

UPPER DARBY MIDDLE SCHOOL CODE OF CHARACTER



Opportunity • Unity • Excellence

2022-2023 School Year

Table of Contents

Introduction 2

Directory 3

Philosophy 4

Student Rights 5

Responsibilities of the Student 5

Responsibilities of the Parent 6

Responsibilities of the Faculty 7

Definitions 8

Definitions of Specific Offenses 10

Searches 11

Physical Restraint 12

Positive Behavior Interventions and Supports/Multi-Tiered Systems of Support 12

Tier II Flow Chart 13

Tier One Code of Character Behavior(s) of concern 14

Tier Two Code of Character Behavior(s) of concern 17

Tier Three Code of Character Behavior(s) of concern 18

Middle School Code of Character

Upper Darby School District

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Philosophy

The Upper Darby Middle School Code of Character embodies the basic principles of responsibility, respect, and safe student behavior. We provide a restorative approach to concerning behaviors, and the importance of stakeholder relationships are integral to this approach. Building on our commitment to equity and Positive Behavioral Interventions and Supports (PBIS), the Upper Darby School District continues to work to embed Restorative Practices and trauma-informed care as part of our schools' culture and climate across all settings.

Upper Darby School District believes that behaviors develop over time and that school responses to behaviors of concern should be developmentally appropriate, considering each child's needs. A continuum of instructional strategies, and suggested responses to behavior, support teaching and learning, foster positive behaviors, and reflect a restorative philosophy. A *Restorative* approach to discipline affords opportunities for students to learn from their mistakes, correct wrongdoings that result from their behavior, and restore relationships that are disrupted by their actions.

We believe relationships are essential to student academic success and social, emotional, and behavioral development. In all practices, our responses to student behaviors will support the ongoing development of the child, the school community, and the relationship between both.

Student Rights

Resident students have the right to a free, appropriate public education until age 21 or graduation from Upper Darby High School, whichever occurs first.

In cases where discipline is being considered, each student will have a fair chance to have their side of a controversy considered.

The Upper Darby School District does not discriminate against any student on the basis of race, creed, handicap, nationality, or sex. If there are any concerns regarding such matters, they should be referred to the student's teacher or guidance counselor. If the concern cannot be resolved at this level, the building administration can be asked to participate in resolving the problem. In line with school district organization, the Director of Secondary Education can be involved in any matter not resolved at the building level.

This Code of Conduct has been prepared in accordance with Local, State and Federal laws, which define student rights and specify the need for a comprehensive discipline policy. Special Education students are subject to all parts of the Code of Conduct. The District complies with all aspects of the Individuals with Disabilities Education Act and Pennsylvania Department of Education Special Education Regulations.

Responsibilities of the Student (Board Policy 235):

Attendant upon the rights established for each student are certain responsibilities, which include regular attendance; conscientious effort in classroom work and homework; conformance to Board policies and school rules and regulations; respect for the rights of teachers, students, administrators and all others who are involved in the educational process; and expression of ideas and opinions in a respectful manner.[4][7][8][9][10][11]

It shall be the responsibility of the student to:[7]

- 1. Be aware of all policies, rules and regulations and Code of Student Conduct for student behavior and conduct him/herself accordingly. Each student shall assume that, until a rule is waived, altered or**

repealed in writing, it is in effect.[10]

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.[12]**
4. **Assist the school staff in operating a safe school.**
5. **Comply with federal, state and local laws.**
6. **Exercise proper care when using district facilities, school supplies and equipment.[13]**
7. **Attend school daily and be on time to all classes and other school functions.[9]**
8. **Make up work when absent from school.**
9. **Pursue and attempt to satisfactorily complete the courses of study prescribed by local school authorities.**
10. **Report accurately in student media.[11]**
11. **Not use obscene language in student media or on school property.[11]**

Behavior(s) of concern of this policy may result in disciplinary action, consistent with the Code of Student Conduct and Board policy.[10][14]

Responsibilities of the Parent

To assist a student's compliance with the Upper Darby Middle Schools' Codes of Conduct, it is recommended that parents:

- Continually discuss and review the expected behaviors to their children
- Become involved in all aspects of your child's school life.
- Familiarize yourself with the courses taken, the texts and materials used, the lessons studied, the homework assigned, and the results of standardized and teacher constructed assessments.
- Maintain contact with the school.
- Encourage participation in a wide range of school activities.

