



## Harambee Institute of Science and Technology Charter School

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The Code of Conduct is available in full on the Harambee Institute website –  
[www.histcs.org](http://www.histcs.org)

The Code is available in hard copy from at the school. For copies in a language  
other than English, please contact the main office.

# Harambee Institute of Science and Technology Charter School



## Our Mission and Vision

Harambee Institute exists to offer our community an education with a focus on the origins, current status, and future of the African world.

**Our mission** is to educate students to succeed as global citizens with a clear awareness of “who I am, where I am from, where I am going, and how I get there.”

**Our vision** is a collective and informed African American community utilizing science and technology as a means of promoting education for self-reliance, locally and globally.

## Our Core Values

- **Greatness:** Pursuit of excellence in all we do
- **Accountability:** Owning what we do and who we are
- **Innovation:** open to new ideas with a growth mindset
- **Integrity:** Honesty, transparency, and unity is all we do

Harambee Institute of Science and Technology Charter School does not discriminate on the basis of race, color, religion, marital status, national/ethnic origin, age, sex, sexual orientation, or disability in its programs, activities and employment practices. This statement is a reflection of the Department of Education and refers to, but is not limited to, the provisions of the following laws:

- Titles IV, VI, and VII of the Civil Rights Act of 1964 - race color, national origin
- The Age Discrimination in Employment Act of 1967
- The Age Discrimination Act of 1975
- Title IX of the Education Amendments of 1972 (Title IX) - sex
- Section 504 of the Rehabilitation Act of 1973 (Section 504) - disability
- The Americans with Disabilities Act of 1990 (ADA) - disability
- NH Law against discrimination (RSA 354-A)

The following individual has been designated to handle inquiries regarding the non-discrimination policies and laws above:

Michelle Thornton  
Chief Financial Officer  
640 N. 66<sup>th</sup> Street  
Philadelphia, PA 19151  
215-472-8770  
business@histcs.org

## Student Pledge

*As a student of Harambee Institute of Science and Technology Charter School, I pledge to follow the Code of Conduct, **to respect others** and myself, and to treat everyone in my school community with fairness and consideration.*

*I understand and agree that school must be a positive and cooperative environment so that everyone can learn.*

*I understand that my daily attendance is the key to my success.*

*I understand that violence, disruptive behavior, and abusive language **are unacceptable** and will not be tolerated.*

*By signing this pledge, I understand and accept the responsibility of the Code of Conduct, for as long as I am a student in Harambee Institute.*

Student's Signature: \_\_\_\_\_

## Harambee Institute Pledge

*As a member of Harambee Institute of Science and Technology Charter School, I understand that I play a critical role in providing a safe and positive environment for all students. I pledge to follow the Code of Conduct, to respect others and myself, and to treat everyone in my school community with fairness and consideration.*

*I commit to celebrate learning.*

*I commit to support teaching and learning by creating and maintaining a safe, orderly, and engaging environment.*

*I commit to promote respectful two-way communication with all school and community members.*

*I pledge to enforce the Code of Conduct in a fair and consistent manner.*

Administrator's Signature: \_\_\_\_\_

## Parent/Guardian/Caregiver Pledge

*As a member of my child's school community, I have read and understand the Code of Conduct, and agree to support its purpose for as long as I am a member of this school community.*

*I understand that I play a critical role in maintaining an environment where learning is celebrated.*

*I will emphasize to my child the importance of good behavior and the possible consequences if he or she violates the Code of Conduct.*

*I understand the importance of, and expect open communication with, Harambee Institute of Science and Technology Charter School when my child's behavior and discipline at school are involved.*

*I pledge to provide positive support for my child to encourage his/her daily attendance, and to promote a positive learning environment for all.*

Parent/Guardian/Caregiver's Signature: \_\_\_\_\_

## Purpose of the Code of Conduct

To support the creation of a safe learning environment for all members of the school community.

To provide clear and explicit expectations for social behaviors in all school settings.

To provide administrators with interventions that address students' disruptive behaviors.

**The safety and security of all school children is our highest priority, and Harambee Institute of Science and Technology Charter School is committed to providing a safe learning environment.**

The Code of Conduct establishes policies, rules, and expectations for all school community members to learn, teach, and work together.

Consequences for students who endanger school safety or disrupt the educational experience of others are listed in detail. The Code of Conduct applies during school and on the way to and from school, including, but not limited to travel on Harambee Institute vehicles, private transportation, and public transit systems.

Families and guardians are critical to our community. We ask that they please read and understand the Code of Conduct and School Handbook, and discuss them with their children. We understand that families and guardians know best how to make sure that their children understand the expectations that will lead to a safe and orderly school community.

This Code of Conduct provides definitions of disruptive behaviors. Although some definitions include examples, the behaviors include, but are not limited to, the examples given.

**Parents, guardians, and caregivers who have any questions or concerns are encouraged to contact the school principal at 215-472-8770.**

## Harambee's Policy Regarding Behavior

## Behavior Expectations & Responsibilities

### Responsibilities of Everyone

- Respect all members of the school community.
- Maintain a positive school climate by being responsible, respectful, and cooperative.
- Communicate expectations to students and staff
- Motivate students to live up to the expectations through positive reinforcement.
- Use good judgment to prevent minor incidents from becoming major problems.

