



# STUDENT CONDUCT, ATTENDANCE AND DISCIPLINE CODE

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# TABLE OF CONTENTS

## Part I: Introduction to the Student Conduct, Discipline, and Attendance Code

Our Commitments, Vision, and Goals	2
Nondiscrimination Declaration	3
Why a Student Conduct, Discipline, and Attendance Code?	4
Student Rights	4

## Part II: Discipline and Attendance Overview and Summary

Student Conduct, Discipline and Attendance Code - Applicable Policies	5
Student Responsibilities	6
General Rules of Conduct	6
Student Dress Code	7
Student Attendance, Absences, and Truancy	7
Closed Campus and Dismissal from School	9
Student and Parent/Guardian Responsibilities Related to School Attendance	9
Student Make-Up Work Related to Absences	10
Safe and Bully Free Schools	10
Weapons on School Grounds	10
Tobacco Free Schools	11
Alcohol and Controlled Substances on School Grounds	11
Marijuana	12
Academic Honesty and Plagiarism	12
Participation in Extracurricular and School-Sponsored Activities	12
Personal Electronics In and Out of School	13
Social Media and Acceptable Use of Technology	13

## Part III: Student Behavior Infractions and Discipline Response

Student Behavior Definitions	14
Disciplinary Infractions	15
Disciplinary Action and Response	16

## Part IV: Due Process Procedures and Student Searches

Student Interrogations and Searches	17
Disciplinary Due Process and Procedures	18
Disciplinary Due Process and Procedures for Material and Substantial Behavior Incidents	19
Disciplinary Due Process and Procedures for Material and Substantial Behavior Incidents - Expulsion	19
Habitually Disruptive Students	21
Formal Disciplinary Removals of Students	21
Disciplining Students with Disabilities	21

# OUR MISSION, VISION, AND VALUES

## Policy AD

### MISSION

We dare to empower the whole student to profoundly impact our world.

### VISION

We are a dynamic, collaborative community of energized educators, engaged students and supportive partners with a passion for continuous learning.

### VALUES

We believe:

- In the inherent worth of every individual and the power of equitable practices to unleash potential. Diversity enriches the human experience and strengthens community.
- Healthy relationships provide mutual understanding and enhance life.
- Continuous learning nourishes life.
- Integrity is fundamental to building trust.

# NON-DISCRIMINATION DECLARATION

## Policy AC

The Colorado Springs School District 11 Board of Education (the Board) is committed to a policy of nondiscrimination in relation to disability, race, creed, color, sex, sexual orientation, transgender status, gender identity, gender expression, national origin, religion, ancestry, age, and protected activity. Colorado Springs School District 11 (the District) values the diversity of the family, and of the social and cultural backgrounds of the students, parents/guardians, and personnel who participate in its programs and activities. Respect for the dignity and worth of each individual shall be a consideration in the establishment of all policies by the board and in the administration of those policies by the administration.

The District 11 NONDISCRIMINATION COMPLIANCE COORDINATOR has been designated to coordinate compliance with:

- 1) Equal Pay Act of 1963,
- 2) Civil Rights Act of 1964, as Amended,
- 3) Age Discrimination in Employment Act of 1967,
- 4) Title IX – Education Amendments Act of 1972,
- 5) Section 504 of Rehabilitation Act of 1973,
- 6) Pregnancy Discrimination Act of 1978,
- 7) Americans with Disabilities Act of 1990, and
- 8) School District 11 Board of Education Policy AC, Nondiscrimination/Equal Opportunity

# WHY A STUDENT CONDUCT, DISCIPLINE AND ATTENDANCE CODE?

Policy JIC, JICDA

Colorado Revised Statute § 22-32-109.1 (a) requires all school districts in the state of Colorado to develop a written code of student conduct. The enforcement of the code should be uniform, fair, and consistent for all students. Copies of the code of conduct must be available and kept on file at all district schools. The District Posts a copy of this handbook at [www.d11.org](http://www.d11.org). In accordance with safe school reporting requirements, each school should make reasonable efforts to ensure all students gain familiarity. The purpose of the Student Conduct, Discipline and Attendance Handbook is to provide a brief summary of the policies and procedures that guide student conduct and attendance for all schools in Colorado Springs School District 11. This handbook is a resource and guide for students, parents/guardians and staff, and provides procedures and clarity for all discipline related issues throughout the District. The Student Conduct and Discipline Code sets guidelines:

- To foster for sound educational practice and productive learning, equip every student in the District for success, develop in every student a positive attitude toward self-discipline, regular attendance, and socially acceptable behavior;
- To help every school in the District maintain a learning atmosphere that is safe, conducive to learning, and free from unnecessary disruption; and
- To serve as a guide for district employees and community members regarding reasonable and appropriate interventions and consequences for unacceptable behavior and attendance.

