

Descriptor Term: <b>STUDENT DISCIPLINE POLICY</b>	Descriptor Code: <b>JK</b>
--	-------------------------------

**Section 1: Introduction**

The Rogers School District recognizes that effective student discipline can best be achieved and maintained through the cooperative efforts of parents, educators, students, and other community members. Each has a right to expect a wholesome atmosphere that is conducive to learning. Such a climate can best be created where efforts are made to move students toward responsible self-discipline. The district will not allow students to disrupt the learning activities of the school, to place themselves or others at risk, or to bring discredit to the school and the community.

The school has a responsibility to inform students of their rights and responsibilities; students are responsible for knowing and abiding by the rules and regulations of the school; parents are responsible for helping their children understand the policy. All students and parents will be provided copies of this policy, and will be required to indicate in writing their receipt of the policy. In addition, the district will post appropriate information from this policy, as required by Arkansas statutes or Arkansas Department of Education regulations, or as otherwise determined by the Rogers Board of Education. The school district is responsible for providing appropriate training to students and staff in order to reduce the occurrence of disciplinary incidents and to provide for the productive resolution of conflict when it does occur. All employees of the district will be expected to share the responsibility for supervising the behavior of students and for seeing that they abide by the established rules of conduct; employees are required to report to an administrator any suspected violation of those behaviors expressly forbidden by state statute (assault, bullying, alcohol, drugs, weapons, property theft or destruction, electronic devices). This policy will be reviewed annually in a manner determined by the board of education, in compliance with Arkansas Department of Education regulations. Parents, teachers, or students may request a hearing to consider revision of this policy by directing such a request, in writing, to the superintendent.

**Section 2: Behavioral Standards**

All students of the Rogers Public Schools shall comply with the rules and regulations, pursue the required courses of study, and submit to the reasonable directions or commands of all school personnel. Students are expected to conduct themselves at all times (at school, at school activities and events, and traveling to and from school) in a manner that will promote the best interest of the school system and will not infringe on the rights of others. Students should behave in a manner which brings credit to their community, their school, their family, and to themselves.

Students who participate in extracurricular activities may be expected to observe additional behavioral standards, in addition to those outlined in this policy, in order to maintain their eligibility for that activity.

**Section 3: Consequences of Inappropriate Behavior**

The board of education believes that penalties for violations of the behavioral standards indicated in Section 2 of this policy should be fairly administered and appropriate to the particular violation (or cumulative violations, in the case of a student who repeatedly misbehaves). In an effort to foster prevention, each school will discuss with students the discipline policies established by the district to insure understanding and consequences for violations. The following interventions are available to school personnel; however, nothing in this policy is intended to require that a less severe intervention be used prior to the use of any other intervention. School personnel are expected to choose the particular intervention, which they believe to be most appropriate for a specific student who has committed a specific offense. Corporal punishment is not an approved method of discipline. While the following corrective measures are approved by the board, staff members are expected to treat all students with courtesy and respect, to reward good behavior, and to maintain positive approaches in helping students develop acceptable patterns of behavior.

- Conference between the teacher, the student, and/or the parent
- Loss of privileges
- Referral to a building administrator
- Referral to other school personnel (counselor, nurse, etc.)
- Referral to out-of-school personnel (physician, psychologist, law enforcement personnel, etc.)
- Detention

- In-school suspension
- Behavior plan
- Other alternative placement
- Out-of school suspension
- Referral to the Interim Disciplinary Hearing
- Expulsion

All consequences imposed by school personnel should meet the following guidelines:

1. All methods of discipline should avoid causing a serious inconvenience to students other than the student(s) involved. Mass punishment is to be avoided.
2. All methods of discipline should avoid promoting an attitude unfavorable to academic or other school work.