### Responsibilities of Administrators

- Respect all members of the school community.
- Implement the Code of Conduct and all disciplinary procedures in a fair and consistent manner.
- Provide students and parents whose first language is not English translation and interpretation services free of charge.
- Inform all school personnel, parents, and students of discipline policies.
- Review and act upon allegations and requests from school personnel concerning violations.
- Teach proper behavior and positively reinforce rules of conduct.
- Maintain a learning environment that provides for academic success.
- Hold students accountable for disorderly conduct in school and on school grounds.
- Address rule violations with multiple strategies to keep students in school.
- Use professional judgment to prevent minor incidents from becoming major problems.

### Responsibilities of Teachers and Staff

- Respect all members of the school community.
- Use professional judgment to prevent minor incidents from becoming major problems.

### Responsibilities of Students

- Respect all members of the school community.
- Understand and comply with school rules and climate expectations, including the Code of Conduct and School Student Handbook.
- Comply with the Harambee Institute's attendance, dress code, unlawful harassment, and bullying policies.
- Behave in a manner that focuses on academic success.
- Be responsible and accountable for following rules.

### Responsibilities of Parents/Guardians and Advocates

- Respect all members of the school community.
- Respect, understand, and support school rules and regulations.
- Respect, understand, and support the policies of Harambee Institute.
- Recognize and understand that school personnel must enforce school rules.

- Teach children to respect the rights of others and follow school rules.
- Emphasize the importance of being prepared for school and adhering to school rules to foster academic success.

## When Does the Code Apply?

The Code of Conduct applies to all students while traveling to and from school, using any mode of transportation, as well as during any school related event. Additionally, the Code applies to off ground and after-hours

behavior if there is a nexus to the school and the learning environment at the school is disrupted.

In Pennsylvania, school attendance is required for all children ages 8 to 17. "Attend school" means that a child must be enrolled and attend a public school, a charter school, a cyber charter school, or a private or religious-based school, or else participate in an approved home schooling program. Once a student of age 5 or older is registered for school, he/she is considered school-age and is required to attend school daily. If the student/family does not comply, they can be referred to DHS for truancy services.

## Attendance Expectations

Pennsylvania Department of Education regulations state that children are considered school age from the time they are admitted to the public school educational program until graduation from high school or the age of 21 is reached. During the time a child is of school age, he/she is entitled to attend the public schools in Harambee Institute of Science and Technology Charter School or a charter school. Students who turn 21 during the school term are entitled to finish out the school year.

### Parents/guardians are expected to:

- Ensure that their children between the ages of eight and 17 are enrolled in school and attend school regularly, on time, and for the entire school day.
- Emphasize the importance of on-time attendance in school, class, and supervised activities-and celebrate good attendance and success.
- Ensure that their child receives the periodic student health examinations that are required by law.
- Schedule family vacations to coincide with school recesses.
- Call the school when their child is absent.
- Provide a written excuse for every absence when their child returns to school.

- Provide a written excuse for every late arrival and early departure.
- Provide the school with correct current addresses, emergency contacts, home, cell, and work telephone numbers, e-mail addresses at the beginning of each school year and update information whenever there are changes.
- Help develop and implement the individualized plan for their child's improved attendance when necessary.
- Send their child to school every day prepared to participate and learn by providing a good night's sleep and breakfast.
- Establish reasonable, age-appropriate curfews and bedtimes.
- Make personal appointments for their child outside of the school day or during school breaks as often as possible.

### When Can a Child Be Absent?

Sometimes students have to miss school. These "excused absences" apply under circumstances such as illness or injury, teen parent leave (six weeks or 30 school days) after the birth of a child, death/funeral-related absence, education-related trips or activities, suspension, and religious holidays. A written notice from a parent or guardian must be submitted to the school immediately upon a student's return to school. Such notice must include a valid telephone number or other means of contact for verification purposes. Certification of illness/injury/delivery is required if the absence extends for three or more consecutive days. The student/family has three days from the date of the absence to provide documentation to the school for an excused absence. After the third day, the school principal or designee has the discretion to approve or deny the note.

An "unexcused" or "illegal" absence occurs when a student is absent without a valid excuse in writing. That means that either no written notice was submitted to the school upon the student's return or that the reason provided in the notice was deemed invalid. Examples of invalid excuses include (but not limited to) babysitting, waking up late, or being on vacation with family.

### Responses to Non-Attendance (Truancy)

A student who is absent from school without a valid excuse is considered "truant". A pattern of truancy can lead to a variety of interventions or penalties, depending upon the circumstances. On the school level, truancy will result in an Attendance Improvement Conference and Truancy Elimination Plan, and may result in a referral to the Department of Human Services/Truancy Court).

## What is an Attendance Improvement conference?

An Attendance Improvement Conference is a meeting scheduled to identify the barriers to regular school attendance and develop interventions that will eliminate or reduce the barriers. The school will hold the conference even if the parent declines to participate or fails to attend after the school provides advance written notice and makes attempts to communicate via telephone. The school will document the outcome of the attendance conference in a written attendance improvement plan (Truancy Elimination Plan).

Suspension from school or transfer to an alternative education setting is not a permissible response to truancy.