## STUDENT RIGHTS

As a student, you have the right...

- To a safe and positive learning environment free of crime, violence, intimidation, bullying, harassment, and other forms of discrimination
- To be informed of the policies and procedures for student discipline, attendance, and truancy
- To free expression of thoughts, in speech and writing, that does not violate the rights of others or is disruptive to the learning environment
- To learn about the grading standards used throughout all curriculums and classes
- To privacy of their personal property, unless reasonable suspicion exists to examine such property
- To have a confidential student record as provided by state and federal law
- To due process related for behaviors that could result in suspension or expulsion

# STUDENT CONDUCT, DISCIPLINE AND ATTENDANCE CODE - APPLICABLE POLICIES

## STUDENT CONDUCT

## ATTENDANCE

## DISCIPLINE

ECAC - Vandalism	JEA - Compulsory Attendance Ages	IKFB - Graduation Exercises
EEAEC - Student Conduct on School Buses	JH - Student Absences and Excuses	JIH - Student Interrogations, Searches and Arrests
EHC - Educational Technology Resources Policy	JHB - Truancy	JK - Student Discipline
GBGB - Staff Personal Security and Safety	JLIB - Closed Campus/Student Dismissal Precautions	JKA - Use of Physical Intervention and Restraints
JBB - Student Sexual and Racial Harassment/Discrimination	JHD - Exclusions and Exemptions from School Attendance	JKB - Detention of Students
JIC - Student Conduct, Discipline, and Attendance Code		JKBA - Formal Disciplinary Removals from Classrooms by Teachers
JICA - Student Dress		JKD/JKE - Student Suspension/Expulsion/Denial of Admission
JICDA - Code of Conduct		JKG - Expulsion Prevention Program
JICDE - Bullying Prevention		JICF - Secret Societies/Gang Activity
ADC/JICG - Tobacco Free Schools		
JICH - Drug and Alcohol Use by Students		
JICI - Weapons in School		

# STUDENT RESPONSIBILITIES

Colorado Springs School District 11 has developed the Student Conduct, Discipline, and Attendance Code to help students, parents/guardians, and school personnel understand the guidelines for maintaining a safe learning and working environment. The Code is intended to provide guidance for all students in grades K-12 in all of the District's traditional, charter, and alternative education settings.

The Colorado Revised Statutes and district policies make it clear that behavior, which takes place off school grounds, may properly be the subject of suspension or expulsion where the behavior is detrimental to the safety and welfare of other students or school personnel. Furthermore, students disciplined for infractions according to the provisions of this Code may also be subject to additional consequences by law enforcement for acts that violate local, state and federal law.

## EACH STUDENT WHO ATTENDS A DISTRICT 11 SCHOOL IS EXPECTED TO OBEY DISTRICT RULES:

- While on school grounds or in school buildings
- While on District grounds or in District buildings
- While riding in school or district vehicles
- During school-sponsored activities, field trips, and sporting events

# GENERAL RULES OF CONDUCT

## Policy JICDA

- Students shall act in a manner that maximizes the substantial benefits of public education.
- Students shall accept responsibility for their own behavior.
- Students shall develop and use problem-solving skills to resolve conflicts.
- Students shall follow established district, school, and classroom rules.
- Students shall maintain academic integrity.
- Students shall refrain from interfering with learning and teaching.
- Students shall maintain appropriate dress and hygiene.
- Students shall respect others.
- Students shall respect the rights and property of others.
- Students shall refrain from harming themselves or others.
- Students shall refrain from acting in such a manner as to expose others to risk or danger of harm or injury.
- Students shall not use threats or intimidation against others.
- Students shall not engage in unlawful activities.
- Students shall refrain from carrying, bringing, using, or possessing any weapon or weapon facsimile, or use anything else as a weapon, in or on district property.

# STUDENT DRESS CODE

## Policy JICA

Colorado Springs School District 11 is committed to a learning environment that is safe, conducive to high student achievement and free from unnecessary disruption. The District's dress code provides guidance for schools on the implementation of school level dress codes. Individual school principals may develop their own dress code policies within the guidelines set forth by board policy JICA. Exemptions to this dress code for special occasions or for personal consideration are at the discretion of the school principal.

