



Student Code of Conduct 2022-2023

Lower School

32 West North Street, York, PA 17401

Phone: 717-801-3900 • Fax: 717-718-1092

Upper School

2 Hamilton Avenue, York, PA 17401

Phone: 717-900-5001 • Fax: 717-900-5909

www.yorkacademy.com

Student Code of Conduct & Program Handbook 2022-2023

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Student Code of Conduct

Philosophy And Expectations

The Board of Trustees of York Academy Regional Charter School has the authority and the responsibility to establish reasonable rules and regulations for the conduct of students, families, and faculty in regard to their roles as members of the York Academy community. The York Academy has established this Code of Conduct with the help of many committed parent and community volunteers.

This Code of Conduct sets forth the general conditions for optimal learning. Positive and organized conduct is essential for effective learning to occur. Students learn best in an orderly and safe environment where school and classroom rules are clearly communicated to students, parents/caregivers, teachers, administrators, and volunteers—the entire York Academy community.

There are many reasons why York Academy has implemented and distributed this Code of Conduct:

- The guidelines contained within this Code of Conduct reduce distraction in the classrooms.
- The guidelines contained within this Code of Conduct protect students from hazards and bodily harm.
- The guidelines contained within this Code of Conduct promote a positive school climate and enhance student performance.
- The International Baccalaureate (IB) philosophy and state laws require the communication of these rules and regulations.
- York Academy holds students accountable for their own actions and promotes positive attitudes to empower students with the ability to make the best choices and asks that parents/caregivers do the same.

York Academy retains the right to implement and distribute policies that address the principles and rules explained within this Code of Conduct. As a school of choice, York Academy emphasizes cooperation from parents/caregivers, students, faculty, staff, and the community to abide by the policies within this Code of Conduct and to consistently enforce this Code of Conduct.

School Jurisdiction

Students are expected to abide by York Academy's code of conduct:

- During such times as they are under the supervision of the school, including the time they are in attendance at York Academy as well as the time necessarily spent in coming to and returning from school;
- Off school grounds at any school related activity, function, or event;
- Off school grounds when the conduct may reasonably be expected to (i) endanger the safety of students, teachers, administrators, or any other member of the school community; or (ii) substantially and materially disrupt the school;
- While traveling to and from school-on-school buses or vans, regardless of the School or District of ownership, or on public transportation; and
- While utilizing any of the school's Technology Resources as that term is defined by York Academy Regional Charter School

Student Rights

Education: Students have the right to a public education, unimpaired because of race, sex, color, religion, sexual orientation, national origin, disability, or any reason protected by law.

Environment: Students have the right to an orderly school and classroom environment that will promote learning for all students.

Respect: Students have a right to expect courtesy, fairness, and respect from members of the school staff and other students.

Property: Students have a right to expect that other students and school personnel will respect their personal property.

Participation: Students have a right to participate in school activities, subject to qualification requirements and compliance with Board of Trustees' policies and regulations.

Expression: Students have the right to express themselves in word or symbol and to distribute materials as a part of that expression subject to limitations set forth in York Academy's Student Expression Policy.

Appeal: Students have the right to request redress of complaints and shall be provided appropriate appellate procedures in which to make such requests.

Stakeholder Responsibilities

In order to protect the right of all students to receive the best education possible in a safe, orderly learning environment, specific responsibilities must be established for all stakeholder groups.

Shared Responsibilities

- Be respectful, supportive, and engaged making education the focus for the child(ren)
- Communicate with stakeholders
- Assume the rights and responsibilities of shared decision making
- Create a climate and environment that supports student learning
- Report Code of Conduct violations to the administration which compromises the welfare of our school community

Parent/Guardian Responsibilities

- Provide your child a safe and healthy environment that supports completion of school assignments resulting in higher levels of academic achievement.
- Provide the school with updated contact information to ensure communication cycles are not interrupted.
- Attend and actively participate in school functions and activities including: Parent Student Teacher conferences, Information sessions, Parent involvement activities, Student activities and Board meetings.
- Support the school's faculty, staff and administration to meet your child's educational needs and the standard set by the district.
- Ensure good attendance by having your child attend school on time, every day.
- Review the Code of Conduct with your child, sign and return the last page.

Teacher Responsibilities

- Create strong relationships with each student and their family.
- Enforce the Code of Conduct and manage level one expectations.
- Know the students, their learning styles, their interests, and their needs.
- Be consistent, fair and reasonable.

Administrator Responsibilities

- Publish a Code of Conduct for students to follow.
- Work with students, parents, teachers, administrators, and the board to resolve problems.
- Create strong relationships with parents and guardians.

- Enforce discipline while being consistent, fair and reasonable.
- Comply with state and federal regulations.

Board of Trustees Responsibilities

- Publish Policies and Procedures to implement and enforce the Code of Conduct.
- Participate in hearings as needed per state and federal regulations.
- Hire all school employees to work for the district who will enforce the Code of Conduct.
- Approve the school's operating budget as it connects to the Code of Conduct.

Student Responsibilities

- **Be Principled:** ALL students are expected to:
 - See something.....Say something! If something doesn't seem right to you, please let someone know!
 - Follow school regulations regarding entering and leaving the school.
 - Help maintain a school environment free of weapons, illegal drugs, controlled substances, and alcohol by reporting anything you know to the administration.
 - Act responsibly when out in public spaces. You represent the Academy when in the community and should comply with all local and state laws.
 - Bring to school only those personal possessions that are necessary for learning and do not interfere with the learning environment.
 - Behave in a manner that contributes to a safe learning environment and that does not violate other students' right to learn.
 - Exercise proper care when using school and/or local facilities and equipment.
 - Share information with school officials regarding matters that may endanger the health and welfare of members of the school community.
 - Be aware that all York Academy employees are mandated reporters. What is reported to or put in writing may not be confidential if it causes concern for the students' safety and the safety of others. School administration will comply with The Office of Children, Youth and Families, as well as local law enforcement.
- **Be Respectful:** ALL students are expected to:
 - Make a conscientious effort to respect the policies and rules set forth by York Academy and conduct yourself accordingly.
 - Not interfere with the education of another student. It is the responsibility of each student to respect the rights of teachers, students, administrators, and all others involved in the education process.
 - Show respect for school property and respect the property of others, both private and public.
 - Be polite, courteous, and respectful toward others regardless of actual or perceived age, race, color, creed, gender, gender identity, gender expression, religion, national origin, citizenship/immigrations status, weight, sexual orientation, physical and/or emotional condition, disability, marital status and political beliefs, and refrain from making slurs based on these criteria.
- **Be Open Minded:** ALL students are expected to:
 - Be present – both physically and mentally each school day so you can show your best self.
 - Complete all assigned work by assigned deadlines.
 - Be engaged in the learning process to the best of your ability; continue to be self-reflective.
 - Be mindful of those around you ("if you see something, say something") at all times.
 - Attend school regularly, arrive on time each day, and make every effort to achieve in all academic areas. Remember, you chose the York Academy for a reason!
 - Come to school prepared for class with appropriate materials and properly maintain all school equipment.
 - Make up all work that is missed when absent from school for any reason in the timeframe given.

- Check all grades in Sapphire for the Lower School and Canvas for the Upper School to monitor your learning and achievement.
- Avoid distractions that pull you away from the important parts of your education.
- Seek out the help and guidance of the adults in the building when help is needed.
- Be familiar with the contents of this handbook and abide by school and classroom rules and regulations.
- **Be Professional:** ALL students are expected to:
 - Share the responsibility of developing a professional climate within the school, which is conducive to learning, living, and creating.
 - Promote mutually beneficial relationships with the goal of building understanding and respect within the school community.
 - Keep lines of communication open with faculty and staff.
 - Seek out and enthusiastically participate in the opportunities presented to you while at York Academy.
- **Be a Risk Taker:** ALL students are expected to:
 - Work with school staff in developing broad extracurricular programs in order to represent the diverse range of physical, social, and cultural interests and needs of students.
 - Engage in and embrace the academic opportunities presented to you during your time at York Academy.
 - Take creative risks, do not be afraid to make mistakes, and embrace the process.
 - Support fellow York Academy students by attending performances, readings, and exhibitions for all students.
 - Work hard to develop your skills and always remember why you chose York Academy.

School Discipline

To foster a positive school culture at the York Academy, priority will be placed on modeling and actively teaching positive behaviors such as generosity, perseverance in the face of challenges, kind and respectful communication, curiosity and commitment to learning, cultivation of a feeling of connection and community, intellectual rigor, and compassionate responses to those who are upset or in need. Although the active teaching of positive behaviors will be of paramount importance at the York Academy, corrective actions will need to take place for students who display levels of misbehavior.

Accordingly, we stipulate that no student may engage in conduct, or encourage any other person to engage in conduct, which jeopardizes or threatens the health, safety, or welfare of any member of the school community or that disrupts or undermines the educational mission of the York Academy.

None of the consequences/corrective actions listed below will be applied in such a manner as to discriminate against any student based on race, sex, color, religion, sexual orientation, national origin or disability. The Administration of the York Academy will impose consequences/corrective actions for behavior that falls within a range for a particular violation of this Code of Conduct. Administrators will utilize consistent and fair progressive discipline practices, the severity and/or nature of the consequence/corrective action imposed will be based on factors including, but not limited to, age of the student, number of prior offenses, disability, and/or severity of the violation.

The York Academy has the right to impose consequences/corrective actions for acts or behaviors that are not specifically delineated within this Code of Conduct if those acts or behaviors threaten the health, safety and/or welfare of other members of the school community, or if those acts or behaviors disrupt the learning environment.

Corporal punishment is defined as physically punishing a student for an infraction of the discipline policy. Use of corporal punishment is strictly prohibited by law and school policy. Teachers and school authorities may only use reasonable force to quell a serious disturbance; to obtain possession of weapons or other dangerous objects; for the purpose of self-defense; or for the protection of persons or property.

Each teacher or staff member establishes essential agreements for the classroom and for school-related activities. Essential agreements are not a set of rules and directions. Instead, essential agreements state the shared norms and expectations for individuals within a specific space, such as a classroom. The agreements are created collaboratively and outline the environment necessary for everyone to learn and achieve at their best. Most misbehavior can be managed by the classroom teacher. The teacher may use any of the disciplinary options listed below in maintaining classroom discipline.

All York Academy students are to:

- Demonstrate respect, empathy and kindness toward all members of the school community.
- Use language that is appropriate for school.
- Attend all classes daily and on time.
- Maintain the highest standards of academic honesty and integrity.
- Make safe choices at school.
- Report unsafe situations to school personnel immediately.
- Use technology safely and as intended.
- Demonstrate respect for school property and the property of others.
- Reflect on mistakes and willingly make amends.