Responsibilities of the Faculty

Since the faculty has the primary contact with the student body, enforcement of the discipline policy rests principally with the staff. All Middle School Personnel have the obligation to:

- Build relationships with students and create a safe learning environment.
- Restore and work to repair relationships when and if they become fractured by behaviors of concern.
- Work with colleagues and seek assistance when struggling to connect with students.
- Encourage student participation in all facets of school life.
- Familiarize themselves with the Middle School Code of Character, including the positive interventions and proactive steps to take to avoid and minimize negative behavior or reactions.
- Uphold the discipline policy consistently, regardless of any personal, philosophical disagreements.
- Comply with related procedures as detailed in the Middle School Faculty Handbook.
- Become involved in all aspects of the student's school life.

Definitions

- *Administrative Reflection*- *Administrative Reflection* will begin 10 minutes after the dismissal bell. The staff-supervised *Administrative Reflection* location be in the assigned location. *Administrative Reflection* will end 40 minutes after it begins. Expectations of student behavior are in accordance with teacher *Reflection*.
- *Bodily Injury* - Impairment of physical condition or substantial pain.
- *Confiscation* - Temporary or permanent seizure of prohibited items in a student's possession.
- *Course Of Conduct* - A pattern of actions composed of more than one act over a period of time, however short, evidencing a continuity of conduct.
- *Deadly Weapon* - Any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or serious bodily injury, or any other device or instrumentality which, in the manner in which it is used or intended to be used, is calculated or likely to produce death or serious bodily injury.
- *Denial of Privileges* - Students are prohibited from attending or participating in designated activities either curricular or extracurricular.
- *Restorative Conference* - A conference with the student's Assistant Principal or Lead Teacher to address expected behaviors and the student code of character.
- *Emotional Distress* - A temporary or permanent state of mental anguish.
- *Expulsion* - Exclusion from school for a period in excess of ten (10) days to permanent. Students who are expelled are not permitted in any school building or on school grounds and may not attend or participate in any school activity. Expulsion may be imposed only by the Board of School Directors after required due process proceedings.
- *Gang* - any ongoing organization or group of people which has an identifiable name or identifying sign or symbol or whose members individually or collectively engage in or have engaged in a pattern of activity that endangers or disrupts the safety of the school or members of the school community.
- *Lunch Reflection*- *Lunch Reflection* will occur during the student's assigned lunch period in a designated, supervised *Lunch Reflection* location. Expectations of student behavior in accordance with teacher *Reflection*.

- *Out-of-School Suspension* - The temporary removal from the educational environment. Parents will be notified of the reason for and the length of the suspension. In addition, the student and his/her parents have the right to an informal hearing when a suspension of four (4) or more days is imposed.
- *Parent* - Means the natural parent, guardian, or other adults responsible for the student.
- *Parent Contact* - Communication with the parent, either by phone, letter, email, or conference, concerning a student's behavior and the behavior's consequence(s).
- *Public* - As used in the section covering "Disorderly Conduct", public means affecting or likely to affect persons in a place to which the public or a substantial group has access. This includes schools.
- *Pupil* - A person between the ages of 6 and 21 years who are enrolled in school.
- *Referral for Counseling* - The student must participate in counseling from his/her guidance counselor, school social worker, or an outside agency counselor approved through the Office of Pupil Personnel Services.
- *Restorative* - *The approach to resolving conflict and repairing harm by enabling those who have been harmed to convey the impact of the harm to those responsible, and for those responsible to acknowledge this impact and take steps to repair the relationship.*
- *School* - A school operated by a joint board of directors or school board where pupils are enrolled in compliance with the Public School Code of 1949, including area vocational schools and intermediate units.
- *Serious Bodily Injury* - Bodily injury which creates a substantial risk of death, or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.
- *Serious Provocation* - Conduct sufficient to excite an intense passion in a reasonable person.
- *Special Assignment* - Assignment of a task by a school staff member. The task must be explained to the student and a time frame specified.
- *Teacher Reflection* - Students must be in attendance at a particular time and place for a specified amount of time, under the supervision of a school staff member. Students must be given twenty-four (24) hours notice.
 - Unless specifically notified otherwise, *Reflection* is to be held in the assigning teacher's classroom beginning promptly at the end of the school day and ending at 20 minutes from dismissal. Students who are late will not be admitted to *Reflection*. This will be considered a *Reflection* cut.
 - **Reflection procedures :**
 - Students are not permitted to speak or communicate with each other outside of participation in restorative circles or assigned activities.
 - Students need to arrive on time for assigned reflection.

