



THE SCHOOL DISTRICT OF
PHILADELPHIA

Code of Conduct 2022-2023

Superintendent
Tony B. Watlington, Sr., Ed.D.

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школы или в Управлении по Делах Семьи и Задействию Общин (номер телефона 215-400-8485 или вебсайт

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School District of Philadelphia Office Directory

The School District of Philadelphia's Education Center is located at:
 440 N. Broad Street
 Philadelphia, PA 19130
 215-400-4000

The following offices are located at this same address and can be reached at the following numbers:

School District of Philadelphia Office Directory	
<u>Climate and Culture</u>	215-400-4870
<u>Family and Community Engagement</u>	215-400-4180
<u>Re-Engagement Center</u>	215-400-6700
<u>Specialized Services</u>	215-400-4170
<u>Student Placement and Enrollment</u>	215-400-4290
<u>Student Rights and Responsibilities</u>	215-400-4830
<u>Transportation</u>	215-400-4350
<u>Prevention and Intervention</u>	215-400-4930
<u>Student Health Services</u>	215-400-4920
<u>School Safety</u>	215-400-6000
Other important Contact Information and Resources	
Pennsylvania Safe Schools Advocate	215-656-5381
Bullying Hotline	215-400-SAFE (7233)
Child Abuse Hotline	1-800-932-0313
Suicide and Crisis Lifeline	<u>*NEW*</u> – Dial 988
Philadelphia Domestic Abuse Hotline	1-866-723-3014
LGBTQIA Resources	<u>CLICK HERE</u>
Violence Reduction/Victim Resources	<u>CLICK HERE</u>
Student Mental Health and Trauma Resources	<u>CLICK HERE</u>
SDP Student Support Services: Who-To-Go-To Guide	<u>CLICK HERE</u>

Introduction to the Code of Conduct

The School District of Philadelphia is committed to creating and maintaining well-resourced and safe school environments conducive to teaching and learning. We strive to develop meaningful partnerships with parents/guardians and families, so we can work together to encourage academic, social and emotional growth in all of our students. Our goal is to ensure that all of our students have the necessary resources to graduate and will be ready to succeed as fully engaged citizens of the world.

The purpose of the Code of Conduct is to:

- outline clear expectations for all school community members
- provide information around student and parent/guardian rights and supports
- equip staff with guidelines for addressing student behavior so that our students and school communities can feel safe and grow to be successful.

The School District of Philadelphia provides alternatives to exclusionary discipline in an effort to eliminate disproportionality in discipline practices.

When does the Code of Conduct apply?

The Code of Conduct applies to school community members while they are in school and/or at any school sponsored activity such as a class trip or a sporting event. The Code of Conduct also applies to all students while they are traveling to and from school, using any mode of transportation, including walking, public transportation, taxi services etc.

Additionally, the Code of Conduct applies to conduct that occurs off-grounds, virtually, and/or after-hours (including weekends), if the conduct materially impacts the school community (meaning the conduct has a noticeable or considerable impact).

Community Member Expectations

Each school community member plays an important role in creating safe and supportive learning environments for our students. Some of the expectations and responsibilities of school community members include:

Responsibilities of Everyone

- Respect all members of the school community.
- Maintain a positive school climate by being responsible, respectful, and cooperative.
- Practice using good judgment to prevent minor incidents from becoming major problems.
- Adhere to all social distancing and other public health guidelines as directed, which includes but is not limited to wearing a face mask.

Responsibilities of School Administrators and Staff

- Create and maintain a welcoming environment for all students and parent/guardians.
- Share and continually re-iterate the Code of Conduct expectations for the school community.
- Communicate with parent/guardians and partner with them to support their children's school experience.

- Ensure that all students are being afforded equitable access to all opportunities at school and are not subject to harassment or disproportionate exclusion from class, consistent with the School District of Philadelphia’s commitment to dismantle systemic racism that hinders student achievement.
- Cultivate and maintain a learning environment that leads to academic success and address challenges that are hindering success, when appropriate.
- Inform all school personnel, parents/guardians, and students of school policies and provide materials/information in their preferred language.
- Review and thoroughly investigate Code of Conduct violations.
- Address Code of Conduct violations with multiple strategies and interventions to keep students in school.
- Implement the Code of Conduct in an equitable and consistent manner.
- Report any reasonable suspicion of child abuse or neglect to the Child Abuse Hotline.
- Maintain confidentiality of student records.

Students

- Seek to understand and comply with all expectations, including the Code of Conduct and school handbook.
- Take personal responsibility to reflect on behavior and admit mistakes.
- Hold yourself accountable to strive for growth and success.
- Find motivation and joy in learning, in order to focus on academic success.
- Report any conflicts or concerns to a school staff member.
- Ask for help whenever needed.

Parents/Guardians

- Support the policies of the School District of Philadelphia, the Code of Conduct and school handbook.
- Teach students to respect the rights of others, including other students and staff.
- Emphasize the importance of being prepared for school and adhering to school norms.
- Communicate student needs and concerns, and in return, also respond to school outreach regarding student needs, concerns and successes.
- Respect all members of the school community and comply with school norms when entering the school building or on school property.

Community Member Digital Learning Expectations

At this time, it is **not** expected that schools will return to virtual learning. However, if virtual learning returns, The School District of Philadelphia will continue to strive to provide a healthy, safe, and positive learning environment for all of our students. To promote these conditions, school community members will still be held to the expectations that are outlined in this document. **Additionally, the guidance below should be followed when using any technology as a student in the School District of Philadelphia to promote cyber safety and respect for all community members.**

The safety of our students is of highest priority to the District. We encourage parents/guardians to review responsible and safe usage of technology with their children. For example, child(ren) should be reminded not to share their passwords, their location, or any personal information on the internet. Additionally, some internet sites have content that is inappropriate for children so parents/guardians are encouraged to regularly monitor the websites their children are visiting.