The school will notify, in writing, the parent/guardian within ten (10) school days of the child's third unexcused absence that the child has been "truant." This notice will:

1. include a description of the consequences that will follow if the child becomes habitually truant in the future;
2. be in the mode and language of communication preferred by the parent/guardian; and
3. include the offer of an Attendance Improvement Conference.

According to Compulsory School Attendance Law, a judge or hearing officer may require students and/or their parents/guardians to do any or all of the following:

- Appear at a hearing regarding the student's truancy.
- Perform reasonable school or community service for a period designated by the hearing officer.
- Complete a parenting education program.
- Obtain counseling or other supportive services, including a re-entry, or other service plan determined appropriate by authorized school officials.
- Pay a fine of up to \$750.
- Pay court costs.
- Serve up to three days in county jail.
- Referral to Children and Youth Services for a second conviction in three (3) years.
- Send a record of certified conviction to the Department of Transportation (DOT) for license suspension.

Children who are truant may be declared dependents of the state as part of the adjudication process.

## Bullying & Cyber-Bullying

Bullying can be exhibited by an intentional physical, psychological, verbal, nonverbal, written, or electronic act or series of acts directed at another student or students, which occurs in and/or outside a school

setting, that 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 and hostile learning environment.
- Substantial disruption of the orderly operation of the school.

Bullying is characterized by the following three (3) criteria:

- It is intentional or deliberate aggressive behavior or harm doing;
- It is carried out repeatedly over time; and
- It occurs within an interpersonal relationship where there is an imbalance of power (e.g., one person is physically larger, stronger, mentally quicker or socially more powerful).

Bullying takes many forms and can include a variety of behaviors. It refers to direct or indirect action, which may include but is not limited to:

- **Physical** – touching, hitting, kicking, pushing, shoving, getting another person to hurt someone.
- **Verbal** – name-calling, teasing, taunting, gossiping, and spreading rumors.
- **Nonverbal** – threatening, intimidation, obscene gestures, isolation, exclusion, stalking, cyber bullying (bullying that occurs by use of electronic or communication devices through means of social networking, e-mail, instant messaging, text messages, tweets, blogs, photo and video sharing, chat rooms, bash boards, or web sites).

School setting means in the school, on school grounds, in school vehicles, at a designated bus stop, or at any off-site activity sponsored, supervised or sanctioned by the school.

Harambee Institute prohibits all forms of bullying by students, principals, teachers, and staff, and further prohibits reprisal or retaliation against individuals who report these acts or who are targets, witnesses and/or bystanders. Students or parents/guardians of students who have been bullied or witness bullying should immediately report such incidents to the principal or designee, or to any other member of the school staff, including teachers, guidance counselors, coaches and administrators. Any staff member who receives such a report shall immediately notify the principal or designee of the report.

All reports and complaints of bullying shall be investigated promptly and thoroughly, and corrective action shall be taken when allegations are substantiated. Confidentiality of all parties shall be maintained and all parties will be treated with dignity and shall be afforded due process.

### **How to report bullying incidents?**

A student or his/her parent/guardian or third party who believes he or she has been bullied, or has witnessed an incident of bullying should immediately report the incident to the building principal or designee using the Bullying Reporting Form, however complaints may be given to the school orally or by other reasonable means (e.g., email, letters, telephone).

### **How reports of bullying will be handled?**

Upon receiving a complaint of bullying, the building principal or designee shall take immediate and appropriate action to investigate the complaint. The investigation will consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation. The investigator will make every attempt to secure statements from all participants in, and witnesses to the alleged incident(s). The complainant shall not be required to meet face-to-face with the accused.

When a student with limited English proficiency is a party to a complaint, interpretation and/or translation services shall be provided. The limited English proficiency of a complainant, witness, or the accused is not an acceptable reason for failure to secure a statement from him or her. The obligation to conduct this investigation shall not be negated by the fact that a criminal or other investigation of the incident is pending or has been concluded. The building principal or designee will document their findings and response in PowerSchool.

### **What will happen if a student bullies another member of the school community?**

If an investigation determines that the accused engaged in bullying behavior, the school will take prompt action to reasonably end the bullying and prevent the bullying from recurring. Because bullying involves an imbalance of power, mediation and conflict resolution will not be used to resolve an incident of bullying. When appropriate, students who have been found to violate this policy will receive instruction or training on why their actions were inappropriate and/or hurtful. If the allegations are confirmed, the building principal or designee shall:

1. Inform the student(s) found to have violated this policy and his/her parents/guardians the results of the investigation, including the actions of the student and the consequences for his/her actions.
2. Review the definition of bullying and the policy on bullying with the student(s) and his/her parents/guardians.
3. Administer the appropriate responses and/or consequences for the behavior.
4. Notify the complainant and/or victim of the incident of results of the investigation and the school's action(s) to address the complaint.

Harambee Institute provides technology resources to its students for educational purposes, to support the approved instructional program. The goal in providing these resources is to promote educational excellence.

