



**BOARD OF EDUCATION POLICY**

**POST SECONDARY STUDENT BEHAVIOR**

Purpose

The technology center serves post-secondary and secondary students. A discipline code is provided for secondary students to inform students of the standards of conduct required of students, and of the consequences that attach to misconduct. School laws that prescribe procedures applicable to secondary students are, in some instances, not applicable to adult students. Accordingly, the technology center has established a separate policy applicable to adult students that explains the actions that may be taken when adult conduct violates those standards. Adults are held to standards of conduct that are no less than those which attach to secondary student attending the technology center. Educational opportunities available to adult students may be cut-short or terminated in instances where an adult student's conduct violates the approved standards or when a student, for other reasons, cannot fulfill program requirements essential to successful course completion.

In instances involving a student's dismissal or removal from a course or program, the technology center will utilize procedures that are fair and reasonable. The complete cooperation of students is encouraged to assure that all students have an opportunity to benefit from the educational opportunities available. Conduct which violates policies, rules and practices or which interferes with or disrupts learning must and will be addressed by school administration. This policy explains the technology center's standards of conduct and describes the procedure that will be used when it is necessary to remove a student from a course or program. Removal may involve a short or long period or may involve a permanent removal.

References in Policy

Reference to "administrator" means a director or the technology center staff member to whom the administration has delegated the responsibility for student discipline.

Reference to the "superintendent" refers to the superintendent of schools or the superintendent's designee.

Removal or dismissal refers to taking a student out of a course or program for a short period, a longer period, or permanently.

Procedures

1. Immediate removal of a student.

Whenever an alleged violation of the **Adult Student Behavior Code** is reported to an administrator, he or she will ascertain whether the immediate removal of the student is required. This determination will be based on whether the student's continued presence on campus would create, in the administrator's judgement a dangerous and/or disruptive situation with regard to the continued operation and management of the school system. If dismissal is found necessary, the administrator shall document the justification in a report and immediately forward it to the superintendent and contact the student.

## 2. Evidentiary Hearing

Upon notice of an alleged violation, the administrator will review the evidence relevant to the violation. If dismissal of the student is necessary before a hearing can be conducted, the hearing must be held as soon as possible, but not later than 72 hours of the dismissal. In case of waiver or non-attendance of the hearing by the student, summary disposition of the matter will be indicated in letter form and forwarded to the student with a copy to the superintendent.

If the student is unable to attend the original time and day specified by the administrator for the evidentiary hearing, the matter may be continued only once and, in such case, will be reset to be conducted within the next 72 hours, excluding weekends and holidays. Any further request for continuance will result in immediate disposition of the matter with notification in writing sent to the student.

## 3. Decision

Once the evidentiary hearing has been held, the administrator will summarize the findings in a written report, which will include the decision as to the student's innocence or guilt and recommended discipline, if applicable. This decision will be announced orally at the conclusion of the hearing with a written report to follow, or within three business days of the conclusion of the hearing, by issuance of the written report. The imposition of discipline will commence following announcement of the decision or issuance of the written report, whichever occurs first.

## 4. Appeal

If all or any portion of the administrator's decision is not agreed to, the student has the right to appeal the decision to the superintendent. An appeal is commenced by letter to the superintendent delivered within 72 hours (not to include weekends or holidays) of the decision rendered by the administrator. The administrator, upon receipt of notice of the appeal, will forward the report of the hearing to the superintendent for decision. The superintendent shall have the authority to sustain, overrule, or modify the program administrator's decision.

If the student desires an appeal to the superintendent, he or she shall be permitted to remain in school unless the circumstances delineated under the "Dismissal" section, above, are met. At the hearing, the program administrator shall first present his/her

evidence and be subject to cross-examination by the superintendent. This will be followed by the student's evidence. The decision of the superintendent shall be final. Such decision shall be communicated orally after the hearing or in writing to all parties within three business days following the decision. An oral decision, when rendered immediately following the hearing, shall be followed by the superintendent's written decision, which shall be placed in the mail within three (3) business days of announcing the decision.