### THE FOLLOWING CLOTHING IS APPROPRIATE FOR SCHOOL:

Clothing worn as designed, which covers all private parts of the body, to include midriffs and backs.

Clothing that fits properly and does not expose undergarments.

Clothing that is the appropriate length, including hemlines no shorter than mid-thigh for shorts and skirts.

Clothing that is free of excessive holes, rips, and tears that expose private areas of the body or undergarments.

Footwear that protects a student's feet is required; slippers and bare feet are not allowed.

Clothing that is part of an extra-curricular activity, approved by the building principal.

Clothing approved by the building principal for specific school events.

Clothing, paraphernalia, and jewelry that contain appropriate messages, free of references to sexually suggestive activity, drugs and alcohol, gangs, or are obscene and profane, hateful, or disruptive to the learning environment.

# STUDENT ATTENDANCE, ABSENCES AND TRUANCY

## Policy JEA, JH, JHB

Colorado statutes and district policies continue to stress the importance of parent/guardian involvement and responsibility in ensuring their student's educational development. The Colorado Compulsory Attendance Law was created to make sure that students from the age of six to seventeen attend school. Recent changes to this law include steps to identify and monitor student attendance that is the result of chronic absenteeism and/or habitual truancy. These steps include, but are not limited to: school and District attendance plans; referrals to community support agencies; and/or referrals to the court system. Furthermore, it is the responsibility of the parent/guardian to make sure that the children under their care attend school on a regular basis.

School District 11 believes that mandatory attendance is an essential component of student achievement and the District works hard to make sure that attendance is accurately recorded, monitored, and reviewed for every student. The District has a goal to reach 95 percent attendance for all schools, all grade levels and for all students. The guidelines set forth in this attendance policy apply to all traditional, charter, alternative, and online schools within District 11 and help us reach our attendance outcomes.



**ABSENCES ARE EXCUSED FOR ANY STUDENT WHO:**

- Is temporarily ill
- Has an absence approved by a school administrator
- Is enrolled in an independent or parochial school
- Who is absent for an extended period due to a mental, physical, or emotional disability
- Has been removed from school for a disciplinary action
- Possesses a qualified current work permit
- Is in the custody of law enforcement
- Is pursuing a school-sponsored work study program under appropriate supervision
- Is being home-schooled in an approved home-school program
- Any other reason set forth in school policies or provided by law

**ABSENCES WILL NOT BE EXCUSED FOR THE FOLLOWING TYPES OF REASONS:**

- “My student’s grandparents are coming to town, and we want to take a family trip to the top of Pikes Peak.”
- “My student overslept because she had to work late last night.”
- “My student had to watch his younger brothers and sisters.”
- “My student needed to finish his English project, so please excuse him from classes while he studies in the library.”
- “My kids needed a day with me so we can spend time together.”

When a student misses more than 10 percent of any marking period, whether excused or unexcused, they are *chronically absent* from school. When a student misses any part of a school day, with no excuse provided by the parent/guardian, the student is *truant*. Students who are “skipping” school or class regularly, or who are absent from school for reasons that do not meet the statutory criteria above, are truant from school. *Habitually truant* students are those students who have four or more days of unexcused absence of school in a month, or ten days of unexcused absence in one year. Chronic absenteeism and truancy affects a student’s achievement and may delay a student’s academic progress. Students and parents/guardians who willfully violate this policy may be subject to disciplinary action at the school and through the judicial process.

A student is tardy if they arrive to class within the first 10 minutes of a marking period at the secondary school level or within the first 20 minutes at the elementary school level.

# CLOSED CAMPUS AND DISMISSAL FROM SCHOOL

## Policy JLIB

All district campuses are closed campus systems. These closed campuses help promote safe learning and working environments for all students, staff, and parents/guardians. Students are to remain on campus throughout the school day and need to follow their schools check-in and checkout procedures if they are leaving school. Students may leave the campus during the school day for the reasons listed below. For further information related to this policy, please reference Policy JLIB, *Closed Campus/Student Dismissal Precautions*.

### STUDENTS MAY LEAVE CAMPUS:

- For a school sponsored activity or field trip, if approved by the principal or designee.
- For a prearranged absence that has been approved by the principal or designee.
- For lunch, if the student attends high school.
- For lunch, if requested by the parent/guardian and approved by the principal or designee.

