and its implementing regulation, 34 C.F.R. Part 99.

1.4 *Eligible student.* A present or former student who has attained the age of eighteen or a former student who is attending an institution of postsecondary education.

1.5 *Emancipated minor.* A student below the age of twenty-one who has chosen to establish a domicile apart from the continued control and support of parents or guardians. The term includes a minor living with a spouse.

1.6 *IEP.* Individualized education program.

1.7 *Service Agreement.* A written plan of adaptations or modifications, or both, developed for a student with disabilities who is eligible for protection under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, but who is not eligible for special education and related services under the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400, et seq.

1.8 *Maintain or maintained.* In the case of personally-identifiable information on paper or stored on magnetic or video tape, the term shall mean information kept in a secure file or desk drawer or in the continuous and secure control of a school official with a legitimate educational interest in the content thereof. In the case of personally identifiable information that is stored electronically, including electronic mail, the term shall mean information kept in a secure electronic storage system or site, whether located locally or remotely, specifically designated by the CEO or his or her designee as a “student records maintenance site.” ERLACS electronic mail server or servers, or directory or directories, and the files on local or remote disk drives, computers, servers, portable media, or mobile devices shall not for any purpose constitute a “student records maintenance site” unless explicitly so designated by the CEO or his or her designee in writing, and any personally-identifiable information stored thereon shall either be deleted or moved to a “student records maintenance site” at least once annually. Personally identifiable electronic information, including electronic mail, shall not be considered to be “maintained” by ERLACS or by any individual or agency acting on behalf of ERLACS unless and until it is moved to or stored in or on a “student records maintenance site.”

1.9 *Parent.* The biological or adoptive parents of a student, regardless of residency or physical custodial status; the legal guardian or guardians of a student; or an individual acting as a parent in the absence of a natural parent or guardian, unless the right of any such person to receive personally-identifiable information has been terminated or restricted by order of court.

1.10 *Personally identifiable information.* Any one or more of the following:

(a) The student’s name;

(b) The name, including maiden names, of any member of the student’s family;

(c) The current or past address, or the date or place of birth, of the student or any member of the student's family;

(d) A personal identifier such as a social security number, student number or code, or biometric information consisting of one or more measurable biological or behavioral characteristic that can be used for automatic identification of an individual;

(e) information that, alone or in combination, is linked or linkable to a specific student such that a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, could use such information to identify the student with reasonable certainty; or (f) information requested by a person whom the educational agency or institution reasonably believes knows the identity of the student to whom such information relates.

1.11 *School official with a legitimate educational interest.* Any employee, officer, agent, consultant, or contractor of, or any volunteer acting on behalf of,

(a) ERLACS,

(b) the Intermediate Unit,

(c) a vocational technical school, or

(d) any public or private school or facility that ERLACS is using or is proposing to use to provide elementary or secondary education to the student in place of a public school, who is or will be responsible for providing or supervising the provision of education, education-related services, or extra-curricular activities or experiences to or for the student, when—

(i) particular information concerning that student is presently or potentially relevant to the design or provision of instruction or other education, education related services, testing or assessments, behavior interventions and strategies, or extracurricular activities or experiences either to the student, to particular groups of at large, regardless of whether the student is part of the group or population that will be effected; or

(ii) such information is necessary to protect the health, safety, or welfare of the student or others with whom the student might have direct or indirect contact. The phrase also applies to clerical staff of the agencies enumerated above who are responsible for the maintenance and security of education records and to attorneys, consultants, and school board members when school board action concerning the student is required by law or when the education or treatment of the student is the subject of present or potential litigation or legal dispute. When the "school official with a legitimate educational interests" is not an employee of ERLACS, such individual may receive "personally-identifiable information" only when he or she is under the direct control of ERLACS, by contract or otherwise, with respect to the use and maintenance of education records in his or her possession and only when such

individual is prohibited from re-disclosure of such information to any other party without written parent or eligible student consent.

1.12 *Secure file.* A student or subject-specific compilation of information stored on paper, audio or visual tape, microfiche, microfilm, computer storage disk or removable drive, or similar medium that can be maintained in a physically segregated form that is maintained in a locked file drawer, cabinet, or desk or, if unlocked, in the immediate custody and control of the custodian thereof, or a student or subject-specific compilation maintained on a computer storage system to which access is limited by security software that conforms to current computer industry standards.

1.13 *Student with disabilities.* A student age three through twenty-one who has or is thought to have one or more of the disabilities described in the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., or any preceding or succeeding legislation, or a student of school age who has or is thought to have a disability as defined in Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794.

## **COLLECTION, MAINTENANCE, AND DESTRUCTION OF EDUCATION RECORDS**

### *Collection*

2.1 ERLACS shall collect and maintain the types of records described in the following subparagraphs (a) through (c) and may collect and maintain records described in following subparagraphs (d) through (j):

(a) Core data, consisting of the name of the student; last known address and domicile within ERLACS of the parents or guardian of the student or, if the student is emancipated, of the student; the birth date of the student; the course, subject area, or project work completed by the student and the level of achievement attained; the last grade attended or the date of graduation and type diploma issued; and attendance data;

(b) Discipline and law enforcement records, including the sworn statement or affirmation of suspension or expulsion required at registration and the record of incidents of violence maintained in a form prescribed by the Pennsylvania State Police as required under Section 1307-A of the Pennsylvania Public School Code, 24 P.S. § 13-1307-A, and, in a file maintained separately from other records concerning the student, information from the Office of Juvenile Probation concerning adjudications of delinquency;

(c) Health records, including immunization information, results of vision and hearing screenings, results of state-mandated physical examinations, in-school treatment and drug dispensing or administration orders or prescriptions from physicians, treatment and drug dispensing or administration logs, and health related information provided by parents or guardians;

(d) Student work samples and teacher grade books retained for purposes of ongoing assessment, instructional planning, or grade calculation; the results of District-wide group standardized or criterion referenced testing and state-wide criterion-referenced assessments, if any, in which the student participated; and non-cumulative report cards;

(e) Guidance department, psychologist, and student assistance team records, although personal records and notes maintained strictly in accordance with Section 1.3(a) of this policy are not considered records subject to this policy;

(f) Results of vocational and career aptitude and interest surveys, or of surveys to assist in planning for and providing guidance, health, or drug and alcohol abuse prevention instruction or programs;

(g) Reports of and other information describing or summarizing the results of individual testing and assessment by instructional support, child study, multi-disciplinary, or IEP teams, or by professional staff responsible for determining eligibility for Title I, ESL, and other remedial programs, or by agencies and individuals not employed by or working on behalf of ERLACS; instructional support or child study team action plans; IEPs; and service agreements or accommodation plans;

(h) Protocol sheets and booklets; scoring sheets; answer books; rating forms; observation notes; anecdotal logs; running record forms; and other forms of raw data gathered in the course of testing and assessment or progress monitoring and assessment;

(i) Records of awards and distinctions earned by students for work or activities in school and in the community and of participation in school-approved extracurricular activities; and

(j) Other records required by law or deemed by instructional or supervisory staff to be both accurate and necessary to the provision of education, education-related services, or extra-curricular activities or experiences.

2.2 By adoption of this policy, ERLACS Board of Trustees gives consent for the collection of records and information described in Subsections (a), (d), and (e) of Section 2.1 of this policy.

2.3 By adoption of this policy, the ERLACS Board of Trustees gives consent for the collection of records and information described in Subsections (b), (c), and (f) of Section 2.1 of this policy, unless the collection of such records and information is accomplished by use of a survey, analysis, or evaluation that requires or encourages the student to reveal—

(a) political affiliations or beliefs of the student or the student's family;

(b) mental or psychological problems of the student or the student's family;

- (c) sexual behavior or attitudes;
- (d) illegal, anti-social, self-incriminating, or demeaning behavior;
- (e) critical appraisals of persons with whom the student has close family relationships;
- (f) information protected by legal privilege;
- (g) income, unless income information is required by law to determine eligibility for participation in a program of assistance;
- (h) religious practices, affiliations, or beliefs of the student or the student's family.

When a survey, analysis, or evaluation is used to obtain such information, ERLACS shall obtain prior informed consent in writing and in a form consistent with Section 2.6 of this policy. For purposes of this policy, the phrase "survey, analysis, or evaluation" shall be limited to a planned method of inquiry or information collection used on a group or individual basis. The phrase does not apply to the ordinary give-and-take exchange that occurs in the course of the counselor-student, psychologist-student, teacher-student, or nurse-student relationship when the student initiates the contact or otherwise participates in it voluntarily. Consent otherwise required by this Section is not required to investigate or substantiate a good faith suspicion of child abuse or neglect when the person from whom consent would be required is suspected of the abuse or neglect.

2.4 To collect records and information described in Subsection (g) of Section 2.1 of this policy, ERLACS shall obtain prior informed consent in writing and in a form consistent with Section 2.6 of this policy.

2.5 To collect records and information described in Subsections (h) and (i) of Section 2.1 of this policy, other than reports and other documents provided by parents or other agencies, ERLACS shall obtain prior informed consent in writing and in a form required by applicable state or federal law or, in the absence of a specific applicable law, in a form consistent with Section 2.6 of this policy. For purposes of collecting information in the form of an instructional support or child study team action plan, an IEP, or a service agreement or accommodation plan, a written invitation to the parents and, when required by law, the student to participate in the development of such document shall constitute an adequate means of obtaining consent to develop the document, even if the parents or student do not participate in the meeting at which the content of the document is discussed. The description in an action plan, IEP, or service agreement or accommodation plan of a means of data collection or ongoing progress monitoring or assessment shall suffice to allow such activities without need for additional written consent.

2.6 When state or federal law does not specifically prescribe the form for obtaining prior written consent as required by this policy, such consent shall be obtained by mailing to the

residence of record, as established in accordance with Section 4 of this policy, or by hand delivery to the parent or emancipated minor a written consent form that complies with the following requirements and is received a reasonable time prior to the information collection activity for which consent is sought:

- (a) The form shall use language that a layperson can readily understand and shall be written in the native language of the parent or emancipated minor from whom consent is sought;
- (b) The form shall contain an explanation of the type of information sought, the purpose for which the information is sought, and the specific types of testing, assessment, or data collection to be used to obtain the information;
- (c) The form shall make clear to the parent or emancipated minor that consent is required to proceed with the information collection activity or activities proposed; shall contain an assurance that such activity or activities will not proceed without consent; shall specify the duration of the consent or shall clearly provide that consent shall be considered effective until revoked in writing by the person giving consent; and shall contain a clear explanation of the time and place for responding to the form;
- (d) The form shall contain the name and number of a contact person whom the parents or emancipated minor can contact to obtain additional information about or seek clarification concerning the proposed activity;
- (e) The form shall provide a space for the parent or emancipated minor to elect whether to grant or withhold consent by marking one of two clearly worded options and by signing their name.

2.7 When a student who has attended another public or private school registers to attend ERLACS, the school shall immediately—

- (a) request a certified copy of the student’s disciplinary record and a copy of the student’s health record from the public or private school the student last attended;
- (b) request all other current records, including special education records, necessary to ensure that the student is placed appropriate classes at the appropriate grade level and that ERLACS is able to meet all obligations to the student under State and federal law.