If parent/guardians identify a security and/or safety problem with the school computers and/or educational platform, they should notify a school administrator (i.e., principal, assistant principal) immediately.

Students should also practice internet safety and can visit the [Office of Educational Technology](#) for resources.

School Visitor Expectations

Parents/guardians are encouraged to make arrangements to visit schools and meet with teachers and administrators about their student's progress. To ensure that all of our buildings are safe and successful learning environments, all visitors must first report to the main office to sign in, state the reason for their visit and receive authorization from a school administrator to proceed with the visit. **Visits to your child's school should be scheduled in advance whenever possible. School administrators cannot guarantee a meeting at the time of an unscheduled visit but will respond to your concerns as soon as possible.**

Parent/guardians who do not comply with community members expectations addressed above in the Code of Conduct and pose a threat to the school community may be excluded from the school for a period of time, or the duration of the year depending on the circumstances. During the exclusionary period, they will not be able to enter school property without an appointment approved by school administration. If necessary, parent/guardians will also be referred to the Philadelphia Police Department.

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, in collaboration with their school community, what the uniform policy will be and then communicate that decision before the start of the school year. For information regarding a school's dress code, please consult the school's handbook.

Please Note:

- Principals may declare "spirit" or other themed days and allow students to wear school spirit shirts, or schedule dress-up days (when school pictures are scheduled). They may also allow students to wear other attire for extracurricular activities (athletics, band, or chorus, etc.).
- A dress code violation shall not result in exclusion from the classroom environment or virtual classroom.
- Nothing in the Code of Conduct restricts or bans students from wearing religious garb. Parents with concerns regarding religious dress are encouraged to discuss them with the school principal.
- Students have the right to dress in accordance with their stated gender identity and/or expression within the constraints of the school's dress code.

Attendance Expectations

Under Pennsylvania law, all students between the ages of six (6) and eighteen (18) must attend school every day. Once a student is enrolled in school, this includes students in kindergarten, they are subject to compulsory school laws until the student reaches age 18. The student can only be withdrawn if they transfer out of the District. The student will remain on the District's roll and the student/family is subject to truancy court if they do not attend school. A parent/guardian who enrolls their child in kindergarten may formally withdraw their child from school prior to reaching compulsory school age (age six), at which point the child would no longer be subject to compulsory school laws until they turn six (6) years old.

A student shall be considered in attendance if present at any place where school is in session by authority of the Board; if receiving approved tutorial instruction or health or therapeutic services; if engaged in an approved and properly supervised independent study, work-study, or career education program; if receiving approved homebound instruction; or if the student's placement is instruction in the home.

Pennsylvania Department of Education regulations state that students have a legal right to attend school until the age of 21. For further guidance, please visit the [Office of Student Enrollment and Placement](#) website.

During the time that a student is of school age, they are entitled to attend the public schools in The School District of Philadelphia. Students who turn 21 during the school term are entitled to finish out the school year. Parents/guardians are expected to:

- Ensure that their student(s) between the ages of six (6) and eighteen (18) 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.
- Send their student(s) to school every day prepared to participate and learn.
- Establish reasonable, age-appropriate curfews and bedtimes.
- Make appointments for their student(s) outside of the school day or days when schools are closed whenever possible
- Ensure that their student receives the periodic student health examinations and immunizations that are required by law.
- Schedule family vacations to coincide with school recesses.
- Call the school to report when their student is or will be absent.
- Provide a written excuse for every absence when their student returns to school, per attendance guidelines.
- Provide a written excuse for every late arrival and early departure, per attendance guidelines
- 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.
- Participate in school attendance improvement conferences for their student, to improve daily student attendance when necessary.

When Can a Student be Absent?

Sometimes students have to miss school. Absences which meet the conditions or situations indicated below under Excused/Lawful Absence shall be considered an excused absence.

Pursuant to the District's attendance policy, written excuse notes explaining the absence must be given to the school within **three (3) days** upon the student's return to school. If the note is not submitted to the school within the required time frame, the day(s) may not be excused.

- All absences resulting in a total of three (3) or more consecutive days due to illness will require a written excuse note by a licensed healthcare provider.
- For absences that do not total three (3) consecutive days, parents may submit a written excuse note stating the reason for the absence. *Excuse notes from a healthcare provider may also be submitted in lieu of a parent note for any absence.*
- When a student has been absent due to illness, excused with a parent note, totaling eight (8) days (cumulative), all subsequent absences may require a written excuse note from a licensed healthcare provider.

Written excuse notes must include a valid telephone number or other means of contact for verification purposes.

Excused/Lawful Absence

The following conditions or situations constitute reasonable cause for absence from school:

- Obtaining professional health care or therapy service rendered by a licensed practitioner
 - Upon written request by a parent/guardian, a student may be excused during school hours for the purpose of obtaining professional health care or therapy service only if the following requirements are met:
 - The health or therapeutic services are to be rendered by licensed practitioners.
 - It is not practical or possible for the student to receive the services outside of school hours.
 - The time of necessary absence from school involves a minimum of interference with the student's regular program of studies.
- Illness, including if a student is dismissed by designated District staff during school hours for health-related reasons
- Quarantine
- Recovery from accident
- Required court appearance
- Death in family
- Educational trip/tour if the following conditions are met:
 - The person in parental relation submits the documentation required for excusal prior to the absence, within the appropriate time frame.
 - The student's participation has been approved by the Superintendent or principal.
 - The adult directing and supervising the tour or trip is acceptable to the person in parental relation.
- College tours, trade school tours, career and technical training program tours, community college tours, or tours of other non-District schools, with prior approval.
 - The District may limit the number and duration of non-school-sponsored educational tours or trips for which excused absences may be granted to a student during the school year.
- Observance of a religious holiday observed by a bona fide religious group, upon prior written request from the person in parental relation.
- Out-of-school suspension
- Family Emergency (An unexpected, serious event that is outside of the control of the student's family)
 - Requires parental note explaining the emergency received within 3 school days of the student's return. School staff will evaluate if the situation constitutes a family emergency.
- Participation in a project sponsored by a statewide or countywide 4-H, Future Farmers of America (FFA), or combined 4-H and FFA group, upon prior written request.
- Participation in a musical performance in conjunction with a national veterans' organization or incorporated unit, as defined in law, for an event or funeral. The national veterans' organization or incorporated unit must provide the student with a signed excuse, which shall include the date, location, and time of the event or funeral. The student shall furnish the signed excuse to the school prior to being excused from school.
- Other urgent reasons that may reasonably cause a student's absence, as well as circumstances related to homelessness and foster care.

