



Esperanza Cyber Charter School

ESPERANZA CYBER CHARTER SCHOOL CODE OF CONDUCT

2023-2023 Academic Year

This Code of Conduct sets forth the initial summary of policies of the Esperanza Cyber Charter School ("ECCS") and applies to students, faculty/staff, and visitors to the school site. The complete policies are listed in the Student/Parent Handbook, Summary of Acceptable Use Policy, and Summary of Internet Safety Policy. ECCS also maintains a biennially updated and executed Memorandum of Understanding with Local Law Enforcement as required by 24 P.S. § 13-1303-A1.

The founders would note that certain policies in this Code of Conduct stem from federal, state, or local laws, regulations, or guidelines. Thus, ECCS has little or no flexibility in applying or enforcing these policies. However, most policies in the Code of Conduct will reflect the founder's vision of rules and policies necessary to establish an appropriate academic tone, focus, and environment at ECCS.

The founders believe that daily interactions between staff and students provide the best opportunities for encouraging appropriate behavior and promoting the development of good habits. Thus, staff will always be expected to interact with students positively and maintain a high ratio of acknowledging good conduct and performance compared to correcting misbehavior or overly focusing on inadequate performance.

I. SCOPE OF CODE OF CONDUCT

This Code of Conduct shall apply to any conduct:

- On School grounds at any time;
- On or off School grounds at any school activity, function, or event;
- Traveling to and from School, including actions on any bus, van, or public transportation;
- Away from the School if it is a continuation, retaliation, or initiation of any event or individual related to school;
- Off School grounds but connected virtually, this may include but is not limited to email, text messages, online chat environments, and other social media platforms.
- Any action, word, photo, video, post, writing, etc. considered by school administration to be disruptive to a student's or student's learning activities.

Approved 8/10/2022

II. DEFINITIONS

The following definitions apply to the Code of Conduct:

Student: a person, adult or minor, enrolled in the Esperanza Cyber Charter School.

Parent/Guardian: the *official* caregiver of a minor child, including but not limited to mother, father, stepparent, grandparent, or court-appointed guardian, including DHS workers and group home employees as identified at the time of admission or amended in writing thereafter; or an emancipated minor (proof of which is required).

Staff: Any person employed by or volunteer of Esperanza Cyber Charter School.

PowerSchool: The student information system housing all student-related data

In-school suspension (ISS): The student is temporarily blocked from attending live lessons. School-issued chat and email features are temporarily disabled from peer-to-peer contact, and all internet access allows only school-related sites. Communication with teachers and staff is still allowed. Schoolwork is expected to be completed during the suspension period. This action is also called the 'penalty box' as students are restricted to certain access/features but are still expected to attend school.

Out of school suspension (OSS): The student is suspended from attending the School or any school events, and all internet/computer access is blocked. Students will not be able to complete school work during the suspension period.

III. EXPECTATIONS OF STUDENTS

The Esperanza Cyber Charter School will provide our students with skills they need for the future. The teachers, counselors, administrators, and staff members at ECCS are dedicated to the education and well-being of our students. ECCS *expects and requires* all students to respect the staff, volunteers, visitors, the building, each other, and people of all cultures represented in the school. ECCS students are expected to be motivated, and serious, attend school each day prepared to learn, work hard, and interact with adults and other students cooperatively.

Be Prepared – Education requires certain tools.

All students are expected to be actively working in an online environment to make adequate progress through their course of study. It is understood that each student's time logged in to their curriculum will vary in taking classes online. Some students will require more time than

others. During this time online, students must engage with their teachers and complete their assignments. Students who do not engage may be marked absent, even if logged on.

Student Attendance Policy

State law requires all children of schooling age to be enrolled in school (“compulsory education”), and state law requires that ECCS report any incidences of truancy. In addition, ECCS places a high value on student participation and attendance. Regular school attendance is a primary factor in a student’s successful academic and social development and lays the groundwork for a successful and productive life beyond school. Frequent absences of pupils from regular learning experiences disrupt the continuity of the instructional process. The benefit of regular instructional time is demonstrated to be efficacious and cannot be entirely regained, even if lost. Consequently, many pupils who miss instructional time frequently experience great difficulty achieving the maximum benefits of schooling.

The parent/guardian of a student who has exceeded the six or more unexcused absences will be invited to an Attendance Improvement Conference (AIC). This meeting aims to work collaboratively to identify the underlying causes of the student's absences. In addition, the parent may be asked to explain and possibly document the excessive absences.

Students enrolled in Cyber School are required to attend school for the same instructional days (180) and hours (990) as those who attend a traditional brick-and-mortar school. Attendance is taken each day that the Cyber School is open, though students can continue working when the school is not open (weekends, holidays, professional development days, etc.). ECCS does not usually close for snow days. However, the School/Office may not be available for family/staff use; all classes may continue virtually as regularly scheduled, and attendance will be taken.

Attendance and Engagement

Recent changes to attendance law in Pennsylvania have significantly changed how attendance is recorded for children. Under the new law, students must attend and engage in learning activities. Simply opening the laptop or logging in does not necessarily mean the child is present. To be marked present, a child must do the following every day for all of their classes:

1. Log in at the expected time for class.
2. Engage in the learning activities by completing classwork, chatting or speaking with the teacher, etc.
3. Meaningfully complete all graded assignments that are part of a class that day.