**Arkansas Codes: Offenses and Penalties**

In accordance with Arkansas statutes, the following minimum and maximum penalties are prescribed for the indicated offenses:

<b>Offense</b>	<b>Minimum Penalty</b>	<b>Maximum Penalty</b>
Willfully and intentionally assaulting or threatening to assault or abuse any student or teacher, principal, superintendent, or other employee of a school system (A.C.A. 6-18-502); communicating a death threat to any student or school employee.	1-day suspension	Expulsion
Bullying (A.C.A 6-18-514)	Warning or 1-day suspension depending on age or grade of student	Expulsion
Possession of any firearm or other weapon prohibited on school campuses by law or by policies adopted by the school board. (A.C.A 6-18-502; A.C.A 5-73-119; A.C.A. 5-73-120)	Expulsion for 1 year, except that the Superintendent may modify such a suspension on a case-by-case basis	Expulsion for 1 year, except that the Superintendent may modify such a suspension on a case-by-case basis
Under the influence of, possessing, distributing, huffing, using, offering for sale, or selling, tobacco, tobacco products, vaping, or vaping products, alcoholic beverages, or other illicit drugs or look-alike products or inhalants to produce euphoric effect. This includes the inappropriate use or sharing of prescription or over the counter drugs. (A.C.A. 6-18-502)	See Section 9 of this policy	Expulsion
Use of any electronic communication or entertainment device (Refer to Section 11), that impedes the educational process, unless such possession has been specifically approved by the principal for medical or other compelling reasons. Note: Use of cellular phones is permitted before and after normal school hours.	Warning	Expulsion
Willfully or intentionally damaging, destroying, or stealing school or private property. (A.C.A. 6-18-502)	Warning & restitution	Expulsion

**District Behavioral Standards: Offenses and Penalties**

In addition to the offenses listed above, the school district authorizes minimum and maximum penalties for the major and minor violations of the Behavioral Standards as indicated below:

Offenses	Minimum	Maximum
<b>Minor Offenses:</b> Cheating/plagiarism *computer use agreement violations, detention violations, display of affection, disrespect, dress code violations, falsify signatures or information on official school records, insubordination, profane or obscene language, gestures, or behavior, vehicle violations, refusal to give identification or give false identification when a staff member requests, gambling, distribution of unapproved petitions or other printed matter, possession of any **laser device, ***truancy, violation of established school or classroom rules and regulations which may not be expressly listed in this policy, and other disruptive behavior	Warning *Possible loss of computer privileges  **Laser pointers will be confiscated by school personnel  ***truant students can not be given out of school suspension	Expulsion
<b>Major Offenses:</b> Arson, assault and/or battery of another student, bullying, threatening to assault or abuse another student, bomb threats/false alarms, terroristic threatening, extortion, false accusation of a district employee, fighting, fireworks, gang-related activities, harassment/sexual harassment, hazing, indecent exposure, possession of any look-alike weapon, possession of a knife – blade less than three inches, chronic disruption of the educational process and repeated violations of school rules, mob action, computer use agreement violations <sup>1</sup> , violation of any statutory or constitutional regulations, and other disruptive behavior	1-day suspension	Expulsion

<sup>1</sup> *May result* in loss of computer privileges

**Chronic Disruption and/or Persistent Disregard for School Rules**

A student who persists in repeated acts of misconduct and/or violation of school rules may be suspended and recommended to an Interim Disciplinary Hearing (IDH) for expulsion. Prior to recommendation to an IDH due to chronic disruption and/or persistent disregard for school rules, the school administration, student, and parent/guardian of the student, shall collaborate in drafting and implementing a student behavior correction plan. If the pattern of chronic misbehavior and/or violation of school rules continue and/or the behavior plan is violated, the steps outlined in Sections 6, 7, and 8 below shall be implemented.

**Section 4: Confidentiality**

Disciplinary actions, as outlined in Section 3, will not be entered on a student's permanent record, and will not be divulged to unauthorized personnel, except as noted in Sections 6 and 7 of this policy.