Temporary Excusals

The following students may be temporarily excused from the requirements of attendance at District schools:

1. For the purpose of receiving tutorial instruction in a field not offered in the district's curricula, with certain requirements*.
2. Students participating in a religious instruction program, with certain conditions*.
3. School-age students unable to attend school upon recommendation of the school physician and a psychiatrist or school psychologist, or both, and with approval of the Secretary of Education of the Pennsylvania Department of Education.

*As outlined in the [204 Attendance Policy](#)

Unexcused/Unlawful Absences

Absences which do not meet the above conditions or situations shall be considered an unexcused/unlawful absence.

An "unexcused" or "illegal" absence occurs when a student is absent without a valid excuse in writing. That means that either no written note was submitted to the school upon the student's return or that the reason provided in the note was deemed invalid. Examples of invalid excuses include (but not limited to): babysitting, waking up late, illness of a family member, and vacation. Absences shall be treated as unexcused until the school receives a written excuse explaining the absence, to be submitted within three (3) days of the absence.

An out-of-school suspension may not be considered an unexcused absence.

Responses to Non-Attendance (Truancy)

When a student has been absent for three (3) days (consecutive/non-consecutive) during the current school year without a lawful excuse, District staff shall provide notice to the parent/guardian within ten (10) school days of the student's third unexcused absence.

If the student continues to accumulate additional unexcused absences after issuance of the notice, the parent/guardian and student will be invited to attend a School Attendance Improvement Conference (SAIC) where a School Attendance Improvement Plan (SAIP) will be created in order to support the family in identifying and alleviating attendance barriers. A SAIP must be developed for any student by their sixth (6th) unexcused absence. The parent/guardian and student must be invited to this conference in advance. Neither the student nor the parent/guardian shall be required to participate, although it is highly recommended. The SAIC shall occur even if the parent/guardian declines to participate or fails to attend the scheduled conference.

If the student's attendance does not improve after implementation and progress monitoring of the SAIP, and has ten (10) or more illegal absences, the student may be referred to Truancy Court, in order to prevent, address, and reduce chronic truant behavior. At that time a truancy provider will contact the parent/guardian in order to assist further with alleviating barriers to attendance.

The student and parent/guardian will be required to attend truancy court and the parent/guardian must comply with the truancy court order. The court order may include a referral for services. If the student's attendance does not improve at the truancy court level, truancy court may refer the case to family court. In family court, a Judge may adjudicate the student as dependent, and assign the case to the Department of Human Services for more intensive services.

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

Student and Guardian Rights and Supports

Request for Special Education Evaluation

A school professional may recommend that a child be evaluated to determine if the student has a disability. Parents/guardians may also contact the child's teacher or another school administrator to request an evaluation. This request may be verbal, but it's best to put it in writing. Once the written or verbal request is made, within 10 days the school will either issue a "Permission to Evaluate" (PTE) or a Notice of Recommended Educational Placement (NOREP) to explain, in writing, why the evaluation request is denied. For questions, please contact the Special Education Compliance Monitor assigned to your student's school.

Request for 504 Service Plan

A parent/guardian can request for their student to have a 504-service plan. The request should be made in writing and the parent/guardian should include any relevant medical records along with specific services or accommodations the parent/guardian believes the student needs and/or the modifications the parent would like the school district to make if the parent/guardian is requesting a modification. These requests can be provided to the student's teacher, the counselor, or another school administrator.

Request for Language Access

Parents/guardians have the right to communications and information from the district and the student's school in their preferred language. If parents/guardians speak and/or write a language other than English, an interpreter must be provided for calls and meetings with school staff, and written communications from the school must be translated into their preferred language. Teachers and school staff should use multiple resources to provide language access, such as Language Line, bi-lingual counseling assistants, and translation request forms to engage with the District's English learners and multilingual parents/guardians. Schools must record a parent/guardian's preferred language and provide parents/guardians information about their rights to language services and how to access resources in their preferred languages. Parents can request a call-back from an interpreter on the [Family and Community Engagement](#) website.

Students Experiencing Homelessness

The School District of Philadelphia considers students who lack a fixed, regular, and adequate nighttime residence, as experiencing homelessness. This includes children and youth who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason, living in motels, parks or campgrounds; or children or youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a sleeping accommodation by human beings; or children or youth living in cars, abandoned buildings or substandard housing or similar situations; refugee or migratory children because they are living in circumstances like those described above.

Unaccompanied youth also fall under this category and can be described as a youth not in the physical custody of a legal parent or guardian and youth living on their own in any of the homeless situations described above. Children and youth who meet the criteria of being homeless, even if unaccompanied by a guardian, must be given full and equal access to an appropriate public education and success in the educational program. The permanency and adequacy of the housing conditions will be considered when determining if a student qualifies. These children and youth may enroll in:

- The school the student attended when permanently housed (school of origin).
- The school in which the student was last enrolled (school of origin).
- Any school that non-homeless students who live in the catchment area in which the child or youth experiencing homelessness is actually living are eligible to attend (new neighborhood school).

An unaccompanied homeless youth with a disability may also need to have a surrogate parent appointed by the district within 30 days if the youth have no one to serve in this role.