Cameras and Engagement

The ECCS school community believes that student engagement is vital to academic success and that student interaction with their teachers is a crucial component of that engagement.

Students must be prepared to use their microphones to speak with their teachers and/or classmates as necessary and mute their microphones when they do not need to talk to the class.

During the 22-23 school year, ECCS plans to move to a new platform for class meetings (to replace Google Meet). This new platform will allow students to turn on their cameras and share their images with only the teacher. Once this platform goes live, students will be expected to have their cameras on during all class periods. Students must dress appropriately (see the section on dress code), and their faces must be visible and uncovered in the video image.

Students may blur their background and/or may purchase ECCS T-shirts at reduced rates as necessary.

Per PA law, students who do not comply may be marked absent.

IV. EXTENSIONS TO THE CODE OF CONDUCT

A. Search and Seizure

The Esperanza Cyber Charter School reserves the right to search students and their belongings if they enter the School building to find weapons, drugs, stolen property, and other contraband. In addition, students may be asked to empty pockets, purses, etc. If a student is found in possession of illegal items, the student will be charged with the appropriate school offense. In addition, the local Police Department may be notified; the student may be held for the police, and charges may be pressed. Any student who refuses to cooperate with school authorities is subject to expulsion from ECCS.

B. ACT 26

Act 26 of 1995 (the Safe Schools Act) – Creates a mandatory one-year expulsion for the possession of weapons on school property, including buses and school-sponsored events. In addition, it requires parents to provide a sworn statement upon registering their child in school as to whether the child had previously been suspended or expelled from another school. Act 26 also requires schools to maintain records on acts of violence and weapon possession and forward student discipline records when a student transfers to another school.

Act 26 defines the term weapon to “including but not limited to, any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, and any other tool, instrument or implement capable of inflicting serious bodily injury.” In addition, the law requires action for documented cases of weapon possession in school or while traveling to and from school or school

programs, including public transportation.

A student found in possession of a weapon will be considered in violation of the Code of Conduct, and the incident will be considered a Level III offense. Schools are to follow the following steps:

1. The student must be detained
2. The police must be contacted
3. The student must be arrested
4. The student must be suspended
5. A serious incident report must be filed
6. An EH-21 must be submitted recommending expulsion

C. Act 110

Act 110 of 2020 – Mandates that a student who is convicted of sexual assault upon another student enrolled in this Charter School shall be required to notify the Chief Executive Officer or designee of the conviction no later than seventy-two (72) hours after the conviction. If the convicted or adjudicated student has already been expelled, or if the victim does not attend the same school, no additional action regarding expulsion, transfer, or reassignment is required by the Charter School. Although action is not required, the Charter School maintains the authority to make an alternative assignment or provide alternative educational services during or after an expulsion at the discretion of the Chief Executive Officer or designee. Upon reporting a conviction or adjudication of sexual assault upon a Charter School student in the school setting, the Chief Executive Officer or designee shall notify the Title IX Coordinator to determine whether the incident has been addressed following applicable Board policy. The Charter School shall ensure that the convicted or adjudicated student is prohibited from taking part in the following activities at the same time as the victim:

- (1) Being educated in the same school building.
- (2) Being transported on the same school vehicle, the Charter School shall coordinate with the students' school district of residence if transportation is provided through the school district.
- (3) Participating in the same school-sponsored activity.

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

- (1) The victim is no longer enrolled in the Charter School.
- (2) The conviction or adjudication has been reversed and is not pending appeal.

D. Conduct of Friends and Family

A student may be held responsible for friends or family who accompany the student to the School and loiter around the building or attend any extra-curricular event. Students should advise friends and family members that loud music, obscene or offensive language, displays, or threatening behavior might result in disciplinary action against a student.

Families should remember that our children attend school online using cameras and microphones. Any activity happening in the house near the microphone or within view of the camera can be seen and/or heard by the child's classmates and ECCS employees. Family members and any guests inside the home are expected to help promote a quiet, distraction free, positive learning environment for the ECCS student.

E. Teacher/Parent Communication

If the parent or guardian has a suggestion, concern, or complaint regarding a grade, an assignment, or disciplinary actions taken by a teacher, please contact that teacher directly. Please contact the teaching staff before going to the administration. Teachers are very willing to listen to work collaboratively with parents/guardians and address questions/concerns;

However, if you do not feel that your question or concern has been correctly addressed, please contact a School Administrator. In addition, contact a School Administrator if not satisfied after speaking with the teacher in case of a disciplinary issue.

If the School Administrator cannot resolve a single issue with a parent, the administration or parent will refer the matter to the CEO for resolution. If the situation continues unresolved after meeting with the CEO, the CEO will refer the issue to the Governing Board for resolution.

V. SAFETY POLICY

This safety policy mandates predetermined consequences for specific offenses, regardless of the circumstances surrounding any particular event or the disciplinary history of any student involved. For example, **in-person or online** incidents of bullying or harassment, assault, possession of weapons or dangerous weapons/objects, possession, or use of drugs or alcohol in school, on school property, or during school-sponsored events, and property damage will not be tolerated. In addition, **in-person or online** incidents of manipulating or impersonating another student or staff member, logging into an account other than the student's, changing passwords, grades, or manipulating any other staff or student information in any school-related application will not be tolerated. If one of the above actions has occurred, the following **may** be implemented immediately.