#### 5. Modification of Corrective Action

The imposition of corrective action is subject to modification upon the recommendation of the administrator at any time prior to the hearing before the superintendent. The discipline imposed by the administrator is based on one or more of the following guidelines:

- A. Seriousness of the offense.
- B. Student's disciplinary record during the course of the school year or in prior years.
- C. Any final action by civil authorities. (However, action by authorities, in criminal or civil matters, is not a condition precedent to disciplinary action by the school.)
- D. Cooperation and assistance of student during the disciplinary proceedings.
- E. Other circumstances as the administrator may deem relevant.

#### 6. Readmission

A dismissed student is eligible to be readmitted upon proper application for readmission. However, the administration may consider the student's prior disciplinary and incident record in determining whether to grant a student's request for readmission.

#### Notification of Policy

Copies of any procedural regulations and the **Adult Student Behavior Code** shall be distributed to all adult students annually, and students are responsible for compliance with the school's behavior and conduct standards. Questions as to the interpretation of any part of the policy should be presented to the appropriate administrator.

#### Administrative Actions

Administrative actions provided in this policy may be taken by the administrator designated by this policy or the superintendent. An administrator, whether an administrator, superintendent, or other administrator in charge, may appoint a designee to act in his/her place with the exception of the superintendent, designees must be approved by the superintendent.

## Post-Secondary Student Behavior Code

The following behaviors at the technology center, while in technology center vehicles or going to or from or attending technology center events will result in disciplinary action, including the possibility of dismissal.

1. Arson
2. Altering or attempting to alter other individuals' food or beverage
3. Assault (whether physical or verbal) and/or battery
4. Attempting to incite or produce imminent violence directed against another person because of his or her race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age or genetic information by making or transmitting or causing or allowing to be transmitted, any telephonic, computerized or electronic message.
5. Cheating
6. Conduct that threatens or jeopardizes the safety of others
7. Cutting class or sleeping, eating or refusing to work in class
8. Disruption of the educational process or operation of the school
9. Extortion
10. Failure to attend assigned detention, alternative school or other disciplinary assignment, without approval
11. Failure to comply with state immunization requirements
12. False reports or false calls
13. Fighting
14. Forgery, fraud, or embezzlement
15. Gambling
16. Gang related activity or actions
17. Harassment, intimidation, and bullying, including gestures, written or verbal expression, electronic communication, and physical acts
18. Hazing (whether involving initiations or not) in connection with any school activity, regardless of location

19. Immorality
20. Inappropriate attire, including violation of dress code
21. Inappropriate behavior or gestures
22. Indecent exposure
23. Intimidation or harassment because race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information, including but not limited to: (a) assault and battery; (b) damage, destruction, vandalism or defacing any real or personal property; or threatening, by word or act, the acts identified in (a) or (b)
24. Obscene language
25. Physical or verbal abuse
26. Plagiarism
27. Possession or use of a caustic substance (unrelated to course work)
28. Possession, distribution or viewing obscene materials, including electronic possession, distribution or viewing (sexting)
29. Possession or use, without prior authorization, of a wireless telecommunication device
30. Possession of synthetic urine, a warmer or any other item with the item to use that item to tamper with a drug or alcohol test
31. Possession, threat or use of a dangerous weapon, including firearms, and related instrumentalities (i.e., bullets, shells, gun powder, pellets, etc.)
32. Possession, claimed possession, use, manufacture, distribution, sale, purchase, conspiracy to sell, distribute or possess or being in the chain of sale or distribution, or being under the influence of (a) alcoholic beverages, low-point beer (as defined by Oklahoma law, i.e., 3.2 beer), (b) any mind-altering substance, except for medications taken for legitimate medical purposes pursuant to district policy, including but not limited to prescription medications for which the individual does not have a prescription, or medications used outside their intended therapeutic purpose, (c) paint, glue, aerosol sprays, salts, incense and other substances which may be used as an intoxicating substance, or (d) any substance believed or represented to be a prohibited substance, regardless of its actual content.
33. Possession, claimed possession, distribution, or claimed distribution of a controlled dangerous substance, as defined in the Uniform Controlled Dangerous Substances Act