**MAINTENANCE—TIME**

2.8 Core data of the kind described in Subsection (a) of Section 2.1 of this policy shall be maintained for a period of six years beyond the school year during which the student to whom such data pertains attains age twenty-one. The following additional records shall also be maintained as “core data” for this period:

- (a) For students with disabilities or who are identified as mentally gifted, copies of the first and last evaluation reports of the multi-disciplinary team, the notice of recommended assignment or educational placement, or similar document by which the parents of the student initially consented to the provision of special education services, and the first and last IEP, last notice of recommended assignment or educational placement, and the summary of performance developed for the student;
- (b) For students receiving accommodations or modifications to instruction or other activities under a service agreement or accommodation plan, copies of the first and last such plan and the notice by which the parents of the student initially consented to the provision of accommodations or modifications;
- (c) For students evaluated to determine eligibility either for special education services in accordance with state and federal law or for accommodations or modifications in accordance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and who were determined to be ineligible, copies of all evaluation reports supporting the determination of ineligibility and of all notices by which the parents of the student indicated agreement with such determination.

2.9 Health records of the sort described in Subsection (c) of Section 2.1 of this policy shall be maintained for a period of at least two years beyond the date on which the student ceases to be enrolled in the public schools of ERLACS.

2.10 For students identified with disabilities or identified as mentally gifted, or for students who were evaluated and not so identified, a copy of all records identified in Subsections (b) through (g) of Section 2.1 of this Policy shall be maintained for a period of at least six years from the conclusion of the school year during which such records were made or received by ERLACS;

2.11 All other education records described in Section 2.1 of this policy shall be maintained as long as the information contained therein remains relevant to the education of the particular student or to the design and provision of educational programs in general or as long as such information remains essential to the protection of the legal interests of ERLACS. ERLACS alone shall determine whether education records remain relevant to education or essential to the protection of legal interests.

## **MAINTENANCE—LOCATION**

2.12 Education records that might be necessary to the provision of education, education-related services, or extracurricular activities or experiences to a student during any given school year shall be maintained during that school year in a secure file located in the building to which that student is assigned during that school year. Education records that are essential to the day-to-day provision of education, education related services, or

extracurricular activities or experiences may be maintained in a secure file in the personal possession, offices, or class rooms of school officials with a legitimate educational interest therein.

2.13 The discipline record of a student shall be maintained in a secure file in the building to which that student is currently assigned. Information furnished by the Office of Juvenile Probation in accordance with Section 6341(b.1) of the Juvenile Act, 42 P.S. §6341(b.1), shall be maintained in a secure file separately from other records concerning the student.

2.14 The health record of a student shall be maintained in a secure file in the nurse's office or health suite in the building to which that student is currently assigned or in the personal possession or office of the nurse assigned to that building.

2.15 Copies of a student's current IEP, most recent multi-disciplinary team evaluation report, current service agreement or accommodation plan, and instructional support or child study team data and action plan shall be maintained—

(a) in a secure file in the building to which the student is currently assigned; and

(b) in a secure file in ERLACS office of special education, together with other special education records that remain relevant to the education of the particular child or the design and provision of educational programs in general or essential to the protection of the legal interests of ERLACS.

2.16 In addition to or in place of any of the locations identified in subsections 2.12 through 2.15, records may be maintained in a secure electronic storage system or site, whether located locally or remotely, specifically designated by the CEO or his or her designee as a "student records maintenance site." ERLACS electronic mail server or servers, or directory or directories, and the files on local or remote disk drives, computers, servers, portable media, or mobile devices shall not for any purpose constitute a "student records maintenance site" unless explicitly so designated by the CEO or his or her designee in writing, and any personally-identifiable information stored thereon shall either be deleted or moved to a "student records maintenance site" at least once annually.

#### **MAINTENANCE—TRANSFER AND CONVERSION**

2.17 When a student assignment changes the education records described in Sections 2.12, 2.13, 2.14, and 2.15 of this policy, including the separately-maintained information from the Office of Juvenile Probation, shall be transferred to the new school in sufficient time to enable school officials with a legitimate educational interest to review such records, if necessary, prior to the arrival of the student in the new school or as soon as possible thereafter.

2.18 Nothing in this policy shall preclude the transfer or conversion of education records or information from one form or storage medium to another, as long as such transfer or conversion—

- (a) allows for similar accessibility of information to parents, eligible students, and school officials with a legitimate educational interest;
- (b) provides at least the level of security that could be obtained with physically locked conventional storage and, in the case of computer storage, conforms to the current standards established in the computer industry;
- (c) clearly reproduces educationally or legally necessary graphic information, handwriting, and signatures; and
- (d) allows for the use of an access record in accordance with Section 2.19 of this policy.

2.19 Every file from which access might be had by, or disclosure might be made to, persons or agencies other than the parents or the eligible student, shall have as part thereof an access and disclosure log that shall be maintained for as long as the records in that file are maintained and that shall consist of the following:

- (a) The identity of such person or agency to which access is granted to or disclosure made from the file;
- (b) The purpose for which access was granted or disclosure made;
- (c) The date of access or disclosure;
- (d) The name or initials of the person granting access or making the disclosure; and
- (e) In the case of disclosures to persons who will make further disclosures or allow further access on behalf of the school, the identity of the person or agency to whom or to which, and the specific purpose for which, such further disclosure or access will be made or allowed;
- (f) Any record of further disclosures made by State or federal agencies that are permitted to do so under law.

## **DESTRUCTION**

2.20 ERLACS may destroy core data, special education, and health records once the applicable time period for maintenance of such records, as established in Sections 2.8, 2.9, and 2.10 respectively, has lapsed.

2.21 ERLACS may destroy all other education records once it determines at its sole discretion that such records are no longer relevant to the education of the particular student or to the design and provision of educational programs in general or that such records are not essential to the protection of the legal interests of ERLACS.

2.22 When the time periods described in Sections 2.8 and 2.10 of this Policy have lapsed, and ERLACS determines that any portion of the education record of a student with disabilities is or will be at a prescribed time no longer relevant to the education of the particular student, it shall so notify in writing either his or her parents or the student directly, if he or she is an eligible student, of this determination. The written notice shall be in the native language of the parents or the eligible student, shall be mailed to the last known address of the parent or the eligible student, and shall—

(a) identify the specific records or categories of record that are no longer relevant;

(b) contain an explanation that ERLACS shall destroy the records thus identified if a parent or the eligible student so requests and that ERLACS may destroy such records without a request; and

(c) contain the name and number of a contact person whom the parents or eligible student can contact to obtain additional information about or seek clarification concerning the records thus identified. If the parent or eligible student so requests in writing after receipt of the notice, ERLACS shall destroy the education records thus identified or shall destroy them at the prescribed time at which they are no longer relevant.

2.23 A record is “destroyed” for purposes of this policy when, at a minimum, all personally identifiable information is removed from it or is otherwise obscured or obliterated. Nothing in this policy shall require the destruction of an education record except under the conditions described in Section 2.22 of this policy.

2.24 ERLACS shall not destroy any record that is the subject of a request for access from a parent or eligible student.

## **AMENDMENT OF RECORDS AND DUE PROCESS**

3.1 A parent or eligible student may request in writing that ERLACS amend any portion of an education record that he or she believes is inaccurate, misleading, or in violation of the student’s right to privacy. If a parent or eligible student makes such a request verbally, the person to whom such request is made shall inform the parent of the obligation to make such request in writing.

3.2 Within thirty school days of the receipt of the written request to amend the education record, the administrator who is primarily responsible for maintenance of the challenged

record shall notify the parent or eligible student in writing of whether ERLACS will amend the record. If ERLACS determines that it will grant the request to amend, the notice to the parent or eligible student shall either describe the amendment, which can include the expungement or deletion of records or information contained therein, or enclose a copy of the amended record. If ERLACS determines that it will not amend the record, the notice shall so inform the parent or eligible student and shall contain a statement explaining that the parent or eligible student has the right to request in writing a hearing before a disinterested school official to challenge the determination not to amend.

3.3 Within ten school days of receipt of a request for a hearing to challenge a determination not to amend an education record, ERLACS shall notify the parents or eligible student of the date, time, and location of the hearing. The notice shall be mailed certified, return receipt requested, or by similarly secure and verifiable means, in such time that the parent or eligible student receives it at least five school days before the hearing. The hearing shall occur within thirty days of receipt of the request for the hearing from the parent or eligible student.

3.4 The hearing shall be held before the CEO or his or her designee or, if the CEO or the designee has a direct interest in the outcome of the hearing, before the principal of the building to which the student is currently assigned or his or her designee.

3.5 The hearing shall be informal, unrecorded, and not subject to formal rules of evidence or procedure other than those required to maintain order. The parent or eligible student shall have a full and fair opportunity to present evidence in support of his or her position and may be represented at his or her expense by an adviser, including an attorney.

3.6 Within thirty days of the completion of the hearing, ERLACS shall issue to the parent or eligible student a written decision concerning the amendment of the record that shall either—

(a) describe the amendment, which can include the expungement or deletion of records or information contained therein, or

(b) explain the reasons for denying the request to amend and inform the parent or eligible student of the right to place a statement in the education record of the student commenting on the contested information in the record or explaining why he or she disagrees with the decision not to amend, or both. The written decision shall be based solely on the evidence presented at the hearing and shall summarize the evidence thus presented and the reasons for the decision to amend or refuse amendment.

3.7 If the parent or eligible student chooses to submit a statement in the education record of the student commenting on the contested information in the record or explaining why he or she disagrees with the decision not to amend, ERLACS shall—

(a) maintain such statement as part of the record for as long as ERLACS maintains the contested record or information; and

(b) disclose the statement whenever it discloses that portion of the record to which the statement pertains.

## **ACCESS AND DISCLOSURE**

### *Access*

4.1 (a) Education records subject to this Policy, other than those records or portions of records that contain “directory information,” are not considered “public records” subject to access or disclosure under the Pennsylvania Right to Know Law, 65 PA. STAT §§67.101-67.3104, or any similar law affecting public records.

(b) ERLACS shall allow the parents or eligible student to inspect and review the education record of the student within forty-five calendar days of receipt of a verbal or written request to do so. District staff shall make every reasonable effort to ensure that requested records are provided to the parents at the earliest possible date.

4.2 ERLACS shall respond to all reasonable requests from the parents or eligible student for an explanation or interpretation of information contained in the education record.

4.3 If circumstances effectively preclude the parents or eligible student from inspecting or reviewing the education record, or any portion thereof, ERLACS shall provide the parents or the eligible student with a copy of the record subject to the request. When copies are not required to ensure that the parents or the eligible student has the opportunity to inspect and review the education record, ERLACS may charge a fee of twenty-five cents per page to copy requested portions of the education record, unless the parents or the eligible student can establish that they are unable to pay the amount thus charged.

4.4 When ERLACS receives a request to inspect and review the education record of a student with disabilities in anticipation of a meeting of the IEP, service agreement, or multi-disciplinary team, or in anticipation of a due process hearing, ERLACS shall respond to such request within a reasonable time prior to the meeting or hearing, the time allowed by Section 4.1 of this policy notwithstanding.

4.5 When parents or an eligible student seek to inspect and review a record that contains personally identifiable information concerning more than one student, ERLACS shall provide access only to that portion of the record that pertains to the student in question.

4.6 School officials with a legitimate educational interest may at any time inspect and review, and obtain copies of, the education record and personally identifiable information in which they have such interest.

## DISCLOSURE

4.7 Any disclosure of personally identifiable information concerning a student to any person other than the parent, the eligible student, or school officials with a legitimate educational interest shall require the prior written consent of the parent or the eligible student. Any document providing such consent shall—

- (a) identify the particular portions of the education record or the particular information or types of information concerning the student that shall be disclosed;
- (b) identify the person or agency to whom or to which disclosure will be made; and
- (c) contain the signature of at least one parent or the eligible student, and the date of such signature.