General Discipline Guidelines for Assessing Consequences

When administering discipline, school personnel shall adhere to the following general guidelines:

1. Discipline shall be administered when necessary to protect students, school employees, or property and to maintain essential order and discipline.
2. Students shall be treated fairly and equitably. Discipline shall be based on a careful assessment of the circumstances of each case. Administrators should use caution and should ordinarily consider developmentally appropriate interventions for very young children who engage in misconduct. Exclusionary consequences, such as in-school suspension (ISS) and out-of-school suspension (OSS), or expulsion should be used only after behavior interventions and supports have been exhausted. To the greatest extent possible, and except in situations where safety or victims' issues dictate otherwise, administrators should work to keep students in school and provide them with the necessary behavioral supports and interventions. ISS or OSS should be reserved as a consequence for student conduct when other documented options either have not been effective or will not serve to protect other students and staff at the school or will not preserve an orderly school environment.
3. Factors that must be considered in each decision concerning suspension or expulsion include such factors as:
 - a. seriousness of the offense.
 - b. student's age and intent or lack of intent at the time the student engaged in the conduct.
 - c. student's disciplinary history.
 - d. student's attitude.
 - e. potential effect of the misconduct on the school environment.
 - f. whether the facts of the case warrant consideration of self-defense as a mitigating factor in the assessment of any punishment.
 - g. whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.
 - h. whether the student has a disability that manifests as an impairment in the student's capacity to conduct themselves in accordance with the expectations outlined in the Student Code of Conduct.
 - i. a student's status as a student who is experiencing homelessness as defined by 42 U.S.C. Section 11434a 4.

Overview of Offense Levels

Acts of misconduct are categorized into the following four levels of offenses:

- Level I—Violation of Classroom Expectations: Offenses that generally occur in the classroom and can be addressed by the teacher.
- Level II—Administrative Intervention: Offenses that are more serious in nature, or are a continuance of Level I misconduct.
- Level III—Targeted Intervention, Restitution, or Suspension: Offenses that seriously disrupt the educational process in the classroom, in the school, and/or at school-related activities, or repeated instances of Level I or II misconduct.
- Level IV—Suspension and/or Expulsion for Serious Offenses: Offenses include continued serious or persistent misbehavior that violates the Code of Student Conduct. Criminal offenses as defined in Level IV. This may include any felony, whether school-related or not, unless it is one for which expulsion is required. A finding that a student has engaged in an offense listed under Level IV constitutes a finding that the student has engaged in serious misbehavior.

Level I - Violation of Classroom Expectations

Each teacher or staff member establishes essential agreements for the classroom and for school-related activities. Essential agreements are not a set of rules and directions. Instead, essential agreements state the

shared norms and expectations for individuals within a specific space, such as a classroom. The agreements are created collaboratively and outline the environment necessary for everyone to learn and achieve at their best. Most misbehavior can be managed by the classroom teacher. The teacher may use any of the disciplinary options listed below in maintaining classroom discipline.

Level I violations include, but are not limited to, such behavior as:

- Violations of rules or procedures established by the teacher
- Failure to participate in classroom activities
- Unexcused tardiness to class
- Failure to bring required classroom materials or assigned work to class
- General misbehavior such as eating in class, horseplay, making excessive noise, or violating campus dress codes
- Any other act that disrupts the classroom or interrupts the operation of the class
- Failure to deliver or return written communications between home and school
- Disruptive or noncompliant behavior that prevents the teacher from teaching and/or other students from learning
- Disclosure or sharing of individual computer-account passwords
- Use or operation of cell phones, tablets, smart watches, MP4 players, Bluetooth devices, or any other type of personal device with Wi-Fi or carrier-based internet connectivity on school campuses or at functions during school hours.
- Violation of a school's mandatory school-uniform policy

Consequences/Corrective Actions for Level I Violations

- Oral correction
- Redirection
- Proximity
- Planned feedback
- Pre-correction
- Review, re-teach, and practice expectations
- Provide opportunities for students to practice expected behavior and provide descriptive feedback
- Other appropriate in-class disciplinary actions
- Teacher–student conference
- Parent contact: note or telephone call to parent
- Student–counselor conference
- Detention (maintained by teacher) before or after school
- Completion of reflection form
- Phone calls to parent/guardian
- Positive Behavior Support Plan
- Counseling support group
- Behavioral contracts

Procedures for Addressing Level I Violations

1. Any staff member who observes a student violating the student code of conduct may correct the student.
2. Teachers are encouraged but not required to maintain their own record of Level I offenses and disciplinary actions
3. The teacher should have a planned discussion with the student about a particular concern or behavior and develop a plan for resolving or changing it.
4. The teacher should discuss the misbehavior with the parent, an administrator, or support personnel.
5. Level I behavior violations and discipline options/responses are not limited to those provided.

Level II - Violations Requiring Administrative Intervention

Some infractions will result in a referral to an administrator. The disciplinary response depends on the offense, previous actions, and the seriousness of the misbehavior. Level II acts of misconduct include those student acts that interfere with the orderly educational process in the classroom or in the school. A teacher who observes a student engaged in Level II or higher misconduct will fill out a discipline/referral form for the appropriate administrator. The administrator will forward an oral or written report to the parents and referring staff member.

Level II violations include, but are not limited to, such behavior as:

- Repeated violation of classroom or transportation rules under Level I
- Cheating, plagiarism, or copying the work of other students, which includes failure to comply with test security procedures and use of cell phones, smart watches, and electronic devices during testing
- Leaving the classroom or school grounds without the permission of school personnel
- Cutting class or skipping school
- Possession of matches or other flammable materials
- Inappropriate display of affection, which should be enforced equitably without regard to sexual orientation, gender identity, or gender expression
- Posting or distributing unauthorized materials on school grounds
- Failure to abide by rules and regulations at extracurricular activities or at co-curricular activities such as field trips
- Loitering in unauthorized areas
- Cafeteria disturbance
- Profanity, vulgar language, or obscene gestures
- Disruptive behavior on a school bus or at a school-bus stop
- Accessing materials and sites on the internet that are deemed to be inappropriate by York Academy
- Sending or forwarding inappropriate electronic communications, including emails containing offensive language, untruthful statements, junk emails, chain letters, or jokes using York Academy Information Technology resources, if it is determined that the communications have a material and substantial interference with school activities or with the rights of students
- Possession of pepper spray or mace
- Any other acts that interfere with the orderly educational process in the classroom or the school

Consequences/Corrective Actions for Level II Violations assigned by Administrator

- Teaching and practicing the expected behavior
- Have the student or the teacher collect data on the misbehavior and discuss if student awareness is the problem
- Planned discussion
- Loss of privileges
- Restitution and amends-making to resolve conflict
- Parental contact by phone and written or oral notification to parent or guardian
- Required administrator/student/parental conference
- Detention or placement in in-school suspension, which should include academic tutoring, classroom work provided by the teacher, and/or instruction on skill-building related to the student-behavior problem. Administrators should guard against students using in-school suspension as a way to avoid a particular class or task. This exclusionary consequence should be used only after behavior interventions and supports have been exhausted.
- "Behavior," "behavioral," and/or "conduct" contracts
- Any other appropriate disciplinary actions determined by the administration

Procedures for Addressing Level II Violations

1. Referral is entered into Sapphire Student Information System

2. Administrator confers with student and/or teacher to establish appropriate action
3. Written or oral notification of action is sent to the parent/guardian and documented in Sapphire.
4. Notification is sent to the teacher indicating action taken.
5. Referral is marked complete by the administrator in Sapphire.

Level III - Targeted Intervention, Restitution, or Suspension

Level III acts of misconduct may result in a variety of age-appropriate consequences that will appropriately address the severity of the offense or repetitive misbehavior that has failed to improve after several interventions and supports have been implemented and documented.

Level III violations include, but are not limited to, such behavior as:

- Mutual combat (fighting)
- Gambling
- Possession of drug paraphernalia
- Misdemeanor stealing/theft of property, including computers and related equipment
- Chronic cutting class or skipping school. (Students who are determined to be truant shall be promptly referred to the attendance officer for referral to the courts for enforcement of the compulsory attendance laws.)
- Persistent disruptive behavior on a school bus
- Selling or soliciting for sale any merchandise on school campus without the authorization of administrators
- Display of disrespect toward school personnel or campus visitors
- Aggressive, disruptive action or group demonstration that substantially disrupts or materially interferes with school activities. This includes such acts as boycotts, sit-ins, trespassing, and walkouts.
- Failure to comply with reasonable requests of school personnel and/or defiance of the authority of school personnel
- Failure to adhere to terms of behavior contracts
- Knowingly making a false report against a staff member that is later determined to be unsubstantiated at the conclusion of any investigation initiated as a result of the report
- Changing/and or falsifying school records or documents or signing a parent, teacher, or administrator's name on school documents
- Indecent/unsolicited sexual proposal/sexual harassment
- Harassment/dating violence, including threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student's physical or emotional health
- Engaging in threats or other acts of intimidation that interfere with another student's desire or willingness to participate in the educational process
- Any verbal abuse of others, including slurs, name-calling, or derogatory statements to another person because of that person's race, color, religion, national origin, disability, physical/personal appearance, sexual orientation, and gender identity and/or gender expression.
- Bullying includes a single significant act or pattern of acts by one or more students against another student that exploits an imbalance of power and involves engaging in expression (written, verbal, or electronic) or physical conduct
- Visual display of gang-related signs or symbols on the body, clothing, accessories, or personal property of the student (e.g., notebooks, book covers, journals). Gang-related associations may be referred to the law enforcement personnel for appropriate documentation.
- Failure or refusal to cover up while on campus or at a school-related activity any tattoo that is inappropriate, obscene, offensive, vulgar, or gang-related

- Possession or use of fireworks, “poppers,” smoke or stink bombs, or any other pyrotechnic device that may be used to disrupt the educational process
- Possession of laser pens or laser pointers
- Possession of live ammunition or bullets
- Any other violation of the Acceptable Use Policy related to the use of York Academy information technology resources
- Sexting” or using a cell phone or other personal communication device to send text or email messages or possessing text or email messages containing images reasonably interpreted as indecent or sexually suggestive while at school or at a school-related function. In addition to any disciplinary action, phones will be confiscated, and students should be aware that any images suspected to violate criminal laws will be referred to law-enforcement authorities.
- Smoking, using, or possessing tobacco, tobacco products, vaping, smokeless cigarettes, e-cigarettes, any other nicotine delivery device or any substance for consumption containing nicotine
- First incident of being under the influence of marijuana, a controlled drug, an alcoholic beverage, an abusable volatile chemical
- Any other acts of serious misconduct that disrupt the school environment in the classroom, on a school bus, and/or in school

Consequences/Corrective Actions for Level III Violations

- Individualized behavior-intervention plan
- Counseling
- Community service that is age-appropriate, adult-supervised, and with parental consent
- Required administrator/student/parent conference
- Restitution or restoration, as applicable. Administrators should consider in-kind restitution that allows the student (not the parent) to restore the school environment by addressing the problem caused directly (e.g., vandalism to property). Restoration refers to (re)building relationships, which is an adult-mediated process.
- Exclusion from extracurricular activities such as field trips and commencement exercises/award ceremonies
- Removal of transportation services for up to one year
- Referral, screening, and appropriate intervention for being under the influence of marijuana, a controlled drug, an alcoholic beverage, an abusable volatile chemical or nicotine
- Placement of the student in in-school suspension
- Out of school suspension
- Referral to the Board of Trustees for possible expulsion
- Any other appropriate disciplinary actions determined by the administration
- For those offenses that represent an elevated safety risk to the campus, a combination of the above interventions should be considered to ensure the safety and well-being of students and others