- Students may not use personal electronic devices during *Reflection*.
- *Tier II- Specific level of an intervention designed to address targeted student behavior.*
- *Tobacco* - A lighted or unlighted cigarette, cigar, pipe or other lighted smoking or vapor product, and smokeless tobacco in any form.
- *Verbal Redirection*- A correction of behavior/reminder of the rules issued by a school staff member that a student's behavior is inappropriate and must be modified.
- *Victim* - Any person against whom any crime as defined under the laws of the state is being or has been perpetrated or attempted.
- *Witness* - Any person having knowledge of the existence or non-existence of facts or information relating to any crime.

Definitions Of Specific Offenses

- *Criminal Mischief* - A person is guilty of criminal mischief if he/she:
 - Damages tangible property of another intentionally, recklessly or by negligence.
- *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, they:
 - Engage in fighting or threatening or violent tumultuous behavior.
 - Make unreasonable noise.
 - Use obscene language, or make an obscene gesture.
 - Create a hazardous or physically offensive condition by any act which serves no legitimate purpose.
- *Harassment* - A person commits the crime of harassment by communication or address when with intent to harass, annoy or alarm another.
 - An intent to place such a person in reasonable fear of bodily injury.
 - An intent to cause substantial emotional distress to another person.
- *Open Lewdness* - A person commits a misdemeanor of the third degree if he/she does any lewd act which he/she knows is likely to be observed by others would be affronted or alarmed.
- *Simple Assault* - A person is guilty of assault if he/she:
 - Attempts to cause or intentionally, knowingly or recklessly causes bodily injury to another.
 - Negligently causes bodily injury to another with a deadly weapon.

- Attempts by physical menace to put another in fear of imminent serious bodily injury.
- *Theft By Unlawful Taking* - A person is guilty of theft if he/she unlawfully takes, or exercises unlawful control over, the property of another with intent to deprive him/her thereof.
- *Use Of Tobacco In Schools Prohibited* - A person who possesses or uses tobacco or other smoking or vaping products in a school building, a school bus or on school property under the control of a school district commits a summary offense.

Searches

School authorities may search the person, the possessions of, and/or the locker assigned to any student. School authorities may take temporary possession of and safeguard any materials, which are considered to be evidence of the commission of an offense or of other improper activity.

Searches are based on reasonable suspicion that material will be produced, which evidences the Behavior(s) of concern of the Upper Darby Middle Schools' Codes of Conduct and/or a Behavior(s) of concern of applicable law, statute, or regulation. Prior to an individual locker search, the student shall be notified and be given an opportunity to be present. However, when school authorities have a reasonable suspicion that a locker contains materials which pose a threat to the health, welfare or safety of the school population, student lockers may be searched without prior warning.

Custody and control of student lockers are shared jointly by the Upper Darby Middle School and the assigned student(s). Although students have a legitimate expectation of privacy in a school locker, the expectation should be minimal. Under certain circumstances, the interests of the Upper Darby School District to search a locker or lockers will clearly outweigh the intrusion into the privacy rights of students.

Deterring drug possession and use is a compelling concern for school officials. Appropriate searches are permissible to both discover the evidence of drugs within the school and to warn students that bringing drugs to school will not be tolerated. Canine sniff searches may be used to minimize the intrusiveness of any mass or school-wide search.

Physical Restraint

Physical restraint may be used for, but not limited to, the following reasons: defense of self or others, removal of students from the educational setting, or detaining a student while awaiting the arrival of school administrators or police.

Staff members may use reasonable force as is necessary to protect themselves from attack, protect another person or property, quell a disturbance threatening physical injury to others, and/or obtain possession of dangerous objects.