For more information, contact Education for Children and Youth Experiencing Homelessness (ECYEH) in the following ways: Phone: 215-400-4830 (option 4) | Email: ecyeh@philasd.org | Referral form [HERE](#).

Student Discipline

Students receiving disciplinary action can expect that school officials will:

1. Give the student an opportunity to respond to concerns by writing or sharing a statement and/or presenting relevant additional information
2. Permit the student to choose not to provide a statement
3. Discuss the student's behavior challenges and partner with the family to provide ways to address it
4. Inform the student and parent/guardian of disciplinary action and/or next steps to be taken
5. Document the problematic behavior, intervention, agreements reached in conferences.
6. Provide documents in the student and parent/guardian's preferred language

Students in Foster Care

A child in foster care will remain in their school of origin (the school where the child was enrolled at the time of placement), unless a determination is made that it is not in their best interest to attend that school. If a student in foster care has experienced a change in placement, a Best Interest Determination (BID) meeting will be held to determine if the student should remain in the school of origin or if they should transition to a new school. Foster parents and/or foster care workers should not make any changes to enrollment for students who are in foster care without a BID meeting being held first. Please contact the Office of Student Rights and Responsibilities for additional information.

Transgender and Gender Non-Conforming Students

Transgender and gender non-conforming students are afforded certain rights under School Board Policy 252, which are:

1. The right to privacy, and this includes the right to keep one's transgender identity private at school.
2. School personnel should not disclose information that may reveal a student's transgender identity or gender nonconformity to others, including parents and other school personnel, unless the student has authorized such disclosure.
3. Students have the right to be referred to by their chosen name and pronouns.
4. The right to be included in the group that corresponds to their gender identity.
5. The right to have access to the restroom or locker room that corresponds to their gender identity.

If there are any concerns regarding this policy, please notify Central Office by emailing policy252@philasd.org.

Parent/Guardian Appeals

The Office of Student Rights and Responsibilities is responsible for reviewing decisions made by school and/or central office staff to determine if the decision was made in accordance with school district policies, procedures, and protocols. The following decisions can be appealed:

1. Disciplinary Hearing Decisions- Decisions made pursuant to a disciplinary hearing
2. School Selection- School assignments made through the annual school selection process.
3. Homelessness Designation- Decisions regarding whether a student is experiencing homelessness ("McKinney-Vento eligible").

4. Parental Exclusion Letters- Decisions made that exclude parents/guardians from a school building (without an appointment), for a specified amount of time, as a result of threatening or unsafe behavior.
5. Bullying/Harassment Findings- Findings of an investigation into allegations of bullying, harassment or discrimination.
6. Decisions related to a Title IX Formal Complaint: Decisions made related to a Title IX Formal Complaint, including, Dismissal of a Title IX Formal Complaint and the Determination for a Title IX Formal Complaint.

More information on the appeals process can be found on the [Student Rights and Responsibilities](#) website.

Expunging Records for Expelled Students

A student who has been permanently or temporarily expelled by the affirmative vote of a majority of the School Board, may apply to The School District of Philadelphia to have the records of expulsion expunged.

Expunging records occurs at the discretion of the superintendent or the student's designee and is not subject to review or appeal to the school board or the courts.

The complete Board Policy No. 233, including the criteria and process for readmission and/or expungement of records, may be found on The School District of Philadelphia's website by clicking [here](#).

School Safety Officer Complaint Process

This procedure is intended to ensure that all students and parents/guardians have a process to submit complaints pertaining to the conduct of School Safety Officers (SSO) and that the complaint process is accessible to all, regardless of race, ethnicity, age, gender, sexual orientation, or disability status.

The complaint process shall be used by any student or parent/guardian of the School District of Philadelphia to report an incident that pertains to the conduct of an SSO. It may be used to document information regarding SSO misconduct. In order for timely review of the facts, including interviewing witnesses, the complaint should be filed as soon as possible. Students may file a SSO complaint via the School District of Philadelphia's website by clicking [here](#).

The Office of Family and Community Engagement

The Office of Family and Community Engagement (FACE) offers a wide array of programs and services for families, students and community members. FACE answers inquiries both over the phone and in person. They have staff ready to help in a variety of locations and in a variety of languages.

FACE Liaisons generally help facilitate the resolution of family concerns by supporting families in connecting them to the appropriate people and resources to address their needs. If any parent/guardian would like to speak to one of their team members, Family Engagement Liaisons are available to speak with you at your child's school or you can stop by the Parent and Family Resource Center at the School District of Philadelphia's Administration Building. For additional information and support requests, please visit the [FACE](#) website or reach out in person via the Parent and Family Resource Center (PFRC) or by phone via the Call Center 215-400-4000.

Victim Services

If a student is the victim of a school related incident, victim services can be sought by contacting the Pennsylvania Office of Safe Schools Advocate at phone number 215-656-5381, e-mail Ra-OSSAPhiladelphia@pa.gov or visit the website by clicking [here](#).

If a student is a victim of a school related incident the school should create and institute a safety plan for that student, if appropriate. Parent/Guardians should be a part of the planning process and contribute to its final version. Parent/Guardians must sign and receive a copy of the plan once completed.

Bullying, Harassment and Discrimination

Bullying

The School District of Philadelphia recognizes the negative impact that bullying has on student health, welfare, and safety and on the learning environment at school. The District also recognizes that bullying creates an atmosphere of fear and intimidation, and detracts from a safe environment.

The District defines bullying as an intentional electronic, written, verbal, nonverbal, psychological or physical 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:

1. Substantially interfering with a student's education
2. Creating a threatening school environment
3. Substantially disrupting the orderly operation of the school

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

1. It is aggressive behavior or intentional harm doing
2. It is carried out repeatedly over time
3. It occurs between people where there is an imbalance of power (i.e., physical strength, mental capacity, popularity, or social skills)

Harassment

It is the School District of Philadelphia's policy to maintain an educational environment in which harassment including sexual harassment, sexual assault and sexual violence in any form is not tolerated.