**Section 5: Discipline of Students with Disabilities**

A student with a disability, as defined in state standards, who engages in inappropriate behavior is subject to normal school disciplinary rules and procedures, provided the student's right to a free and appropriate public education is not violated. The following provisions will apply:

The individualized education plan (IEP) team for a student with a disability should consider whether particular disciplinary procedures should be adopted for that student and included in the IEP, and if a student's placement is to be changed for a period of time exceeding a total of ten (10) days within a school year, district special education personnel will be consulted to assure that proper due process procedures are followed.

**Section 6: Suspension**

The board of education authorizes the principal or assistant principal of any school to suspend any student from the school, for good cause, for a period not to exceed 10 school days. Good cause will exist when the student needs to regain or maintain emotional control; when the student shows a pattern of chronic misbehavior; when the student exhibits gross disobedience or misconduct; when the student violates the district's policies relative to alcohol, tobacco, vaping, abuse of over the counter medications, drugs, or

weapons; when the student's presence at school represents a threat to others; or when the student's presence at school prevents other students from pursuing desirable educational goals. Any suspension must conform to the following guidelines:

- a. Prior to any suspension, the student will receive an explanation of the intended suspension and shall be given reasonable opportunity to present evidence which might argue against suspension.
- b. The student's parent or legal guardian shall be notified immediately of the suspension and shall indicate how the student is to leave the school.
- c. Written notice of any suspension of three days or more shall be forwarded to the student's parents or guardians as soon as possible. Such notice shall include a statement of the reasons for and conditions of the suspension and shall notify parents or guardians of the established appeal procedures. The notice will be hand-delivered to a parent or a parent's designee or mailed to the address listed on the student's current enrollment form.
- d. Parents may appeal suspension decisions initiated by the building principal to the assistant superintendent and then to the superintendent. The decision of the superintendent shall be final. Only suspensions initiated by the superintendent may be appealed to the board of education. At each level of appeal, the person or group hearing the appeal may affirm, revoke, or alter the decision made at the previous level. Appeals must be filed, in writing, within five days of receipt of each decision.
- e. Procedural due process, as defined by statutes and court decisions, will be followed at all stages of the suspension process.
- f. If a suspension is a result of student actions which may be in violation of the law, appropriate information will be forwarded to legal authorities.
- g. If a student under suspension transfers to another school, information regarding the suspension will be sent to that school, on request.
- h. For all suspensions, the student is expected to complete all make-up work. Full credit will be allowed for this make-up work.
- i. If criminal activity is suspected/involved in any student action, a report to local law authorities may be made.
- j. A student under expulsion may continue to receive educational benefits from Rogers Public Schools via alternative means. This could include, but is not limited to, enrollment in the Rogers Public Schools virtual learning program. If an expelled student chooses to participate in the virtual learning program offered by the district all technology hardware and software items necessary to be successful will be provided by the district at no cost to the student/parents/guardians. Full credit will be allowed and all final course grades will be added to the student's transcript.

### **Section 7: Expulsion**

The principal of any school may recommend to the superintendent the expulsion of any student from the school, for good cause, for a period of more than 10 days. Good cause shall exist as indicated in Section 6 of this policy. When such a recommendation is made, the following procedure shall be followed:

- a. The principal will suspend the student for 10 days. The written notice of suspension will include a notice that the student is being recommended for expulsion.
- b. Within 3 days of the principal's recommendation, the assistant superintendent or the designee will review documentation, due process and any other considerations. The assistant superintendent will make a recommendation to proceed to the Interim Disciplinary Hearing for an expulsion or alternate placement determination. If an alternative placement is recommended, the student will have to meet the requirements of the new assignment. Failure by the student to meet those requirements will result in a recommendation to the superintendent for expulsion from Rogers Public Schools.
- c. The assistant superintendent will report the recommendations of the hearing officer to the superintendent.
- d. If the hearing officer recommends that the student be expelled, the superintendent will ask the board of education to act on that recommendation at the next regularly scheduled meeting of the board of education. The student's parent or guardian (or the student, if at least 18 years of age) will be notified of this recommendation. Such notice will be by certified or registered mail and will include the hearing officer's reason(s) for making the recommendation, notification of the right to appeal the

recommendation (and procedures for making such an appeal), the date and time of the board's probable action on the recommendation, and a statement of the student's right to have legal or lay counsel present at the board meeting. (If the parent does not appeal or request a hearing on the recommendation, board action may take place at the next scheduled board meeting, even if that meeting occurs more than 10 days after the original suspension.)