## **Computer & Internet Expectations**

The internet may be used by students for educational and research purposes only. Students are expected to use the internet in an appropriate and responsible manner, and are prohibited from doing the following:

1. Access material that is profane or obscene (e.g., pornography of any kind), that supports illegal acts, or that supports violence or discrimination towards other people (e.g., hate literature). The viewing or transmission of these prohibited types of material is not permitted in any format including browsing on-line, through email, and through the use of social media.
2. Gain unauthorized access to any other computer system. This includes attempting to log in through another person's account or access another person's files. These actions are illegal, even if only for the purposes of "browsing" or "snooping."
3. Deliberately disrupt or harm hardware or software systems, interfere with computer or network performance, interfere with another's ability to use equipment and systems, or destroy data.
4. Use Harambee's private network to engage in illegal acts, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal gang activity, threatening the safety of another person, causing the personal harm or bodily injury to another person, accessing or sharing unauthorized copyrighted music, movies, and other intellectual property.



5. Use applications or programs to download or exchange copyrighted or unauthorized music, movies, and other materials.
6. Download files unless approved by their teacher.
7. Use technology to bully or harass another person. Cyber-bullying is "the use of information and communication technologies to support deliberate, repeated, and hostile behavior by an individual or group that is intended to harm others".

If it is found that a student abuses the privilege or misuses the computer, their privileges may be revoked and an appropriate discipline will be imposed.

## Dress Code Expectations

Students are expected to follow their school's dress code so that their appearance does not constitute a health or safety hazard. School principals must determine and communicate the final decision regarding what is

considered proper or improper attire. For information regarding a school's dress code, please consult the School Student Handbook.

A dress code violation shall not result in an exclusion from the classroom environment. Repeated uniform violations may result in a detention during non-instructional time. Principals may declare spirit or club days and allow students to wear school spirit shirts, or schedule dress-up days (e.g., when school pictures are scheduled) or allow students to wear other attire such as uniforms or special dress for Boy Scouts, Girl Scouts, athletes, cheerleaders, band, or chorus.

Nothing in this Code of Conduct restricts or bans a student from wearing religious garb. Parents with concerns regarding religious dress are encouraged to discuss them with the principal. Students shall have the right to dress in accordance with their stated gender identity and/or expression within the constraints of the school's dress code. Additional questions concerning the dress code should be referred to the principal or his/her designee.

The possession or use of drugs or alcohol by a minor, is a serious violation of state laws and may be punishable by fines and/or imprisonment. Violators will be reported to the proper authorities. Students who consume, sell, give away, or have possession of drugs or alcohol on school property or at school activities will be suspended or possibly expelled from school. All illegal substances and related items will be confiscated. Before the student can

## Drugs & Alcohol on Campus

be reinstated to school, a conference consisting of the parent/guardian, student and school administrator will be arranged to determine the best course of action for the student and the school. In addition, the Principal may send a student home with their parent/guardian if school staff suspects (via smell, action, or appearance) that a student has used drugs or alcohol. Any such student shall be separated from the student population while notice is being given to the parent/guardian and until the student has been picked up. The student may be referred to a substance assessment or treatment program. Our goal is to act in a manner that is in the best interest of the student and the school environment.

## Lockers Expectations

All lockers assigned to students are the property of Harambee Institute. Lockers are not private property. At no time does the school relinquish its exclusive control of its lockers. Students will be assigned a locker

only after they and their parents have read and signed the Locker Contractual Agreement found in this Code of Conduct.

Students may only store their own belonging in their assigned locker and must keep the locker that is assigned to them by the school administrator. They cannot move their belongings to any other locker to which they are not assigned. Any student found using a locker other than the one assigned or allowing other students to store items in their assigned locker, is subject to having their locker privileges revoked.

Lockers are to be used to store school supplies and personal items necessary for use at school. Lockers shall not be used to store items that cause an interference with school purposes or that violate school rules. To avoid rodent and insect infestation, no food products are allowed in any locker overnight. Lockers are not burglar proof and students should not leave valuables such as money, electronics, and expensive personal property in the lockers. The school is not responsible for money or any valuables left in the locker.

### What are the expectations for student locks?

The school principal or his/her designee shall have custody of all combinations to all lockers or locks. Students are prohibited from placing their own personal locks on any locker. All unauthorized locks (ones which the school does not have direct access) will be cut off from the locker. Students should make sure the lock is secure after using lockers and report all incidents to a climate staff member or administrator when locks and/or lockers have been tampered with.



## What will happen if a locker search is conducted?

Student lockers are the property of the school and may be subject to search by an administrator at any time with reasonable suspicion to protect the health, safety, and welfare of others. Other reasons for a search of a student's locker would be a complaint or evidence of foul odors emanating from a locker or the leaking of any wet or dry substance. Accordingly, the principal or designee may search lockers and locker contents at any time, without notice, and without parent/guardianship or student consent.

## Transportation Expectations

School bus transportation (e.g., school bus, private transportation, or public transit) exists for many elementary, middle, and high school students to and from school, and on instructional trips, athletic trips, and special after school activities. The driver of the bus has the responsibility for providing a safe environment. The school will exercise proper discipline assistance when the driver issues a bus discipline referral. It is important to know that riding a school bus, for whatever purpose, is a privilege. Students who do not behave at the bus stop or on the school bus may have the privilege of riding revoked for a specified time or permanently.

Students must comply with the behavioral expectations explained in this Code of Conduct while traveling by any means of transportation to and from school and any school-related activity. All school imposed discipline, including suspensions, are applicable for misconduct that occurs on school bus transportation.

Parents and guardians are encouraged to visit schools and meet with teachers and administrators about their child progress. Visitors to campus must present themselves to the school office with proper identification. To provide safe and orderly learning environments, each visitor to public school buildings or grounds must receive authorization from the school principal or his/her designee.