## STUDENT AND PARENT/GUARDIAN RESPONSIBILITIES RELATED TO SCHOOL ATTENDANCE

### STUDENTS

- Attend school daily with no absences or tardiness
- Follow school policies for check in and check out
- Respect the classroom rules of each teacher
- Remain on campus during the school day  
(High school students have off campus lunch only when approved by the building principal)
- Maintain an active schedule at school
- Monitor individual attendance and grades

### PARENTS AND GUARDIANS

- Notify school of current contact information
- Contact the school for attendance related issues within 48 hours of an absence
- Know the attendance policies at their school
- Monitor their student's attendance and grades
- Provide proper documentation, if requested
- Stress the importance of daily school attendance
- Arrange appointments for after school hour

Parents/guardians are encouraged to monitor their student's attendance by using the Parent Connect feature in Q. Parent Connect provides access to comprehensive student information throughout the school year. Grades, attendance and discipline, as well as updates from classroom teachers, are easily accessible through Parent Connect. Please contact your student's school to obtain your Parent Connect password and look for Q logo on the District and your school's homepages.

## STUDENT MAKE UP WORK RELATED TO ABSENCES

### Policy JH

Students may make up work for full credit for excused absences from school. Schools and/or teachers set policy for work missed during an unexcused absence. It is the student's, and/or parent/guardians, responsibility to obtain all make-up work, including tests, when the student returns to school. Students have one day of additional make-up time for each day of absence. A school principal may extend the period of make-up work for special circumstances. Any work not handed in within the one-day make-up window is subject to a reduction in grade, per school and/or teacher policy. Furthermore, teachers may require absent students complete alternative assignments to maintain the integrity of an original assignment. These alternative assignments may not be used as a consequence and should be of equal challenge, score, and weight in the overall academic assessment.

## SAFE AND BULLY FREE SCHOOLS

### Policy JICDE

In accordance with Colorado Statute 22-33-109.1, Colorado Springs School District 11 is committed to protecting students and staff from discrimination, bullying and harassing behaviors. Bullying, hazing, intimidation, and harassment (hereafter collectively noted as "bullying") of any kind will not be tolerated in District 11 schools, regardless of how they are communicated. Programs throughout the District are designed to help educate students, staff, and parents/guardians on: identifying bullying behaviors in schools; providing strategies for addressing bullying behaviors; and implementing administrative procedures for the reporting and disciplining associated with such behaviors. Any student, who commits an act of harassment or bullying, is subject to disciplinary action. Student should report bullying and unsafe behavior immediately to school staff, the school principal or principal's designee, online through [safe2tell](#), or by calling 1-877-542-SAFE.



## WEAPONS ON SCHOOL GROUNDS

### Policy JICI

Colorado Springs School District 11 prohibits weapons of any kind on school property, at school events, or off school property where the carrying, bringing, using, or possession of a weapon creates, in the determination of district personnel, a threat to other students or school district personnel. Any student who brings a weapon onto school property is subject to disciplinary action, including possible suspension and expulsion from school. School administrators will contact law enforcement in cases where there is an illegal or dangerous weapon on school grounds, or if there is use of any object in a threatening manner. Law enforcement authorities have the right to make an arrest for any weapons infraction on school grounds that violates Colorado state statutes. Knives, brass knuckles, chemical sprays, slingshots, and firearms are among the weapons prohibited on School District 11 property. Additionally, items that shoot projectiles by compressed air or spring, like airsoft and paintball guns, are dangerous weapons under district policy.

Using a weapon for self-defense will not excuse a student from discipline in accordance with Colorado Revised Statute and District policy, including suspension and expulsion from school where applicable.

School principals are to use judgment in allowing weapons on school grounds for extra-curricular activities or for class sponsored programs. Students who receive approval for such programs are not subject to disciplinary action by the school or district so long as they are used at all times in conformance with the approval granted.

### SAFE HARBOR PROVISION

Suspension shall not be mandatory under Safe Harbor if, when the student discovers that he or she has carried, brought, or is in possession of a standard weapon or weapon facsimile, the student notifies a teacher, administrator, or other authorized person in the school district as soon as possible and delivers the standard weapon or weapon facsimile to any such person. Such action shall be considered when determining appropriate disciplinary action, if any.



TOBACCO - VAPING FREE SCHOOLS  
Policy ADC-JICG



In accordance with Colorado law, and in order to promote a healthy school environment and the general health, welfare and well-being of students, use or possession of tobacco or other nicotine delivery devices by students while in or on school property or at school-sponsored activities is prohibited. Any student in possession of tobacco, or other nicotine delivery devices, including devices used for vaping, is subject to disciplinary action, including suspension from school for repeated infractions.