4.8 Prior written consent from the parent or the eligible student is not required when the disclosure of education records or information is to one of the following persons or agencies under the following circumstances:

(a) To an educational agency or institution at which the student seeks to enroll, intends to enroll, or is enrolled, or from which the student receives services, when that agency or institution requests such records, as long as—

- (1) the parent or eligible student is provided on request with a copy of the records thus disclosed; and
- (2) the parent or eligible student is afforded on request a hearing as described in Section 3 of this policy; and
- (3) the disclosure is for purposes related to the student's enrollment or transfer.

(b) To appropriate parties in connection with an articulable and significant health or safety emergency, when such disclosure is necessary to protect the health or safety of the student or others, provided, however, that for each such disclosure, ERLACS shall maintain a record indicating—

- (1) The articulable and significant threat that justified such disclosure; and
- (2) The parties to whom ERLACS disclosed such information;
- (c) To state and federal educational and other agencies for purposes of investigation and auditing, when those agencies are bound by the provisions of the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g;

(d) To persons seeking directory information, when—

(1) parents and eligible students have received notice in the form of the annual publication of this policy in a newspaper of general distribution or a school publication of the policy of ERLACS to disclose directory information without parental consent; and

(2) the parent or the eligible student objecting to the release of such information without consent has not notified ERLACS in writing on or before the first day of the school term that they object to the disclosure of some or all of the information designated in Section 1.1 of this policy as “directory information”; of the school term that they object to the disclosure of some or all of the information designated in Section 1.1 of this policy as “directory information”

(e) To the student who is not an eligible student;

(f) To the parents of an eligible student who remains a “dependent student” as defined in the Internal Revenue Code;

(g) To accrediting organizations to carry out their accrediting functions;

(h) To comply with the terms of a judicial order or lawfully-issued subpoena, when ERLACS has made reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, unless the terms of a judicial order bar such notification;

(i) To a court or administrative hearing officer in the context of litigation between ERLACS and the parents or the eligible student, when the information disclosed is relevant to the action or proceeding and when ERLACS has made reasonable effort to notify the parent or eligible student of the intent to disclose such information;

(j) To armed forces recruiters seeking such information, a list of the names, addresses, and, if available, telephone numbers of all students expected to graduate high school at the end of the school term during which, or in anticipation of which, such request is made, provided, however, that such disclosure shall be subject to the limitations established by law and this policy upon the disclosure of directory information;

(k) To State or local Juvenile justice authorities when such disclosure is in accordance with an Act of the Pennsylvania General Assembly and enables the juvenile justice system to serve effectively and prior to adjudication the student to whom the records pertain, provided, however, that any such authority must certify in writing to ERLACS that such records will not be re-disclosed to any other party unless permitted by State law or unless written parent or eligible child consent is obtained;

(1) To organizations conducting studies for, or on behalf of, ERLACS to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction, when—

(2) The organization conducting the study does not permit access to personally-identifiable information to any party other than representatives of the organization who have a legitimate educational interest in that information;

(3) The information is destroyed when no longer needed for the purposes for which the study was conducted; and

(4) The organization enters into a binding agreement with ERLACS under which the organization is obligated to adhere to the requirements of this policy; that defines the purposes, scope, and duration of the study and the information to be disclosed to the organization; and that limits the use of the disclosed information to the purposes expressly identified in the agreement;

(m) Under such additional circumstances and to such additional persons and agencies as are permitted by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and its implementing regulation.

4.9 Any disclosure made in accordance with paragraph 4.8 of this policy shall be made under the explicit condition that the party to which or to whom such disclosure is made shall not re-disclose such information to any other party without written parent or eligible student consent, unless the record of the original disclosure identifies the additional parties to whom such disclosure is to be made under Section 4.8 of this Policy and the legitimate interest that such additional parties have in such information, or unless such original disclosure is to State or federal agencies in accordance with the requirements of Sections 99.32(b) and 99.33(b) of the implementing regulations of the Family Educational Rights and Privacy Act, 34 C.F.R. §§ 99.32(b) and 99.33(b).

4.10 Copies of all special education and discipline records of a student currently identified as a child with a disability within the meaning of the Individuals with Disabilities Education Act shall be transmitted to a law enforcement agency to which ERLACS has reported a crime committed by such student, provided, however, that prior to transmission of such records, ERLACS shall obtain written consent from the parent or eligible student as required by, and in accordance with the provisions of, Section 4.7 of this Policy or that such transmission is permitted without such consent in accordance with the provisions of Subsections (b), (h), or (k) of Section 4.8 of this Policy.

## MISCELLANEOUS PROVISIONS

5.1 The policy of ERLACS is to comply in full with the requirement of state and federal law governing the maintenance of records and other personally identifiable information and the privacy rights of students and their families. To the extent that any provision of this policy is construed as or found to be inconsistent with federal or state law, ERLACS will treat that provision as null and void. The CEO or his or her designee shall ensure that all persons responsible for the maintenance of any student record are aware of the provisions of this policy and receive regular training concerning its requirements. When feasible, the CEO or his or her designee shall provide for the use of physical or technological access controls to ensure that access to education records by school officials with a legitimate educational interest in them is limited to that information in which those officials have a legitimate educational interest.

5.2 ERLACS shall send or deliver all notices and requests for consent required under this policy to the address identified as the residence of the child in the registration information maintained by ERLACS. Unless it receives specific written information to the contrary, ERLACS shall presume that all persons with authority to make educational decisions for the student have received or had the opportunity to review and respond to notices and requests sent or delivered to such address. ERLACS will send notices and requests to separate addresses only when—

- (a) A person with joint authority to make educational decisions for the student, such as a divorced or separated natural parent or guardian, resides at that separate address; and
- (b) That person notifies ERLACS in writing that he or she is not receiving or has not had the opportunity to review and respond to notices and requests sent to the residence to which the student is registered.

6. *Public Notice* 6.1 Annually, at least thirty days prior to the beginning of the school term, ERLACS shall publish to all parents of students currently in attendance and to all eligible students currently in attendance a complete copy of this policy. The following notice shall precede the text of this policy and shall appear with the heading in boldface type or other similarly conspicuous format:

### **NOTICE OF IMPORTANT RIGHTS**

*Concerning the Maintenance, Access to, and Amendment and Disclosure of Education Records by Erie Rise Leadership Academy Charter School 34 C.F.R. § 99.7*

Printed below is the full text of the Education Records Policy of Erie Rise Leadership Academy Charter School. This policy contains information of importance to students attending public schools and public school sponsored programs. Several provisions of this policy warrant careful attention: Designation of certain records containing personally

identifiable information as “directory information.” In Section 1.1 of this policy, ERLACS designates certain kinds of information as “directory information.” ERLACS will provide this information to any interested person, including armed forces recruiters who request it, without seeking consent from the parents of the student or the student. If you do not want ERLACS to disclose such information, you must so notify ERLACS in writing on or before the first day of the school term, which is July 9<sup>th</sup>, 2018 Your written notice must identify the specific types of directory information that you do not want ERLACS to disclose without consent. If you fail to notify us in writing by the first day of the school term, we may release directory information upon request and without consent. Disclosure of records containing personally identifiable information to other schools and institutions, Section 4.8(a) of this policy allows ERLACS to disclose personally identifiable information concerning a student to an educational agency or institution at which the student seeks to enroll, intends to enroll, or is enrolled, or from which the student receives services, when that agency or institution requests such records, as long as the disclosure is for purposes related to the student’s enrollment or transfer. Access to records by school officials with a “legitimate educational interest.” Section 4.6 of this policy allows school officials with a legitimate educational interest to have access to personally identifiable information without parent or student consent. In Section 1.8 of this policy, ERLACS designates those persons who have a “legitimate educational interest” that would allow such access to education records. Amendment of education records, Section 3 of this policy describes how a parent or a student who has attained the age of 18 can request that records be amended. This Section also describes in detail the right of the parent or eligible student to request a hearing to challenge a decision by ERLACS not to amend records that the parent or student believes are inaccurate, misleading, or in violation of the student’s right to privacy.

#### **COMPLAINTS TO THE UNITED STATES DEPARTMENT OF EDUCATION.**

Complaints concerning alleged failure of ERLACS to comply with the requirements of the Family Educational Rights and Privacy Act may be addressed to the United States Department of Education as follows:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202-4605

*PARENTS/GUARDIANS OF CHILDREN WHO ATTENDED ERLACS IN THE PAST SHOULD READ THE FOLLOWING POLICY CAREFULLY FOR A FULL EXPLANATION OF THEIR PRIVACY RIGHTS AS PARENTS OR STUDENTS.*

### **III. ERIE RISE LEADERSHIP ACADEMY CHARTER SCHOOL POSITIVE BEHAVIOR SUPPORT POLICY**

**1. PURPOSE:** The school believes in the use of positive behavior support. This policy is designed to enable students with individualized educational programs (IEPs), who need a behavior support program, to benefit from their free appropriate education program within the least restrictive environment. Therefore, a behavior support program shall be developed for eligible students whose actual or anticipated behavior, as determined by the IEP team, is a manifestation of the student's disability and for students who have been identified as seriously and emotionally disturbed.

**2. AUTHORITY (Title 22 Sec. 14.133):** Application of the behavior support program shall not constitute a change in the student's educational placement. It is imperative that causes of the student's behavior problems be addressed prior to the development of a behavior support program. In the behavior support program, positive techniques must be used to improve the student's opportunity for learning and achievement of academic standards established for the program.

**3. DEFINITIONS (Title 22 Sec. 14.133):** The following terms shall have these meanings, unless the context clearly indicates otherwise:

- Aversive techniques - deliberate activities designed to establish a negative association with a specific behavior.
- Behavior support - development, change and maintenance of selected behaviors through the systematic application of behavior change techniques. Positive techniques - methods that utilize positive reinforcement to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behaviors to specific
- Restraints - devices and techniques designed and used to control acute or episodic aggressive behaviors or to control involuntary movements or lack of muscular control due to organic causes or conditions; the term includes physical and mechanical restraints.

**4. GUIDELINES:** Effective techniques to: modify the contextual influences of behavior (i.e. setting events and immediate antecedent events); teach socially appropriate alternative skills; and reduce problem behavior will be employed. Positive techniques shall be attempted prior to the use of more intrusive or restraining measures and will also be monitored along with improvements in the student's general health and well-being as a result of positive behavior support. Least to most intrusive hierarchy of strategies will be utilized.

The behavior support plan for a student with an IEP must be designed and implemented in accordance with Pennsylvania Department of Education (PDE) Guidelines for Effective Behavior Support. Specifically, a multi-component approach to modify contextual

influences, teach alternative skills, and reduce problem behavior is to be documented in the Behavior Improvement Plan. Evaluation procedures must also be present.

Positive rather than negative measures shall form the basis of behavior support programs. The types of intervention chosen for a particular student shall be the least intrusive necessary. Aversive techniques, restraints or discipline procedures may not be used as a substitute for an educational program, for the convenience of staff or employed as punishment, and may not be included in the IEP.

The use of physical restraint when implemented as a protective procedure must be documented as a part of a student's crisis management plan in the student's Behavior Improvement Plan with his/her IEP. Restraints used to control acute or episodic aggressive behavior may be used only when the student is acting in a manner as to be a clear and present danger to him/herself, other students, or employees, and only when less restrictive measures and techniques have been proven to be or are less effective. The use of restraints to control the aggressive behavior of an individual student shall cause a meeting of the IEP team to review the current IEP for appropriateness and effectiveness.