Any ECCS student determined by the building administrator or the administrator's designee to be involved in one of the actions affected by this policy will be immediately suspended from all or select school applications and from attending the school building or school-related functions. Also, any student involved in one of the above actions that violates state or federal law will be referred to the local law enforcement agency. If deemed necessary by said authority, arrests will be made. Students may be recommended for expulsion. ECCS will comply with all due process

measures for students with disabilities who violate a safety policy. This would include holding a manifestation determination (MD) meeting before recommending a student for expulsion. Should the offense not manifest a specific disability, the student may be recommended for expulsion. Expulsion of students will be considered at a disciplinary hearing of the ECCS Board of Trustees. It may be the recommendation of the CEO that students involved in the above actions be expelled from ECCS.

Board members will vote on the case as it has been heard, and the outcome of the said vote will be final, subject to appeal to the Court of Common Pleas. (See Section XII – Expulsion).

VI. ESPERANZA CYBER ANTI-BULLYING POLICY

ECCS takes a firm stance against bullying and cyber-bullying and resolves to address this negative behavior as it is detrimental to the well-being of individuals and the learning environment for all. ECCS reserves the right to recognize bullying and cyberbullying as safety incidents. As a cyber school, this policy focuses on cyber-bullying, but all policies apply to in-person, on-site, or physical bullying.

Bullying is using electronic communication to bully a person, typically by sending messages of an intimidating or threatening nature. Electronic technology includes, but is not limited to, devices and equipment such as cell phones, computers, tablets, and communication tools, including social media sites, text messages, chat, and websites. Acts of bullying could include, but are not limited to:

- Sending mean or inappropriate text messages, chat messages, or emails
- Starting or continuing a rumor by email or posted on a social network
- Sending or resending (reposting, liking, retweeting, etc.) embarrassing pictures or videos.
- Creating fake profiles or websites.
- Hacking another student's email along with other school-issued programs.

These acts of bullying can be:

1. Directed at another student or students, a student's family member, or school personnel;
2. Occurs in a school setting (the School building, a school-related function, or on any form of social website, application, or the internet);
3. That is severe, persistent, or pervasive; and
4. That has the effect of doing any of the following;
 - a. Substantially interfering with a student's education;
 - b. Creating a threatening environment; or
 - c. Substantially disrupting the orderly operation of the school; and "school setting" shall mean in the School building, on School grounds, in school vehicles, at a designated bus stop, or any activity sponsored, supervised, or sanctioned by the

school.

This policy shall also encompass acts outside a school setting if they meet the criteria of (4) above.

Students and staff alike can be victimized. Like sexual harassment, bullying can occur in-person or online regardless of the intentions of the bully (bullies); the victim's perception must be considered. In addition, bullying often involves more than one person; bystanders (the "audience") can take a passive role by encouraging the bully or by willingly not doing anything to prevent the abuse.

Students who feel they are bullying victims should report this to their school counselor or administrator.

Suppose a student is found bullying (as an aggressor or a bystander, either in-person or online) a member of the ECCS community. In that case, the following steps shall be implemented effective immediately:

The student(s) involved may be suspended from the School building and any school-related functions. In addition, the student may have to forfeit school-issued technology devices and access while suspended. Also, any student violating local, state, or federal law will be referred to the local law enforcement agency. If deemed necessary by said authority, arrests will be made.

After the suspension and upon returning to the School building and school-related functions, the student and a parent/guardian will meet with a school administrator to outline the conditions for the student's return. ~~A Student Contract will enumerate these conditions (see section XI Suspension).~~ Those conditions can be, but are not limited to:

1. If appropriate, a formal apology letter is written by the bullying student(s) to the victim and the victim's family.
2. A supervised project on bullying, including a research paper and daily public announcements about the topic
3. Mandatory counseling at the expense of the bullying student's family
4. Mandatory appearance before the Board of Trustees for an official reprimand
5. A Final Warning will be issued to the bullying student, stating that any future infraction will result in the school's recommendation of expulsion to the Board of Trustees

The administration reserves the right not to suspend a student and apply the consequences above.

VII. ESPERANZA CYBER CHARTER SCHOOL FINAL STUDENT WARNING POLICY

A student may be issued a written and verbal Final Warning under certain circumstances. The purpose of the warning will be to alert the student and their parent/guardian that there has been a severe or chronic violation of the school's Code of Conduct. In addition, the final warning is

hoped to send the student that their behavior has chronically or excessively violated the school's behavioral expectations, and those future violations will not be tolerated. It is further hoped that the student will realize the impact their behavior has had on their learning and that of their fellow student making all necessary changes in their conduct while in school.