Procedures for Addressing Level III Violations

1. Referral is entered into Sapphire Student Information System
2. Administrator confers with the student and/or teacher to establish appropriate action.
 - a. Prior to considering in-school suspension (ISS) or out-of-school suspension (OSS), administrators shall assure consideration and implementation of the following guidelines:
 - i. To the greatest extent possible, and except in situations where safety or victims’ issues dictate otherwise, administrators should work to keep students in school and provide them with the necessary behavioral supports and interventions. Exclusionary consequences should be used only after behavior interventions and supports have been exhausted.
 - ii. Campus-based staff should design a graduated system to handle first, second, or third offenses of developmentally appropriate responses to misconduct that keeps students in

- school whenever possible, addresses the harm caused, and considers the factors that may contribute to the problem while encouraging and assisting students to take responsibility for changing their behavior.
- iii. Out-of-school suspension occurs when a student is sent home during any part of the regular school day because of a disciplinary concern. "Informal" suspensions (i.e., telling a parent to take the student home because of misconduct or due to safety concerns but not giving the parent a suspension letter).
 - iv. In-school suspension should include academic tutoring, classroom work provided by the teacher, and/or instruction on skill-building related to the student's behavior problem.
 - v. Administrators should guard against students using in-school suspension as a way to avoid a particular class or task.
- b. To suspend a student (in-school and out of school) for more than three days, the school must provide the student an informal hearing. Students have the following rights when involved in an informal hearing:
- i. Both the student and his or her parent(s) or guardian must receive written notice of the reasons for the proposed suspension.
 - ii. The notice must state where and when the hearing will be held and allow a reasonable time to prepare for it.
 - iii. The student or the student's attorney has the right to ask questions of (cross-examine) any witnesses who are present at the hearing.
 - iv. The student also has the right to speak and present witnesses and other evidence.
- c. Repeated violations shall result in a more severe response and/or referral to Level IV.
3. Written or oral notification of action is sent to the parent/guardian and documented in Sapphire.
 4. Notification is sent to the teacher indicating action taken.
 5. Referral is marked complete by the administrator in Sapphire.

Level IV - Suspension and/or Expulsion for Serious Offenses

The default consequence for Level IV offenses is referral to the Board for expulsion. Administrators must consider the following factors prior to making the decision for a Board referral: (1) self-defense; (2) intent or lack of intent when the student engaged in the conduct; (3) a student's disciplinary history; and (4) a disability that impairs the student's capacity to appreciate the wrongfulness of the student's conduct. Given this consideration, the administrator may choose an alternative consequence. The Level IV offense and the subsequent consequences must be documented in Sapphire. In addition, Level IV offenses, for the most part, must have some level of police involvement and a formal police report.

Level IV violations include, but are not limited to, such behavior as:

- Engaging in assault, which is defined as intentionally, knowingly, or recklessly causing bodily injury to another
- Selling, giving, delivering to another person or possessing, using, or being under the influence of a controlled substance
- Possessing, selling, giving, or delivering an alcoholic beverage to another person.
- Possessing, selling, giving, delivering, using, or being under the influence of designer drugs, synthetic marijuana, synthetic cannabinoids (e.g. "K2" and "Spice"), vaping, stimulants (e.g. "bath salts"), or analogs of any controlled substance, regardless of whether currently scheduled or classified as an illegal drug under state or federal law and regardless of whether the substance is legally sold or marketed for another purpose, such as "herbal incense" or "bath salts," and is labeled "not for human consumption."
- Second offense relating to nicotine use (smoking, using, or possessing tobacco, tobacco products, smokeless cigarettes, e-cigarettes), being under the influence of marijuana, a controlled drug, an alcoholic beverage, an abusable volatile chemical or possession

- Engaging in conduct that contains elements of the offense of public lewdness, indecent exposure, or any type of sexual relationship
- Engaging in any conduct punishable as a felony
- Public displays of affection which include inappropriate physical contact, such as holding hands, kissing, in appropriate touching, indecent exposure, and intercourse are prohibited behaviors in schools.
- “Hacking” or other use of computers to gain unauthorized access to school or other databases, including student, faculty, or school data files, without permission. In addition to any criminal penalties, students may have their computer privileges suspended
- Possession of BB guns, pellet guns, or air rifles.
- Possessing a knife, which may include a switchblade knife, razor blades, utility knives, X-ACTO knives, or other objects that are designed to cut and that are reasonably determined under the circumstances to have been possessed by the student for use as a weapon.
- Possession of replicas of guns that are sufficiently similar in appearance to a real gun such that, if pointed at or shown to another person, a reasonable person may believe the student to be in possession of a firearm.
- Possession of electric stun guns or other protective devices designed to administer an electric shock with intent to do harm.
- Possession of a firearm.
- Possession of an illegal knife.

Consequences/Corrective Actions for Level IV Violations

- Out of school suspension
- Referral to the Board of Trustees for possible expulsion
- Any other appropriate disciplinary actions determined by the administration

Procedures for Addressing Level IV Violations

1. Referral is entered into Sapphire Student Information System
2. Administrator confers with the student and/or teacher to establish appropriate action. If appropriate, contact the York City Police Department. A police report is required if the student’s conduct is a criminal offense. If the student is transported by the police, the parent should be notified within one hour.
3. Written notification of action is sent to the parent/guardian and an informal hearing is scheduled. Students have the following rights when involved in an informal hearing:
 - a. Both the student and his or her parent(s) or guardian must receive written notice of the reasons for the proposed suspension.
 - b. The notice must state where and when the hearing will be held and allow a reasonable time to prepare for it.
 - c. The student or the student's attorney has the right to ask questions of (cross-examine) any witnesses who are present at the hearing.
 - d. The student also has the right to speak and present witnesses and other evidence
4. Notification is sent to the teacher indicating action taken.
5. A board referral meeting will be scheduled and held as soon as possible. If the parent and board members decide to move forward with expulsion, a formal hearing will be held
6. Referral is marked complete by the administrator in Sapphire.

Health & Safety Issues Related to COVID-19

The success of our school-based response to COVID-19 rests on our collective agreement to follow the public health guidelines. That responsibility is shared among the school, the students, and families of students. Expectations for maintaining health and safety measures are detailed below. Any student or family that is unable or unwilling to comply with and support these measures will result in the student being placed into the eLearning format.

In-person Learning

In the event the York Academy would have the need to offer in-person and e-learning options, parents who select in-person learning agree to the following requirements:

- My child will wear an appropriate mask on York Academy property, when required to do so and as instructed by the staff of the York Academy.
- I will screen my child each day for symptoms of COVID-19 prior to bringing him/her to school using the protocol provided by the York Academy.
- I will not bring my child to school if they are showing signs of illness and will notify the school of the absence through the appropriate methods.
- I will have a plan in place to ensure that my child is picked up from school within 30 minutes of notification that he/she is ill.
- If my child is unable to be in school due to fever or signs of potential illness, but they are able to complete work electronically from home, I will support my child in participating in eLearning using the guidelines below.

It is essential for parents and guardians to understand that their child will be moved to the fully online eLearning model if he/she repeatedly refuses to follow staff directives related to health and safety OR if the parent fails to follow through on the requirements listed above.

eLearning

In the event the York Academy would have the need to offer in-person and e-learning options, parents who select eLearning agree to the following requirements:

- I will plan to provide consistent support for my child with his/her schedule and assignments each day.
- I will provide a positive learning environment, free of distractions, for my child during the school day.
- I understand that my child will be held to the same expectations as those participating in in-person learning.
- I will work with the school to ensure that my child is onsite at York Academy for assessments and/or scheduled meetings.
- I agree to attend any IEP meetings to review and revise my child's IEP relevant to online learning (students with IEP's ONLY).

Bullying/Cyberbullying

The Board is committed to providing a safe, positive learning environment for the Charter school's 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 the Charter school's students.

Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting or during any school related/sponsored activity or outside the school setting, which is severe, persistent, or pervasive and has the effect of doing any of the following:

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

Bullying, as defined in this policy, includes cyberbullying.

School setting 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.

The Board prohibits all forms of bullying by the Charter school's students. The Board encourages students who have been bullied to promptly report such incidents to the CEO or designee.

The Board directs 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 school's legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith reports of bullying. Each student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying. The Chief Executive Officer or designee shall develop administrative regulations to implement this policy. The Chief Executive Officer or designee shall ensure that this policy and administrative regulations are reviewed annually with students.

The Chief Executive Officer or designee, in cooperation with other appropriate administrators, shall review this policy every three (3) years and recommend necessary revisions to the Board.

The Charter school's administration shall annually provide the following information with the Safe School Report:

- Board's Bullying Policy.
- Report of bullying incidents.
- Information on the development and implementation of any bullying prevention, intervention or education programs.

The Code of Student Conduct, which shall contain this policy, shall be disseminated annually to students. This policy shall be accessible in every classroom. The policy shall be posted in a prominent location within each school building and on the Charter school's website, if available.

Education

The York Academy may develop and implement bullying prevention and intervention programs. Such programs shall provide staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.

Consequences for Violations

A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include:

- Counseling within the school.
- Parental conference.
- Loss of school privileges.
- Transfer to another classroom or school bus.
- Exclusion from school sponsored activities.
- Detention.
- Suspension.
- Expulsion.
- Referral for counseling outside of school.
- Referral to law enforcement officials.

To the extent that anything in this policy could be construed to conflict with applicable state and/or federal laws, the applicable state and/or federal laws control. This policy is not intended to conflict with charter requirements.

Important Information Regarding Disciplinary Action

In School Suspension (ISS)

- A student may not receive an in--school suspension unless the student has been informed of the reasons for the suspension and has been given an opportunity to respond before the suspension becomes effective.
- Communication to the parents or guardian is to accompany the suspension action taken by the York Academy.
- When the in-school suspension exceeds 10 consecutive school days, an informal hearing with the Head of School will be offered to the student and the student's parent or guardian prior to the 11th school day in accordance with the procedures in the Pennsylvania Code.
- York Academy has the responsibility to make provisions for the student's education during the period of the in--school suspension.

Out of School Suspension (OSS)

- Out-of-school suspension occurs when a student is sent home during any part of the regular school day because of a disciplinary concern.
- Out -of -school suspensions may be given by the Chief Executive Officer or Head of School.
- A student may not be given an out of school suspension until the student has been informed of the reasons for the suspension and given an opportunity to respond. Prior notice of the intended out of school suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened.
- The parents or guardians are to be notified immediately in writing when the student is suspended.
- When the parents or guardians are notified of the suspension, the student will be given the opportunity for an informal hearing within the first five days of being excluded from school, per the requirements of the Pennsylvania Code.
- Out of School suspensions may not be made to run consecutively beyond the 10-school day period.
- Students will have the responsibility to make up exams and work missed while suspended and will be permitted to complete these assignments within guidelines established by the governing board.