Erie Rise Leadership Academy Charter School has the primary responsibility for ensuring that behavior support programs are in accordance with this chapter, including the training of school personnel. They will be trained in the use of specific procedures, methods, and techniques for the utilization of physical restraint as a protective procedure and shall be certified in crisis intervention strategies.

If the use of physical restraint is considered for use as a protective procedure as a part of the crisis management plan, the Behavior Improvement Plan may be reviewed by a human rights review committee for positive effective techniques to assure the dignity and rights of the student are being considered.

The use of prone restraints is prohibited and never used. The use of reduction-oriented consequence strategies, including the crisis management plan, may not be employed as punishment for the convenience of staff, or as a substitute for an educational program.

Erie Rise Leadership Academy Charter School shall maintain and report data on the use of restraints as prescribed by the Secretary. The report will be reviewed during cyclical compliance monitoring conducted by the Department.

Mechanical restraints, which are used to control involuntary movement or lack of muscular control of students when due to organic causes or conditions, may be included in the IEP only when recommended by a qualified medical professional and agreed upon by the student's parents/guardians. Mechanical restraints shall prevent a student from injuring him/herself or others, or promote normative body positioning and physical functioning.

**TITLE 22 SEC. 14.133:** The following aversive techniques of handling behavior are considered inappropriate and may not be used in the educational program at Erie Rise Leadership Academy Charter School:

1. Corporal punishment.
2. Punishment for a manifestation of a student's disability.
3. Locked rooms, boxes, and other structures or spaces from which the student cannot readily exit.
4. Noxious substances.
5. Deprivation of basic human rights, such as withholding meals, water or fresh air.
6. Serial suspensions.
7. Treatment of a demeaning nature.
8. Electric shock.
9. Methods implemented by untrained personnel.
10. Methods that have not been outlined in the plan.

Subsequent to a referral to law enforcement, for a student with a disability who has a positive behavior support plan, an updated functional behavior assessment and positive behavior support plan shall be required.

The school, in conjunction with the IEP team, must obtain parent or guardian approval through the IEP process for all procedures identified within the student's individualized Behavior Improvement Plan as a part of the IEP.

The school assures that it will provide adequate training and support to appropriate personnel in the use of specific procedures, methods, and techniques as outlined in state regulations and PDE Guidelines for Effective Behavior Support. Training will be updated, as appropriate.

**5. DELEGATION OF RESPONSIBILITY:** The Principal and Director of Student Conduct is responsible for ensuring that agreed upon behavior support plans within IEPs for students are implemented in a consistent manner, and this policy is implemented in compliance with applicable state regulations.

PA Code  
Title 22  
Sec. 14.133

Chapter 711.46

## **IV. Commonwealth of PA Reportable Violations (PDE-Safe Schools Report)**

The following definitions are included to provide a uniform fundamental understanding of a particular criminal offense or key item as it relates to completion of the PA School Safety Report. Violations are classified as crimes against a person, property, society, or illegal possession. At ERLACS suspensions may be in school suspension (ISS), school after school suspension (SAS) – 3:00 PM to 6:30 PM, or out of school suspension (OSS). Detentions may be teacher assigned, administrative during lunch, or may be assigned for Saturday.

### **CRIMES AGAINST A PERSON**

**Assault** on School Employee is an unlawful attack by one person upon another. By definition there can be no attempted assaults, only completed assaults. The act should be intentionally, knowingly, or recklessly causing bodily injury or serious bodily injury to an employee(s).

#### **First Violation**

##### **Required – Police Notification**

Up to 10 days suspension & Informal Hearing  
Hearing

##### **Optional**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**ASSAULT ON STUDENT** is an unlawful attack by one student upon another. By definition there can be no attempted assaults, only completed assaults. The act should intentionally, knowingly, or recklessly cause bodily injury and/or serious bodily injury to a student(s).

#### **First Violation**

##### **Required – Police Notification**

Up to 10 days suspension & Informal Hearing  
Hearing

##### **Optional**

1. Additional days suspension

#### **Subsequent Violations**

##### **Required – Police Notification**

Up to 10 days suspension & Informal

##### **Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for
4. Filing of criminal charges as

#### **Subsequent Violations**

##### **Required – Police Notification**

Up to 10 days suspension & Informal

##### **Optional**

1. Additional days suspension

2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

2. Recommendation for Alternative School Placement
3. Recommendation to Board for
4. Filing of criminal charges as

**AGGRAVATED ASSAULT** is an unlawful attack by one person upon another in which the offender uses a weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe lacerations, or loss of consciousness. This also includes assault with disease (as in cases when the offender is aware that he/she is infected with a deadly disease) by biting, spitting, etc.

**First Violation**

**Required – Police Notification**

Up to 10 days suspension & Informal Hearing Hearing

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**ASSAULT INVOLVING USE OF A WEAPON:** An assault by one person against another where the attacker either uses a weapon or displays a weapon in a threatening manner. Weapon is defined as: Any firearm or explosive device; force-impacting device; knife or sharp-edged or sharp-pointed utensil, device or tool; or any article, instrument or substance which can or is likely to produce death or great bodily harm.

**First Violation**

**Required – Police Notification**

Up to 10 days suspension & Informal Hearing Hearing

**Optional**

1. Additional days suspension

**Subsequent Violations**

**Required – Police Notification**

Up to 10 days suspension & Informal

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for
4. Filing of criminal charges as

**Subsequent Violations**

**Required – Police Notification**

Up to 10 days suspension & Informal

**Optional**

1. Additional days suspension

2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

2. Recommendation for Alternative School Placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**FIGHTING (MUTUAL ALTERCATION)** is a student confrontation with another student in which the altercation is mutual, requiring physical restraint or resulting in injury or property damage. If the incident does not rise to that level, the incident should be classified as minor disruptive behavior or a minor infraction. b) Mutual participation in a fight involving physical violence, where there is no one main offender and no major injury. This does not include verbal confrontations, tussles or other minor confrontations. Law enforcement officers may refer to this offense as simple assault. Administrators will consider age and developmentally appropriate behavior before using this category.

**First Violation**

**Subsequent Violations**

**Required**

Up to 10 days suspension & Informal Hearing

**Required**

Up to 10 days suspension & Informal Hearing

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**MINOR ALTERCATION:** A minor altercation is an incident which involves a single offender who commits a minor violent act against another individual and the other individual does not respond and the incident does not elevate to a more severe type of incident such as a fight or assault (e.g., “Student A” strikes “Student B” resulting in little injury and the “Student B” does not retaliate).

**First Violation**

**Subsequent Violations**

**Required**

Student/Administrator Conference

**Required**

Student/Administrator Conference  
Mandatory Parental Conference

**Optional**

**Optional**

Mandatory Parental Conference  
Up to 3 days In-School Suspension  
1 day Suspension

Up to 3 days in-School Suspension  
Up to 3 days Suspension

**BULLYING:** A student is being bullied or victimized when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more other students (Olweus 1986 and 1991). It is a negative action when someone intentionally inflicts, or attempts to inflict, injury or discomfort upon another. This includes cyber bullying directly related to incidents on school grounds, or at school sponsored functions.

**DIRECT BULLYING:** A negative action when somebody hits, pushes, kicks, pinches, or restrains another by physical contact. Direct bullying can also be carried out by words (verbally), by threatening, taunting, teasing, and calling names.

**INDIRECT BULLYING:** Making faces or dirty gestures, intentionally excluding someone from a group, spreading rumors, or refusing to comply with another person's wishes.

**RELATIONAL AGGRESSION:** Describes behavior which can undermine or destroy relationships and is often used when identifying "female" bullying. However, it should be noted that both genders can engage in direct or indirect bullying, and it can be either physical and/or psychological in nature. Bullying can be carried out by a single individual or by a group. The target/victim of bullying can be a single individual or a group of students. The behavior can be either overt or covert in nature utilizing various methods of communication. For example, the term cyber bullying is being used to describe bullying behavior which occurs on the Internet. The term bullying should not be used when there is a mutual confrontation between two students or groups of students. Behavior is clearly bullying when:

(1) **THERE IS INTENT TO HARM** – the perpetrator appears to find pleasure in taunting and continues even when the target's distress is obvious. Mutual "teasing" should not be confused with bullying behavior and

(2) **THERE IS INTENSITY AND DURATION** - the taunting continues over a period of time, and is not welcomed by the target.

### **First Violation**

#### **Required**

1. Student/Administrator Conference
2. Mandatory In School Parental Conference
3. Up to 3 days Suspension

#### **Optional (If serious offense)**

1. Additional days suspension
2. Recommendation for Alternative

### **Subsequent Violations**

#### **Required**

1. Student/Administrator Conference
2. Mandatory In School Parental Conference
3. Up to 3 days Suspension

#### **Optional**

1. Additional days suspension
2. Recommendation for Alternative

- School placement
3. Recommendation to Board for Expulsion
  4. Filing of criminal charges as appropriate

- School Placement
3. Recommendation to Board for
  4. Filing of criminal charges as

**HARASSMENT:** A person commits the crime of harassment when, with the intent to harass, annoy or alarm another person based on race, color, religion, sex, age, disability, or national origin.

- (1) Strikes, shoves, kicks or otherwise subjects the other person to physical contact, or attempts or threatens to do the same;
- (2) Follows the other person in or about a public place or places; or
- (3) Engages in a course of conduct or repeatedly commits acts that serve no legitimate purpose other than intending to cause substantial emotional distress.

**First Violation**

**Subsequent Violations**

**Possible – Police Notification**

**Possible – Police Notification**

1. Student/Administrator Conference
2. Mandatory In School Parental Conference
3. Up to 3 days Suspension

1. Student/Administrator Conference
2. Mandatory In School Parental Conference
3. Up to 3 days Suspension

**Optional (If serious offense)**

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as

**HARASSMENT AND STALKING BY COMMUNICATION OR ADDRESS** – A person commits harassment by communication or address when with the intent to harass, intimidate, annoy or alarm another, he/she:

- (1) Communicates to or about such person any lewd, lascivious, threatening or obscene words, language, drawings or caricatures;
- (2) Communicates repeatedly in an anonymous manner;
- (3) Communicates repeatedly at extremely inconvenient hours;
- (4) Communicates repeatedly in any manner not covered by #2 or #3.

A person commits stalking by communication or address when he/she engages in a course of conduct or repeatedly communicates to another under circumstances which demonstrate or communicate either of the following

- (1) An intent to place such other person in reasonable fear of bodily harm;
- (2) An intent to cause substantial emotional distress to such other person.

**First Violation**

**Required – Police Notification**

1. Student/Administrator Conference
2. Mandatory Parental Conference
3. Up to 3 days Suspension

**Optional (If serious offense)**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**Subsequent Violations**

**Required – Police Notification**

1. Student/Administrator Conference
2. Mandatory Parental Conference
3. Up to 3 days Suspension

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for
4. Filing of criminal charges as

**SEXUAL HARASSMENT** – Discrimination against a student based on the student’s submission or rejection of sexual advances and/or requests, or creating an atmosphere of harassment based on sexual issues/activity. The unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communication of a sexual nature, and any other gender based harassment which has the purpose or effect to interfere with the individual performance, work environment, or participation in school sponsored activities, or creates an intimidating, hostile, or offensive educational environment. This includes students and staff. Examples include behaviors such as leering, pinching, grabbing, suggestive comments, gestures, jokes, or pressure to engage in sexual activity.