The school administration will determine the need to issue a final warning. When issued, the warning will be conducted in the following manner:

1. The administrator/designee will conduct a meeting with the student and the student's parent/guardian, along with one other staff member as a witness. The reason(s) for the warning will be enumerated at the meeting. The student will be allowed to respond verbally or in writing.
2. The administrator/designee will review with the student the written warning, which states the student understands:
 - a. This is his final warning from ECCS
 - b. No matter how minor, any further infraction will be considered a violation of the warning and the Code of Conduct.
 - c. That the immediate consequence for any infraction will be an immediate suspension, and the student will be required to attend the next Board of Trustees meeting, where the student will be required to participate in a Disciplinary Review Hearing
 - d. At the meeting, the school will recommend the student be expelled from the school.
3. The student and parent/guardian will sign the warning to indicate that the notice was issued. **Should either individual refuse to sign the document, it will be noted as such in the presence of the staff witness. The student will be informed that the warning will remain in effect and be enforced even if the student's signatures or the parent/guardian are missing.**

Once the warning has been issued, the school administration will monitor the student's behavior. Should the decision be made to act on the warning (due to continued violations of the Code of Conduct), the school administration will follow the procedure described above, following all established guidelines for the suspension/recommendation for expulsion.

VIII. INTELLECTUAL INTEGRITY and HONESTY

Academic dishonesty or a lack of intellectual integrity is a Level 2 offense.

- A. Cutting, copying, or plagiarizing Internet content, content from print sources, or the work of other online classmates is considered a violation of the code of conduct. In addition, allowing others to copy your work or knowingly misusing content from the Internet is regarded as a violation of the Code of Conduct.
- B. Having someone other than yourself, including a parent, tutor, friend, or family member,

log in to classes and complete part of or all of your work, including assignments, postings, quizzes, or tests, violates the code of conduct.

- C. Collusion with other students on assignments is considered a violation of the Code of Conduct.
- D. Hacking into any school system or changing a school record is considered a violation of the safety policy's Code of Conduct. Hacking is defined as using a technology device to gain unauthorized access to data in a system to tamper with information or cause damage. Dependent on the amount of damage and the level of intent to cause harm, hacking can be a Level 2 or Level 3 offense.

IX. APPROPRIATE USE OF THE INTERNET

(Also see the [Acceptable Use and Internet Policy](#))

ECCS students are subject to all local, state, and federal laws governing using the Internet while attending school, which includes learning from a place other than a school building. Administrators will cooperate fully with local, state, and federal officials in any investigation of inappropriate or illegal activities conducted through Internet access while using the school-owned property.

- A. Security applications constantly monitor all school-owned devices.
- B. Violations can include inappropriate chat, text, video, and email use; foul or sexually explicit language, bullying, references to drinking or taking or selling drugs, viewing inappropriate websites or images, hacking, unauthorized use/abuse, etc.
- C. If there is a claim that a student is in violation, they are notified and allowed to explain before a consequence.

X. RULES OF CONDUCT/DISCIPLINARY: CODE OFFENSES AND CORRECTIVE ACTIONS

Level One Offense

A. Use of Profanity

A student shall not use language that is profane, obscene, racist, sexist, homophobic, intentionally disruptive, defamatory, or offensive to other students, faculty/community; through in-person or online, school-related venue, school publication, bulletin board, school social media pages, or on students' clothing, a book bag, book, button or their body, etc. The excuses, "I was only kidding" or "we use this language all the time," will not be acceptable.

A student shall not use force, noise, coercion, threat, intimidation, fear, passive resistance, or engage in any other conduct intentionally or recklessly that will cause the substantial and material disruption or obstruction of the lawful mission, purpose, or function of ECCS.

A student shall not urge other students or outsiders in person or online to engage in such conduct as expressed in this Rule A.

B. Disrespect of Teachers and Adult Personnel

At no time may a student express in-person or online with words, gestures, or body language disrespect for a teacher, employee, or volunteer of ECCS or ECCS itself. This policy applies to behavior toward any adults or students participating in a school-related activity.

C. Disruption of the Learning Environment

No student may cause in-person or online, through deliberate action, disruption of the School environment. Including, but not limited to, talking when inappropriate, noncompliance with staff directives, horseplay, causing a distraction, or speaking inappropriately (cursing, yelling, laughing too loudly). Disruption also includes using inappropriate language in a chat, audio, video, or virtual whiteboard.

D. Smoking

A student shall not smoke in any part of the School building or on the building grounds. The Fire Code prohibits smoking in any school facility. Common sense and health concerns likewise dictate that no smoking can or will be permitted inside school buildings. Additionally, no smoking is allowed on school grounds. Including stairwells, elevators, and sidewalks in front of or adjacent to or behind the building. **No student may possess cigarettes, e-cigs, vaporizers, hookah sticks, tobacco products, lighters, matches, or any smoking or incendiary device on school grounds.**

E. Noncompliance (Disobeying Lawful or Appropriate Instructions of a staff member)

A student shall not disobey in-person or online the lawful or appropriate instructions of a teacher, administrator, teacher's aide, or any adult staff member or volunteer of ECCS.

H. Defaced School Materials, Assignments, and Graffiti

A student shall not deface (tag) any school-related materials or materials belonging to the school in-person or online. In addition, a student may not display any symbols or images any symbols or images on school or personal property making references to drugs, drug corners or gangs, sexual conduct, or other illegal activities.