## Visitors to Campus

## Weapons on Campus

The possession or use of weapons on school grounds or property is strictly prohibited and may be punishable by fines and/or imprisonment. Violators will be reported to the proper authorities. Students in possession of a weapon will be suspended and may face expulsion from the school. A weapon is any object,

device or instrument designed as a weapon or capable of threatening or producing serious bodily harm or which may be used to inflict self-injury. Some examples of weapons include, but are not limited to; guns (including cap guns, simulated guns, pellet guns, and BB guns); knives, box cutters, cutting instruments or tools; clubs; metal knuckles; throwing stars; stun guns; any chemical agents such as pepper spray or mace; and laser pointers. Possession refers to having a weapon on one's person or in an area subject to one's control on school property, at a school activity, school sponsored bus trip, or at/near a school bus stop during transit bus loading or departing.

## Referrals to the Philadelphia Police Dept.

Some infractions of the Code of Conduct may also be crimes. The Memorandum of Understanding (MOU) lists the crimes that must be reported to the Philadelphia Police Department. Additionally, Harambee Institute of Science and Technology Charter has a Memorandum of

Understanding with the Philadelphia Police Department outlining the Diversion Program that is an alternative to arrest and criminal prosecution.

The Philadelphia Police Department shall divert a student from arrest if that student has committed a non-violent offense in school and has no prior arrests. In those cases, the student will receive services from the Department of Human Services.

## Diversion Program

## Strategies & Interventions

Principals, teachers, and other school professionals hold high expectations for students' learning and behavior. Adults in schools help students achieve personal and academic success using a range of

responses.

Classroom management strategies may include the following:

- Acquire a student's attention by calling his/her name in a calm voice.
- Address the student privately.
- State the problem behavior.
- State expected behavior and explain why the student needs to satisfy the expectation.
- Listen to the student's response and help student to recognize appropriate behaviors for him/herself.

- Indicate the specific consequence of continuing to engage in the problem behavior--and the positive consequences of good behavior.
- Ask the student to demonstrate the expected behavior.
- Acknowledge the student (i.e., thanks, praise, reward, etc.) for listening to you and/or exhibiting the appropriate behavior.
- Document the infraction on an Office Discipline Referral

To help students conduct themselves appropriately, the Harambee Institute uses an array of prevention and intervention strategies that may be used prior to or in addition to any disciplinary response to behavior. Recommended instructive, corrective, or restorative responses and interventions include the following:

- Create a Student Behavior Contract
- Before or after school detention
- Alternative volunteer service (e.g., soup kitchens, shelters)
- Cafeteria duty
- Community Conferencing/Restorative Justice
- School Counselor referral for individual and/or group counseling, and individual behavioral health assessment and resource linkage
- Lunch detention
- Parent shadowing
- Peer mediation
- Reflective essay
- Independent study
- Student/teacher/parent conference
- Daily reports/self-charting
- Restorative practices
- Mentoring program
- Check in/Check Out
- Evidenced-based Tier II programs
- Functional Behavior Assessment for Individual Behavior Planning, Implementation and Progress Monitoring
- Referral for SAP (Student Assistance Program) for Mental Health Assessment and appropriate referral
- Interagency Team Meeting with School, Parent, Behavioral Health Providers

For allegation of abuse/neglect, please call ChildLine at 800-932-0313

## Suspension Procedures

According to Pennsylvania law, a suspension is defined as the denial to a student of the right to attend school and to take part in any school function for any period of up to 10 days. **Out-of-school suspensions should be**

**used as a last resort and only when in-school interventions and/or consequences do not sufficiently address a student's behavior.**

Suspensions must be preceded by notification to the student and parent/guardian in writing. For the purposes of Harambee Institute's Code of Conduct, suspensions comprise three categories: In-school, short-term, and long-term.

### What is an In-School Suspension?

In-school Suspension is an exclusion from a classroom for disciplinary purposes that allow a student to remain under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision.

### What is an Out of School Suspension?

Kindergarten, first, and second grade students may NOT be suspended unless their actions result in serious bodily injury. Serious bodily injury is defined as bodily injury that involves (1) a substantial risk of death; (2) extreme physical pain; (3) protracted and obvious disfigurement; or (4) protracted loss or impairment of the function of a body part, organ, or mental faculty. In lieu of suspension, the student must be referred to the counselor for a meeting to discuss appropriate behavioral or behavioral health interventions and supports.

A **short-term out-of-school suspension** is an exclusion from school and/or any school activity or function for a period of three or fewer school days. Students who are suspended must meet with an administrator or designee prior to the suspension. During the conference, the student has the right to the procedures described under Informal Hearing Procedures outlined in this code of student conduct.

A **long-term suspension** is an exclusion from school and/or any school activity or function for a period of four to 10 school days. An administrator must approve a long-term suspension of four (4) or more days prior to the school issuing the suspension. Students who are given a long-term suspension are to participate in a parent/student conference. During the conference, the student and

parent/guardian have the right to the procedures described under Informal Hearing Procedures section in the Code of Conduct.

## Due Process

Pursuant to Act 26, the Principal may, after a hearing, decide to allow the student who brought a weapon to school to remain in the school. All students are to be treated with fairness and respect. Students have a right to be heard and are to be provided the opportunity to

explain their version of events to administrators.