Expulsion

- Expulsion is excluded from school by the governing board for a period exceeding 10 school days and may be permanent from the York Academy rolls. Expulsions require a prior formal hearing pursuant to the Pennsylvania Code.
- During the period prior to the hearing and decision of the board in an expulsion case, the student shall be placed in his or her normal class except as set forth below.

- If it is determined after an informal hearing that a student's presence in his/her 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.
- Students who are under 17 years of age are still subject to the compulsory school attendance law even though expelled and 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 the district's Chief Executive Officer.
- Within 30 days of action by the board, the parents or guardians shall submit to York Academy 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, York Academy 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.
- If the approved educational program is not complied with, York Academy 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).

Hearings

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.

Formal Hearings

A formal hearing is required in all expulsion actions. This hearing may be held before the 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 three 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 with 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 or her 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 of the written or audio record. 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:
 - a. Laboratory reports are needed from law enforcement agencies.
 - b. Evaluations or other court or administrative proceedings are pending due to a student invoking his or her rights under the Individuals with Disabilities Education Act 2004 (20 U.S.C.A. §§ 1400—1482).

- c. 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.

Informal Reviews

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. 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. The following due process requirements shall be observed in regard to the informal hearing:

1. Notification of the reasons for the suspension shall be given in writing to the parents or guardians and to the student.
2. Sufficient notice of the time and place of the informal hearing shall be given.
3. A student has the right to question any witnesses present at the hearing.
4. A student has the right to speak and produce witnesses on his or her own behalf.
5. The school entity shall offer to hold the informal hearing within the first five days of the suspension.

Discipline of Students with Disabilities

York Academy shall comply with the Individuals with Disabilities Education Improvement Act and any applicable federal and state statutes or regulations when disciplining students with disabilities. Students with disabilities who engage in inappropriate behavior, disruptive or prohibited activities, and/or conduct injurious to themselves or others shall be disciplined in accordance with their Individualized Education Programs (IEP), behavioral intervention plan, Title 22 Chapter 711 and relevant portions of Chapter 12 of the State Board of Education Regulations, IDEA 2004, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and any other applicable federal or state law.

Anti-Discrimination/Anti-Harassment

Students at the York Academy have the right to education in an environment that is free from harassment and discrimination. Harassment occurs when a student demands a sexual favor, or otherwise threatens, intimidates, annoys, alarms, causes substantial emotional distress, or creates a hostile environment for another based on the other's gender, age, race, color, national origin, religion, disability, sexual orientation, gender identity or presentation, socioeconomic status, or beliefs. Discrimination occurs when a rule or established practice confers privileges on or denies privileges to a particular class of persons based on race, sex, color, religion, sexual orientation, gender identity or presentation, national origin, or disability.

If a student believes he/she is the victim of harassment or discrimination, he/she shall report the alleged harassment or discrimination to the Chief Executive Officer, designee, or to another administrator if the Chief Executive Officer or designee is the accused. Any student who believes he/she is the victim of harassment or discrimination may likewise make a complaint to the Board of Trustees in accordance with the Complaint Policy 219 established by the Board. York Academy and/or the Board of Trustees will undertake to investigate the student's complaint thoroughly and completely and will maintain confidentiality to the extent allowed by federal, state, or local law and the policies established by the Board of Trustees of York Academy.

Nothing in this Code shall be construed to discourage or prohibit a student who feels he/she has been the subject of criminal activity or a criminal offense from contacting the police or other appropriate authority.

To the extent anything in this Code could be construed to conflict with federal and/or state law, the federal and/or state law applies and will guide student rights, responsibilities, and behavior.

Transportation Safety Guidelines

Over eleven different transporting districts set transportation guidelines. We expect our students to observe the regulations of their respective district. Students must live in the district that provides bussing: no student is allowed to ride on another school district's bus. Changes or concerns regarding bus stop location and times should be addressed to your residing school district's transportation department.

Bus transportation is provided for York Academy students by their home school district. All students who are eligible for bus transportation and take advantage of the privilege must adhere to the behavioral expectations outlined in the home school district's Rules and Regulations, Student Code of Conduct, and to the following Standards of Conduct.

Standards of Conduct – Bus Transportation

- Be ready to board the bus at the assigned location and time.
- Locate and board your assigned bus promptly when dismissing for the day. Buses will not be recalled to pick up students who have missed their bus.
- Wait until the bus is at a complete stand still before attempting to approach the bus. If buses are moving through the parking lot, students should stop and wait for the buses to stop before continuing.
- Ride only the bus to which you are assigned. Board the bus and get off at the assigned stops.
- Assist in keeping the bus safe and sanitary at all times. Be careful not to leave items such as lunches, clothing, books, etc. on the bus. Students are responsible for removing their trash. No food or drinks allowed unless otherwise indicated by the driver.
- Practice courtesy to fellow students and assist bus drivers whenever possible, particularly with small children.
- Never stick hands, arms, or any other part of the body out of windows or doors.
- Rough housing or throwing objects in or from the bus is prohibited.
- Students are to remain properly seated in their assigned seats while the bus is in motion.
- Noise on the bus must be kept at a minimum. Loud talking or creating any disturbances is not allowed.
- Use of obscene language is not permitted. Older students are expected to self-regulate their language and topics of conversation while on the bus and in the presence of younger students.
- Never experiment or tamper with the bus or any of its equipment. If a student damages seats or other parts of the bus, the student will be required to pay for replacement.
- Parents/guardians are responsible for providing transportation for their child once the privilege to ride the bus has been revoked.
- All other rules, responsibilities and consequences detailed in this Student Handbook shall apply to your conduct while awaiting, traveling on, or departing a bus.

Disciplinary Action for Bus Misconduct

Students will be referred to Administration when, despite efforts of the driver to address the student behavior, the student continues to disregard the directions of the driver. Behaviors will be acted upon as outlined in the Code of Conduct, as will any misconduct while awaiting, traveling on, or departing a bus. Safety violations and repeated disruptive behaviors may result in loss of bus transportation privileges.

Expected Cafeteria Behavior

York Academy operates on a closed catered cafeteria program. All students are expected to report to the cafeteria for their assigned lunch period as it is considered a scheduled class. Students are expected to purchase a school lunch or bring a lunch from home. The following are expectations for behavior while at lunch:

- Sit in designated/assigned seating.
- Remain seated properly: no feet on the seat or tabletop, no sitting on top of the table or on top of windowsills.
- Clean the area and discard trash in the designated manner.
- No food or drink, other than non-flavored water, may be consumed outside of the cafeteria.
- Students are not permitted to go to their lockers during lunch. In the event that students will be permitted to go outside after eating (weather and staffing permitting), students are expected to bring outerwear with them to lunch.
- Students must use assigned restrooms and must inform staff before leaving the cafeteria.
- Students may not throw food or any other items while in the cafeteria.
- Administration reserves the right to restrict food and beverages in order to abide by York Academy nutrition and wellness guidelines (e.g., caffeine, fast food, energy drinks, etc.).

Locker Responsibilities

In the beginning of the year, students may be assigned a locker. Students are expected to use their assigned locker to keep belongings and items not permitted to be carried (outerwear and bookbags) during the school day. The school assumes no responsibility for any items lost or stolen. The student assumes all responsibility for the contents of their assigned locker. The following are guidelines for the use of school lockers:

- All lockers should be kept clean at all times. They will be inspected at the end of the year.
- It is recommended that valuables never be left in the school.
- If there is a problem opening and closing the locker, students should come to the office immediately.
- School lockers are lent to students and as such may be searched by school officials as per school policy.
- Students are only permitted to access the locker assigned to them. Accessing another student's locker, actions intended to gain access (e.g., soliciting another's locker combination, etc.), or allowing others to access your assigned locker are considered violations of this rule.

Student Attendance

Philosophy

The Board of Trustees requires that students enrolled in York Academy Charter School attend school regularly in accordance with the laws of the state. The educational program offered by this school is based upon the presence of the student and requires continuity of instruction and classroom participation.

Attendance shall be required of all students enrolled in this school during the days and hours that the school is in session, except that the Chief Executive Officer or designee may excuse a student for a temporary absence when he/she receives satisfactory evidence of such mental, physical, or other urgent conditions which may reasonably cause the student's absence.

The Chief Executive Officer may alter the school day and the number of school days for emergency reasons and to protect the health and safety of students and staff members.

A student may be dismissed only to a parent/guardian or to a person so designated on their emergency contact list.

Tardy to School

One of the defining characteristics of the York Academy is that our students come from over 11 school districts. Students are expected to arrive on time for school. Unless otherwise authorized, a student's late arrival to school will be excused only if such lateness is due to the late arrival of a school bus. Students who travel by other means accept the responsibility for timely arrival at school. Any student who travels by other means than the bus and reports to school after the required time is considered late. All late students must report to the school office and be signed in by a parent or guardian. The student will be considered unlawful or unexcused from school when s/he accumulates eight (8) tardies. Administrators may issue consequences for repeated tardies to school. Parents/Guardians are responsible for providing school officials with written verification (notes and/or documentation) of the reason for each lateness. Only doctor's notes or court appointments will be excuses for lateness.

Early Dismissal

Students who must leave school during regularly scheduled hours must bring a note from the parent/guardian prior to the early dismissal stating the time the student needs to be excused and indicating if someone other than the parent is picking up the student. This note should be presented to the teacher in the morning or faxed to school before 1:30 p.m. **Students will not be dismissed between 3:00 p.m. and 3:30 p.m.**

Excused Absence

Parents/guardians are responsible for providing school officials with written verification of the reason (notes and/or documentation) for each absence within 5 days of the student's return to school. Each student is allowed a maximum total of ten excused absences per school year. Any absence beyond ten days requires a written medical excuse signed by a physician. The following may be designated as valid excuses for absence of a student from school provided satisfactory evidence or documentation for the excuse is provided to school officials:

Death in the Immediate Family. An absence resulting from the death of a member of the student's immediate family. The immediate family of a student includes, but is not necessarily limited to, parents, grandparents, brothers, and sisters.

Medical or Dental Appointments. An absence resulting from a medical or dental appointment that cannot be scheduled outside of regularly scheduled school hours. Notice should be given to the teacher prior to the absence, except in the case of an emergency.

Illness or Injury. An absence resulting from illness or injury that prevents the student from being physically able to attend school. Any student missing three or more consecutive school days requires a note from a physician. Students who are sent home by the school nurse may not return for 24 hours if indicated by nursing staff or as outlined in the Illness and Medication section of the Student Handbook and Code of Conduct.

Quarantine. An absence that is ordered by a medical professional, local health office, by the State Board of Health, or an illness related to COVID-19.

Court or Administrative Proceedings. An absence resulting from the attendance of a student at the proceedings of a court or an administrative tribunal if the student is a party to the action or under subpoena as a witness.

Observance of a Religious Holiday. An absence may be considered excused if the tenets of a religion, to which a student or his/her parent adhere, require observance of a religious event.