I. Overt Signs of Sexual Affection

A student shall not in-person or online express sexual affection inside the school building, on school grounds, on a school-sponsored trip, or at any school activity. Prohibited behavior includes, but is not limited to, kissing, fondling, suggestive remarks, obscene notes, etc.

J. Dress Code Violations

(See Section XVI, School Dress Code)

L. Chewing Gum, Eating, or Drinking

Chewing gum, eating, or drinking is not permitted in any part of the School building when working on a computer. In addition, students are encouraged not to eat or drink at home while working on the school-issued computer. A computer damaged by food or drink will be assessed, and the student may charge a fee.

M. Failure to Complete “In-School” Suspension

Students who are assigned an in-school suspension and fail to complete the assigned work may face additional consequences. Rescheduling or exceptions that gave the initial In-School Suspension or the Director of Instruction.

N. Inappropriate Contact

No student may be inappropriately physical with another student or staff member. This includes but is not limited to excessive horseplay, slap-boxing, roughhousing, play fighting, or any sexually charged contact.

O. Gambling

At no time may students engage in any form of gambling in-person or online using school equipment or school building/grounds.

P. Possession of Prohibited Items:

In the School building or on school grounds, a student may not have in their possession, in a school bag or coat, any of the following items:

1. Electronic games, “Gameboys,” or lasers
2. Items associated with gambling
3. Large markers or spray paint **(level 2 offense)**
4. Pornographic, obscene, or suggestive material **(level 2 offense)**
5. Racist, sexist, homophobic, or other material offensive to any ethnic or religious segment of the community **(level 2 offense)**
6. Any weapon or sharp object **(level 3 offense – see Act 26)**
7. Items associated with drug use, such as blunts, “roach clips,” pipes, rolling papers, “boggles,” etc. **(level 3 offense)**
8. Cigarettes or tobacco products **(level 2 offense)**
9. Any controlled substance including, but not limited to, pills, alcohol, inhalants, etc. **(level 3 offenses)**

Any other item(s) that from time to time may be added to this list by the Board of Trustees

Level One – Corrective Actions:

The following sets forth the corrective actions that may be taken in the event of level one offense:

1. The student may have a meeting with an administrator.
2. The student may be referred to the Counselor or mandatory Counseling.
3. The student may have all privileges suspended, including extracurricular activities.
4. A letter may be sent, or a phone call made to the student's parents.
5. The student may be referred for mandatory drug screening or substance abuse programs.
6. The student may be required to make appropriate restitution for the offense committed.
7. The student may be subject to suspension from the school building and activities.
8. The student may be given mandatory community service hours to complete after school or on Saturdays.

Level Two Offenses

A. Repeated Violations:

A student may be subject to expulsion in the event a student

- repeatedly commits a Level 1 offense or
- consistently violates other school policies or regulations at any time when the student is properly under the authority of school personnel,
- or if a student receives three (3) suspensions in an academic year

Any student expelled from their local School District and repeating the same category of offense while at ECCS--e.g., fighting, weapons violation, possession or sale of a controlled substance, etc.--is also subject to expulsion, even if it is the first offense at ECCS.

B. Violations of Fire Drill Instructions at the School building:

No student may impede the safe exit of other students in a fire drill or other emergency. Including, but is not limited to, disruption of fire drill by talking, disobedience, or inattentiveness. In addition, a student who makes a false report of an emergency will be subject to expulsion.

C. Hazing:

In-person or online hazing of any sort is always forbidden. Hazing is defined as: "To initiate or discipline fellow student(s) through horseplay, practical jokes, physical force, or tricks often like humiliating or painful ordeals."

D. Sexual Harassment:

In-person or online sexual harassment, including creating or maintaining a sexually hostile

environment and seeking or demanding any sexual 'quid pro quo,' is forbidden by students, faculty, and all adults. Harassment can take the form of sending inappropriate images via the internet, data service on a cell phone or tablet (sexting), or other ways the school administration identifies.

E. Abuse:

In-person or online physical or psychological abuse or threats of physical abuse of any person made in-person or virtually is forbidden for students, faculty, staff, and all adults.

F. Detainment or Obstruction:

In-person or online, physically detaining or restraining any other person, removing such person from any place they are authorized to be, or obstructing the free movement of persons or vehicles on school premises or at school activities is prohibited.

G. Inciting Disorder:

In-person or online, participating in or inciting a riot or unauthorized or disorderly assembly or conduct is forbidden.

H. Materials Posting, Sale, Solicitation, or Distribution:

No student may post, sell, solicit, or distribute materials in person or online without the school's CEO's advance permission.

I. Encouraging Others to Violate Rules:

Willfully encouraging others in-person or online to commit any acts that ECCS's Code of Conduct prohibits will be considered a Level 2 offense.

J. Academic Dishonesty (see VIII):

A student may not cheat, copy, or plagiarize material from the Internet, a classmate, or another person's work, either in print or online. The student may not have someone else do their work or conspire with other students. The student may not hack a system to cause damage or change information. The teacher will determine cheating or plagiarism, and penalties will include automatic assignment or course failure. The school administrator will determine whether an action is hacking and decide the penalty (suspension v. expulsion).