The purpose of the informal hearing is to allow the student to meet with an administrator or designee to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended.

## Informal Hearing Procedures

The informal hearing will be 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 in their preferred language in writing and either hand-delivered to the home, sent by certified mail, faxed, emailed, or communicated by other reasonable means.
2. Sufficient notice of the time and place of the informal hearing shall be given.
3. The student has the right to question any witnesses present at the hearing.
4. The student has the right to speak and produce witnesses on his own behalf.
5. The school shall offer to hold the informal hearing within the first 3 days of the suspension.
6. The parent/guardian or caregiver may request to review and have a copy of the student's records and any witness statements, with other student names and information redacted. (Photographs and video recordings of incidents may be shown to parents/guardians, but copies will not be provided.)
7. The school will discuss the student's problem behavior and ways to correct it.
8. The school will inform the parent/guardian of any further disciplinary action.

9. Schoolwork for students with more than a four (4) day suspension must be provided to the parent/guardian at the conference, which is due upon reinstatement.

## Expulsion Procedures

According to Pennsylvania law, an expulsion is defined as an exclusion from school and any school activities for more than 10 school days. Students who have committed a Level 3 - Serious Behavior infraction for which the school is

considering an expulsion, will also be suspended and have the right to the procedures found in the Suspension procedures section of the Code of Conduct.

A student may be recommended for expulsion if he or she participates in a Level 3 - Serious Behavior infraction that endangers the health, welfare or safety of other students or school personnel. Students will receive a formal expulsion hearing conducted by the CEO. All referrals to the CEO for a student discipline hearing must be preceded by an out of school suspension, following the outlined suspension procedures. If a hearing is not scheduled during the time of the student's suspension, the student has the right to return to his or her school pending the outcome of the hearing. An expelled student under age 17 must continue to receive an education. The parent/guardian must make arrangements for this, either by finding another school or by arranging a program of home schooling.

### The formal expulsion hearing process includes the following due process requirements:

1. Notification of the charges in writing by certified mail to the student's parent/legal guardian.
2. At least three days' notice of the time and place of the hearing, which shall include a copy of this policy, hearing procedures, and notice of the right to representation by legal counsel. A student may request the rescheduling of the hearing when he/she demonstrates good cause for an extension.
3. The hearing shall be private unless the student or parent/guardian requests a public hearing.
4. Representation by counsel at the parent's/guardian's expense and parent/guardian may attend the hearing.
5. Disclosure of the names of witnesses against the student and copies of their written statements or affidavits.
6. The right to request that witnesses against the student appear in person and answer questions or be cross-examined.
7. The right to testify, make arguments and present witnesses on the student's behalf.

8. A written or audio record shall be kept of the hearing and a copy made available to the student at the student's expense, or at no charge if the student is indigent.
9. The hearing shall be held within 15 school days of the notice of charges, unless a delay is mutually agreed to by both parties or is delayed by:
  - a) The need for laboratory reports from law enforcement agencies.
  - b) Evaluations or other court or administrative proceedings are pending due to a student's invoking his/her rights under the Individuals with Disabilities Education Act (IDEA).
  - c) Delay is necessary due to the condition or best interests of the victim in cases of juvenile or criminal court involving sexual assault or serious bodily injury.
10. Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

If a student is expelled by the school board, the parent/guardian of the student has 30 days to provide written documentation that the student is in another educational program. If they are unable to find an alternative educational program, the school will provide for the student's education. A student who has been permanently expelled from Harambee Institute by the affirmative vote of a majority of the school board may apply for readmission. The school board delegates complete authority for all readmission decisions to the Chief Executive Officer or his/her designee. Temporarily expelled students need not apply for readmission because they are automatically readmitted to the school at the end of the expulsion period. Readmission decisions are final and not subject to review by appeal to the school board or the courts. For information on expunging expulsion records see the Student and Parent/Guardian Rights section of the Code of Conduct.

## Discipline for Students with Disabilities

### Suspensions for Special Education Students Identified as Intellectually Disabled

Harambee Institute can only suspend students identified as Intellectually Disabled with either written agreement of the

parent/guardian or the written approval of the Bureau of Special Education of the Pennsylvania Department of Education (PDE). PDE can be contacted by calling 717-783-6913 or visit their website – <http://www.pde.state.pa.us>.

### Suspensions and Expulsion for All Other Disabled Students – Including Students with 504 Service Agreements

Harambee Institute may suspend students with disabilities and cease educational services for up to five (5) consecutive school days or 15 cumulative school days in one school year without providing special education procedural safeguards.

The school must complete the following seven (7) steps below, for students with an Individualized Education Program (IEP) or Section 504 Service Agreement if any of the following are being considered:

- Expulsion Referral.
- Suspension for more than 10 consecutive days.
- Suspension for more than 15 cumulative days.
- Suspensions totaling more than 10 days in an academic school year and when there is a pattern or problem behavior.