**First Violation**

**Required**

1. Student/Administrator Conference
2. Mandatory Parental Conference
3. Up to 3 days Suspension

**Optional (If serious offense)**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion

**Subsequent Violations**

**Required**

1. Student/Administrator Conference
2. Mandatory In School Parental Conference
3. Up to 3 days Suspension

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for

4. Filing of criminal charges as appropriate  
appropriate

4. Filing of criminal charges as appropriate

## **BULLYING/CYBERBULLYING**

**ADOPTED: March 19, 2014**

**UPDATED: August 22<sup>nd</sup> 2019**

	<b>BULLYING/CYBERBULLYING</b>
1. Purpose	The Board is committed to providing a safe, positive learning environment for Erie Rise Leadership Academy Charter School (ERLACS) students. The Board recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, and may lead to more serious violence. Therefore, the Board prohibits bullying by ERLACS students.
2. Definitions SC 1303.1-A	<b>Bullying</b> means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students that is severe, persistent or pervasive and has the effect of doing any of the following:  <ol style="list-style-type: none"><li>1. Substantial interference with a student’s education.</li><li>2. Creation of a threatening environment.</li><li>3. Substantial disruption of the orderly operation of the school.</li></ol> <b>Bullying</b> , as defined in this policy, includes cyber-bullying.
SC 1303.1-A	<b>School setting</b> means in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school.
3. Authority SC 1303.1-A Title IX 20 U.S.C. Sec. 1681 43 P.S. Sec. 951 et seq 29 CFR Sec. 1606.8(a)	The Board prohibits all forms of bullying by ERLACS students.  The Board encourages students who have been bullied to promptly report such incidents to their teacher, CEO, building principal or designee.  The Board directs that 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 ERLACS’s legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith reports of bullying.  Corrective action may be, but not limited to, student/administrator conference, mandatory parental conference, suspension, alternative education placement, expulsion, and/or filing of criminal charges as per the Student Code of Conduct.

**Bullying**

The Administration shall promulgate rules and regulations which prohibit bullying in accordance with this policy and the Code of Student Conduct, and which:

1. Ensure compliance with mandatory bullying incident reporting requirements;
2. Include complaint/investigation procedures; and
3. Ensure compliance with mandatory annual notification and posting of the District's bullying policy.

ERLACS administrators shall review the school's bullying policy and administrative rules and regulations every year and recommend necessary revisions to the Board.

**SEXUAL RELATED OFFENSES:** This category includes rape, sexual assault, indecent assault, involuntary sexual deviate assault and aggravated indecent assault. Also included are prostitution and indecent exposure of private parts to the sight of another person in a lewd or indecent manner. This category doesn't include kissing, mooning, swearing or profanity. Administrators will consider age and developmentally appropriate behavior before assigning the appropriate specific code to such offenses.

**First Violation**

**Subsequent Violations**

**Required – Police Notification**

Up to 10 days suspension & Informal Hearing  
Hearing

**Required – Police Notification**

Up to 10 days suspension & Informal  
Hearing

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**RACIAL/ETHNIC INTIMIDATION** is malicious intent toward another's person or property based on race, color, religion or national origin. It is classified as a hate crime.

**First Violation**

**Subsequent Violations**

**Required**

1. Student/Administrator Conference
2. Mandatory Parental Conference
3. Up to 3 days Suspension

**Required**

1. Student/Administrator Conference
2. Mandatory Parental Conference
3. Up to 3 days Suspension

**Optional (If serious offense)**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**KIDNAPPING (INTERFERENCE WITH CHILD CUSTODY)** is the removal, restraining or confinement of an individual by another through force, threat, or deception or (if person is under 14 years)

without consent of a parent, guardian or school. Kidnapping/abduction includes hostage taking.

**First Violation**

**Subsequent Violations**

**Required – Police Notification**

Up to 10 days suspension & Informal Hearing  
Hearing

**Required – Police Notification**

Up to 10 days suspension & Informal

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for
4. Filing of criminal charges as

**RECKLESS ENDANGERING** is engaging in conduct that places or may place another person in danger of death or serious bodily injury.

**First Violation**

**Subsequent Violations**

**Required**

Up to 10 days suspension & Informal Hearing  
Hearing

**Required**

Up to 10 days suspension & Informal

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for
4. Filing of criminal charges as

**ROBBERY** is the taking, or attempting to take, anything of value under confrontational circumstances from the control, custody or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm. Administration will take into account developmental appropriateness of the behavior.

**First Violation**

**Subsequent Violations**

**Possible – Police Notification**

Up to 10 days suspension & Informal Hearing  
Hearing

**Optional**

- 1. Additional days suspension
- 2. Recommendation for Alternative School placement
- 3. Recommendation to Board for Expulsion
- 4. Filing of criminal charges as appropriate

**Possible – Police Notification**

Up to 10 days suspension & Informal Hearing

**Optional**

- 1. Additional days suspension
- 2. Recommendation for Alternative School Placement
- 3. Recommendation to Board for Expulsion
- 4. Filing of criminal charges as appropriate

**THREATENING OR INTIMIDATING A SCHOOL OFFICIAL OR A STUDENT**

(Physical, verbal, written, or electronic threat (e.g., internet) or intimidation) is to unlawfully place another person in fear of bodily harm through verbal threats without displaying a weapon or subjecting the person to actual physical attack; stalking (i.e., secretly or stealthily pursuing another, spying on or watching another person, with or without the intent to harm, frighten, or coerce) should be included.

**First Violation**

**Required**

- 1. Student/Administrator Conference
- 2. Mandatory Parental Conference
- 3. Up to 3 days Suspension

**Optional (If serious offense)**

- 1. Additional days suspension
- 2. Recommendation for Alternative School placement
- 3. Recommendation to Board for Expulsion
- 4. Filing of criminal charges as appropriate

**Subsequent Violations**

**Required**

- 1. Student/Administrator Conference
- 2. Mandatory Parental Conference
- 3. Up to 3 days Suspension

**Optional**

- 1. Additional days suspension
- 2. Recommendation for Alternative School Placement
- 3. Recommendation to Board for Expulsion
- 4. Filing of criminal charges as appropriate

**CRIMES AGAINST PROPERTY**

**ARSON** is the unlawful and intentional damage or attempt to damage any real or personal property by fire or incendiary device. Setting a fire (by match, lighter, fireworks, firecrackers, trashcan fires, Molotov cocktails, or any other incendiary device) providing aid, counsel or pay toward same. This category does not include a simple act of lighting a match.

## **First Violation**

### **Required – Police Notification**

5 to 10 days suspension & Informal Hearing  
Hearing

### **Optional**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**BURGLARY** is the unlawful entry into a building or other structure with the intent to commit a felony or theft. It is not necessary that force be used in gaining entry, neither is it necessary that property loss occur. Attempts to unlawfully enter a structure without expressed permission are also counted in this category.

## **First Violation**

### **Required – Police Notification**

1. Student/Administrator Conference
2. Mandatory Parental Conference
3. Up to 3 days Suspension

### **Optional (If serious offense)**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**THEFT BY UNLAWFUL TAKING OR DISPOSITION:** Movable property - A person is guilty of theft if he unlawfully takes, or exercises unlawful control over, movable property of another with intent to deprive him thereof.

## **First Violation**

## **Subsequent Violations**

### **Required – Police Notification**

5 to 10 days suspension & Informal

### **Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for
4. Filing of criminal charges as

## **Subsequent Violations**

### **Required – Police Notification**

1. Student/Administrator Conference
2. Mandatory Parental Conference
3. Up to 3 days Suspension

### **Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for
4. Filing of criminal charges as

## **Subsequent Violations**

**Required**

- 1. Student/Administrator Conference
- 2. Mandatory Parental Conference
- 3. Up to 3 days Suspension

**Optional (If serious offense)**

- 1. Additional days suspension
- 2. Recommendation for Alternative School placement
- 3. Recommendation to Board for Expulsion
- 4. Filing of criminal charges as appropriate

**Required**

- 1. Student/Administrator Conference
- 2. Mandatory Parental Conference
- 3. Up to 3 days Suspension

**Optional**

- 1. Additional days suspension
- 2. Recommendation for Alternative School Placement
- 3. Recommendation to Board for
- 4. Filing of criminal charges as

**VANDALISM** is the unlawful desecration of a building or other structure with the intent to commit damage. Administration will make decisions based on developmental age appropriateness and severity of incident.

**First Violation**

**Possible – Police Notification**

- 1. Student/Administrator Conference
- 2. Mandatory Parental Conference
- 3. Up to 3 days Suspension

**Optional (If serious offense)**

- 1. Additional days suspension
- 2. Recommendation for Alternative School placement
- 3. Recommendation to Board for Expulsion
- 4. Filing of criminal charges as appropriate

**Subsequent Violations**

**Possible – Police Notification**

- 1. Student/Administrator Conference
- 2. Mandatory Parental Conference
- 3. Up to 3 days Suspension

**Optional**

- 1. Additional days suspension
- 2. Recommendation for Alternative School Placement
- 3. Recommendation to Board for
- 4. Filing of criminal charges as

**CRIMES AGAINST SOCIETY**

**BOMB THREAT** is a threat, direct or indirect, to commit a violent crime by communicating that a bomb has been placed, or will be placed in a particular location with the intent to terrorize another person, cause evacuation of a building or other place of assembly, including transportation, or otherwise cause serious public inconvenience.

**First Violation**

**Subsequent Violations**

**Required – Police Notification**

5 to 10 days suspension & Informal Hearing  
Hearing

**Required – Police Notification**

5 to 10 days suspension & Informal

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for
4. Filing of criminal charges as

**DISORDERLY CONDUCT.** A person is guilty of disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he:

- (1) Engages in fighting or threatening, or in violent or tumultuous behavior;
- (2) Makes unreasonable noise
- (3) Uses obscene language, or makes an obscene gesture; or
- (4) Creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor.

**First Violation**

**Required**

1. Student/Administrator Conference
2. Mandatory Parental Conference
3. Up to 3 days Suspension

**Subsequent Violations**

**Required**

1. Student/Administrator Conference
2. Mandatory Parental Conference
3. Up to 3 days Suspension

**Optional (If serious offense)**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for
4. Filing of criminal charges as

**RIOTING.** A person is guilty of a riot, a felony of the third degree, if he participates with two or more others in a course of disorderly conduct:

- (1) With intent to commit or facilitate the commission of a felony or misdemeanor.
- (2) With intent to prevent or coerce official action or

(3) When the actor or any other participant to the knowledge of the actor, uses or plans to use a firearm or other deadly weapon.

**First Violation**

**Required – Police Notification**

5 to 10 days suspension & Informal Hearing  
Hearing

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**Subsequent Violations**

**Required – Police Notification**

5 to 10 days suspension & Informal

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for
4. Filing of criminal charges as

**TERRORISTIC THREATS** (OTHER THAN BOMB THREATS) are threats, direct or indirect, to commit a violent crime, with the intent to terrorize another person, cause evacuation of a building or other place of assembly, including transportation, or otherwise cause serious public inconvenience.