K. Defacing School Technology Property

A student may not download any applications to a school-issued technology device. Suppose a said application causes damage to the machine or a school-related data system(s), or the incident is repeated. In that case, the offense is elevated to Level 3 (see Level 3 Offenses B &

C).

L. Inappropriate Actions in School Images

In-person or online, students may not pose inappropriately in school images. For example, students may not use hand signals (indicating gang relationships or other inappropriate actions) or wear clothing with potentially hateful or harmful language or images. School leadership has the right to remove the student from the picture activity and elevate a disciplinary action.

M. Impersonating a School Faculty or Staff Member:

A student impersonates a faculty or staff member by labeling documents (*i.e.*, *Google files or video/music files*) and storing or sharing those documents.

N. Falsifying Information

Knowingly and intentionally reporting or producing false/misleading information in any communication modality may benefit the student in any way, injure another person's character or reputation, or disrupt the orderly process of the school.

Level Two Corrective Actions

The following sets forth the corrective actions that may be taken in the event of level two offenses:

1. The student may receive a suspension, or a particular contract may be executed between the school and student and the student's parent/guardian.
2. The student may be required to make restitution for the offense(s) committed.
3. The student may be required to complete a particular assignment given by the administration surrounding the topic of their infraction.
4. The student may be referred for mandatory counseling at the parent/guardian's expense.
5. The student may be required to appear before the Board of Trustees.
6. The student may be expelled for cause.
7. The student may lose various privileges for the remainder of the school year. (Access to School building, school-related functions, field trips, graduation ceremony, etc.)

Level Three Offenses

A. Indecent Assault or Indecent Exposure

In-person or online, a student shall not touch any other person or cause another person to touch them on an intimate or sexual part of the body to arouse or gratify sexual desire or intimidate the other person. Further, a student shall not expose their genitals or other private body parts under any circumstances, either in person, online, or using any electronic device. (See also L. Aggravated Offenses). Students involved in sexting (the sharing sexually explicit

photos, videos, email, text, or chat by cell phone or online) that conveyed a threat, a bullying situation, or substantially disrupted school operations will be given a Level 3 consequence and may be expelled or suspended.

B. Damage, Destruction, Graffiti, or Theft of School or Private Property

In-person or online, a student shall not cause or attempt to cause material damage to school or personal property or try to steal school or personal property (not returning the school-loaned laptop will be considered a theft of school property). Theft and destruction of property shall be regarded as an act of Serious Misconduct. In addition, destruction of property can be considered in the event of a hacking incident, dependent upon the severity of the damage to school systems or security, to be determined by the school leadership team, elevating a Level 2 offense to a Level 3.

Furthermore, any student found in-person or online writing on a wall or defacing school property, including technology devices, will be arrested and prosecuted by the law. Students will not be allowed to return to school until the parent or the student pays for the damages. Students will automatically be suspended and may be subject to expulsion.

C. Computer Devices:

A student who is found to have damaged an ECCS-issued laptop must pay for the damaged laptop before receiving another computer.

A student who defaces or causes damage to their laptop is subject to disciplinary action. In addition, a student who needs more than two (2) computers during the school year may be subject to a Level 3 offense if the damage to the computer is determined to be made by the student's negligence or willful destruction.

Upon dis-enrolling or graduating from ECCS, each student must return all school materials in working order, including their ECCS-issued laptop. Not returning the issued laptop will be considered a theft.

After each school year, each ECCS student must return all school material, including their ECCS-issued laptop, in working order or pay for the damages.

D. Damage, Destruction, or Tampering of School Security System and Fire Alarms

In-person or online, a student shall not cause or attempt to cause material damage to any component of the school's security system, including, but not limited to, video cameras, panic bars, monitors, data systems (see hacking), etc. In addition, including tampering with, destroying, or triggering fire alarms within the building. Students should never open an exterior door for anyone, even if they recognize the person desiring access to the building. This action breaches the school's security system and will be dealt with seriously.

E. Possession of Drugs or Alcohol for Personal Consumption

In-person or online, a student may not possess, use, or be influenced by any narcotic drug, hallucinogenic drug, steroid, growth hormone, amphetamine, barbiturate, marijuana, alcoholic beverage, or an intoxicant of any kind. Physician-prescribed medications dispensed by the school nurse or designated personnel are permissible. All medicines must be delivered to the school nurse or designated personnel immediately upon entering the school building.

F. Fighting or Encouraging Fighting

In-person or online, a student shall not fight, push, strike, hit, or use violence against a fellow student, nor may a student encourage another student to violate this rule. No student may restrain another student so that the student can be hit. No student may be the "second person" in a fight. A virtual or in-person student who verbally encourages a fight will be held liable before, during, or after a fight.

G. Violating the Law

In-person or online violation of any local, state, or federal law may result in school sanction and disciplinary action, including expulsion of a student or termination of a faculty or staff member. Including violations against the appropriate use of the Acceptable Use and Internet Policy.

H. Intoxication or Being "High"

In-person or online, a student may not arrive at or become intoxicated or "high" inside the school, on school grounds, at a school activity, or when coming to or leaving school. The initial determination as to whether a student violates this rule will be at the sole discretion of the School Administrator in consultation with the nurse, other faculty or staff, a counselor, or a family member. A drug screening by a licensed medical doctor or hospital may be required when deemed necessary. Such drug screenings will be at the parents' or legal guardians' expense.