- e. A student may be expelled only by a vote of the board of education.
- f. Procedural due process, as defined by statutes and court decisions, will be followed at all stages of the expulsion process.
- g. If an expulsion is a result of student actions, which may be in violation of the law, appropriate information will be forwarded to legal authorities.
- h. If a student under expulsion transfers to another school, information regarding the expulsion will be sent to that school.
- i. The superintendent may modify a suspension or expulsion on a case-by-case basis.

### **Section 8: Student Disciplinary Hearings**

When an Interim Disciplinary Hearing (IDH) is needed to hear cases involving secondary students recommended for expulsion, the following guidelines are established to ensure that all students are afforded due process:

- a. A qualified hearing officer will preside over the IDH.
- b. A secretary will be provided to record proceedings. For any student disciplinary hearing, the following guidelines will apply:
  - The hearing will be held at a time convenient for the parent/guardian and at a time which will minimize disruption of regular school activities.
  - Notice of the hearing will be given to the parent/guardian by phone and in writing by certified mail.
  - The written notice will state the charges against the student clearly and concisely, will list witnesses who will appear against the student, will offer an opportunity for the student to present witnesses and other evidence, will point out that the student may be represented by legal counsel, and will state that the hearing will be closed to the public.
  - A record shall be kept of the hearing. The parent/guardian may request a transcript of the proceedings.
  - A written copy of the hearing officer's findings and recommendations will be forwarded to the parent/guardian and to the superintendent within a reasonable time after the hearing.

### **Section 9: Alcohol, Tobacco, and Drugs**

Rogers Public Schools has a zero-tolerance policy regarding drugs, alcohol and tobacco. Students in the Rogers School District who possess, use, sell, distribute, or are under the influence of tobacco, tobacco products, alcohol, illegal drugs, look-alike drugs, any prescription drug without proper medical prescription, or drug paraphernalia will be in violation of school policy if such behavior takes place on or within 500 feet of school property, on a school vehicle, or at a school activity (including school trips). Prescription medication should be registered with and kept in the school office. The following disciplinary procedures will apply to violations of this section of the policy:

#### *Procedures for Elementary Students*

For elementary students, violations will be carried over in grades K-5.

A first violation will result in the following:

1. Referral to the principal or the principal's designee.
2. A parent/guardian conference with the principal or designee.
3. Execution of a non-use contract, signed by the student, the parent/guardian, and the principal or designee.
4. In-school or at-home suspension for up to 5 days.
5. Referral to the School Assistance Team, the school counselor, or other appropriate agency.
6. A second parent/guardian conference may be required before the student returns to the regular classroom.

Additional violations (at any time in grades K-5) will result in a repeat of steps 1-6, with a review of the non-use contract at Step 3 and with the possibility of a suspension of up to 10 days at Step 4.

Sale or distribution of prohibited substances, even if a first offense, will result in referral to police officials and may result in a recommendation for expulsion.

#### *Procedures for Secondary Students- Grade 6-12*

For secondary students, violations will be carried over in grades 6-12. If at least two years pass between violations, the administrator may elect to treat a subsequent violation as a first offense.

#### **Tobacco**

A first violation of the tobacco/tobacco products/vaping/vaping products regulations will result in assignment to five days of detention, or one day of in-school suspension, notification of parent/guardian, and referral to a counselor.

A second violation of these regulations will result in assignment to in-school suspension for three days, a parent/guardian conference, and referral to a counselor for a tobacco education program.

A third violation of these regulations will result in suspension from school for five days, a parent/guardian conference, and referral to a counselor for a tobacco education program.

A fourth violation of these regulations and any succeeding violations (at any time in grades 6-12) will result in at least a 5-day suspension from school and may result in a recommendation for expulsion from school.