Educational Leave of Absence Policy. A planned educational leave of absence requires a formal application to the Head of School at least five (5) school days in advance of the scheduled leave of absence. This request must include the dates, destination, purpose of the trip, a description of the educational value, and specific plans for enrichment, and arrangements that have been made for making up missed classroom work. Application for educational tours or trips to occur during any pre-established testing, student-led conferences, or examination periods, including mid-term, final exam periods or PSSA testing will not be approved. Absences during such periods will be considered unexcused. Prior approved educational absences may occur on separate occasions and may not exceed a total of five school days. Educational Trip forms are available in the front office or online.

Participation in a project sponsored by a statewide or countywide 4-H, FFA or combined 4-H and FFA group. A student shall be excused for participation in a project sponsored by a statewide or countywide 4-H, FFA or combined 4-H and FFA group upon request prior to the event.

Other excused absences/late arrivals as defined by the Public School Code of 1949, the Pennsylvania Code or by Board policy.

Unexcused or Unlawful Absence

York Academy is required to follow the mandates of the PA Public School Code and the Pennsylvania Code regarding excessive student absences and trancies. A truancy action may be brought against the parent/guardian of a truant student of compulsory school age after proper notice has been given. If a child is absent for ten (10) days in a row without notification, York Academy will drop the child from the active school rolls.

Missed Assignments and Projects

Students are expected to make up assignments and projects missed when absent. Students are allowed an equal number of days as they were absent to complete the necessary make-up assignments or projects. In cases of extended illness, the student should ask for help in establishing a make-up schedule.

Failure to make up assignments and projects missed when absent will result in a failing grade issued to the student. York Academy will review a student's failure to make up missed assignments on a case-by-case basis.

Truancy

Absences that do not meet the requirements as described above are identified as unlawful. Excessive absences (3 or more) qualify as a student being truant. As a mandated reporter, York Academy Regional Charter School is responsible for reporting cases of truancy to the student's home school district.

A student receiving five unexcused or more absences will be issued a written warning and a Student Attendance Improvement Plan meeting will be held with parent, student, and staff members. Ten unexcused absences will result in a report being made to Children and Youth Services or a citation request with your home school district.

Any absence not verified in writing by a parent/guardian, physician, court, or other agency, within three days of the student's return to school, is considered unexcused. Planned absences without prior approval are considered unexcused. Students who are absent in excess of 20 days during one school year are considered at risk for retention or removal from the attendance rolls.

The Chief Executive Officer or designee may impose on Truant students such incremental disciplinary measures as may be appropriate for infractions of school regulations, but no such penalty may have an irredeemable negative effect on the student's record beyond that which naturally follows absence from school activities.

Extracurricular Activities

As noted in the courses of action to discipline infractions, special program privileges may be revoked for Level One Expectations. Students may lose field trip participation for more serious infractions at Level Two Expectations. In addition, a student who is suspended in school or out of school must forfeit participation in all extracurricular activities during the suspension.

Eligibility

To be eligible for participation in a co-curricular activity, a student must pursue a full-time curriculum and must be passing a minimum of either seven of eight or six of seven of his or her classes.

Eligibility shall be determined on a weekly basis. Students who do not meet this academic requirement on a weekly basis will be placed on probation.

Student grades are reported and reviewed each Monday by noon. If it is determined that a student is not passing either seven of eight or six of seven of his or her current classes, he or she will be ineligible from that Monday through Sunday of the next week for a total of seven days.

EXAMPLE: On Monday, student is reported ineligible
On Monday, the student begins a seven-day ineligibility period

During the period of ineligibility, the student will be permitted to practice but may not participate in contests, scrimmages, or public performances. Upon regaining eligibility, it will be at the coaches/advisor discretion as to when the student/athlete can participate in contests/scrimmages/ performances. For weekend contests, scrimmages, or public performances, students are required to be present in school no later than Friday at 10:30 am.

A student/athlete will be removed from the co/extra-curricular activity for the remainder of that activity if they are on the weekly ineligible list for three weeks. A student/athlete will be removed from the co/extra-curricular activity for the remainder of that activity if they are on the semester ineligible list. A student/athlete will be removed from the co/extra-curricular activity for the remainder of that activity if they are listed one week consecutively or non-consecutively during the activity.

If at the end of a trimester the student has not passed at least seven of eight or six of seven of his or her classes, the student will be placed on probation for fifteen (15) school days. The probation will begin on the day the eligibility list is published. During the 15-day probation, the student will be permitted to practice but not attend or participate in contests, scrimmages, or public performances.

At the end of the school year, the student's final credits earned for the year rather than the credits earned during the last grading period will determine a student's eligibility at the beginning of the subsequent school year. A student who fails to earn five (5) credits from the previous school year will be permitted to practice but will not be able to compete or participate in public performances during the first fifteen (15) school days of the subsequent school year. A student who fails to earn five (5) credits for the year, but attends summer school and corrects deficiencies, could be eligible, pending administrative review.

A grade of "incomplete" at the end of a marking period which results from a student's extended excused absence from school may be remedied in accordance with school rules. When five (5) courses are at the passing level, the student will be fully reinstated.

Attendance Requirements

Students who participate in co/extra-curricular activities will be expected to maintain regular school attendance.

To be eligible to participate in a contest, scrimmage, or public performance on any given day, the student must report to school by 10:30 a.m. A student arriving after 10:30 a.m. because of an illness, must have a doctor's note stating that the student is able to participate in the activity. Students who must leave school during regularly scheduled hours for practice must sign out in the main office. **Students will not be dismissed prior to 3:00 p.m.**

The following consequences will be issued when a student arrives at school after 10:30 a.m. without proper documentation.

- First Violation: Prohibited from participation in the practice or contest for that date.
- Second Violation: Refer to policy for First Violation plus prohibited from participation in the next scheduled event.
- Third Violation: Removal from team or activity.

Discipline Expectations

- Students violating the district's Drug and Alcohol Policy shall require a 45 school-day ban on participation.
- The administration reserves the right to deal with specific cases on an individual basis in regard to eligibility for practice, contests, or events.
- During the course of a suspension, either in-school or out of school, the student is ineligible to attend practices, attend or compete in any extracurricular or co-curricular activity.

Dress Code

A standardized dress code fosters a focused attitude toward learning. We strive to create an atmosphere of equality by removing the name brands and status symbols that are subtle, yet often distinguishing signs of social standing. Required attire varies depending upon grade level and is described in detail below. All students must arrive at school in dress code and remain in dress code while on school property.

Regular School Days

	Lower School Students (Grades K-6)	Upper School Students (Grades 7-12)
Tops	Colors: white, light blue or navy blue	Colors: maroon, grey, or teal
	<p>Style: Short or long-sleeved with a collar, such as an oxford or polo shirt</p> <p>Visible undershirts must be white</p> <p>Shirts are to be tucked in the pants at all times</p> <p>Sweaters, sweatshirts, vests, and cardigans must be either solid maroon, solid white or solid navy blue and may not have hoods</p> <p>Logos other than the York Academy are not permitted</p>	
Bottoms	<p>Type: Uniform-style pants, shorts, skorts, skirts, polo dresses, or jumpers</p> <p>Color: Navy blue, khaki or black</p> <p>Tights are permitted and must be solid black, brown, navy, or white</p> <p>Belts should be worn if the pants or shorts provide for belts</p> <p>Cargo-style pants, jeans, and sweatpants are not permitted.</p>	
Shoes	<p>Shoes must be predominately black, brown, navy, or white</p> <p>Open-toed shoes, flip-flops, slippers, lighted shoes and shoes with wheels are not permitted</p> <p>Logos other than the York Academy are not permitted</p>	
Outerwear	<p>Outerwear must be stored in lockers or cubbies and may not be worn inside a school building. During colder weather, students may wear a sweater or sweatshirt as designated above.</p>	
Physical Education Classes	<p>Athletic shoes (sneakers) that will not mark the floor are required. Students may store these shoes at school in a bag of some type.</p>	<p>Students are required to wear a purchased grey or teal Knight's T-shirt with their black shorts and sneakers.</p>

Special Dress Code Days

Dress Down Days

Dress Down Days support our York Academy PTO. In order to participate, students are asked to make a \$1.00 donation to the PTO. Students who make the donation are invited to wear school appropriate attire of their choosing on dress down days. At a minimum, school appropriate attire should meet the following standards:

- Tops must be long enough to extend to the waistline of the pants or skirt, have sleeves and a modest neckline. Crop tops, muscle shirts and spaghetti straps are not appropriate for school.
- Bottoms should fit at the waistline and must be no more than three inches above the knee. Leggings, tights, yoga pants and pajamas are not school appropriate.
- All clothing must be free of double meaning, suggestive slogans/words, and advertisements of illegal products or profanity.
- Undergarments must be completely covered by clothing at all times.
- Shoes should have a closed toe and back. Flip flops, slides and slippers are not appropriate for school.
- All clothing should be in good repair and free of rips or tears.

Consequences for Dress Code Violation

York Academy students express their individuality through personality characteristics and academic achievements, not outward appearances. Our dress code puts the focus on academics, not fashion, because our students project a neat, serious, businesslike image. Hairstyles, hair colors and cosmetics that disrupt the educational process by style and appearance are not permitted. Out of respect for tradition, students may not wear hats inside the school. Non-religious head coverings (i.e., hats, headbands, bandanas, hoodies, etc.) are to be removed and placed in lockers or teacher-designated areas until the dismissal time.

Should a student be found to be in violation of any part of the dress code policy, the adult will ask the students to correct their attire. If the student is not able or willing, he/she will be referred to the office for disciplinary action. Final determination of acceptable dress and grooming rests with the Chief Executive Officer. Consequences for violations of the dress code, as well as repeated violations, are contained in this Code of Conduct.

Suicide Awareness, Prevention and Response

The Board is committed to protecting the health, safety and welfare of its students and school community. This policy supports federal, state and local efforts to provide education on youth suicide awareness and prevention; establish methods of prevention, intervention, and response to suicide or suicide attempt; and to promote access to suicide awareness and prevention resources.

In compliance with state law and regulations, and in support of the school's suicide prevention measures, information received in confidence from a student may be revealed to the student's parents/guardians, the Chief Executive Officer or other appropriate authority when the health, welfare or safety of the student or any other person is deemed to be at risk.

The school shall utilize a multifaceted approach to suicide prevention which integrates school and community-based supports.

The school shall notify school employees, students and parents/guardians of this policy and shall post the policy on the school's website.

Displaced Housing and Homeless Students

Students at York Academy Regional Charter who are designated homeless or displaced under the McKinney-Vento Act of 1987 have certain rights and services available to them to assist in accessing their education. A homeless liaison is appointed by York Academy to assist homeless students in removing barriers to their education and accessing services for the students and their families. Information regarding the liaison can be located on the school's website and at the main offices.

Homeless children and youths mean individuals who lack a fixed, regular and adequate nighttime residence, and includes:

1. Children and youth who are:
 - a. Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
 - b. Living in motels, hotel, trailer parks or camping grounds due to lack of alternative adequate accommodations;
 - c. Living in emergency, transitional or domestic violence shelters; or
 - d. Abandoned in hospitals.
2. Children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
3. Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings;
4. Migratory children who qualify as homeless because they are living in circumstances described above; and
5. School-aged parents living in houses for school-aged parents if they have no other available living accommodations.