A team must convene a Manifestation Determination meeting within 24 hours of the misconduct, and will invite the parents/guardian. The team must:

1. Provide written notice to the parent/guardian of the recommended disciplinary action and the date of the proposed Individualized Education Program (IEP) team meeting.
2. During the IEP/Manifestation Determination meeting, the IEP team will review the student's most current evaluation, IEP and placement to determine if the referred misconduct is related to the student's disability. Two questions are to be answered by the school team at the manifestation meeting: (1) is the conduct caused by, or did it have a direct and substantial relationship to, the student's disability? or (2) was the conduct in question a direct result of the school's failure to implement the student's IEP?
3. If the school team determines that the student's behavior is **NOT a Manifestation of the Disability**, school officials may apply the Code of Conduct. In no event, however, may the student be suspended without providing appropriate educational services for more than five consecutive or 15 cumulative school days in a school year.
4. A Notice of Recommended Educational Placement (NOREP) must be issued with the results of this determination and a copy of the Procedural Safeguard Notice (PSN) must be given to the parent/legal guardian. If parents or caregivers disagree with the decision, they can request an expedited Special Education Hearing and the Commonwealth-appointed hearing officer will review the manifestation determination.
5. If necessary, the IEP team reviews and revises the existing behavior intervention plan or, as necessary, complete a functional behavior assessment and intervention plan to address the misconduct.
6. The IEP team determines the appropriateness of an interim alternative

educational setting, and as indicated, include in the IEP those services and modifications that will enable the student to continue to participate in the general education curriculum and help prevent the problem behavior from recurring.

7. If the student's behavior **IS a Manifestation of the Disability**, the student's placement may be changed if: (1) The student carried a dangerous weapon\* to school or a school function; (2) The student knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or at a school function; and (3) The student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. In these special circumstances and over parent/guardian objections, school officials may remove the student, by issuing a NOREP to an interim alternative education setting for not more than 45 school days.

If the behavior is determined to be a manifestation of the student's disability, the conduct is not a "special circumstances" (see step 7.3 above), and the student is substantially likely to cause injury to himself/herself or others if maintained in the current placement, the school may ask for an expedited hearing conducted by a Special Education Hearing Officer to obtain a 45-day interim placement.

Students with disabilities, even if expelled, must be provided with a Free and Appropriate Public Education (FAPE).

\*NOTE: A "dangerous weapon" is a weapon, device instrument, material, or substance that is used for, or is readily capable of, causing death or serious bodily injury. However, in the case of a pocketknife, blades less than two-and-one half inches in length are not considered dangerous weapons. A multi-tool containing a blade or cutting device is deemed a "dangerous weapon."

BEHAVIOR LEVEL	RULE	BEHAVIOR	CONSEQUENCE LEVELS		
			Up Through In-School Suspension	Up Through Out-of-School Suspension	Up Through Expulsion
1	1	Failure to follow classroom rules; disruption of classroom and/or school environment	✓		
1	2	Dress code violation	✓		
1	3	Unprepared for class; failure to participate in class	✓		
1	4	Excessive tardiness; class cutting	✓		
1	5	Possession of inappropriate personal items	✓		
1	6	Profane/obscene language or gestures	✓		
1	7	Disrespect towards school personnel, students, or visitors	✓		
1	8	Leaving the school/classroom without permission	✓		
1	9	Loitering or occupying an unauthorized place in the school or on school grounds	✓		
2	10	Mutual fighting or instigating a fight	✓	✓	
2	11	Violation of academic honesty	✓	✓	
2	12	Inappropriate sexual conduct: consensual	✓	✓	
2	13	Vandalism, theft, or destruction of property	✓	✓	
2	14	Forgery of signature (parent, teacher, administrator)	✓	✓	
3	15	Bullying; cyber bullying	✓	✓	✓
3	16	Harassment; sexual harassment; cyber-harassment	✓	✓	✓
3	17	Assault	✓	✓	✓
3	18	Aggravated assault	✓	✓	✓
3	19	Participation in/Instigation of group assault	✓	✓	✓
3	20	Inappropriate sexual conduct: non-consensual	✓	✓	✓
3	21	Reckless endangerment	✓	✓	✓
3	22	Inappropriate use of computer, internet privileges or electronic device	✓	✓	✓
3	23	Robbery	✓	✓	✓
3	24	Possession and/or use of fireworks, incendiary devices and/or explosives	✓	✓	✓
3	25	Intimidation	✓	✓	✓
3	26	Threatening students/staff with aggravated assault	✓	✓	✓
3	27	Possession of weapon	✓	✓	✓
3	28	Possession of alcohol or drugs	✓	✓	✓

## Glossary of Terms

**Academic Honesty** shall mean cheating or the alteration of grade reporting, excuse notes and/or school documents.

**Aggravated Assault** shall mean an act that causes serious physical harm or creates a substantial risk of serious physical harm to another member of the school community.

**Arson** shall mean deliberately setting fire to property on school grounds.

**Assault** shall mean an unprovoked attack by one student on another member of the school community, while attempting to cause or intentionally, knowingly or recklessly causing bodily injury. This does not refer to a mutual fight (see "Mutual Fighting" in this Glossary)

**Bullying** shall mean repeated intentional conduct that is directed at another student or students, in or outside a school setting, that is severe, persistent or pervasive, and that either (1) substantially interfere with a student's education, or (2) creates a hostile learning environment, or (3) substantially disrupts school operation. Bullying occurs within an interpersonal relationship where there is an imbalance or power (e.g., one person is physically larger, stronger, mentally quicker, or socially more powerful). The conduct may be physical, psychological, verbal, nonverbal, or written.