## ALCOHOL AND CONTROLLED SUBSTANCES ON SCHOOL GROUNDS

Policy JICH

Colorado Springs School District 11 has no tolerance for the use, possession, purchase, or distribution of alcohol, controlled substances,\* or drug paraphernalia. Students who are in violation of this policy will be suspended from school immediately and may receive additional consequences from civil authorities. A student may also be referred for drug and alcohol counseling or to the Office of Student Support and Engagement for expulsion from school.

## MARIJUANA

Policy JICH, JLCDB

In accordance with federal law, the use, possession, sale or other distribution of marijuana is prohibited on school grounds, in school vehicles, or at school events. In the event a student has a valid prescription for the use of marijuana for medical purposes, the student and parent/guardian must follow applicable laws and policies related to the prescription and its administration. Students who return to school after consuming medical marijuana will be held to the same standards of conduct as other students.

## ACADEMIC HONESTY AND PLAGIARISM

Policy JK

Academic honesty and integrity in schoolwork is an essential component to student achievement. Copying another student's work, plagiarizing the work of another author, or cheating on academic tasks and assessments is prohibited. Students who commit acts of dishonesty in the academic area are subject to disciplinary action and academic penalty. Furthermore, the use of District 11's electronic media to commit academic dishonesty is a violation of District 11's Acceptable Use Agreement and may lead to the loss of computer privileges, as well as further disciplinary action.

## PARTICIPATION IN EXTRACURRICULAR AND SCHOOL SPONSORED ACTIVITIES

Policy JK, IKFB

School District 11 believes that school sponsored events and extracurricular activities are a privilege. Students who participate in these must follow all applicable laws, District 11 Board policies, and school-based behavior guidelines. District policy continues to make the denial or forfeiture of extracurricular activities and participation in school sponsored events a possible consequence for inappropriate behavior. Any student who commits a discipline infraction may lose the right to participate in school-sponsored events or extracurricular activities for up to one year. Furthermore, any student who is suspended or expelled from school will forfeit their right to participate in extracurricular or school-sponsored events throughout the suspension or expulsion period, including year-end commencement exercises.

**Seniors suspended and or expelled during the last semester of the school year will be prohibited from participating in school sponsored graduation exercises and related activities.**

# PERSONAL ELECTRONICS IN AND OUT OF SCHOOL

## Policy JK

Cell phones and personal electronics are an important part of the 21<sup>st</sup> century. It is important that every student understands the acceptable use of these electronic devices at their school, during school academic time and during school-sponsored events. Students who demonstrate inappropriate uses of electronic devices are subject to disciplinary action, as well as confiscation of any device deemed disruptive to the learning environment. Furthermore, students may not employ the photographic, video, or audio recording or reproduction capacity of any electronic device for the purpose of photographing, video capture, recording or reproduction of any student or staff person without the prior consent of the student or staff person, or under the supervision of a teacher or administrator. This applies at all times while on school property or at school-sponsored events.

# SOCIAL MEDIA AND ACCEPTABLE USE OF TECHNOLOGY

## Policy EHC

Twenty-first century education presents exciting new challenges for schools, parents/guardians, and students. The use of electronic tools and social media continues to grow, both in and out of school. It is important for students to use this new technology in appropriate ways. Colorado Springs Board of Education policies, regulations, and exhibits outline the appropriate use of electronic devices and technology resources in D11 schools. Parents/guardian should review these policies, regulations, and exhibits to familiarize themselves with appropriate technology and electronic media behaviors.

### INAPPROPRIATE USE OF TECHNOLOGY OFF SCHOOL GROUNDS

The inappropriate use of social media off of school grounds may be subject to disciplinary action in accordance with Colorado Revised Statute § 22-33-106(1)(c), where such behavior is determined detrimental to the welfare and safety of students and/or staff or where such behavior creates a material and substantial disruption to the school's ability to provide educational services to other students.

Behaviors off school grounds, which do not evidence a clear connection to the school will not be addressed at the school level.

# STUDENT BEHAVIOR DEFINITIONS

## Policy JK

### Classroom Behavior

"Classroom behavior" infractions are those behaviors that are inappropriate for school and will be addressed by classroom teachers. Appropriate disciplinary response, including prevention and intervention shall take place. Repeated classroom behavior infractions may be referred to the Principal (or his/her designee(s)) for further disciplinary action.