Positive Behavior Interventions and Supports/Multi-Tiered Systems of Support

As part of our PBIS, UDSD provides tiered interventions for students not responding positively to the universal rules and school procedures (considered Tier 1). Students demonstrating the need for additional behavioral support may be referred to the Tier II team, including:

- **Coordinator**- The Job of the coordinator(s) is to orchestrate the daily operations of our Tier 2 intervention program. They are responsible for the collection of students entering the program. They set the agenda for the weekly meetings and track student progress. They create and monitor the data collection for all students to ensure each child is receiving the proper intervention. The facilitation of Tier 2 weekly meeting is also their responsibility.
- **Data Analyzer** - Analyze student data to identify students who meet the data decision rules, add teacher and behavioral data to the tracking form, collect and analyze data from the interventionists, and determine when to review each student with the team.

The Positive Behavior Intervention and Supports procedures are described on a flowchart on the following page:

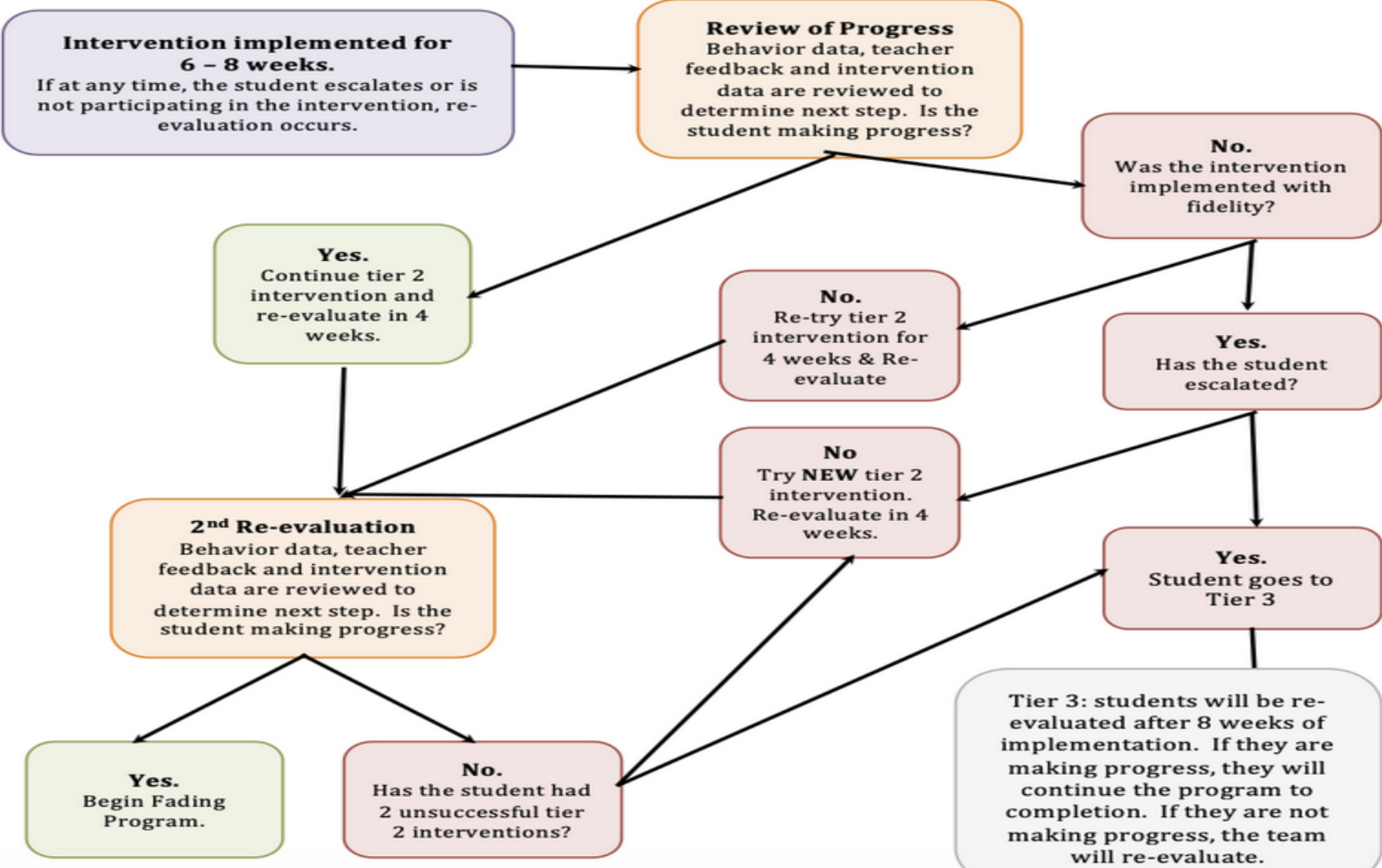
Tier 2/3 Flow Chart

Student Meets Data Decision Rules

Team Reviews Student Data to determine appropriate intervention. (Behavior (eSchool) data and teacher feedback)

Data Decision Rules:
 As of the first day of school: 3 or more Major Offenses (Tier 3 or 4).
 After October 1st: Combination of 2 of the following: 5 minors; Failing 2 Core subjects; 10 + Tardy to School. (Data is cumulative throughout the school year.)

- Tier 2 Interventions:**
- Pre-Referral Intervention Manual
 - Tier 2 Homework
 - Behavior Group/ Mindfulness
 - Mentoring
 - Tardy Plan (not Truancy)
 - Coaching
 - Fight Intervention
 - Restricted Hall Pass
 - Refer to Truancy Team
 - Check In/Out



Tier I - Code of Conduct Behavior(s) of concern – Behaviors which impede the orderly classroom procedures which include but are not limited to the below examples: These behaviors can usually be addressed by an individual teacher but sometimes may require intervention on the part of a school administrator by assigning the appropriate disposition.

| <i>Offense</i> | <i>Examples</i> | <i>Possible Interventions</i> |
|--|---|--|
| Lateness to School Every fifth unexcused late will result in an intervention. Lateness is only excused in accordance with the absence policy and discretion of the Assistant Principal. | | Step 1 - Define the expected behavior and restate expectations if needed. Step 2 - Reference the matrix and apply intervention. Please contact the parent and document phone calls via the teachers' call log and in Eschool referral notes. |
