

UPPER DARBY MIDDLE SCHOOL CODE OF CONDUCT



Opportunity • Unity • Excellence

2019-2020 School Year

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Philosophy

Consistent with Upper Darby School District Goals, the goal of the Upper Darby Middle Schools' Codes of Conduct is to instill in each student an awareness of and respect for the rights of other students, parents and staff. Such awareness shall include proper respect of constituted authority, conformity to school rules and regulations, and such provisions of the law as shall apply to student conduct.

Citizenship in a democracy requires respect for the rights of others. Student conduct shall reflect consideration for the rights and privileges of others and shall exhibit cooperation with all members of the school community. High personal standards of courtesy, decency, morality, clean language, honesty and wholesome relationships with others shall be encouraged. Respect for real and personal property, pride in work, and achievement consistent with one's ability shall be expected of all students.

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 his/her 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

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

No student has the right to interfere with the education of his fellow students. It is the responsibility of each student to respect the rights of teachers, administrators, fellow students and all others who are involved in the educational process. Students should express their ideas and opinions in a respectful manner.

It is the responsibility of each student to conform to the following:

- Be aware of all rules and regulations for student behavior and conduct one's self in accordance with these rules. The student should assume that, until a rule is waived, altered or repealed in writing, it is in effect.
- Be aware of and utilize digital resources such as the Student Access Center and teacher web pages to obtain and complete school work in the event of an absence.
- Volunteer information in matters relating to the health, safety, and welfare of the school community and the protection of school property.
- Dress and groom to meet fair standards of safety and health, and not to cause substantial disruption to the educational processes.
- Assist the school staff in operating a safe school for all students, staff, and visitors.
- Comply with Commonwealth and local laws.
- Exercise proper care when using public facilities and equipment.
- Attend school daily and be on time to all classes and other school functions.
- Make up work for absences from school.
- Pursue and attempt to complete satisfactorily the courses of study prescribed by Commonwealth and local school authorities.

- Exhibit courtesy and abstain from the use of indecent or obscene language.

Responsibilities of the Parent

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

- Explain the school rules to their children
- Become involved in all aspects of the student's school life.
- Take an interest in 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.
- Familiarize themselves with the Code of Conduct, including the positive interventions and proactive steps to take to avoid and minimize negative behavior or reactions.
- Enforce the discipline policy consistently, regardless of any personal, philosophical disagreements.
- Comply with related procedures as detailed in the Middle School Faculty Handbook.
- Maintain a record of all violations that occur under their purview.
- Become involved in all aspects of the student's school life.
- Encourage student participation in all facets of school life.
- Work with colleagues and seek assistance when struggling to connect with students.

Definitions of Consequences

- *Academic Penalties* - Grade reduction or denial of opportunities to turn in work, take tests, etc.
- *Administrative Detention*- Administrative detention will begin 10 minutes after the dismissal bell. The staff supervised Administrative Detention location be in the assigned location. Administrative detention will end 40 minutes after it begins. Expectations of student behavior are in accordance with teacher detention.
- *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.
- *Disciplinary Conference* - A conference with the student's Assistant Principal or Lead Teacher to address a failure to comply with the Code of Conduct.
- *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 Detention*- Lunch Detention will occur during the student's assigned lunch period in a designated, supervised Lunch Detention location. Expectations of student behavior in accordance with teacher detention.

- *Out-of-School Suspension* - 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, 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 put it right.*
- *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 Detention* - Student 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, detention 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 detention. This will be considered a detention cut.
 - **Detention Rules:**
 - Students are not permitted to speak or communicate with each other.
 - Students must bring something to do; i.e., homework, books to study.
 - Students may not use personal electronic devices during detention.

- *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 Reprimand* - A verbal warning 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 makes 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 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 product 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 violation of the Upper Darby Middle Schools' Codes of Conduct and/or a violation 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.

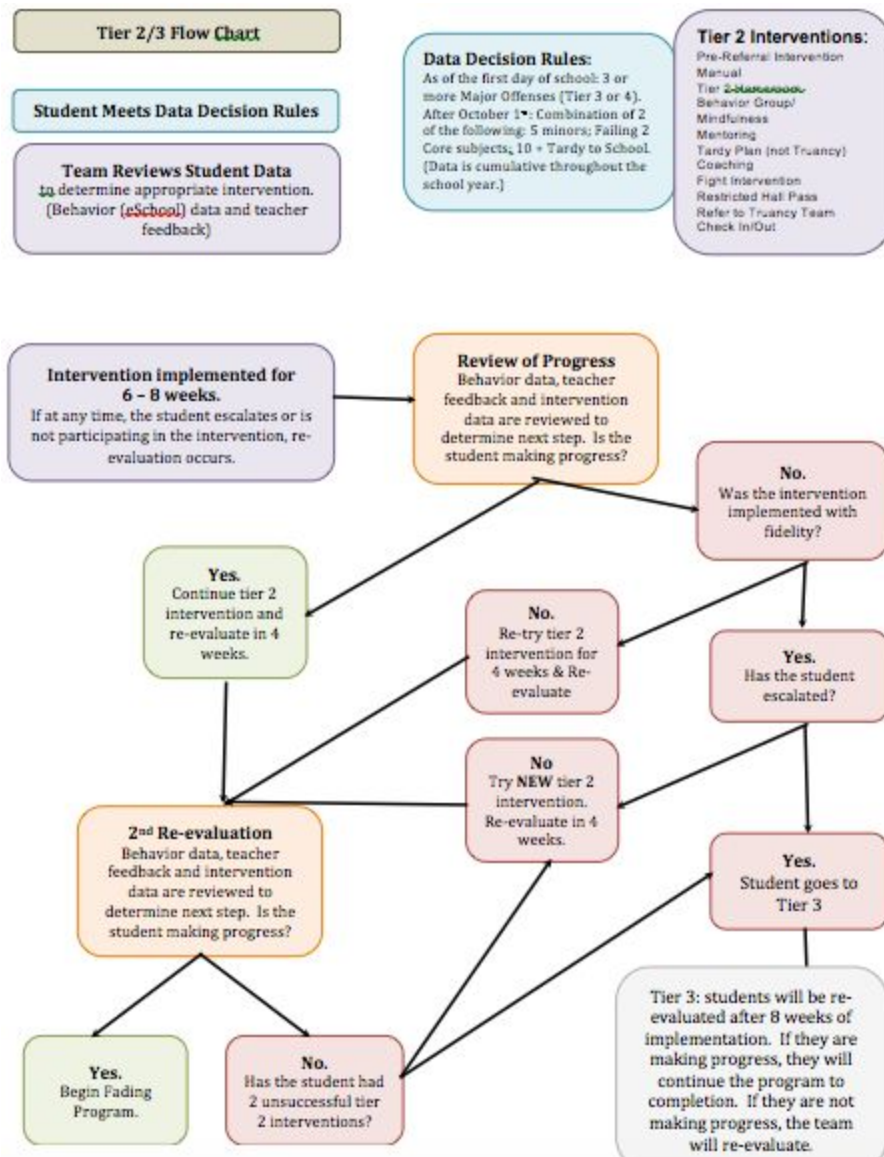
Staff members may use reasonable force as is necessary to protect themselves from attack, protect another person or property, quell a disturbance threatening physical injury to others, and/or obtain possession of dangerous objects.