**First Violation**

**Possible – Police Notification**

1. Student/Administrator Conference
2. Mandatory Parental Conference
3. Up to 3 days Suspension

**Optional (If serious offense)**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**Subsequent Violations**

**Possible – Police Notification**

1. Student/Administrator Conference
2. Mandatory Parental Conference
3. Up to 3 days Suspension

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for
4. Filing of criminal charges as

**ILLEGAL POSSESSION**

ACT 26 of the Pennsylvania Legislature requires “A school district...shall expel, for a period of not less than one (1) year, any student who is determined to have brought onto or is in possession of a weapon on any school property, any school-sponsored activity or any public conveyance providing transportation to a school or school-sponsored activity.

**WEAPON** is defined as an “instrument or implement capable of inflicting serious bodily injury.” Weapon shall include, but not be limited to, any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle and any other tool, instrument or implement capable of inflicting serious bodily injury.

**SCHOOL PROPERTY** shall mean any public school grounds, any school sponsored activity, or a conveyance providing transportation to a school sponsored activity.

**POSSESSION OF FIREARMS §6110.1A** – No person age 18 or under shall possess or transport a firearm anywhere in the Commonwealth of PA. A firearm is any weapon (including a starter gun) which will, is designed to, or may be readily converted to expel or drop a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or a machine gun. A destructive device is any bomb, grenade, mine, rocket, missile, pipe bomb, fireworks, or similar device containing some type of explosive that is designed to explode and is capable of causing bodily harm or property damage. Includes firearms of any kind (operable or inoperable, loaded or unloaded): including but not limited to hand, zip, pistol, rifle, shotgun, starter gun, flare gun.

**POSSESSION OF KNIVES/CUTTING INSTRUMENTS** – An object with which one can cut or stab such as, but not limited to – any type of knife including a pocket or penknife, razor blades, hatchet, ax, cleaver, scissors, glass, broken bottle, dagger, ice pick, dirks, machete, or similar instruments with sharp cutting edges including pencils and pens, nunchakus and brass knuckles. Administrators will consider age and developmentally appropriate behavior before using this category.

**POSSESSION OF OTHER WEAPON** – Possession, use or intention of use of any instrument or object to inflict harm on another person, or to intimidate any person. Included in this category are all types of chains, metals or pipes, or any objects or instruments that are not being used for the purpose for which they were normally intended and are capable of harming an individual. Chinese stars, billy clubs, tear gas, electrical weapon or device (stun gun), toy guns (if they are authentic replicas or are used in a threatening manner), M80’s mace, pepper gas, and any other instrument that when implemented can be capable of inflicting serious bodily injury.

## **CONSEQUENCES FOR ANY WEAPONS POSSESSION**

All weapon possessions will result in student expulsion for no less than one school year.

## **BUS VIOLATIONS**

To ensure the safety and well-being of its students, ERLACS provides bus transportation for those students whose place of residence and route to school meet the distance and safety requirements of their home school district. Students are expected to follow the rules that have been established for student conduct on school buses. A student eligible for free bus transportation will be assigned a specific bus number and route.

**BUS RIDING PRIVILEGES MAY BE SUSPENDED** for offenses which may distract the driver. They include, but are not limited to:

- Not remaining seated while the bus is in motion
- Throwing items out of open windows
- Putting arms, hands or heads out of the windows
- Riding an unassigned route
- Eating or drinking on the bus
- Bringing an animal or pet on the bus
- Acting in a manner disruptive of normal bus operation
- Acting in a manner which endangers the safety or welfare of any other person

Student behavior will be tracked quarterly. Students will be allowed 3 “bus infractions” before losing bus privileges for the remainder of the quarter. Parents will be notified in writing and via phone call if bus privileges are revoked.

## **CHEATING**

The act or instance of fraudulent deception in preparing or presenting course work or class assignments as a student's own authentic work when it is not. This includes, but is not limited to, (1) copying another student's paper, (2) unauthorized use of notes or sharing answers during a test or examination, (3) presenting another person's work as one's own (4) presenting quotations, words, or without proper references or credit (plagiarism).

### **First Violation**

#### **Required**

1. Parental Contact
2. Failing Grade penalty for incident
3. Referral to Counselor

#### **Optional**

1. In-School Suspension or SAS
2. Out-of-School Suspension

### **Subsequent Violations**

#### **Required**

1. Mandatory Parental Conference
2. Failing Grade penalty for incident
3. Referral to Counselor
4. In-School Suspension or SAS

#### **Optional**

1. Out-of-School Suspension
2. Referral to Alternative Program

**Detention Violations** – Not reporting to detentions as assigned by teacher or administrator.

**First Violation**

**Required**

1. 1 detention will be added

**Optional**

1. Mandatory Parental Conference
2. In-School Suspension
3. Out of School Suspension

**Subsequent Violations**

**Required**

1. 1 detention will be added
2. Second detention added

**Forgery**

The act of falsifying a note or document by signing another’s name or changing the text.

**First Violation**

**Required**

1. Student/Administrator Conference
2. Mandatory Parental Conference

**Optional**

1. Up to 3 days detention

**Subsequent Violations**

**Required**

1. Student/Administrator Conference
2. Up to 3 days detention

**Optional**

1. Up to 3 days In-School Suspension
2. Out of School Suspension

**GAMBLING**

Participation in games of chance for money and/or other things of value.

**First Violation**

**Required**

1. Parent Notification
2. Detention

**Optional**

1. Mandatory Parental Conference
2. In-School Suspension

**Subsequent Violations**

**Required**

1. Mandatory Parental Conference
2. In-School Suspension

**Optional**

1. Out-of-School Suspension
2. Filing of charges with Police
3. Out-of-School Suspension

**HAZING**

For the purpose of this code of student conduct, is defined as “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 operating under sanction of the school.” The term shall include, but not be limited to, any brutality of 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 adversely affects 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 of public or private property.

### **First Violation**

### **Subsequent Violations**

#### **Required**

Up to 10 days suspension & Informal Hearing  
Hearing

#### **Required**

Up to 10 days suspension & Informal  
Hearing

#### **Optional**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

#### **Optional**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for
4. Filing of criminal charges as

### **INAPPROPRIATE BEHAVIOR**

Behavior, which produces distractions, frictions, or disturbances which seriously or repeatedly interferes with the effective functioning of the teacher, student, class, or school.

### **First Violation**

### **Subsequent Violations**

#### **Required**

1. Parental Contact
2. Reprimand

#### **Required**

1. Mandatory Parental Conference
2. Detention

#### **Optional**

1. Detention
2. Up to 3 days In-School Suspension

#### **Optional**

1. Up to 3 days In-School Suspension
2. Up to 3 days Suspension

### **Inappropriate Language**

Any language, which is offensive to generally, accepted community standards.

**First Violation**

**Required**

1. Parental Contact
2. Reprimand

**Optional**

1. Detention
2. Up to 3 days In-School Suspension

**Subsequent Violations**

**Required**

1. Mandatory Parental Conference
2. Detention

**Optional**

1. Up to 3 days In-School Suspension
2. Up to 3 days Suspension

**INCENDIARY / EXPLOSIVE DEVICES**

A student shall not possess any incendiary or explosive device. Incendiary means any matches, lighters, sparklers, or implement whose purpose is to create a spark or flame, or whose function is initiated by spark or flame. Explosive device means any bomb, smoke bomb, stink bomb, grenade, firecracker, fireworks, or any other incendiary or percussive device. The following action will be taken for the possession of such:

**First Violation – Police Notification**

**Required**

1 to 5 days suspension & Informal Hearing

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

**Subsequent Violations – Police Notification**

**Required**

1 to 5 days suspension & Hearing

**Optional**

1. Additional days suspension
2. Recommendation for Alternative School Placement
3. Recommendation to Board for
4. Filing of criminal charges as

**INSUBORDINATION**

Any refusal to follow a reasonable directive of a staff member acting within his/her authority

**First Violation**

**Required**

**Subsequent Violations**

**Required**

1. Parental Contact
2. Detention

1. 1 day In-School Suspension

**Optional**

1. 1 day In-School Suspension

**Optional**

1. Up to 3 days In-School Suspension
2. Up to 3 days Suspension

**NUISANCE DEVICES**

Any radio, record or tape player, MP3, iPod, electronic game, camera (except yearbook or newspaper staff), CD player, pager, beeper, game, toy, puzzle, laser pointer, or any object or device included in, but not limited to those described in district policy 237, Electronic Devices, which has no legitimate immediate educational purpose. Possession of such items may interfere with the orderly conduct of school business and are subject to confiscation. Cellular telephones may not be used in school during the school day; however, after dismissal they may be used. Prohibition of use means that they shall be turned off during instructional and class time, during passing of classes, and at any other time where such use could cause a disruption of school activities. If possession or abuse of a cell phone results in a distraction or disruption of the orderly conduct of school business, they become subject to confiscation. Parents/guardians must pick up the confiscated item(s). In addition to the confiscation, students will face disciplinary action as prescribed below, at the discretion of the administrator.

**The school will not be responsible for confiscated items.**

**First Violation**

**Required**

1. Mandatory Parental Conference
2. Item confiscated for return to parent.

**Optional**

1. Detention
2. 1 day In-School Suspension

**Subsequent Violations**

**Required**

1. Item confiscated for return to parent
2. 1 day In-School Suspension

**Optional**

1. Up to 3 days In-School Suspension
2. Up to 3 days Suspension

**PORNOGRAPHY**

Media; printed, graphic, photographic, electronic, audio or video, of which the primary purpose or effect of the content is to stimulate sexual excitement. Students shall not possess any pornographic material in school, on school transportation, at school sponsored events or at any time while under the supervision or authority of the school.

**First Violation**

**Subsequent Violations**

**Required-Parental Notification**

- 1. 1 day In-School Suspension
- 2. Item confiscated

**Required-Parental Notification**

- 1. 1 day Suspension
- 2. Item confiscated

**Optional**

- 1. Up to 3 days In-School Suspension

**Optional**

- 1. Up to 3 days Suspension

**STUDENTS UNIFORM DRESS CODE**

Erie Rise Leadership Academy Charter School Board of Trustees strongly believes that the following issues support uniform policy:

- 1. Uniforms create security through identification, enabling school officials to recognize intruders.
- 2. A more positive atmosphere conducive to education is established.
- 3. Similar clothing will eliminate peer pressure dealing with student attire.
- 4. Uniforms promote a statement of identity.
- 5. A sense of school unity is created.
- 6. Students are instilled with discipline.
- 7. School spirit is enhanced.
- 8. Uniforms help assist families with the economic burden of clothing school age children since uniforms are less costly than most clothing.

The school uniform for students in grades kindergarten through eight, commencing with the first day of classes of the school year, shall be as follows:

Our school colors are black, white, khaki, and orange. The footwear consists of dress or gym shoes.

All clothes should be the appropriate size for the student and not have logos. Skorts, skirts, dresses, and shorts should be at the knee or no more than one inch (approximately) above the knees. No baggy or cargo-type pants will be permitted. Enclosed shoes, boots, or gym shoes will be permitted. Socks must be worn. Hats are not permitted to be worn in the school unless it is for a special occasion.

The School Board recognizes that certain parents who, for religious or other reasons, may choose to have their child not dress in a school uniform and shall have the opportunity to meet with the school principal and discuss their concerns and provide specific reasons for

their child not to participate and for their child to opt out of the requirement to wear the school uniform, but adhere to a specific dress code.

It is not the intention of the ERLACS Board to infringe upon the rights of any individual, but rather to provide a safe environment for all students to receive the education they so rightfully deserve

## **STUDENTS UNIFORM POLICY VIOLATIONS**

ERLACS has adopted sanctions that will be rendered upon those students who refuse to conform to this policy requiring school uniforms. The sanctions are as follows:

### **Required**

1. Documentation to parent that student is out of uniform.
2. Student changes at uniform closet
3. Parent conference with administration.