### Minor Discipline Incident

"Minor" discipline infractions are those behaviors that disrupt the learning environment and are to be addressed by the Principal (or his/her designee(s)). Minor discipline infractions are those behaviors that do not present a material and substantial disruption to the school and/or do not harm the safety or welfare of pupils and/or staff. Appropriate disciplinary action, including prevention and intervention strategies, detention, and/or school based alternatives, may take place. Further disciplinary action for repeated minor discipline infractions, including suspension by the school Principal (or his/her designee(s)), shall be optional.

### Material and Substantial Discipline Incident

"Material and substantial" discipline infractions are those behaviors that will be addressed by the building Principal (or his/her designee(s)). "Material and substantial" means any disciplinary infraction that creates a substantial disruption to the school day and/or threatens the welfare and/or safety of other pupils or school personnel. Behaviors that are material and substantial are presumed to be initiated, willful, and overt on the part of the student. Material and substantial behavior infractions are grounds for suspension by the Principal (or his/her designee) in accordance with C.R.S. 22-33-106. Further disciplinary action, including expulsion by the Superintendent (or his/her designee(s)) shall be optional.

# DISCIPLINARY INFRACTIONS

## Policy JK

- Academic Dishonesty
- Alcohol Violation
- Arson/Possession of Explosive Device
- Assault: 1st or 2nd /Vehicular
- Assault-3rd/Disorderly/Fighting
- Bullying
- Cell Phone Violation
- Damage to Student Property
- Dangerous Weapon
- Dangerous Weapon with Intent
- Destruction/Deface School Property Minor
- Detrimental Behavior
- Discrimination
- Dress Code Violation
- Drug Violation (Non-Marijuana)
- Drug/Marijuana Paraphernalia
- Drug/Marijuana Sale/Distribution
- Drugs/Schedule IV or V
- Extortion/Coercion/Blackmail
- False Fire Alarm
- Felony on School Property
- Firearm Facsimile
- Firearm Possession
- Gang Activity
- Habitual Disruption
- Harassment
- Hazing
- Insubordination
- Intimidation
- Lying/Giving False Information
- Marijuana Violation
- Misuse of District Property
- Open and Persistent Defiance
- Other Violations/Per Principal
- Rape/Attempt Rape
- Repeat Interfere/Education Others
- Repeated Alcohol
- Repeated Tobacco/Vape
- Robbery
- Sexual Misconduct/Sexting
- Sexual Violence
- Stealing/Theft or Attempted Theft
- Student - Employee Assault
- Student-Employee False Allegation of Abuse
- Student-Employee Harassment/Disorderly
- Student-Employee Property Damage
- Student-Employee Threat
- Threat to Damage/Destroy Property
- Threat/Disrupt School/District Operations
- Threats of Injury/Death Toward Student(s)
- Tobacco Violation
- Unsafe Behavior
- Vaping Violation
- Weapon Possession (Non-Dangerous)



# DISCIPLINARY RESPONSE, ACTION AND CONSEQUENCE

## Policy JK

Teachers use appropriate and timely responses to address classroom behavior.

These responses include, but are not limited to:

- Parent/Guardian contact
- Verbal Warning
- Academic consequences for cheating and/or plagiarism
- Classroom Behavior Plan
- Peer Mediation
- Restorative practices
- Referral to school administration
- Referral to a student personnel services provider: i.e., counselor, school social worker, school psychologist
- Detention
- Confiscation of items or contraband

School and District administration, as well as civil authorities where applicable, may use a variety of responses for minor, material and substantial behavior.

These responses include but are not limited to:

- Restorative Practices
- Conferencing
- School based alternatives
- Student behavior plans
- Loss of extracurricular activities and/or exclusion from ceremonies, activities
- Compensation/Restitution for damages
- Classroom removal
- In school suspension
- Out of school suspension
- Referral to law enforcement
- Expulsion

# STUDENT INTERROGATIONS AND SEARCHES

## Policy JIH

A school official who has reasonable suspicion that a search will turn up evidence that the student has violated the law, board policy, or school rules may conduct searches. When reasonable suspicion for a search exists, school personnel may search a student and/or his property while on school premises or participating in a school-sponsored activity, under the circumstances outlined in board policy, and may seize any illegal, unauthorized, or contraband materials.

Any search conducted by a school official will respect the privacy of the student and not be any more intrusive than necessary, considering the age and sex of the student and nature of the suspected infraction. Whenever possible, the student will be informed of the reason(s) for conducting the search, and the student's permission to perform the search will be requested. A student's failure to cooperate with school officials conducting a search will be considered grounds for disciplinary action.

An administrative report will be prepared by the school official conducting a search explaining the reasons for the search, the results, and the names of any witnesses to the search.