34. Possession, claimed possession, or distribution of illegal and/or drug related paraphernalia.
35. Possession claimed possession, or distribution, or claimed distribution of supplements, prescription medicine and/or non-prescription medicine while at school and/or school related functions without prior administrative approval.
36. Profanity
37. Purchasing, selling and/or attempting to purchase or sell prescription and non-prescription medicine while at school and school related functions.
38. Sexual or other harassment of individuals including, but not limited to, students, school employees, volunteers
39. Theft
40. Threatening behavior, including but not limited to gestures, written verbal, or physical acts, or electronic communications
41. Truancy
42. Use, possession, claimed possession, distribution or selling marijuana or marijuana related products in any form. "Marijuana" is defined as provided for in the Technology Center's policy on Medical Marijuana, Hemp & Cannabidiol (CBD)
43. Use, possession, claimed possession, distribution or selling tobacco or tobacco related products in any form, including but not limited to cigarettes, cigars, loose tobacco, rolling papers, chewing tobacco, snuff, matches, lighters, and vapor products which includes noncombustible products that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. A vapor product also includes any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device and any vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigarillo or electronic device. Vapor product not included are any products regulated by the United States Food and Drug Administration under Chapter V of the Food, Drug and Cosmetic Act.
44. Use or possession of missing or stolen property if property is reasonably suspected to have been taken from a student, a technology center employee, or the technology center.
45. Using racial, religious, ethnic, sexual, gender or disability- related epithets
46. Use of the school's technology resources (i.e., computers, electronic mail, internet,

and similar resources) in a manner prohibited by policies, in any manner not authorized by school officials, or in violation of law.

47. Vandalism

48. Violation of board of education policies, rules or regulations or violation of technology center rules and regulations including, but not limited to, disrespect, lingering in restrooms, running in halls, bring unauthorized items to school, inappropriate or unauthorized use of cellular phones or other electronic media, name calling, destroying, or defacing technology center property

49. Vulgarity

50. Willful damage to technology center property

51. Willful disobedience of a directive of any technology center official

Students suspended for a violent offense directed toward an instructor shall not be allowed to return to the instructor's classroom without the instructor's prior approval. Whether an offense is considered a violent offense, requiring an instructor's approval as a condition of return to a particular classroom, shall be based on applicable provisions of the Oklahoma school law regarding student suspension and applicable criminal law distinguishing between violent and nonviolent offenses.

In addition, conduct occurring outside of the normal school day or off technology center property that has a direct and immediate negative effect on the discipline or educational process or effectiveness of the school, will also result in disciplinary action, which may include removal from school. This includes but is not limited to electronic communications, whether or not such communication is specifically directed at students or technology center personnel and concerns harassment, intimidation or bullying at school.

#### School Safety and Bullying Prevention Act (OKLA STAT. tit 70, § 24-100.2)

The Oklahoma Legislature established the School Safety and Bullying Prevention Act with the express intent of prohibiting bullying in all schools. In addition to the prohibition listed in the student discipline code, above, the board has adopted a separate policy prohibiting bullying and outlining the districts plan to address it.

Dismissal of Students because of

#### Failure to Meet or Comply with Essential Course Requirements

The technology center's course offerings include those that incorporate requirements essential to successful completion of the course. An example is the clinical hours a part of and necessary to completion of many health care courses. When a student cannot complete essential course requirements the student may be dismissed from a program for a variety of reasons, including but not limited to conduct, behavior, or other inability to meet mandatory parts of the program. Students dismissed for reasons falling within this

part of the policy, will have the same rights with regard to removal as adult students who violate the technology center's disciplinary code.

#### Students Attending the Technology Center by Virtue of a Special Program

In some instances, adult students are participating in programs offered by the technology center as a result of their eligibility established by terms of a federal or state program. In these instances, the programs establish eligibility requirements as well as minimum standards which students must meet in order to remain a part of the program and recipient of programs benefits. Student participation and dismissal of the student may be governed by the program benefits. Student participation and dismissal of the student may be governed by the program criteria. Students have no property interest in these programs and, as a result, those who violate expectations related to attendance, participation, and otherwise fail to meet the obligations which accompany participation, may be removed from the program with notice to the student and the program director. Whether to allow the student to return to the program and, if so, under what conditions, will be a joint decision of the designated school representatives and the designees for the federal or state program. The student's dismissal or removal shall include written notice to the program or project director of the students dismissal and the reasons for dismissal.