The School District of Philadelphia defines harassment as verbal, nonverbal, written, graphic or physical conduct relating to an individual's known or perceived race, color, ethnicity, age, religion, sex, sexual orientation, gender identity or expression, ancestry, national origin, marital status, pregnancy, English language proficiency, veteran status, disability, or other protected classification.

Harassment includes unwelcome conduct such as graphic, written, electronic, verbal, or nonverbal acts including offensive jokes, slurs, epithets, and name-calling; ridicule or mockery; insults or put-downs; offensive objects or pictures; physical assaults or threats; intimidation; sexual misconduct; or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance when:

1. Such conduct is sufficiently severe, persistent, or pervasive and;
2. A reasonable person in the complainant's position would find that it creates an intimidating, threatening, or abusive educational environment such that it deprives or adversely interferes with or limits an individual or group of the ability to participate in or benefit from the services, activities, or opportunities offered by a school.

Harassment does not have to include the intent to harm, be directed at a specific target, or involve repeated incidents.

Discrimination

Discrimination: To treat individuals differently based on a protected classification including race, color, ethnicity, age, religion, sex, sexual orientation, gender identity or expression, ancestry, national origin, marital status, pregnancy, English language proficiency, veteran status, disability, or other protected classification. A single incident of discrimination may implicate more than one protected class.

The School District of Philadelphia does not discriminate in employment, education programs, or activities based on race, creed, color, national origin, religion, ancestry, age, marital status, sexual orientation (known or perceived), gender identity, expression (known or perceived), sex, handicap, disability, nationality, citizenship, union membership, or limited English proficiency.

The School District's policy of non-discrimination extends to all other legally protected classifications as listed below:

Title II of the Americans with Disabilities Act of 1990, as amended (ADA), is a federal law prohibiting discrimination against individuals with disabilities and, together with Section 504 of the Rehabilitation Act of 1973 (Section 504), ensures to deaf and hard-of-hearing students, parents, staff, and community members the right of equal access to services and accommodations provided by the School District of Philadelphia through enhanced communications.

Parents/Guardians and Authorized Visitors

Board Policy 904 states that a disabled parent/guardian or authorized visitor to a school event that requires a reasonable accommodation to assist in his/her attendance/participation in the event should contact the event administrative organizer at least three (3) business days in advance of the scheduled event or three (3) days following receipt of notice of the event, whichever accomplishes the earliest notice to the school district. Requests should be made as early as possible because some accommodations require additional time to prepare/arrange.

Title IX

Title IX is a federal law that prohibits sex and gender-based discrimination. In line with federal regulations (Title IX), the district defines Title IX sexual harassment as any instance of quid pro quo harassment by a school's employee; any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; any instance of sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking (as defined in the Violence Against Women Act).

Examples of potential Title IX Sexual Harassment violations are:

1. Bullying or Harassment based on sex or gender identity or expression
2. Bullying or Harassment based on Pregnant or Parenting status
3. Bullying or harassment in the form of:
 - a. Comments, threats, gestures, or rumors of a sexual nature
 - b. Sharing/showing images/videos of a sexual nature
 - c. Non-consensual sex acts and sexual violence

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual harassment subject to Title IX regulations.

**NOTE: Not all unwelcome sexual conduct meets the definition of Title IX sexual harassment. Conduct that does not meet this definition might be considered harassment as defined in the Behavior Matrix of the Code of Conduct.*

If there are concerns or questions related to Title IX, please contact:

Inquiries related to students:

Compliance Officer/Title IX Coordinator
Andrea Prince
440 N. Broad Street, Phila, PA 19130
antiharassment@philasd.org

Inquiries related to employees:

Title IX Co-Coordinator
Michelle Chapman
400 N. Broad Street, Phila, PA 19130
employeerelations@philasd.org

Reporting

Any school community member can report bullying, harassment and/or discrimination and all reports will be investigated. There are numerous ways to make a report:

- Completing the [online Bullying Harassment and Discrimination reporting form](#)
- Calling the Bullying, Harassment and Discrimination hotline at 215-400-SAFE.
- Submitting a complaint via [Safe2Say](#) or by phone at 1-844-SAF2SAY (723-2729)
- Emailing the Compliance Officer/Title IX Coordinator directly at antiharassment@philasd.org
- Reporting the incident to the building principal or designee, or to any other member of the school staff, including teachers, guidance counselors, bilingual counseling assistants (BCAs), coaches, and administrators.

Investigations

The School District of Philadelphia takes all violations of the Code of Conduct seriously, including allegations of bullying, harassment and discrimination. A School Administrator or designee will conduct investigations into any alleged Code of Conduct violation. This includes conduct that occurs off - grounds, virtually, and/or after-hours (including weekends), if the conduct materially impacts the school community (meaning the conduct has a noticeable or considerable impact).

Schools should refer to the [investigation stepper](#) for a complete guide on conducting an investigation.

Important Notes:

- Some alleged conduct may require a notification to the Philadelphia Police Department
 - In schools with a School Safety Officer (SSO), the administrator should notify the SSO prior to making any police
 - Those schools without a safety officer are directed to contact the PPD and their School Safety Area Manager.
- Some alleged conduct may require a notification to Childline as School District employees are mandated reporters.
- If the complaint includes allegations of sexual harassment, sexual violence, or harassment based on sexual orientation, notify the Title IX Coordinator before proceeding with an investigation or discipline.
- Parents/Guardians must be notified of all serious incidents involving their student/s however, schools do not need parent permission to conduct an investigation or obtain statements related to alleged misconduct.
- At times, it may be necessary to share some information about a serious incident with the school community (parents and students). Schools should conference with the Assistant Superintendent who will reach out to the Office of Communications when considering if a letter/communication will be sent.
- In some cases, Central Office and Employee Labor Relations will lead or be involved in a school's investigation.