### Searches of School Property:

- School lockers, desks, and other storage areas are school property and remain at all times under the control of the school. School property provided for the use of students is subject to inspection, clean-outs, access for maintenance and search. Student lockers may be subject to sniffs by dogs trained to alert at the scent of drugs, alcohol, explosives, or other contraband. Alerts will be grounds for reasonable suspicion and additional search.
- The Principal or his/her designee may search a desk, locker, or any other storage area and its contents when he/she has reasonable suspicion for a search. Whenever reasonably possible, another person will be available to witness the search.

### Searches of the Student's Person:

- The Principal or his/her designee may search the person of a student if the school official has reasonable suspicion to believe that the student is in possession of contraband, stolen items or a weapon.
- Search of the person will be limited to any object in the student's possession such as a purse, book bag or briefcase, and the student pulling out his/her pockets.
- Searches of the person will be conducted out of the presence of other students and as privately as possible. At least one, but not more than three, additional persons of the same sex as the student will witness, but not participate in, the search.
- The parent/guardian or guardian of any student searched will be notified of the search as soon as reasonably possible.

### Parking Lot Searches:

- Student operated vehicles parked on school property may be searched, if reasonable suspicion exists. School officials must inform the student or vehicle operator that the vehicle will be searched when reasonably possible.
- Student operated vehicles may be searched by law enforcement officials at any time allowed by law.

The Principal or his/her designee may request that a law enforcement officer conduct a search on school premises, or attending a school-sponsored activity. When law enforcement authorities are involved in the search, the search will be conducted under criminal law standards, rather than under the provisions of board policy. When law enforcement officers respond to such request, no school employee will assist or otherwise participate in the search, unless under the direct enforceable order of the law enforcement officer.

## DISCIPLINARY DUE PROCESS AND PROCEDURES

### Policy JKD-JKE

Colorado Springs School District 11 believes that no student shall be suspended or expelled without an appropriate level of due process.

### General Considerations:

If a student is suspended, the Principal (or designee) shall immediately take reasonable steps to notify the parent/guardian of the student that the student has been suspended and of the grounds for the suspension, the period of the suspension, and the time and place for the parent/guardian to meet with the Principal (or designee) to review the suspension.

Any student under suspension or expulsion will not be allowed in or on school property during the period of suspension or expulsion unless approved by the Principal or designee, or when appropriate, the District designee.

In accordance with Colorado law, a suspended student will be provided an opportunity to complete schoolwork covering the period of suspension to facilitate reintegration into the educational program following suspension. Make-up work assignments shall be provided for all classes missed during the period of suspension.

As an alternative to suspension, the Principal (or designee) may permit the student to remain in class with the consent of his/her teachers, if his/her parent/guardian attends class with the student for a period specified by the Principal or designee. This provision does not apply for material and substantial behavior that is grounds for expulsion consideration

# DUE PROCESS PROCEDURE FOR MATERIAL AND SUBSTANTIAL BEHAVIOR INCIDENTS

Policy JKD-JKE

## Informal Hearing

The student shall be offered an opportunity to explain his or her position regarding the incident constituting grounds for discipline.

## Notice to Contemplated Action

At the time of contemplated action, the teacher, principal, or designee shall give notice, either orally or in writing, to the student or the student's parent or guardian.

## Notice Following Suspension

If a student receives a disciplinary consequence for a violation, the teacher, principal, or designee shall notify the student and the parent/guardian.

If a student is suspended the principal or designee shall immediately notify the student and the parent/guardian. The notice will be in writing and will contain the grounds for suspension, the duration of the suspension and a time and place for parent/guardian and student to meet with school officials for reentry.

# DISCIPLINARY DUE PROCESS PROCEDURES FOR MATERIAL AND SUBSTANTIAL BEHAVIOR INCIDENTS - EXPULSION

Policy JKD-JKE

## Procedure for Material and Substantial Disciplinary Infractions

If a student is suspended for a material and substantial disciplinary infraction, the student may be referred to the Superintendent or designee of the Board of Education for expulsion from school. The following procedures shall be followed for disciplinary infractions for which expulsion is a possible disciplinary consequence:

## Notice

Not less than ten days prior to the date of contemplated action, the Superintendent or designee ("hearing officer") shall cause written notice of an expulsion hearing to be delivered to the student and the student's parent/guardian.