## **INTERNET ACCEPTABLE USAGE RULES**

**ERLACS** supports use of the Internet and other computer networks in the school's instructional program in order to facilitate learning and teaching through interpersonal communications and access to information, research, and collaboration. The use of network facilities shall be consistent with the curriculum adopted by the school as well as the varied instructional needs, learning styles, abilities, and developmental levels of students. The Board establishes the use of the Internet as a privilege, not as a right; inappropriate, unauthorized, and illegal use will result in cancellation of those privileges and appropriate disciplinary action. Students found tampering with network firewalls, network proxies, or otherwise blocked websites will be disciplined accordingly.

### **First Violation**

#### **Required**

1. Up to 5 days Suspension
2. User responsible for damage to equipment, systems, and software
3. Loss of access

#### **Optional**

1. Additional days suspension

### **Subsequent Violations**

#### **Required**

1. Up to 5 days Suspension
2. User responsible for damage to equipment, systems, and software
3. Loss of access

#### **Optional**

1. Additional days suspension

2. Recommendation for Alternative School placement
3. Recommendation to Board for Expulsion
4. Filing of criminal charges as appropriate

2. Recommendation for Alternative School Placement
3. Recommendation to Board for
4. Filing of criminal charges as

ERLAC POLICIES TO BE GIVEN SEPARATELY FOR COMPLETION

## **INTERNET ACCEPTABLE USE POLICY (ISP)**

### **ENFORCEMENT OF POLICY**

The Erie RISE Leadership Academy uses, or shall install, a technology protection measure that blocks or filters access to some World Wide Web sites that are not in accordance with the policy of ERLACS. This measure protects against access by adults and minors to visual depictions that are obscene, child pornography or with respect to use of computers with Internet access by minors, harmful to minors. Filtering may be disabled for adults engaged in bona fide research or other lawful purposes. To ensure enforcement of the policy, ERLACS will monitor use of technology resources through direct supervision, monitoring Internet use history, or various software and hardware tools

### **VIOLATION OF THIS POLICY**

Violation of the ERLACS Internet Acceptable Use Policy in any way may result in suspension or the loss of the privilege to access the Internet and World Wide Web or other technology resources provide by the school. Other disciplinary action may be taken in accordance with existing school and/or diocesan policy.

## **STUDENT USER AGREEMENT**

I understand and will abide by the procedures and Internet Acceptable Use Policy (ISP) for independent access to the electronic resources of ERLACS. I further understand that any violation of the regulations above is unethical and should I commit any violation, my access privileges may be revoked, ERLACS disciplinary and/or appropriate legal action may be taken.

In consideration for the privilege of using ERLACS's electronic resources and in consideration for having access to the information contained on it, I hereby release and agree to hold harmless ERLACS from any and all claims for damages of any nature arising from my access, use, or inability to access or use the computer or network system.

**Student Name (Please Print)**

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**Student Signature**

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## **Parent or Guardian Consent for Independent Use**

As the parent or guardian of the student signing above, I have read the Internet Acceptable Use Policy (ISP) and guidelines for independent use established by ERLACS. I grant permission for my son or daughter to access networked computer services such as electronic mail, the Internet, and World Wide Web.

I understand and agree that individuals and families may be held liable for violations. I understand that some materials on the computers or Internet may be objectionable, but I accept responsibility for guidance of computer or Internet and World Wide Web use – setting and conveying standards for my son or daughter to follow when selecting, sharing, or exploring information or media. Furthermore, I accept full responsibility for supervision if and when my child's use is not in a school setting.

**Parent or Guardian (Please Print)**

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**Parent or Guardian Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

# ERIE RISE LEADERSHIP ACADEMY CHARTER SCHOOL

# MEDIA PERMISSION

The students of the Erie Rise Leadership Academy Charter School upon numerous occasions will be positively “media worthy.” We would like your permission to include your child when we are visited by the media and or when we take pictures or videos. Please indicate your response, the name of your child, your signature and phone number. Thank you.

\_\_\_\_ YES I would like for my child to take part in media covered events.

\_\_\_\_ NO I would not like for my child to take part in media coverage events.

Name of child \_\_\_\_\_

Name of Parent/Guardian \_\_\_\_\_

Signature of Parent/Guardian \_\_\_\_\_

Phone \_\_\_\_\_ Date \_\_\_\_\_

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# ERIE RISE LEADERSHIP ACADEMY CHARTER SCHOOL

## FIELD TRIP PERMISSION FORM

In anticipation of the many future field trip opportunities, we would appreciate each family completing the following permission form. All trips will be announced in advance and a notice of each trip will be sent home.

Please indicate your response, the name of your child, your signature and phone number.

Yes, I would like for my child to take part in school field trips.

No, I would not like for my child to take part in school field trips.

Student Name: \_\_\_\_\_

Name Parents or Guardian: \_\_\_\_\_

Signature of Parent/Guardian: \_\_\_\_\_

Phone: \_\_\_\_\_ Date: \_\_\_\_\_

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## Grading Procedures

(Pennsylvania Common Core State Core Standards grading may be utilized for reporting with the School Information System)

### 1ST – 5TH GRADE

Percentage	Common Core Standard Based Grading	Grade
93-100	5	A
85-92	4	B
74-84	3	C
69-76	2	D
0-65	1	F

### 6TH – 8TH GRADE

Percentage	Grade
95-100	A
90-94	A-
85-89	B
80-84	B-
75-79	C
70-74	C-
65-69	D
0-64	F

QUALITY POINTS (QP)	HONORS: QP +.50	AP: QP + 1 <small>(Advanced) Placement</small>
4.00	4.50	5.00
3.75	4.25	4.75
3.50	4.00	4.50
3.00	3.50	4.00
2.50	3.00	3.50
2.00	2.50	3.00
1.00	1.50	2.00
0.00	0.00	0.00

### GRADES AND GPA

- Grades will be placed on the report card
- Kindergarten report cards show student progress aligned to Common Core State Standards that report student proficiency.
- GPA: Quality points and weighted quality points will be calculated automatically, according to the class and grade level, and put on transcripts.
- Grades are weighted for the purpose of GPA calculation only

- Quality points and courses taken will determine GPA and class rank.
- **Promotion** -A student may be retained if he/she fails two or more academic subjects. Meetings with parents, instructional staff, and administration will be documented.

## **HEALTH SERVICES AND INFORMATION**

### **FIRST AID GUIDELINES**

First Aid is defined as: emergency medical help: emergency medical treatment for somebody who is ill or injured, given before more thorough medical attention can be obtained.

Certain members of the administration will be trained in First Aid and CPR to provide coverage for all school events in situations where the school nurse is not available. Erie Rise will cover the cost of such training. Once trained, these administration members will be permitted to administer First Aid procedures in accordance with established guidelines.

### **EMERGENCY CARE**

The administration shall develop procedures to handle any emergency which requires the evaluation or medical treatment of students while attending school, traveling to or from school, or while participating in school activities.

An emergency information card which indicates the names of parents/guardians, emergency contact person, family dentist, family physician, or treatment centers to be contacted when an emergency exists shall be on file for each student. In an emergency requiring the attention of a physician, an attempt should be made to reach the parent/guardian so that further responsibility can be assumed by the Parent/guardian. School personnel should help in any way possible to carry out the wishes of the parent/guardian.

In the absence of the school nurse, the school principal or designee shall assume leadership in situations requiring emergency care of a student.

Emergency procedures shall be reviewed annually, revised as necessary, and posted in all buildings operated by Erie Rise.

The Principal shall instruct all staff members to continually observe students and to promptly report to the school nurse or sub nurse any unusual behavior, changes in physical appearance, changes in attendance habits, and changes in scholastic achievement which may indicate health problems or disability.

The Principal shall ensure that notice is provided to all parents/guardians regarding the existence of and eligibility for the Children's Health Insurance Program (CHIP). (24 P.S. 14-1406)

For more information on Pennsylvania's Children's Health Insurance Program, visit [www.chipcoversakids.com](http://www.chipcoversakids.com)

## MEDICATION PROCEDURES

Medication may be administered at school with:

1. A parent or guardian's written request that there is a need for medication during the school day and **the parent brings the medication to the nurse**. This includes both the prescription and the over-the-counter medications. The request to administer medications form will be provided by the nurse.
2. **No medication is provided by the school.**
3. Medication must be kept in the nurse's office and administered by the school nurse, sub-nurse or school employee.
4. **No medication will be sent home with a student.** Parents/Guardians must pick up all medications whether prescription or over-the-counter.
5. Over-the-counter medication must be in the original bottle or box with the label intact and non-expired. Dispensing directions regarding age, dose and frequency will be strictly adhered to. Request to alter the standard dosage or frequency on over-the-counter medication must be accompanied by a physician's written note and signature.
6. Prescription medication must be in the original container and non-expired. It must be properly labeled in a prescription bottle/box with the students name, medication name, and directions for dispensing the drug and written by physician licensed to practice in the United States and given by the pharmacist. **A physician's signature is required for any dosage or medication change on prescription medication. All PRN (as needed) *prescription* medications will need a physician's signature.**
7. Medications (controlled substances) will be counted by the school nurse or the assistant school nurse upon arrival at school and documented as to the number of pills received. Narcotic pain medications prescribed for temporary medical conditions will not be stored or administered in the nurse's office. Medications must be delivered by the parents/guardians.
8. Medications prescribed or requested to be given three times a day or less **will not** be given at school unless a specific time of administration during school hours is prescribed by a physician.

9. A student may be allowed to self-administer inhaled asthma medication, an Epi-pen, or diabetes treatment **ONLY** if the following conditions have been compiled with:
  - a. Written permission from the physician allowing the student to self-medicate or treat
  - b. The nurse has counseled the parent and the student on the school's inability to monitor the student's health condition during the school day while self-medicating or treating.
  - c. The student complies with all school safety policies.
  
10. No Erie Rise employee will administer herbal substances, anabolic steroids or dietary supplements except as prescribed by a physician if it is required by the IEP or Section 504 plan of a student with a disability. Medication must be provided by student's parent or guardian. Reliable information must be given to the school nurse regarding the safe use of the product including side effects, toxicity, drug interactions and adverse effects.

## **FOOD ALLERGY MANAGEMENT**

Erie Rise is committed to providing a safe and healthy environment for students with severe or life-threatening food allergies and establishes this policy to address food allergy management at our school in order to:

1. Reduce and/or eliminate the likelihood of severe or potentially life-threatening allergic reactions.
2. Ensure a rapid and effective response in the case of a severe or potentially life threatening allergic reaction.
3. Protect the rights of students by providing them, through necessary accommodations when required, the opportunity to participate fully in all school programs and activities, including classroom parties and field trips.