**Cyber-bullying** shall mean bullying that occurs by use of electronic devices through means of e-mail, instant messaging, text messages, blogs, photo and video sharing, chat rooms, social media, telephones (landline or cellular), and websites.

**Cyber-harassment** shall mean that with an intent to harass, annoy or alarm a child, the person repeatedly makes a seriously disparaging statement or opinion about the child's physical characteristics, sexuality, sexual activity or mental or physical health or condition, or threatens to inflict harm or injury by using an electronic social media service.

**Destruction of Property** shall mean willful or malicious acts of damage or defacement to school property, including but not limited to graffiti and pranks that cause a major disruption.

**Disrespectful Behavior** shall mean defiance of authority and/or insubordination; non-violent/non-physical, talking back to school staff; failure to follow directions; failure to respond to school staff questions or requests; refusal to participate in

classroom activities; verbal insults or put-downs; use of profane or offensive language; picking on, bothering, teasing, or distracting other students; making inappropriate gestures or comments; and other rude behavior.

**Disruption** shall mean eating, drinking, being too loud, standing, running, throwing objects, talking out of turn or other behavior that interferes with teaching and learning.

**Disruptive Device** shall mean any object that is inappropriate for an educational setting including, but not limited to, toy guns and pornography.

**Drugs** shall mean controlled substances and illegal substances, as well as "look-alikes" which are defined by any substance that, by appearance, representation or manner of distribution, would lead a reasonable person to believe that the substance is an illegal drug or other controlled substance.

**Electronic Device** shall mean any device that includes, but is not limited to, radios, CD players, iPods, iPads, MP3 players, DVD players, handheld game consoles, personal digital assistants, cellular telephones, and laptop computers, as well as any new technology developed with similar capabilities.

**Group Assault** shall mean an unprovoked attack by more than one students on one or more members of the school community. This does not refer to a mutual fight (see "Mutual Fighting" in this Glossary)

**Harassment** shall mean unwelcome verbal, written, graphic or physical conduct relating to a member of the school community's gender, age, race, color, sexual orientation (known or perceived), gender identity (known or perceived), national origin, religion, disability, socioeconomic status, English language proficiency and/or political beliefs. Harassment does not have to include an intent to do harm, be directed at a specific target or involve repeated incidents.

**Inappropriate Personal Item** shall mean any object that is inappropriate for an educational setting (including, but not limited to, cell phones and electronic devices).

**Inappropriate Use of Cell Phones or Electronic Devices** shall mean sexting, videotaping fights, videotaping someone in a place where they have an expectation of privacy or posting videos or images of inappropriate student conduct to a social media site that affects the school community in a negative manner or disrupts the educational environment.



**Incendiary devices and explosives** shall mean substances or materials that are used to start fires such as fireworks and explosives.

**Instigating** shall mean using physical body to propel a fight.

**Intimidation** shall mean to induce fear or a sense of inferiority in another student and/or member of the school community.

**Member of the School Community** shall mean any student, parent, teacher, administrator, employee of Harambee Institute, contracted staff, volunteer or visitor.

**Mutual Fighting** shall mean two or more students engaged in a mutual physical confrontation where it is unclear which one is the assailant and which one is the victim.

**Possession** shall mean physical control over property (whether lost, found, or stolen), such as clothing, lockers, or bags and the contents contained therein.

**Reckless Endangerment** shall mean placing another person in danger or creating a substantial risk of serious physical injury to another person. The accused person is not required to intend the resulting or potential harm, but must have acted in a way that showed a disregard for the foreseeable consequences of the actions.

**Robbery** shall mean taking or attempting to take the property of another student or member of the school community by force or threat of force or by putting the victim in fear.

**School Grounds** shall mean any property owned or utilized by Harambee Institute and any school-related activity or program including, but not limited to, graduation ceremonies, class trips, dances, sporting events and practices, clubs, and recess.

**Sexual Conduct** shall mean exposing or touching one's own genitals, breasts, or buttocks or those of another person, engaging in intercourse, oral sex or simulated sex.

**Sexual Harassment** shall mean unwelcome conduct of a sexual nature that may include a demand of sexual favors, threatening or intimidating gestures, or behavior that creates a hostile school environment because of someone's gender, age, race, color, sexual orientation (known or perceived), gender identity

(known or perceived), national origin, religion, disability, socioeconomic status and/or political beliefs.

**Theft** shall mean taking another student's or school community member's property without that person's permission.

**Threat** shall mean aggressive verbal or written language or gestures directed towards a student and/or member of the school community.

**Vandalism** shall mean willful and malicious acts of damage or defacement to public or private property including but not limited to graffiti and school pranks that cause a major disruption (e.g., pulling the fire alarm).

**Weapon** shall mean any object, device, or instrument designed as a weapon or capable of threatening or inflicting serious bodily harm or which may be used to inflict self-injury including, but not limited to: any firearm, shotgun, or rifle, whether loaded or unloaded; any knife, cutting instrument, or cutting tool; any nunchaku; any chemical agents such as pepper spray or mace; laser pointers; stun gun; incendiary device; any other tool, instrument or object used or intended to be used to inflict serious bodily harm to another. A student commits a weapon violation even if he or she did not intend to use the weapon.