School of origin is the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including preschool. When the child or youth completes the final grade level served by the school or origin, the school of origin shall include the designated receiving school at the next grade level for all feeder schools.

Unaccompanied youth means a homeless child or youth not in the physical custody of a parent or guardian. This includes youth who have run away from home; been abandoned or forced out of home by a parent, guardian or other caretaker; or separated from a parent or guardian for any other reason.

Electronic Devices

York Academy provides students and staff access to technology tools and Internet resources as part of the Charter school's core educational mission and goals. Technology permeates virtually all Charter school academic activities, operations, communications and research. It is the intent of the Charter school to hold high expectations for student behavior and academic integrity while promoting responsible and ethical use of technology and network resources. The purpose of this policy is to set forth expectations for responsible use of existing and emerging technologies and electronic devices that students may possess.

Use of technology resources is a privilege that may be revoked at any time. Technology resources are not limited to Charter school owned electronic devices and may include personally owned devices as well.

Electronic Devices and Personally owned Devices: - An electronic device and personally owned device shall include all existing and emerging technology devices that can take photographs; record audio or video; input text; upload and download media; and transmit or receive messages or images; or provide a wireless filtered or unfiltered connection to the Internet. Examples of electronic devices or personally owned devices shall include but not be limited to: MP3 players and iPods; iPads, Nooks, Kindle, and other tablet PCs; laptop and netbook computers; personal digital assistants (PDAs), cell phones and smartphones such as BlackBerry, iPhone, Windows, or Android, as well as any other communication devices with similar capabilities and other new technologies developed that are capable of connecting to the Charter school's network or other independent mobile network.

The school holds high expectations for student behavior, academic integrity, and responsible use of technology devices. It is every computer user's duty to use the technology resources responsibly, professionally, ethically and lawfully. Access to these resources may be designated a privilege not a right.

Students who possess and/or use such devices during the school: in Charter school buildings, on Charter school property, while attending school sponsored activities during the school day: and/or during any/all school sponsored activities generally, will demonstrate the greatest respect for the educational environment and the rights and privacy of all individuals within the school community.

The Charter school will not be liable for the loss, damage, theft, or misuse of any personal electronic device brought to school by a student in any of the circumstances or in any of the environments mentioned in the above paragraph. The Charter school will bear no responsibility or provide technical support, or trouble shooting, or repair of electronic devices owned by anyone other than the Charter school. Costs for the use of data and applications on the aforementioned electronic devices will be the responsibility of the student.

The Board prohibits **possession of** laser pointers and attachments and telephone paging devices/beepers by students in Charter school buildings; on Charter school property; on district buses and vehicles; and at school sponsored activities. The Charter school shall not be liable for the loss, damage or misuse of any electronic device brought to school by a student in any of the circumstances or in any of the environments mentioned in the above paragraph. The Charter school will bear no responsibility or provide technical support, troubleshooting, or repair of electronic devices owned by anyone other than the Charter school. Costs for the use of data and applications on the aforementioned electronic devices will be the responsibility of the student.

Electronic Images and Photographs

The Board prohibits the taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to text and e-mail. Because such violations may constitute a crime under state and/or federal law, the Charter school may report such conduct to state and/or federal law enforcement. Such prohibited activity shall also apply to student conduct that occurs off school property if:

- There is a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school sponsored activities.
- The student is a member of an interscholastic activity and has been notified that particular off campus conduct could result in exclusion from such activities.
- The conduct has a direct nexus to attendance at school or a school sponsored activity, such as an agreement made on school property to complete a transaction outside of school that would violate the Code of Student Conduct.

Recording

Audio recording will be consistent with state/federal laws. The unauthorized student recording of oral communications of any individual(s) possessing an expectation that such communications will not be recorded is prohibited and may be punishable under federal and state laws. The Chief Executive Officer or designee shall annually notify students, parents/guardians and employees about the Board's electronic device policy. The Chief Executive Officer or designee shall develop administrative regulations to implement this policy. Violations of this policy by a student shall result in disciplinary action and may result in confiscation of the electronic devices.

The Board permits the use of electronic devices by students as designated by the respective classroom instructor during instructional time. The Board further permits electronic devices for non-verbal, non-disruptive use during non--instructional times in locations designated in the building handbook and this policy. All other uses of electronic devices are prohibited.

Unacceptable Devices

The Board prohibits possession of unacceptable devices and attachments by students on school property and at school sponsored activities. Examples of an unacceptable device in this policy shall include but is not limited to gaming devices or consoles, laser pointers, modems or routers, and televisions.

The Charter school will provide filtered, authenticated, wireless access to the internet for student use. The Charter school forbids student access to the Internet through an unfiltered, unapproved wired, wireless, or cellular connection on electronic devices in any of the circumstances and in any of the environments listed in Section 3 (Authority) above. For example, connection to the Internet while present on school property, on school transportation, or at a school related activity, via anything other than the Charter school provided network, is a violation of this policy and policy 815 (Acceptable Use)

Privacy

Students will not photograph, videotape, or record other individuals at school, on Charter school property, on school buses, or at school sponsored activities with their personally owned devices.

Exceptions

Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with prior approval of the Chief Executive Officer or designee, or when use is required for the provision of a free appropriate public education for a student identified under Section 504 or the Individuals with Disabilities Education Act and present in a student's Individualized Educational Program or Section 504 plan.

Ensuring Academic Integrity

Students will not use cellular phones or other electronic devices in any way that may cause a teacher or staff member to question whether the student may be cheating on tests or academic work or violating copyright policy. Use of electronic devices is prohibited during testing, except where specifically authorized by the teacher or staff member and where the use of such device is required for the test.

Discipline

Student use of electronic devices will not violate any other Charter school policies, including those regarding

student privacy, copyright, cheating, plagiarism, Student Code of Conduct, Acceptable Use Policy, or harassment. Violations of this policy by a student will result in disciplinary action (including the range of penalties provided for in the discipline code, such as, loss of privileges, confiscation, and referral for expulsion) in accordance with Charter school policy and Student Handbook. Use of electronic devices for an unlawful purpose will subject a student to any and all disciplinary measures provided by the Code of Conduct, Charter school policy, or state/federal law. If a violation occurs involving more than one (1) Charter school policy, consequences for each policy will apply.

Use of electronic devices pursuant to this policy is a privilege, not a right, unless otherwise required by legal exception stated above. Abuse of the limited use provision will result in discontinuation of electronic device privileges as determined by the Administration.

The Charter school reserves the right to monitor, inspect, copy, and review a personally owned device or file when administration has a reasonable suspicion that a violation has occurred.

YORK ACADEMY CHARTER SCHOOL is not responsible for any lost or stolen electronic device. Care and security of these devices is the responsibility of the student. Students bring these devices to school at their own risk.

** PLEASE NOTE: Filming of any kind of video cameras, cell phone, or any other electronic devices is strictly forbidden without permission by York Academy administration. In the Commonwealth of Pennsylvania, "It is unlawful to record either an in-person conversation or electronic communication without the consent of all parties. 18 Pa. Cons. Stat. Ann § 5704 (West 2012)" Consequences may include, but are not limited to: after school detention, in-school suspension, and out of school suspension.

Student Expression/Distribution and Posting of Materials

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. The Board respects the right of students to express themselves in word or symbol and to distribute and post materials in areas designated for posting as a part of that expression. The Board also recognizes that exercise of that right must be limited by the school's responsibility to maintain an orderly school environment and to protect the rights of all members of the school community.

This policy addresses student expression in general and distribution and posting of materials that are not part of school sponsored activities. Materials sought to be distributed or posted as part of the curricular or extracurricular programs of the school shall be regulated as part of the school's educational program.

Distribution - students handing non-school materials to others on school property or during school sponsored events; placing upon desks, on or in lockers; or engaging in any other manner of delivery of non-school materials to others while on school property or during school functions. When email, text messaging or other technological delivery is used as a means of distributing or accessing non-school materials via use of school equipment or while on school property or at school functions, it shall be governed by this policy. Off campus or after-hours distribution, including technological distribution, which does or is likely to materially or substantially interfere with the educational process, including school activities, schoolwork, or discipline and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights is also covered by this policy.

Expression - verbal, written or symbolic representation or communication.

Non-school materials - any printed or written materials meant for posting or general distribution to others that are not prepared as part of the curricular or extracurricular program of the school, including but not limited to fliers, invitations, announcements, pamphlets, posters, Internet bulletin boards, personal websites and the like.

Posting - publicly displaying non-school materials on school property or at school sponsored events, including but not limited to affixing such materials to walls, doors, bulletin boards, easels, the outside of lockers; non-school sponsored or student websites; through other school owned technology and the like.

Students have the right to express themselves unless such expression is likely to or does materially or substantially interfere with the educational process, including school activities, schoolwork, or discipline and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights.

Student expression that occurs on school property or at school sponsored events is fully governed by this policy. In addition, off campus or after hours expression is governed by this policy if the student expression involved constitutes unprotected expression as stated in this policy and provided the off campus or after hours expression does or is likely to materially or substantially interfere with the educational process, including school activities, school work, or discipline and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights.

The Board shall require that distribution and posting of non-school materials occur only at the places and during the times set forth in written administrative regulations. Such regulations or procedures shall be written to permit the orderly operation of schools, while recognizing the rights of students to engage in protected expression.

Unprotected Student Expression

The Board reserves the right to designate and prohibit manifestations of student expression that are not protected by the right of free expression because they violate the rights of others or where such expression is likely to or does materially or substantially interfere with school activities, schoolwork, or discipline and order on school property or at school functions including but not limited to:

- Libel of any specific person or persons.
- Advocating the use or advertising the availability of any substance or material that may reasonably be believed to constitute a direct and serious danger to the health or welfare of students.
- Using obscene, lewd, vulgar or profane language – whether verbal, written or symbolic.
- Inciting violence; advocating use of force; or encouraging violation of federal, state or municipal law, Board policy or school rules or regulations.
- Are likely to or do materially or substantially interfere with the educational process, including school activities, schoolwork, or discipline and order on school property or at school functions; threaten serious harm to the school or community; encourage unlawful activity; or interfere with another's rights.
- Violating written school administrative regulations or procedures on time, place and manner for posting and distribution of otherwise protected expressions.

Spontaneous student expression which is otherwise protected speech is not prohibited by this section.

Discipline for Engaging In Unprotected Expression

The Board reserves the right to prohibit the posting or distribution of non-school materials containing unprotected expression and to prohibit students from engaging in other unprotected student expression, as well as to stop unprotected student expression when it occurs. The Board reserves the right to discipline students for engaging in unprotected expression. Where such expression occurs off campus and away from school functions, a nexus between the unprotected expression and a substantial and material disruption of the school program must be established.

Distribution Of Non-School Materials

The Board requires that students who wish to distribute or post non-school materials on school property shall submit them one (1) school day in advance of planned distribution or posting to the Chief Executive Officer or designee.

If the non-school materials contain unprotected expression as stated in this policy, the Chief Executive Officer or designee shall notify the students that they may not post or distribute the materials because the materials constitute a violation of Board policy.