| Lateness to class | | |
| Eating in class/hallway (Does not include breakfast in the classroom provided by the school) | | |
| Dress Code - Behavior(s) of concern We strongly encourage students to exhibit their school spirit/pride in the attire they wear to school. The administration will make final decisions about the appropriateness and acceptability of specific items of clothing. | <ul style="list-style-type: none"> ● See UDSD Policy 221 ● Hats worn in the building ● Shoes that do not cover the entire foot ● Shoes with a steel toe ● Shirts that do not cover the entire torso and/or do not have sleeves ● Clothing that promotes objectionable content, drugs, alcohol, gangs, | Sample Classroom Interventions: <ol style="list-style-type: none"> 1) Proximity 2) Non-Verbal Prompt 3) Provide an alternative academic choice using differentiation (ex. Alternative assignment) 4) Verbal Prompt 5) Redirection 6) Student Contract 7) Seat change 8) Loss of Classroom Privileges 9) Parent Contact Step 3 - Try a second intervention from the restorative intervention list. Document the intervention in Eschool notes. |

| | | |
|---|--|---|
| | <ul style="list-style-type: none"> • or discriminating messages • See through clothing or other articles that exhibit undergarments at any time | <p>Sample Restorative Interventions:</p> <ol style="list-style-type: none"> 1) Verbal apology 2) Reward Alternative Behavior 3) Restitution to the affected 4) Reflection paragraph 5) Written apology 6) A brief conversation in the hall making an agreement to defuse and move on 7) Ask the student his/her opinion on how to fix the harm, encourage follow through <p>Step 4 - Issue a teacher after school reflection session must contain all previous interventions and parent contact with dates and times.</p> <p>Dress Code Behavior(s) of concern</p> <ul style="list-style-type: none"> ○ MAY result in the student being withheld from class until the student is dressed in proper school attire. |
| Tampering with instructional materials | <ul style="list-style-type: none"> • Adjustment to settings on school technology • Writing in text or library books | |
| Inappropriate Talking / Minor classroom disturbance | <ul style="list-style-type: none"> • Interruption to instruction or instructional activities • Discussions in public environments that disrupt instruction | |
| Disrespect to peers, profanity-verbal or written | <ul style="list-style-type: none"> • Offensive language • Demeaning words • A verbal conflict | |