Student Behavior and Discipline

The [Behavior Matrix](#) of the Code of Conduct provides definitions for behaviors that are considered dangerous and/or disruptive to the school learning environment and community. The behavior matrix also provides guidance as to the levels of interventions and consequences that school administrators can implement for specific violations.

The School District of Philadelphia is committed to achieving educational equity and reducing disproportionality in exclusionary discipline. Please [click here](#) to learn more about this commitment as well as the variety of interventions that schools are encouraged to utilize prior to and in addition to exclusion. It is expected that all schools follow the MTSS process to ensure students are receiving appropriate supports prior to a serious incident.

Parents/guardians who have any questions or concerns related to discipline are encouraged to contact the school principal and/or the Office of Student Rights and Responsibilities.

Suspension Procedures

According to Pennsylvania law, suspension is defined as the denial of the right to attend school and to take part in any school function for any period of up to ten (10) days. Suspensions must be preceded by notification to the student and parent/guardian in writing. For the purposes of the Code of Conduct, suspensions comprise of three categories: in-school, short-term, and long-term.

In-School Suspensions

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.

Out-of-School Suspensions

Kindergarten, first, and second grade students may NOT be suspended unless their actions result in serious bodily injury (SBI). In order to prove serious SBI, the school must provide medical documentation to the Office of Student Rights and Responsibilities (OSRR) to determine if it constitutes serious bodily injury. **Please consult with the OSRR as well as the assigned Assistant Superintendent before issuing any suspension for a student in grades K-2.** The student must be referred to the counselor for a meeting to discuss appropriate behavioral or behavioral health interventions and supports.

Students in **3rd through 12th grade** may be suspended when they have violated the Code of Conduct and a suspension is deemed appropriate for the offense. Suspensions vary in length:

1. **Short-term Suspension** is an exclusion from school and/or any school activity or function for a period of **one to three days**.
2. **Long-term Suspension** is an exclusion from school and/or any school activity or function for a period of **four to ten** school days.

Students who are suspended must meet with the principal or designee prior to the suspension, unless it is clear that the health, safety, or welfare of the school community is compromised. During the conference, the student should be given a suspension notice. The parent/guardian must also be notified and a parent conference should be scheduled before or upon the student's reinstatement to school after suspension.

Parent Conference Procedures

At parent conferences, parents/guardians can expect that school administrators will adhere to the following protocol:

1. Notice of a conference must be provided to the parent/guardian in their preferred language in writing and either hand-delivered to the home, sent by mail, faxed, emailed, or communicated by other reasonable means.
2. At the conference, 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. Interpretation will be provided if requested. Photographs and video recordings of incidents may be shown to parents/guardians but copies will not be provided.
3. School administrators will discuss the challenging behavior/incident that led to the suspension
4. School administrators will inform the parent/guardian of any further disciplinary action and provide an overview of the parent/guardian's due process rights regarding the disciplinary action, including the right to view evidence.
5. 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.
6. Schools must make every attempt to engage a guardian or parent when the student returns after a suspension. Students may not be kept out of school as a result of the parent or guardian's inability to meet with school staff.

Disciplinary Hearing Process

Disciplinary Hearing Referrals only apply to 6th Grade through 12th Grade students. Kindergarten through 5th Grade students cannot be referred for a disciplinary hearing, including lateral and Alternative Education for Disruptive Youth (AEDY) transfers.

Students who are exhibiting a pattern of disruptive behavior(s) and/or committing serious violation(s) of the Code of Conduct may be referred to the Office of Student Rights and Responsibilities for a student disciplinary hearing. *Prior to making a referral, schools must complete a Behavior Performance Review (BPR) for regular education students or a Manifestation Determination for students with an Individualized Education Plan (IEP) or 504 plan and share the results of the review at the parent/guardian conference.* If the behavior is deemed a manifestation of the student's disability or if the student is "thought to be" to have a disability, schools cannot move forward with a discipline hearing.

Students referred for a hearing will be suspended and provided the procedures indicated in the suspension procedures section of the Code of Conduct. The parent/guardian will receive written notice in their preferred language of the suspension and referral for disciplinary transfer prior to the hearing. The student has the right to return to school pending the outcome of the hearing, unless the behavior of the student continues to create such a risk of harm to the school community. In this case, then the school may request an interim placement.

Students who are referred for a disciplinary hearing receive full due process to determine whether the student should be removed from their current school placement. Disciplinary hearings will be conducted by an impartial hearing officer. Students and parents/guardians going through the disciplinary hearing process have the following rights:

- Parent/guardian may request a copy of their child's records and any evidence the school plans to present which will be provided within 48 hours.
- Parent/guardian and student may request an interpreter in the language of their choice.
- Parent/guardian may bring their own witnesses and/or character statements to the hearing.
- Parent/guardian may bring a representative and/or advocate.
- Parent/guardian and student has two opportunities to attend the hearing.

- Parent/guardian may ask questions of the school and present evidence if it relates to the incident.
- Decisions will be mailed and/or emailed to the parent/guardian within 5 days of the hearing.
- Parent/guardian may appeal the hearing decision within 15 days of the hearing.
- All hearings are audio-recorded. After the hearing, parents may request a copy of the recording which will be provided to you within 48 hours.

Hearing Decisions

An impartial hearing officer will consider all evidence, dialogue in the hearing, and a student's academic, behavior and attendance records when making a decision on the outcome. The outcome may be one of the following:

- Student remains in current school placement with a behavior contract.
- Student remains in current school placement without a behavior contract. In other words, sufficient consequences were already provided prior to the hearing.
- Student remains in current school placement due to insufficient evidence.
- Student is laterally transferred to another district or contract-operated school for the remainder of their education.
- Student is transferred to an Alternative Education for Disruptive Youth (AEDY) placement until goals created at the start of the program are met.