I. Vandalism

In-person or online vandalism damages or destroys school property, substantially disrupting or preventing the school from carrying out its primary educational responsibilities or programs. Vandalism also includes retaliation or threat of retaliation against a school employee, witness, or anyone else for their part in any school investigation, academic or disciplinary proceeding, or in the course of exercising their lawful responsibilities. This rule applies equally to a student or the student's parent(s) if conducts involves intentional assault, threats of bodily injury or death, repeated telephone or physical harassment or stalking, or property damage.

J. Assault on School Personnel, Students, or Other Persons:

A student shall not, in-person or online, cause or attempt to cause physical injury to any school employee or volunteer, nor shall any student threaten to cause bodily injury to any school personnel. This includes verbal assault, especially when designed to target a staff member because of how they identify.

K. Possession of a Weapon Capable of Causing Death or Serious Injury

A student shall not in-person or online possess on their person, in their personal effects, or any storage area provided by the school, any weapon capable of causing death or severe injury. Such weapons shall include but are not limited to firearms, knives with blades two inches or greater in length, razors, box cutters, BB guns, stun guns, throwing stars, baseball bats, or explosive or incendiary devices (see Act 167, Section 912). This particular offense can be considered a crime in Pennsylvania, and any alleged crime may be reported to the appropriate law enforcement agency.

Photo (Selfie) or Media Recording (Video) with a Gun or Assault Weapon

Student takes, stores, or shares an image or video of themselves holding a gun or weapon (*i.e., pellet gun, bb gun, real firearm, or anything deemed as an assault weapon*)

L. Aggravated Offenses

A student shall not in-person or online engage in, attempt to engage in, or encourage others to engage in conduct that threatens the health, safety, or welfare of any member of the school community:

In-person or online conduct in violation of this rule shall include, but is not limited to:

1. Deliberate assaults on school personnel where injury results or where a substantial likelihood of serious injury was present, including but not limited to the use of a weapon;
2. Sale or distribution of any controlled substance including, but not limited to, a narcotic drug, hallucinogenic, amphetamine, barbiturate, steroid, marijuana, alcoholic beverage, or intoxicant. Possession of any of the above substances in quantity indicating that possession is with the intent to sell or deliver is subject to the same disciplinary penalties as actual sale or delivery;
3. Arson
4. Rape or involuntary deviate sexual intercourse
5. Robbery or extortion
6. Assault on another student or school visitor which results in serious bodily injury or involves the use of a weapon

Level Three – Corrective Actions

The following sets forth the corrective actions that can or will be taken in the event of level three offenses:

1. Any combination of disciplinary actions from level I and level II offenses may be implemented at the administrator's discretion
2. The student may be referred for mandatory drug screening or a substance abuse program at the parent/guardian's expense.
3. The student may be suspended or expelled.
4. ECCS may notify the local Police Department or other appropriate authorities.

Internal school disciplinary actions shall not in any way deprive ECCS of pursuing any legal remedies available in the Criminal or Delinquency Courts of the Commonwealth.

XI. SUSPENSION

Suspension is defined as "taking away permission to attend the ECCS School building, any school activities, and all other privileges of enrollment at ECCS for a period of one (1) to (10) consecutive school days. See definitions for "ISS" and "OSS" (page 2). Steps and procedures for suspension:

1. Students and Parents are informed of the reason for suspension at the time of suspension. Prior notice of intended suspension need not be given when the health, safety, or welfare is threatened.
2. Students and parents are allowed to respond.
3. School must notify the parent/guardian in writing of the suspension.
4. Students have a right to an informal hearing if out-of-school suspension exceeds five (5) days.

Suppose a student has been suspended out of school. In that case, they will be prohibited from being on School building grounds or participating in or attending school activities until a parent/guardian attends a reinstatement meeting. The student and a parent/guardian must both attend a reinstatement meeting. After the school notifies the parent/guardian of suspension and schedules an appointment, the parent/guardian of the suspended student must appear at the time of reinstatement. Reinstatement occurs on the first day of school after the suspension is completed. In addition, a contract outlining future student expectations must be signed. A student may be expelled if their parent/guardian refuses or delays the student's return or if a reinstatement meeting, scheduled by appointment initiated by the parent/guardian, is not held within one (1) week of the date of suspension.

Students must log in and do course work during an in-school suspension but may not attend any live virtual class or email/chat peers (aka - penalty box).

XII. EXPULSION

Expulsion is "the removal of the right and obligation of a student to attend ECCS under the conditions set by the Board of Trustees." The Chief Executive Officer will have final authority in recommending the expulsion of a student to the Board and whether a student who has been expelled may be allowed to return to school. If so, under what terms and conditions. If a student withdraws from the school before suspension or expulsion, the student may be permitted to reapply for admission on terms and conditions set by the CEO. No time limit will be established between the withdrawal and the reapplication for admission. If a student is expelled from ECCS, they may not return to ECCS and must enroll in another school if they are 17 years or younger. Students under 17 years of age are still subject to the compulsory school attendance law even though expelled and shall be provided an education. The initial responsibility for providing the required education rests with the student's parents or guardian through placement in another school, tutorial or correspondence study, or another educational program approved by the district's superintendent.