## Contents of Notice

- A statement that the hearing officer will conduct a hearing on whether further disciplinary action, including expulsion, should be taken;
- The statutory grounds for suspension or expulsion, including a summary of what the student is accused of doing;
- A statement of the date, time, and place of the hearing;
- A statement that the student may be present at the hearing and hear all evidence against him/her, and that the student may be accompanied and/or represented by his/her parent/guardian or an attorney or both;
- A statement that (a) if the student fails to appear personally, but is represented by his/her parent/guardian or attorney, the student waives further rights to participate personally in the matter; (b) if the student appears, but his/her parent/guardian or attorney fails to appear personally, the parent/guardian or attorney waives further rights to participate personally in the matter; and (c) the student's failure to appear either personally or through his/her parent/guardian or attorney at a scheduled hearing shall constitute a waiver of further rights of the student and his/her parent/guardian and attorney to a hearing in the matter; and
- A statement that, regardless of who may or may not appear on the student's behalf at a scheduled hearing, the hearing officer may conduct a hearing and take action based on all information that is made available to the hearing officer, which action may include expulsion of the student or other disciplinary action in accordance with the conduct and discipline code.

## Purpose of Hearing

The purpose of the expulsion hearing shall be for the hearing officer to determine, based on a preponderance of the evidence, whether expulsion is permissible and, if such action is permissible, to make a recommendation to the Superintendent and Board of Education.

## Conduct of Hearing

A hearing shall be conducted by the hearing officer according to the procedures established in regulation JKD-JKE-R.

## Written Findings of Fact and Recommendation

At the conclusion of the hearing, or within such greater time as the hearing officer may determine is reasonable and necessary under the circumstances, the hearing officer shall prepare his/her written findings of fact and recommendations. The hearing officer shall inform the student and the student's parent/guardian and/or attorney of his/her findings of fact and recommendation and shall explain the review and appeal process.

## Appeal to the Board

A student may appeal the decision of the Superintendent to the Board of Education. To appeal the decision of the Superintendent, the student shall submit to the Board, in writing, a statement of the reason(s) for the appeal within five school days from the date the Superintendent renders his/her decision.

## HABITUALLY DISRUPTIVE STUDENTS

### Policy JK

"Material and substantial disruption" means any infraction that will be presumed to be initiated, willful, and overt on the part of the student. Any student suspended for causing a material or substantial disruption in the classroom, on school grounds, in school vehicles, or at school activities or events shall be required to participate in an individual Remedial Discipline Plan (RDP) for "material and substantial disruption." "Habitually disruptive student" is defined in state law as a student who has been suspended three times during the course of the school year for causing a "material and substantial disruption." "A RDP for 'material and substantial disruption' " means a written plan, which addresses the child's disruptive behavior, his or her educational needs, and the goal of keeping the child in school.

## FORMAL DISCIPLINARY REMOVALS FROM CLASS

### Policy JKBA

In accordance with Colorado Revised Statute 22-32-109.1 (2)(a)(I)(B), and School District 11 Board of Education policy JKBA, *Formal Disciplinary Removals from Class*, "a teacher may formally remove a disruptive student from class through the end of the quarter after the teacher has, pursuant to this policy and the accompanying regulations, removed the student from the class on a formal short-term basis for a third time during the same quarter." Any such formal removal must include applicable due process procedures and the development of a behavior plan. Any behavior plan must be created by the teacher, school administrator, and if feasible, the parent/guardian, after the first short term removal and reviewed and revised after the second short-term removal.

## DISCIPLINING STUDENTS WITH DISABILITIES

### Policy JKD-JKE-2

The Board of Education has adopted the District's Student Code of Conduct, Discipline, and Attendance for the purpose of, among other things, creating and maintaining safe schools and effective learning environments. As a rule, the Code applies to all students, and students with disabilities may be disciplined in the same manner and for the same amount of time as typical students, where such discipline does not include removal from school. However, where a school or the District proposes disciplining a student with disabilities by removing the student from school, such removal may occur only as provided for by the Individuals with Disabilities Education Act ("IDEA"), the Exceptional Children's Educational Act ("ECEA") of Colorado, and/or Section 504 of the Rehabilitation Act of 1973 ("Section 504"), as appropriate.

The Board, therefore, directs the administration to adopt procedures for the proper disciplinary removal of students with disabilities and directs that such procedures be consistent with the IDEA, ECEA, and Section 504, respectively, and the Code. Procedures for students with disabilities who qualify under the IDEA and ECEA shall be developed and maintained by the Special Education Department. Procedures for students with disabilities who qualify only under Section 504 shall be developed and maintained by the Office of Equal Opportunity Programs. Such procedures shall be distributed to appropriate personnel and to each school in the District. Procedures shall be made available to parent/guardian, upon request.