Alternative Education for Disruptive Youth (AEDY) Program

- Pennsylvania's Alternative Education for Disruptive Youth Program (AEDY) provides a combination of intense, individual academic instruction and behavior modification counseling in an alternative setting to assist students in returning successfully to the regular education setting.
- AEDY Transition Programs provide education to students in grades 6-12 who have been removed from the regular education setting for certain disciplinary reasons. Students must have a hearing prior to placement unless an immediate transfer is warranted because of a serious situation. The school programs help students work on their behavior while at the same time continuing with their education.
- English Learners (EL) cannot be placed at disciplinary schools that cannot meet their language instruction needs and must be taught by qualified teachers with ESL Teaching Credentials using materials that are appropriate for their ages and levels of proficiency.
- The School District and the AEDY Program work with families to create behavioral goals based on their reason for placement and assessments. Students receive a formal periodic review (progress review) before their presumptive exit date. Once behavioral goals are met, students prepare to transition to the regular education setting with a transition plan. Placements in AEDY Transition Programs are temporary. Students may only remain until they have met their behavioral goals.

Safety Interim Placements

- Schools may request a safety interim placement (temporary school assignment) to an AEDY program for the limited situations where the school has documented that a regular education student's **continued presence** poses a threat to the school community. If an interim assignment is granted by the Office of Student Rights and Responsibilities, a hearing must be held as soon as possible after that assignment.
- Students with disabilities are not able to receive safety interim placements, unless there are special circumstances. Please read the next section to learn more about discipline for students with disabilities.

Discipline for Students with Disabilities

Students with disabilities must be provided with a Free and Appropriate Public Education (FAPE). In July 2022, the United States (U.S.) Department of Education, Office for Civil Rights, released [guidance](#) further explaining that Section 504 requires schools to provide behavioral supports and services to students with disabilities who need them in order to receive a FAPE. Additional information and resources can be found [here](#).

Students Identified as Intellectually Disabled

Students who are identified as intellectually disabled can only be removed from the school building for suspension or a disciplinary hearing if there is written agreement from the parent/guardian or written approval from the Bureau of Special Education of the Pennsylvania Department of Education (PDE). PDE can be contacted by calling 717-783-6913 or by visiting the [PDE website](#).

All Other Students Receiving Special Education Services or a 504 Plan

The district may suspend students who are receiving special education services for up to ten (10) consecutive school days or fifteen (15) cumulative school days in one school year without providing special education services as outlined in their IEP.

If schools are considering 1) a disciplinary hearing referral and/or 2) a suspension for a behavior for which the student has received 10 cumulative days of suspension during this school year, the following steps must be completed first:

- Provide written notice to the parent/guardian of the recommended disciplinary action and an invitation to participate in the **Manifestation Determination Meeting** with the student's IEP team.
 - This meeting should take place within 24 hours of the incident (or within 24 hours of the school becoming aware of the incident).
 - The purpose of the Manifestation Determination meeting is to answer two questions:
 - Was the conduct caused by, or did it have a direct and substantial relationship to, the student's disability?
 - Was the conduct a direct result of the school's failure to implement the student's IEP?
 - During the Manifestation Determination meeting, the student's most recent evaluation, IEP and placement will be reviewed as well as the details of the incident that led to proposed discipline.
 - The completed Manifestation Determination must be signed by the parent/guardian and IEP team, including School Psychologist.
- Issue a **Notice of Recommended Educational Placement (NOREP)** with the results of the determination and a copy of the Procedural Safeguard Notice (PSN) to the parent/guardian.
 - If the parent/guardian disagrees with the decision that is made at the Manifestation Determination Meeting, they can request an expedited Special Education Hearing and the commonwealth-appointed hearing officer will review the manifestation determination. Directions on requesting a hearing can be found in the NOREP and must be completed within ten (10) days.
- Ensure IEP is in compliance as well as other corresponding documents if applicable. For example, a Functional Behavior Assessment (FBA) or Positive Behavior Support Plan (PBSP) may be needed in accordance with the IEP.

Proceeding with Discipline

- If the behavior **IS NOT** deemed a manifestation of the student's disability, schools may proceed with the recommended disciplinary action in accord with the Code of Conduct.

- If the behavior **IS** deemed a manifestation of the student’s disability, the proposed disciplinary action of a suspension reaching 10 cumulative days and/or a disciplinary hearing referral or may not be implemented.

Special Circumstances/45-Day Placements

- Schools may request a 45-day placement at an AEDY program if the incident involved one of the three code violations listed below per IDEA:
 - Possession a weapon
 - Possession of illegal drugs
 - Causing Serious Bodily Injury (SBI)
 - As defined by IDEA, bodily injury that involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
 - SBI but be substantiated through medical documentation submitted to the Office of Student Rights and Responsibilities.
- A 45-day placement allows the student to receive interventions in an AEDY setting while the school team re-assess the student’s Individualized Education Plan (IEP) or 504 plan.
- If the behavior is not one of these three special circumstances, is a manifestation of the student’s disability and the student is likely to cause injury to themselves or others, a school administrator can request an expedited hearing conducted by a special education hearing officer to obtain a 45-day placement. This request should be made by a school administrator to the Office of General Counsel.

Expulsion Procedures

According to Pennsylvania law, expulsion is defined as an exclusion from school and any school activities for more than ten (10) school days. Students who have committed an offense subject to expulsion will be referred for an informal disciplinary hearing and AEDY placement, at which point it will be determined if a student should be recommended for formal expulsion.

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

- Notification of the violation(s) in writing by certified mail to the student’s parent/guardian in their preferred language.
- 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.
- The hearing shall be private unless the student or parent/guardian requests a public hearing.
- Representation by counsel at the parent/guardian expense and parent/guardian may attend the hearing.
- Disclosure of the names of witnesses against the student and copies of their written statements or affidavits.
- The right to request that witnesses against the student appear in person and answer questions or be cross-examined.
- The right to testify, make arguments and present witnesses on the student’s behalf.
- 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.
 - 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:
 - The need for laboratory reports from law enforcement agencies.