If notice is not given during the period between submission and the time for the planned distribution or posting, students may proceed with the planned distribution or posting, provided they comply with written administrative regulations or procedures on time, place and manner of posting or distribution of non-school materials. Students who post or distribute non-school materials in compliance with this provision may still be ordered to desist such distribution if the materials are later found to be unprotected expression under this policy.

Students who distribute printed materials shall be responsible for clearing any litter that results from their activity and shall schedule the event so that they do not miss instructional time themselves.

Posting Of Non-School Materials

If a school building has an area where individuals are allowed to post non-school materials, students may post such items as well, if the materials do not constitute unprotected expression and the items are submitted for prior review in the same manner as if the students were going to distribute them.

Such materials shall be officially dated, and the school may remove the materials within ten (10) days of the posting or other reasonable time as stated in the administrative regulations or procedures relating to posting.

Review Of Student Expression

School officials shall not censor or restrict non-school materials or other student expression for the sole reason that it is critical of the school or its administration, or because the views espoused are unpopular or may make people uncomfortable.

Student initiated religious expression is permissible and shall not be prohibited except as to time, place and manner of distribution, or if the expression involved violates some other part of this policy, e.g., because it is independently determined to be an unprotected expression under the standards and definitions of this policy.

The review for unprotected expression shall be reasonable and not calculated to delay distribution.

Appeal of the reviewer's decision may be made to the Chief Executive Officer and then to the Board, in accordance with Board policy and school regulations or procedures.

The Chief Executive Officer shall determine the designation of the places and times non--school materials may be distributed in each school building. Such designations may take into account maintenance of the flow of student traffic throughout the school and shall limit distribution of non-school materials to non-instructional times.

Disciplinary action may be determined by the administrators for students who distribute or post non-school materials in violation of this policy and school regulations or procedures, or who continue the manifestation of unprotected expression after a person in authority orders that they desist. Disciplinary actions shall be included in the disciplinary code with Student Code of Conduct.

This Board policy and any administrative regulations or procedures written to implement this policy shall be referenced in student handbooks so that students can access them for further information.

Acceptable Use of Technology and the Internet

York Academy Regional Charter School provides employees and students with access to the school's network and to the Internet on school owned devices, whether wired or wireless, in order to facilitate learning, teaching and daily operations through interpersonal communications and access to information, research and collaboration. This policy shall apply to all use of school technology, including the use of the school's network. It shall also apply to all technology used by students on school grounds, during school sponsored activities and all technology used by employees of the school when using such technology on school grounds, during school-sponsored activities, any time during their professional duties, or when representing themselves, via such technology, as staff members or representatives of the school. "Technology," for the purposes of this provision, includes personal, non-school devices owned and/or used by students and employees.

Access to the school's network shall be for specific education related purposes to access information and research; to collaborate; to facilitate learning and teaching and to foster the educational vision, mission and beliefs of the school. All students shall review this policy and associated technology guidelines before they utilize any school and/or personally owned devices. The school reserves the right to restrict student use of school owned technologies and personally owned devices on school property or at school sponsored events.

The purpose of this policy is to help students, employees and guests understand acceptable use of Technology Resources. The use of the Technology Resources is a privilege that may be revoked at any time. Technology resources are not limited to school owned devices and may also include personally owned devices.

Any school owned technology used during the school/workday or used off school property shall be considered part of the school's Technology Resources. Guidelines for acceptable use during work hours extend to the use of the school's technology after work hours and/or use of the school's Technology Resources from off campus sites through remote login procedures.

Acceptable use of the school's network and associated technology is rooted in current school policy, accepted rules of network etiquette, federal and state laws, the Code of Conduct, the Code of Professional Practice and Ethics, Charter school Law and the Public School Code.

The electronic information available to students and staff does not imply endorsement by the school of the content, nor does the school guarantee the accuracy of the information received. The school shall not be responsible for any information that may be lost, damaged or unavailable when using the network or for any information retrieved from the Internet. The school operates and enforces technology protection measures that filter online activities for all users so as to filter or lock inappropriate matter on the Internet.

The school shall not be responsible for any unauthorized charges or fees resulting from access to the Internet. Users have no privacy expectations in the contents of their personal files or any of their use of the school's network. The school reserves the right to monitor, track and/or log user access as well as monitor and allocate file server space and access to all user files.

For Users, the Technology Resources must be used for education related purposes and performance of school job duties.

The York Academy Regional Charter School establishes the Technology Resource use is a privilege and not a right. Inappropriate, unauthorized and illegal use will result in cancellation of those privileges and appropriate disciplinary action. The school will cooperate to the extent legally required with the Internet Service Provider (ISP), local, state and federal officials in any investigation concerning or related to the misuse of the school's Technology Resources.

Technology Definitions

The term child pornography is defined under both federal and state law, as follows:

Child pornography - under federal law, is any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:

- The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
- Such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or
- Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

Child pornography - under state law, is any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction or other material depicting a child under the age of eighteen (18) years engaging in a prohibited sexual act or in the simulation of such act.

Technology Devices - includes any existing or emerging technology that is school owned, leased, licensed or user owned personal hardware, software or other technology used on the school's premises or at school events, or connected to the school's network. Technology devices include, but are not limited to: desktop, notebook, PowerBook, tablet PC or laptop computers, printers, cables, modems, and other peripherals including thumb and flash drives, specialized electronic equipment used for students' special educational purposes, global position system (GPS) equipment, personal digital assistants (PDAs), cell phones, with or without Internet access and/or recording and/or camera/video and other capabilities, mobile phones, laser pointers and attachments, and any other such technology developed. It also includes all existing and emerging technology devices that can take photographs; record audio or video; input text; upload and download media; and transmit or receive messages or images. Examples of a personally owned device shall include but is not limited to: MP4 players and iPods; iPads, Nooks, Kindle, and other tablet PCs; laptop and netbook computers; personal digital assistants (PDAs), cell phones and smartphones such as BlackBerry, iPhone, or Droid, as well as any device with similar capabilities.

The term harmful to minors is defined under both federal and state law.

Harmful to minors - under federal law, is any picture, image, graphic image file or other visual depiction that:

- Taken as a whole, with respect to minors, appeals to a prurient interest in nudity, sex or excretion;
- Depicts, describes or represents in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or lewd exhibition of the genitals; and
- Taken as a whole lacks serious literary, artistic, political or scientific value as to minors.
- Under Pennsylvania law, is any depiction or representation in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it:
 - Predominantly appeals to the prurient, shameful, or morbid interest of minors;
 - Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors.

Minor – for purposes of compliance with the Children's Internet Protection Act ('CIPA'), an individual who has not yet attained the age of seventeen (17). For other purposes, minor shall mean the age of minority as defined by relevant law.

Network – a system that links two (2) or more computer systems, including all components necessary to effect operation, including, but not limited to: computers, copper and fiber cabling, wireless communications and links, equipment closets and enclosures, network electronics, telephone lines, printers and other peripherals including

thumb and flash drives, storage media, software, and other computers and/or networks to which the network may be connected, such as the Internet or those of other institutions.

Obscene - under federal law, analysis of material meets the following elements:

- Whether the average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest.
- Whether the work depicts or describes, in a patently offensive way, sexual conduct specifically designed by the applicable state or federal law to be obscene.
- Whether the work taken as a whole lacks serious literary, artistic, political, educational, or scientific value.
- Under Pennsylvania law, analysis of the material meets the following:
 - The average person applying contemporary community standards would find that the subject matter taken as a whole appeals to the prurient interest;
 - The subject matter depicts or describes in a patently offensive way, sexual conduct described in the law to be obscene; and
 - The subject matter, taken as a whole, lacks serious literary, artistic, political, educational or scientific value.

Sexual Act and Sexual Contact - as defined at 18 U.S.C. Sec. 2246, and at 18 Pa. C.S.A. Sec.5903.

Social Networking Sites are web-based services that allow individuals to (1) construct a public or semi-public profile within a bounded system, (2) articulate a list of users with whom they share a connection, and (3) view and traverse their list of connections and those made by others within the system. It also includes other types of websites that allow users to share content, interact with each other and develop communities around similar interests. This definition shall expressly include community web sites, online discussion forums, chat rooms and other social spaces online. For purposes of this policy, **social networking sites** should also include blogs.

Blog is a website that contains an online personal journal with reflections, comments, and often hyperlinks provided by the writer.

Technology protection measure - a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography or harmful to minors.

The school shall make every effort to ensure that students and staff use network resources responsibly. The resources may include, but are not limited to, network user accounts, computers, the Internet, email, blogs and other second or third generation web services. The Chief Executive Officer or designee will serve as the coordinator to oversee the school's network and will work with others to educate users, approve activities, maintain executed user agreements and interpret and enforce this policy.

The school reserves the right to restrict access to any Internet sites or functions it may deem inappropriate through general policy, software blocking or online server blocking. Specifically, the school enforces technology protection measures that block or filter online activities of minors on its computers used and accessible to adults and students so as to filter or block inappropriate matters on the Internet. Inappropriate matter includes, but is not limited to, visual, graphic text and any other form of obscene, sexually explicit, child pornographic, or other material, that is harmful to minors, or that is hateful, illegal, defamatory, lewd, vulgar, profane, rude, inflammatory, threatening, harassing, discriminatory as it pertains to race, color, religion, national origin, gender, marital status, age, sexual orientation, political beliefs, receipt of financial aid, or disability; violent, bullying, terroristic, and advocates the destruction of property. Measures designed to restrict adults' and minors' access to material harmful to minors may be disabled to enable an adult or student to access bona fide research, not within the prohibitions of this policy, or for other lawful purpose. No person may have access to material that is illegal under federal and state law.

Expedited review and resolution of a claim that the policy is denying a student or adult access to material will be enforced by an administrator, supervisor, or their designee upon the receipt of a written consent from a parent/guardian for a student, and upon a written request from an employee.

Administrators, teachers and staff have the responsibility to work together to help students develop the skills and judgment required to make effective and appropriate use of network resources. This includes educating minors about appropriate online behavior, including interacting with other individuals on social networking websites, and in chat rooms and cyberbullying awareness and response. All users have the responsibility to respect the rights of all other users within the school and to abide by the rules established by the school, local, state, and federal laws. The school will notify the staff and parents/guardians annually about the network systems and the policies governing their use. A copy of this policy shall be published in the annual student handbook and be available directly from the office of the Chief Executive Officer.

Parental Notification and Responsibility

The school will notify the parents/guardians about the school's technology network systems and the policies governing their use. This policy contains restrictions on accessing inappropriate material. There is a wide range of material available on the Internet, some of which may not be fitting with the particular values of the families of the students. It is not practically possible for the school to monitor and enforce a wide range of social values in student use of the internet. Further, the school recognizes that parents/guardians bear primary responsibility for transmitting their particular set of family values to their children. The school will encourage parents/guardians to specify to their children what material is and is not acceptable for their children to access through the school's technology resources.