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| | between students | |
| Unauthorized use of personal electronic devices | <ul style="list-style-type: none"> • See UDSD Policy 237 • Disruptive use of cell phone during instruction or instructional activities | |
| Littering | | |
| Not Following Cafeteria Procedures | <ul style="list-style-type: none"> • Listed cafeteria rules | |
| Failure to follow directions | <ul style="list-style-type: none"> • Failure to follow established classroom procedures | |
| Misuse of hall pass | | |
| Any other forms of disruptive behavior | <ul style="list-style-type: none"> • Pencil scribbles on desk | |
| Plagiarism/cheating <ul style="list-style-type: none"> • For both parties when applicable • Results in a failing grade on the assessment or assignment | <ul style="list-style-type: none"> • Copying answers from another • Using notes or technology to source answers | |

Tier II - Code of Conduct Behavior(s) of concern – Behaviors which disrupt the learning climate of the school which include but are not limited to the below examples. These behaviors could require administrative intervention based upon the seriousness or frequency.

| Offense | Examples | Possible Interventions |
|--|--|---|
| Continuation of unmodified Tier I behaviors of concern | <ul style="list-style-type: none"> Unimproved behaviors after completing steps 1 through 4 as outlined in Tier 1. | <p>The teacher will employ any relevant interventions listed in Tier I, may refer to the appropriate lead teacher or assistant principal for consult or supportive strategies. When and if behaviors are referred to the office, the lead teacher or assistant principal will consult with the classroom teacher to support the teacher's intervention. When a teacher works with a student for Tier 2 behaviors, they will utilize two or more of the following:</p> <ul style="list-style-type: none"> Restorative Conference Temporary Confiscation SAP Referral Restorative Practices Parent Contact Parent Conference Lunch Reflection Loss of Privileges Referral to Truancy Court (social worker) Referral to Social Worker Referral to Counselor |
| Cutting or removal from teacher reflection | | |
| Leaving class without permission | | |
| Disrespectful to staff | <ul style="list-style-type: none"> Offensive language Demeaning words | |
| Lying | | |
| Gambling of any form | | |
| Truancy <ul style="list-style-type: none"> Truancies are cumulative A <i>First Notice of Truancy</i> will be filed with the Central Attendance Office and sent to the parent when a student has accumulated three (3) days of truancy. A <i>Second Notice of Truancy</i> will be filed with the Central Attendance Office and sent to the parent when the student has accumulated a sixth (6) day of truancy. | <ul style="list-style-type: none"> See UDSD Policy 204 | |
| Insubordination | <ul style="list-style-type: none"> Defiance Refusal to comply with reasonable directions | |
| Transfer hall pass/ID | <ul style="list-style-type: none"> Using a pass or ID intended for another's use | |
| Cutting Class | | |

Tier III - Code of Conduct Behavior(s) of concern – Behaviors that may pose a threat to the health, safety or welfare of a member of the school community which includes but are not limited to the below examples:

| Offense | Examples | Possible Interventions |
|---|---|--|
| Continuation of unmodified Tier II behaviors of concern | <ul style="list-style-type: none"> Unimproved behaviors after completing steps 1 through 4 as outlined in Tier 1. | <p>The lead teacher or assistant principal will implement two or more of the following interventions:</p> <ul style="list-style-type: none"> Parent Contact Restricted Hall Pass Referral to Truancy Court Require Change of Clothing Loss of Privileges Lunch Detention Administrative Detention Confiscation by Administration Out-of-School Suspension Restorative Practices SAP Referral SST Referral Tier II Referral Referral to Counselor Referral to Social Worker <p>In certain circumstances of major concern the Principal (or designee), in consultation with the Director of</p> |
| Minor altercation | <ul style="list-style-type: none"> Pushing/shoving Verbal Conflict Restrained to prevent fighting | |
| Dissemination of unauthorized materials | <ul style="list-style-type: none"> See UDSD Policy 220 | |
| Disorderly Conduct | <ul style="list-style-type: none"> See definitions listed above | |
| Cutting administrative or lunch reflection | | |
| Bullying/Harassment/Intimidation | <ul style="list-style-type: none"> See UDSD Policy 249 | |
| Hazing | <ul style="list-style-type: none"> See UDSD Policy 247 | |
| Throwing objects | <ul style="list-style-type: none"> Throwing objects from the school building Throwing objects in the classroom Throwing objects in the cafeteria | |
| School bus Behavior(s) of concern | <ul style="list-style-type: none"> Any act on the school bus which jeopardizes the safety, health, or welfare of other passengers, the driver, pedestrians, and/or drivers of other vehicles | |
| Making threats | <ul style="list-style-type: none"> Threatening language | |
| Theft/Extortion | | |
| Vandalism | <ul style="list-style-type: none"> Defacing/destruction school district property | |