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 I Code of Conduct Violations – 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.

Offense	Examples	Possible Interventions
Lateness to School Every fifth unexcused late will result in a disciplinary consequence. Lateness is only excused in accordance with the absence policy and discretion of the Assistant Principal.		<p style="text-align: center;">Minor Offense-Tier I</p> <p>Step 1 - Provide a verbal warning with close proximity and restate expectations if needed.</p> <p>Step 2 - Reference the matrix and apply intervention. Please contact the parent and document phone call via and in Eschool notes.</p> <p>Sample Classroom Interventions:</p> <ol style="list-style-type: none"> 1) Seat change 2) Parent Contact 3) Student Contract 4) Redirection 5) Proximity 6) Loss of Classroom Privileges 7) Non-Verbal Prompt 8) Verbal Prompt 9) Provide an alternative academic choice using differentiation (ex. Alternative assignment) <p>Step 3 - Try a second intervention from the restorative intervention list. Document the intervention in Eschool notes.</p>
Lateness to class		
Eating in class/hallway (Does not include breakfast in the classroom provided by the school)		
Dress Code Violation 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, 	

	<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) 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 detention must contain all previous interventions and parent contact with dates and times.</p> <p>Dress Code Violations</p> <ul style="list-style-type: none"> ○ Failure to comply with the dress code will result in the following: <ul style="list-style-type: none"> ■ A student may be 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 	

	between students	
Unauthorized use of personal electronic devices	<ul style="list-style-type: none"> • See UDSD Policy 237 • Use of cell phone during instruction or instructional activities 	
Littering		
Violation of 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		
Plagiarism/cheating <ul style="list-style-type: none"> • For both parties when applicable • Results in a failing grade on the assessment or assignment • Violation of plagiarism as defined 	<ul style="list-style-type: none"> • Copying answers from another • Using notes or technology to source answers 	

Tier II Code of Conduct Violations – 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	<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. Tier II infractions may be referred to the appropriate lead teacher or assistant principal.</p> <p>When and if behaviors are referred to the office, the lead teacher or assistant principal will do two or more of the following:</p> <ul style="list-style-type: none"> Student Disciplinary Conference Restricted Hall Pass Confiscation SAP Referral Restorative Practices Parent Contact Parent Conference Lunch Detention Administrative Detention Loss of Privileges Referral to Truancy Court Out-of-School Suspension Referral to Social Worker Referral to Counselor
Cutting or removal from teacher detention		
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 	

Tier III Code of Conduct Violations – 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	<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 do two or more of the following:</p> <ul style="list-style-type: none"> Parent Contact Require Change of Clothing Loss of Privileges Lunch Detention Administrative Detention Confiscation by Administration Out-of-School Suspension Restorative Practices SAP Referral Referral to Counselor Referral to Social Worker Referral to Alternative Education for Disruptive Youth (AEDY) Program Expulsion (Requires School Board approval) Law Enforcement referral <ul style="list-style-type: none"> District officials will refer illegal activity to the Upper Darby Police Department.
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 detention		
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 violations	<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 	
Possession/sale of stolen goods		

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, individual 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		
Bringing unauthorized visitors to the school campus		

Violating suspension rules	<ul style="list-style-type: none"> • Present at school dismissal or school events during suspension 	
Cutting Class		
Leaving School Building or Grounds during the school day		

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

Tier IV Code of Conduct Violations – Any violation of the Pennsylvania Crimes Code constitutes a Tier IV violation. Acts which pose a direct threat to the health, safety or welfare of others in the school which include but are not limited to the following examples:

Offense	Examples	Possible Dispositions
Continuation of unmodified Tier III behaviors		The Principal (or designee), in consultation with the Director of Secondary Education, will do three or more of the following: <ul style="list-style-type: none"> ● Parent contact ● Conference with student ● Administrative Detention ● Out-of-school suspension ● 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.
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>Violation 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,</i>	

	<i>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 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.”	
Sexual misconduct		
Kidnapping or unlawful restraint		
Robbery/burglary		
Fighting and/or instigating a fight		
Any Other Violations 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 IV Violation to the appropriate grade level Assistant Principal, to any other Assistant Principal, or to the Building Principal.