Within 30 days of action by the governing board, the parents or guardians shall submit to the school district written evidence that the required education is being provided as described above or that they cannot do so. If the parents/guardians cannot provide the necessary education, the school entity shall provide the student's education within ten days of receiving the notification. A student with a disability shall be provided educational services as required by the Individuals with Disabilities Education Act (20 U.S.C.A. § § 1400—1482).

Suppose the approved educational program does not comply. In that case, the school entity may take action following 42 Pa. C.S. Chapter 63 (relating to the Juvenile Act) to ensure that the child will receive a proper education. See § 12.1(b) (PA Code - Free education and attendance).

After an infraction that could warrant expulsion, the Chief Executive Officer or designee may invite the parent/guardian to a "Suspension with Intent to Expel" meeting. At that time, the student and parent can present or describe any extenuating circumstances they feel merit reconsideration.

Steps and Procedures for Expulsion:

1. The CEO may recommend expulsion to the Board of Trustees.
2. The Board of Trustees makes decisions to expel a student.
3. Notice of expulsion charges must be sent to the parent/guardian in writing. Notification will be given of the intent to expel with no less than 72 hours' notice and the time and place of the hearing with the Board of Trustees. Parents may waive the right to 72 hours' notice to expedite the case.
4. The student has the right to a hearing before the Board of Trustees.
5. The student has the right to counsel.
6. The student has a right to speak and produce witnesses

7. The student has a right to question witnesses.
8. The decision of the Board of trustees is the school's final decision.
9. The student/parent or guardian can appeal this decision to the courts.

When the CEO recommends expulsion, any parent/guardian wishing to request a hearing before the Board of Trustees may do so in writing to the Chairperson or their designees. Expulsion hearing requests before the Board of Trustees should be mailed or hand-delivered to:

Chairperson Board of Trustees

Esperanza Cyber Charter School

4261 North 5th Street Philadelphia, PA 19140

XIII. STUDENT WORK AREAS

All student work areas, including computers and other electronic devices, are assigned at the School Administrator's discretion for the convenience of each student and remain the property of ECCS. Additionally, the school reserves the right to inspect computers, electronic devices, and student work areas. Therefore, students must make them available upon request.

Student Withdrawal Policy

ECCS will permit a parent or guardian of a student to withdraw a student from ECCS. A parent/guardian may withdraw a student anytime before deciding to suspend or expel a student. The withdrawal of a student may be for a definite or indefinite period. If a student is withdrawn pending disciplinary action, the student's readmission to ECCS will be subject to a disciplinary hearing. The disciplinary procedures and standards shall be applied to the hearing.

XIV. EXECUTION AND INTERPRETATION OF THESE RULES

The first line of executing and interpreting these rules and regulations is always the individual classroom teacher or supervising adult. All adult employees and volunteers are charged with carrying out these rules. **From an administrative standpoint, the School reserves the right to override any teacher or staff decision.**

The ECCS School Administrator is the primary disciplinarian and shall execute the Code of Conduct, including upholding school dress codes. Nevertheless, the Chief Executive Officer of ECCS is the final decision maker and the sole final interpreter of the Code of Conduct and these rules and regulations daily.

XV. SCHOOL DRESS CODE

In the cyber school setting, the purpose of a dress code is primarily for visits to the school

building for meetings or official visits and school-sponsored functions and field trips. However, the administration reserves the right to determine on a case-by-case basis what exceptions to the dress code are permissible for students attending an ECCS function at the school.

There are five simple expectations for student dress:

1. All students must wear clothing covering entirely from the top of the chest to one inch above the knee. The materials of the clothing must not be see-through or excessively tight.
2. The front and back of a shirt or top must be connected over both shoulders.
3. All clothing must cover all undergarments.
4. Hats and head coverings (except those worn for religious purposes) should be removed on school/administrative property or when representing the school at external functions.
5. All clothing must be free from obscene or inappropriate words, images, and logos.

If clothing does not meet these guidelines, students will be asked politely to address the issue. Options could include:

- Adjusting the fit of apparel if doing so meets the guidelines.
- Putting on a school uniform shirt if available.
- Leaving the school building, administrative offices, or the school-sponsored function.

Esperanza Cyber Charter School will address non-compliance with these dress guidelines by first asking the student to comply. The consequences of a disrespectful attitude or behavior are initially discussed in the Code of Conduct as a Level 1 offense.

SUPPLEMENTAL POLICY AND PROCEDURES NOTIFICATION

Federal and State laws require the school to have many Board-approved policies on file for specific sub-groups of staff and students that do not impact the more extensive staff or student body. These other policies about particular students and staff may be found in the Supplemental Policy Handbook. Included but not limited to: MTSS Program, School Safety Plan, Independent Evaluation, Confidentiality, Child Find, Assistive Technology, Positive Behavior, Surrogate Parent, Newly Enrolled IEP or ELD students, Litigation Hold, IEP and Grading, Family and Non-Family Visitation, Student Policy and Loan Agreement, Technology Resource Manual, and other policies and procedures as determined necessary by ECCS School Board.