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| Possession/sale of stolen goods | | Secondary Education, may refer behaviors of concern for consideration of: <ul style="list-style-type: none"> ● Referral to Alternative Education for Disruptive Youth (AEDY) Program ● Expulsion (Requires School Board action) ● Law Enforcement referral <ul style="list-style-type: none"> ○ District officials will refer illegal activity to the Upper Darby Police Department. |
| Trespassing | <ul style="list-style-type: none"> ● Breaking and entering into a building, classroom, closet, locker, etc. ● On campus of another district school during the school day ● On campus during a disciplinary removal | |
| Gang activity | <ul style="list-style-type: none"> ● Including wearing of colors, sports paraphernalia or any article of clothing that contains a symbol of a *Gang or the intent to show allegiance to a Gang. ● Definition: "Gang" – Shall mean any ongoing organization or group of people which has an identifiable name or identifying symbol whose members, individually or collectively engage in or have engaged in a pattern of activity that endangers or disrupts the safety of the school or members of the school community. | |
| Possession of Drug Paraphernalia | <ul style="list-style-type: none"> ● Any item designed or modified for the use of drugs. | |
| Possession of or setting off an incendiary device | <ul style="list-style-type: none"> ● Fireworks ● Lighters | |
| Possession and/or use of cigarettes, tobacco, or vape | | |

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| Bringing unauthorized visitors to the school campus | | |
| Behaviors of concern while serving a Suspension | <ul style="list-style-type: none"> Present at school dismissal or school events during suspension | |
| Leaving School Building or Grounds during the school day | | |
| Terroristic threats | | |
| Possession of a weapon | Includes, but is not 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 | |
| Arson | | |
| Inciting a riot | <ul style="list-style-type: none"> Any behavior(s) that may cause, or actually cause, disorderly behavior (ex. food fight). | |
| Sale, distribution, or buying/receiving a controlled substance | <i>Behavior(s) of concern of Substance Abuse Guidelines: A student shall not knowingly sell, distribute, possess, use, transmit, or be under the influence of any narcotic drug, a hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, intoxicant, synthetic or distilled oil, or any other kind of controlled substance. This rule pertains to actions on school grounds, at any school activity, function or event, or any vehicle designated or used by the school for student transport, including public transportation or while traveling to or from school.</i> | |
| Physical assault | | |
| Causing a false alarm | The following sections of the Pennsylvania Criminal Law Code apply to students: (Section 4905) "A person who | |

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| | <p>knowingly causes a false alarm of fire or other emergencies to be transmitted...commits a misdemeanor of the first degree (Section 1101) Fine...\$10,000 when the conviction is a misdemeanor of the first degree (Section 1104). A person who has been convicted of a misdemeanor may be sentenced to imprisonment...of not more than five years in the case of a misdemeanor of the first degree.”</p> | |
| Sexual misconduct | | |
| Kidnapping or unlawful restraint | | |
| Robbery/burglary | | |
| Fighting and/or instigating a fight | | |
| Any Other Behavior(s) of concern of the PA crimes code | <ul style="list-style-type: none"> ● Reckless endangerment ● Making or sharing illicit videos | |

All employees of the Upper Darby School District have a responsibility to promptly refer any suspected or confirmed conduct that could constitute a Tier III Behavior(s) of concern to the appropriate grade level Assistant Principal, to any other Assistant Principal, or to the Building Principal.

Upper Darby School District recognizes the potential for behaviors of concern to warrant a referral to our SST team for examination into providing the student with additional support.