Student Privacy Rights and Employee Sites

All teachers and school employees must be aware that all personal and professional blogs and social networking communications, even when authored/utilized outside of the school day and off school grounds, are subject to FERPA and other student privacy laws, including those found in IDEA. Dissemination of private student information over these sites is expressly prohibited by law and policy.

School Limitations of Liability

The school makes no warranties of any kind; either expressed or implied that the functions or the services provided by or through the school's technology resources will be error free or without defect. The school does not warrant the effectiveness of Internet filtering. The electronic information available to users does not imply endorsement of the content by the school. The school is neither responsible for nor guarantees the accuracy or quality of the information obtained through or stored on the school's technology resources. The school shall not be responsible for any damages users may suffer, including but not limited to, information that may be lost, damaged, delayed, undeliverable, or unavailable when using the network and electronic communication systems. The school shall not be responsible for material that is retrieved through the Internet, or the consequences that may result from them. The school shall not be responsible for any unauthorized financial obligations, charges or fees resulting from access to the school's technology resources. In no event shall the school be liable to the user for any damages whether direct or indirect, special or consequential, arising out of the use of the school's technology resources.

York Academy Regional Charter School provides the guidelines in the following section. The Chief Executive Officer shall have the authority to determine what is inappropriate use based on the school's guidelines. The Chief Executive Officer or designee shall be responsible for implementing technology and developing procedures used to determine whether the school's computers are being used for purposes prohibited by law or for accessing sexually explicit materials in violation of this policy. Because of the nature of the technology that allows the Internet to operate, the school cannot completely block access to explicit materials. Accessing these and similar types of resources may be considered an unacceptable use of school resources and may result in disciplinary actions and/or denial of Internet privileges. The procedures shall include but not be limited to:

- Utilizing a technology protection measure that blocks or filters Internet access for minors and adults to certain visual depictions that are obscene, child pornography, harmful to minors with respect to use by minors, or determined inappropriate for use by minors by the Board.
- Maintaining and securing a usage log.
- Monitoring online activities of minors.

Network accounts shall be used only by the authorized owner of the account for its approved purpose. Network users shall respect the privacy of other users on the system.

Safety

It is the school's goal to protect users of the network from harassment and unwanted or unsolicited electronic communications. Any network user who receives threatening or unwelcome electronic communications or inadvertently visits or accesses an inappropriate site shall report such immediately to a teacher or administrator. Network users shall not reveal personal information to other users on the network, including chat rooms, e-mail, social networking web sites, etc.

Internet safety measures shall effectively address the following:

- Control of access by minors to inappropriate matters on the Internet
- Safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications.
- Prevention of unauthorized online access by minors, including "hacking" and other unlawful activities.
- Unauthorized disclosure, use, and dissemination of personal information regarding minors. Restriction of minors' access to materials harmful to them will be upheld.

Internet Safety Programs

The school's administration shall assure students are provided educational programs regarding appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response. Plans for educating students as set forth above shall be periodically reviewed and updated by the school's administration.

Prohibitions

Students and employees are expected to act in a responsible, ethical and legal manner in accordance with Charter school policy, accepted rules of network etiquette, and federal and state law, the Code of Professional Practice and Ethics, the Code of Conduct and the Public School Code. Additionally, this expectation applies to all employees when using school computers after work hours. Specifically, the following uses are prohibited, but not limited to:

- Illegal activity.
- Communication focuses on commercial or for-profit purposes.
- Communication of private /personal information to others
- Participation in online gaming or gambling.
- Product advertisement or political lobbying.
- Hate mail, discriminatory remarks, and offensive, inflammatory or inappropriate communication.
- Unauthorized or illegal installation, distribution, reproduction, or use of copyrighted materials.
- Accessing, sending, receiving, transferring, viewing, sharing or downloading obscene, pornographic, lewd, or otherwise illegal materials, images or photographs.
- Access by students and minors to material that is harmful to minors or is determined inappropriate for minors in accordance with Board policy.
- Use of inappropriate language or profanity.
- Transmission of material likely to be offensive or objectionable to recipients.
- Intentional retrieval or modification of files, passwords, and data belonging to other users.
- Impersonation of another user or communicating anonymously.

- Fraudulent copying/reproduction, communications, or modification of materials in violation of copyright laws.
- Loading or using of unauthorized games, programs, files, or other electronic media.
- Disruption of the work of other users.
- Destruction, modification, abuse or unauthorized access to network hardware, software and files.
- Quoting, summarizing or recounting of personal communications in a public forum without the original author's prior consent.
- Cyberbullying or any other type of harassment prohibited by law, the Student Code of Conduct or Board policy.
- Using the school's technology for social networking with students beyond the school's program.
- Students must be aware of appropriateness of communications when using school or personally owned devices. Inappropriate communication is prohibited in any public messages, private messages, and material posted online by students.
- Using or attempting to use school or Personal Devices to solicit information with the intent of using such information to cause personal harm or bodily injury to another or others.
- Posting information that could endanger an individual, cause personal damage or a danger of service disruption.
- Knowingly or recklessly posting false or defamatory information about a person or organization.
- Indirectly or directly making connections that create "backdoors" to the school, other organizations, community groups, etc.
- Harassing another person. Harassment is persistently acting in a manner that distresses or annoys another person or as otherwise defined by applicable laws, regulations, and the school's policies.
- Reposting a message that was sent to them privately without written permission of the person who sent them the message.
- Forwarding or posting chain letters or engaging in "spamming." Spamming is sending an annoying or unnecessary message to a large number of people.
- Installing, distributing, using or reproducing unauthorized, unlicensed or copyrighted software on school devices or attempting to do so.

To the extent consistent with applicable laws and regulations, referring to or attempting to refer to York Academy Regional Charter School or its employees, agents, trustees or students in any electronic communication, posting, blog, website, e-mail, or social networking site, without prior written authorization of the Chief Executive Officer or designee. Users also agree not to use or attempt to use any electronic means to communicate or to attempt to communicate with students that would violate applicable state and federal laws. Failure to comply subjects the User to revocation of use of school or Personal Devices, disciplinary action, including termination of employment or contract, expulsion, and civil and criminal liability to the extent consistent with applicable State and federal law.

Security

System security is protected through the use of passwords. Failure to adequately protect or update passwords could result in unauthorized access to personal or school files. To protect the integrity of the system, these guidelines shall be followed:

- Employees and students shall not reveal their passwords to another individual.
- Users are responsible for safeguarding their passwords. Individual passwords should not be printed, stored online, or given to others. Users are responsible for all transactions made using their passwords.
- No User may access the school's devices or its network resources with another User's password or account. Users are required to log off the network when finished.
- Users are not to use a computer that has been logged in under another student's or employee's name. If a previous user has not logged off, the current user must immediately log out and log back in under his/her own name and password.
- Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the network.

Copyright

The illegal use of copyrighted materials is prohibited. Any material accessed through the school's network shall be subject to fair use guidelines and applicable laws, cases, regulations and guidelines.

Consequences for Inappropriate Use

The network user shall be responsible for damages to the equipment, systems, and software resulting from deliberate or willful acts.

Illegal use of the network; intentional deletion or damage to files or data belonging to others; copyright violations; and theft of services shall be reported to the appropriate legal authorities for possible prosecution.

General rules for behavior and communications apply when using the Internet, in addition to the stipulations of this policy. Loss of access and/or other disciplinary actions shall be consequences for inappropriate use.

Vandalism shall result in loss of access privileges, disciplinary action, and/or legal proceedings. **Vandalism** is defined as any malicious attempt to harm or destroy technology resources and/or data of another user, Internet or other networks; this includes but is not limited to uploading or creating computer viruses. Vandalism also includes disrupting or harming school hardware, software or systems, interfering with computer performance, interfering with another's ability to use equipment and systems, or destroying data or rendering it inaccessible.

Employee Use of Social Networking Media

While the school understands the value of current social networking tools, it strongly discourages employees from developing virtual relationships with students through social networking tools beyond the school's program. The use of school technology for social networking with students beyond the school program and outside of the requirements of this policy is prohibited.

All personal communications with students must be of a professional nature. Faculty and staff members must maintain strict professional boundaries of communication with students. Faculty and staff members are encouraged not to "friend" students, allow students access to employee's non-public personal pages, or use social networking media to enter into communications with students. York Academy takes professional/personal boundary limits with students very seriously and will take disciplinary action against any faculty or staff member who violates this policy and/or who initiates or maintains inappropriate personal communications and/or a personal relationship with a student through any means, including social networking.

The school recommends that faculty and staff take all necessary steps to limit access to their personal social networking media and prevent students from obtaining such access. Faculty and staff members are reminded that, due to the nature of the technology, individuals do not have an expectation of privacy on social media sites. Faculty and staff members may not:

- Utilize personal social media sites to communicate with students for educational purposes;
- Enter into inappropriate communications/relationships with students via personal social media websites or other electronic means;
- Post or share on a public site or site to which students have access information that discusses or portrays sex, nudity, alcohol or drug use or other behaviors associated with the staff member's private life that would be inappropriate to discuss with a student at school;
- Post or share information about identifiable students on any site, personal or professional without parental notification;
- Disclose personally identifiable information about co-workers or supervisors on any site, personal or professional without prior written permission;
- Post or share discriminatory or defamatory information on any site, personal or professional;

- Post or share comments that would cause a disruption in the educational environment on any site, personal or professional;
- Suggest in any personal social networking context that the employee/faculty member in any way represents the school or is speaking on behalf of the school;
- Violate any school policy on a social media site, including the school's policies on discrimination, harassment, privacy and bullying; or
- Text students for any reason

Restrictions on Social Media as an Educational Tool

Teachers are not permitted to require student's use of social media within the educational program.

Failure to comply with this policy or inappropriate use of the Internet, school network or computers shall result in usage restrictions, loss of access privileges, disciplinary action, and/or legal proceedings.

STUDENT/PARENT CODE OF CONDUCT VERIFICATION

The York Academy Regional Charter School is obligated to abide by the laws and statutes as detailed in the 22 PA Code, PA Safe Schools Act, PA Crimes Code, and will report any pertinent violations or concerns as mandated reporters, to the appropriate authorities as required by law.

The York Academy Student Code of Conduct has been developed to communicate the responsibilities that all York Academy community members share in ensuring every student a safe, secure place for learning.

Each parent or guardian is expected to read this Agreement carefully and review each section of the Handbook and Code of Conduct with his or her child. The student and the parent must sign the attached confirmation forms and return the office copies to the school. Your signature will indicate that you have reviewed each section of the Code of Conduct with your child.

Thank you for taking the time to review this Code of Conduct with your child. If you have any questions, please contact your child's Chief Executive Officer to discuss.

Thank you for choosing York Academy as your child's school. We look forward to an extremely successful school year for your child, your family and the school community.

Student Name: _____

Grade: _____

STUDENT: I have reviewed the Student Code of Conduct with my parent or guardian and understand my responsibilities.

Student Signature: _____

Date: _____

Parent Guardian (Please Print): _____

PARENT/GUARDIAN: I have reviewed the Student Code of Conduct with my child and understand my responsibilities to the school. My positive participation is vital to my child/children's success at York Academy Regional Charter School.

Parent/Guardian Signature: _____

Date: _____