- Evaluations or other court or administrative proceedings are pending due to the student invoking their rights under the Individuals with Disabilities Education Act (IDEA).
- 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.
- Notice of a right to appeal the results of the hearing shall be provided to the student and the parent/guardian with the expulsion decision in their preferred language.

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 District of Philadelphia will provide for the student's education.

A student who has been permanently expelled from the School District of Philadelphia by the affirmative vote of a majority of the school board may apply for readmission. The school board delegates authority for all readmission decisions to the Chief Executive Officer/Superintendent or their designee. Temporarily expelled students need not apply for readmission because they are automatically readmitted to The School District of Philadelphia 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.

Students Convicted or Adjudicated Delinquent For Sexual Assault

While schools have limited authority to impose code of conduct consequences for conduct outside the school setting, Pennsylvania law establishes disciplinary requirements when a student has been convicted or adjudicated delinquent of sexual assault upon another district student. 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

Sexual assault – means any of the following offenses:

- Rape.
- Statutory sexual assault.
- Involuntary deviate sexual intercourse.
- Sexual assault.
- Aggravated indecent assault.
- Indecent assault.

Student Responsibilities

Students who have been convicted or adjudicated delinquent for sexual assault of another student in the school district must give notice to the school within 72 hours of the conviction or adjudication.

School Responsibilities

If a convicted or adjudicated student has not already been expelled, transferred to another school or an AEDY Transition Program, or if the victim attends the same school, schools must take action to either transfer the student to another school, transfer the student to an AEDY Transition Program, or expel the student. Prior to any transfer or expulsion, the district must provide due process.

In the case of a student with a disability, including a student for whom an evaluation is pending, prior to implementing any disciplinary removal or considering a change of placement for the student, the district will

coordinate with the student's Individualized Education Program (IEP) team and take all steps required to comply with state and federal laws and regulations, and Board policies.

If the sexual assault occurred in a school setting the school principal or administrator will notify the Title IX Coordinator who will determine whether the incident has been addressed in accordance with the School District of Philadelphia's Harassment and Discrimination policy and procedures.

The District will ensure that the convicted or adjudicated student is prohibited from taking part in the following activities at the same time as the victim:

1. Attend the same school.
2. Receive transportation in the same school vehicle.
3. Participate in the same school-sponsored activity.

Return to school

A student who is expelled, transferred or reassigned, may return to the student's originally assigned school only if one (1) of the following circumstances occur:

1. The victim is no longer enrolled in the district.
2. The conviction or adjudication has been reversed and is not pending appeal.

Transfer Students

When the School District of Philadelphia receives a student who transfers from a public or private school during or after an expulsion period for an act or offense involving a sexual assault conviction or adjudication, the district may assign that student to an alternative assignment or may provide alternative education services.

Prior to admission to the District, a parent, guardian or other person having control or charge of a student is required, upon registration, to provide a sworn statement or affirmation stating whether the student was previously or is presently expelled under the provisions of this section. The registration shall include the name of the school from which the student was expelled with the dates of expulsion and shall be maintained as part of the student's disciplinary record. Any willful false statement made under this subsection shall be subject to 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Philadelphia Police Department Referrals

Some of the behavior infractions in the code of conduct are also considered crimes according to Pennsylvania state law. **The School District of Philadelphia has a memorandum of understanding (MOU) with the Philadelphia Police Department (PPD)** that explicitly states which crimes must be reported to PPD. The crimes that must be reported to the Philadelphia Police Department are as follows:

- Abductions and Attempts
- Assaults
- Bomb Scares
- Burglary
- Drug & Alcohol Offenses
- Fire & False Alarms (Arson)
- Graffiti (if racial or threatening in nature)
- Child Abuse
- Hate Crimes
- Morals Offenses (sexual in nature)
- Property Damage
- Robbery
- Theft
- Trespassing
- Weapons Offenses

A complete copy of the memorandum of understanding is available on the School District of Philadelphia's website (www.philasd.org). Students eleven (11) years old and younger will not be subject to arrest unless they have committed one of the enumerated crimes listed in the memorandum of understanding. Parents or guardians of victims and suspects should be contacted immediately about their child's involvement and attempts to contact parents should be documented.

The School District of Philadelphia also has a memorandum of understanding regarding the Diversion Program with the Philadelphia Police department. This program permits PPD to offer alternatives to arrest and criminal prosecution, such as social service supports. The Diversion Program allows the Philadelphia Police Department to 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.

School Reporting Process:

In schools with a School Safety Officer (SSO), when there is an incident which may be a crime, **the administrator should notify the SSO prior to making any police referral for the potential arrest of a student.** All School Safety personnel have received training on the Philadelphia Police School Diversion Program. The SSO will contact the PPD Diversion Program at 215-400-5526 / 215-400-5530 to determine if the offense is eligible. Offenses not eligible for diversion will be referred to the Philadelphia Police Department. **Those schools without a safety officer are directed to contact the PPD and their School Safety Area Manager.**



The information in this handbook may be updated during the course of the school year

The latest version is available on The School District's website – <http://www.philasd.org>

For copies in languages other English, please contact The Translation and Interpretation Center at phone number 215-400-4180.

The School District of Philadelphia does not discriminate in employment or education programs or activities based on race, creed, color, national origin, religion, ancestry, age, marital status, sexual orientation (known or perceived), gender identity expression (known or perceived), sex, handicap, disability, nationality, citizenship, union membership, or limited English proficiency.

This policy of non-discrimination extends to all other legally protected classifications.

Publications of this notice are in accordance with state and federal laws including Title IX of the Education Amendments of 1972 and Sections 503 and 504 of the Rehabilitation Act of 1973.

School District of Philadelphia Education Center 440 North Broad Street Philadelphia, PA 19130 215-400-4000