The focus of food allergy management shall be on prevention, education, awareness, communication and emergency response. Erie Rise adopts this policy in accordance with applicable state and federal laws and regulations, and the guidelines established jointly by the PA Department of Education and PA Department of Health on managing severe or life-threatening food allergies in the schools. (24 P.S. 1422.3)

## **DEFINITIONS**

**FOOD ALLERGY - *According to the Food Allergy and Anaphylaxis Network, a food allergy is —an immune system response to a food that the body mistakenly believes is harmful.***

***Although an individual could be allergic to any food, such as fruits, vegetables, and meats, there are eight foods that account for 90% of all food-allergic reactions. These are: milk, egg, peanut, tree nut (walnut, cashew, etc.), fish, shellfish, soy, and wheat.***

**MEDICAL PLANS OF CARE** - written documents individualized for a particular student with a severe or life-threatening food allergy to address the student's needs throughout the school day, including but not limited to:

- 1. EMERGENCY CARE PLAN (ECP)** - a medical plan of care based on the information provided in the student's Individualized Healthcare Plan (IHP) and distributed to all school personnel who have responsibilities for the student which specifically describes how to recognize a food allergy emergency and what to do when signs or symptoms of these conditions are observed.
- 2. INDIVIDUALIZED HEALTHCARE PLAN (IHP)** - a medical plan of care that provides written directions for school health personnel to follow in meeting the individual student's healthcare needs. The plan may describe functional problem areas, set goals for overcoming problems, and list tasks/interventions to meet the goals. The IHP may include a Food Allergy Medical Management Plan developed by a student's personal healthcare team and family, which may outline the student's prescribed healthcare regimen and be signed by the student's board-certified allergist, family physician, physician assistant or certified registered nurse practitioner.
- 3. RELATED SERVICES COMPONENT IN INDIVIDUALIZED EDUCATION PROGRAM (IEP)** - that part of an IEP for a student receiving special education and related services which includes reference to accommodating food allergies.
- 4. SECTION 504 SERVICE AGREEMENT** - a medical plan of care which references accommodations, educational aids and services a student with a documented severe or life-threatening food allergy requires in order to have equal access to educational programs, nonacademic services and extracurricular activities as students without food allergies.

## **GUIDELINES**

Prior to enrollment in Erie Rise or immediately after diagnosis of a food allergy, appropriate medical plans of care such as an ECP, IHP, Section 504 Service and/or IEP related services components shall be developed for each student identified with a food allergy. Plans shall be developed by the school nurse, in collaboration with the student's healthcare provider, the student's parents/guardians, district or school nutrition staff, the student, if appropriate, and any other appropriate persons.

Where a medical plan of care is developed, it should carefully describe the plan for coverage and care of a student during the school day as well as during school sponsored activities that take place while the student is under school jurisdiction during or outside of school hours.

Medical plans of care should include both preventative measures to help avoid accidental exposure to allergens and emergency measures in case of exposure, including administration of emergency medication.

A complete set of a student's current medical plans of care related to food allergies shall be maintained by the school nurse. Information or copies of the different components of a student's medical plans of care shall be provided to appropriate personnel who may be involved in implementation of the medical plans of care.

### **ACCOMMODATING STUDENTS WITH DISABLING SPECIAL DIETARY NEEDS**

Erie Rise must provide reasonable accommodations, substitutions or modifications for students with disabling dietary needs. The student's physician shall determine and document if the student has a disabling dietary need. If a student is determined to have a disabling dietary need, the district shall make appropriate accommodations, substitutions or modifications in accordance with the student's medical plans of care.

### **ACCOMMODATING STUDENTS WITH NO DISABLING SPECIAL DIETARY NEEDS**

Erie Rise may, at its discretion, make appropriate accommodations, substitutions or modifications for students who have a special dietary need but who do not meet the definition of disability, such as a food intolerance or allergy that does not cause a reaction that meets the definition of a disability. The decision to accommodate such a student shall be made on a case-by-case basis.

Students who fall under this provision must have a written medical statement signed by a physician, physician assistant or certified registered nurse practitioner identifying the following:

1. The medical or other special dietary condition, which restricts the student's diet.
2. The food(s) to be omitted from the student's diet.
3. The food or choice of foods to be substituted.

### **CONFIDENTIALITY**

Erie Rise shall maintain the confidentiality of students with food allergies, to the extent appropriate and as requested by the student's parents/guardians. Rise staff shall maintain the confidentiality of student records as required by law, regulations and Rise's own policy.

The Principal shall annually notify students, parents/guardians, staff and the public about the Rise's food allergy management policy by publishing such on the school's website, and through other efficient methods.

## **HIV INFECTION**

Erie Rise is committed to providing a safe, healthy environment for its students and employees. The purpose of this policy shall be to safeguard the health and wellbeing of students and staff while protecting the rights of the individual. This policy is based on current evidence that HIV Infection is not normally transmissible by infected individuals within the school setting, except as noted in this policy.

## **DEFINITIONS**

**AIDS** - Acquired Immune Deficiency Syndrome.

**HIV Infection** - refers to the disease caused by the HIV or human immunodeficiency virus.

**Infected students** - refers to students diagnosed as having HIV Infection, including those who are asymptomatic. (35 P.S. Sec. 7603)

**This policy shall apply to all students in all programs conducted by Erie Rise.**

Erie Rise directs that the established policies and administrative regulations governing attendance and school rules relative to illnesses and other diseases among students shall also apply to infected students.

Erie Rise shall not require routine screening tests for HIV Infection in the school setting, nor will such tests be a condition for school attendance.

Erie Rise principals shall notify students, parents/guardians and employees about current school policies concerning HIV Infection and shall provide reasonable opportunities to discuss the policy and related concerns.

## **GUIDELINES**

### **ATTENDANCE**

Infected students have the same right to attend school and receive services as other students and shall be subject to the same policies, and administrative regulations. HIV Infection shall not factor into decisions concerning educational programs, privileges or participation in any school-sponsored activity.

The C.E.O. and Principal shall determine the educational placement of infected students on a case-by-case basis by following school policies and administrative regulations established for students with chronic health problems and students with disabilities. (24 P.S. Sec 1327) When an infected student's parents/guardians voluntarily disclose information regarding the student's condition, the Rise employee who receives the information shall obtain the written consent of the parents/guardians to disclose the information to other staff members.

All HIV/AIDS-related information will be managed in accordance with the provisions of the Confidentiality of HIV-Related Information Act. All school employees are prohibited from discussing or divulging the existence or identity of an HIV-infected student without specific written consent. (35 P.S. Sec 7607)

The school nurse or other contact person shall obtain a signed Authorization for Release of Confidential HIV-Related Information consent form. The identity of the student is restricted to whomever is authorized on the consent form.

Records indicating an individual's HIV or AIDS status shall be made available only with expressed written consent of the student, parent/guardian to approved officials who have a need to know to carry out the purposes for which the information has been retained. Confidentiality is to be maintained with both written information and oral communication. If written information exists, it is not to be maintained in the student's Pennsylvania Health Record. It is to be maintained in a separate, locked file drawer or compartment, or in another secure place with restricted access, under jurisdiction of the party who received the information. (24 P.S. 1409, 35 P.S. 7607)

## **INFECTION CONTROL**

All employees shall be required to consistently follow infection control/universal precautions in all settings and at all times, including playgrounds and school buses. Employees shall notify the school nurse of all incidents of exposure to bodily fluids and when a student's health condition or behavior presents a reasonable risk of transmitting an infection.

Erie rise shall maintain reasonably accessible equipment and supplies necessary for infection control

## **EDUCATION**

Erie Rise encourages education about HIV and AIDS and the maintenance of up-to-date policies on HIV and AIDS. Education on HIV/AIDS should be directed at establishing a basic understanding of the disease, ensuring adequate safety precautions are taken, reducing unwarranted fears about transmission of HIV, and encouraging those educated to curtail behaviors that contribute to the spread of the virus. (Title 22 Sec. 4.29)

## **IMMUNIZATIONS AND COMMUNICABLE DISEASES**

### **AUTHORITY**

In order to safeguard the school community from the spread of certain communicable diseases, Erie Rise requires that established policy and administrative regulations be followed by students, parents/guardians and district staff. (24 P.S. 1303a, 28 PA Code Sec. 23.81 et. Seq.)

### **GUIDELINES**

#### **IMMUNIZATION**

All students shall be immunized against specific diseases in accordance with state law and regulations, unless specifically exempt for religious or medical reasons or philosophical reasons.

A certificate of immunization shall be maintained as part of the health record for each student, as required by the Pennsylvania Department of Health. (28 PA Code Sec. 23.85)

A student who has not been immunized in accordance with state regulations shall not be admitted to or permitted to attend district schools, unless exempted for medical or religious reasons or philosophical reasons or provisionally admitted by the Principal. (28 PA Code Sec. 23.83, 23.84, 23.85)

A student shall be exempt from immunization requirements whose parent/guardian objects in writing to such immunization on religious grounds or whose physician certifies that the student's physical condition contraindicates immunization. (P.S. 1303a, 28 PA Code Sec. 11.20, 28 PA Code Sec. 23.83, 23.84) Monitoring of immunization requirements shall be the responsibility of the principal and the nurse. (P.S. 1303a)

The principal or designee shall:

Annually review state standards for immunization and direct the responsible school personnel accordingly. Ensure that parents/guardians are informed prior to a student's admission to school of the requirements for immunization, the requisite proof of immunization, exemption available for religious or medical reasons, and means by which such exemptions may be claimed. Investigate and recommend to the C.E.O and Board-

sponsored programs of immunization that may be warranted to safeguard the health of the school community. Such program shall be subject to Board approval and may be conducted in cooperation with local health agencies.

The principal or designee shall report immunization data on the required form to the Department of Health by October 15 of each year. (P.S. 1303a, 28 PA Code Sec. 23.83, 23.84, 23.85)

## **COMMUNICABLE DISEASES**

Erie Rise authorizes that students who have been diagnosed by a physician or are suspected of having a disease by the school nurse shall be excluded from school for the period indicated by regulations of the Department of Health for certain specified diseases and infectious conditions.

Students diagnosed or suspected of having a communicable disease not specifically listed by Department of Health regulations may be excluded under administrative regulations established by the district. (28 PA Code Sec.27.71, 27.72)

HIV infection and infected students shall follow applicable Board policy (Advisory Health Board of Health & Human Services).

The school nurse shall report the presence of suspected communicable diseases to the appropriate local health authority, as required by the Department of Health.

The principal or designee shall direct that health guidelines and universal precautions designed to minimize the transmission of communicable diseases be implemented at Erie Rise.

Instruction regarding prevention of communicable and life threatening diseases shall be provided by the schools in the educational program for all levels, in accordance with state regulations. (22 PA Code 4.29)

Parents/Guardians shall be informed of and be provided opportunities during school hours to review all curriculum materials used in instruction relative to communicable and life threatening diseases. (22 PA Code 4.4, 4.29)

## **HEALTH RECORDS**

A comprehensive health record shall be maintained for each student enrolled at Erie Rise. The record shall include the results of required tests, measurements, screenings, regular and special examinations, and medical questionnaires. (24 P.S. Sec. 1402)

All health records shall be confidential, and their contents shall be divulged only when necessary for the health of the student or to a physician at the written request of the parent/guardian. (24 P.S. 1409)

Dear Parent/Guardian:

Thank you for taking the time to review this Discipline Code with your son/daughter. If either of you have any questions regarding any item in the guide, please inquire at your school.

To reaffirm your commitment to the Discipline Code and this process, please print and sign your name below.

### **Student Code of Conduct Sign-Off Form**

Signatures affixed to this document will affirm that the parent/guardian and student have reviewed the Discipline Code, Internet Usage Agreement, and the Uniform Policy.

Parent/Guardian\_\_\_\_\_

Date\_\_\_\_\_

Student\_\_\_\_\_

Date\_\_\_\_\_

**PLEASE COMPLETE THIS FORM AND RETURN TO YOUR BUILDING PRINCIPAL.**