#### **Drugs and Alcohol**

A first violation of the regulations related to alcohol, vaping of drug substances, abuse/misuse of over the counter medications, drugs, and drug paraphernalia will result in a 10-day at-home suspension. This can be reduced to five days if the student completes an approved drug/alcohol assessment and complies with the appropriate resulting intervention. In addition, a parent/guardian conference will be required, a non-use contract will be signed by the student and parent/guardian, and the police will be notified. If the student does not complete the appropriate intervention as agreed to in the contract, the student will be referred back to the principal or designee for further action.

A second violation of these regulations (at any time in grades 6-12) will result in a recommendation for expulsion from school and notification of police.

For students in grades 6-12, the sale or distribution of, or intent to sell or distribute prohibited substances including alcohol, drugs, look-alike drugs, prescription drugs, inhalants, or drug paraphernalia, even if a first offense, will result in referral to police officials and will result in a recommendation for expulsion from school and referral to an Interim Disciplinary Hearing. If a student is returned to the building as a result of the Interim Disciplinary Hearing, then the student must meet the requirements outlined above for a first violation.

#### **Section 10: Bullying/Cyberbullying**

Bullying/Cyberbullying of a public school student or public school employee is prohibited when a student or employee is in school, on school equipment or property, in school buses and vehicles, at designated bus stops, at school-sponsored activities and at school sanctioned events.

The district also prohibits bullying/cyberbullying at all times by an electronic act that results in the substantial disruption of the orderly operations of school or the educational environment. Bullying/Cyberbullying also applies to an electronic act whether or not the electronic act originated on school property or with school equipment, if the electronic act is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school, and has a high likelihood of succeeding in that purpose.

A notice of what constitutes bullying, that bullying is prohibited and the consequences of bullying is required by state law to be conspicuously posted in every classroom, cafeteria, restroom, gymnasium, auditorium and school bus in the district.

A copy of the bullying notice will be provided to parents, students, school volunteers, and employees. A copy of the policy on bullying is available on the district web site and upon request.

Anyone who files a bullying complaint will not be subject to retaliation or reprisal in any form. School employees who have witnessed bullying or who have reliable information that a student has been a victim of bullying shall report the incident to the principal or principal designee. A school employee who reports violations of the school district's bullying policy shall be immune from any tort liability that may arise from the failure to remedy that reported incident.

### **Section 11: Personal Communication Devices and Electronics**

For all students in grades K-12, the school, school district, and school district personnel assume no responsibility for any cell phone, personal communication device, or personal entertainment device that is lost, damaged, or stolen in a school building, on school property, or during travel to and from school.

**For students in grades K-5**, the use of any electronics and/or personal electronic communication and entertainment device is not allowed during school hours unless such use has been specifically approved by the principal or designee for medical, educational or other compelling reasons. Students should turn off, secure, and conceal from view (in their pockets, purses, backpacks, lockers etc.) such communication devices when they enter the school buildings during normal school hours unless authorized by school personnel.

**For students in grades 6-8**, the use of any electronics and/or personal electronic communication and entertainment device is not allowed during school hours unless such use has been specifically approved by the principal or designee for medical, educational or other compelling reasons. Students should turn off, secure, and conceal from view (in their pockets, purses, backpacks, lockers etc.) such communication devices when they enter the school buildings during normal school hours unless authorized by school personnel. Note: The use of personal communication and entertainment devices will be permitted before and after normal school hours as determined by the building administration.

**For students in grades 9-12**, the use of any electronics and/or personal electronic communication and entertainment device is allowed before and after normal school hours, during lunch periods, and during instructional times as determined by the building administration. Students should turn off, secure, and conceal from view (in their pockets, purses, backpacks, lockers etc.) such communication devices before they enter a classroom or other instructional setting during any class period during the school day. The use of personal communication and entertainment devices will be permitted at other times during the school day as determined by the building principal or designee.

### **Section 12: Definitions**

**Alcohol:** Intoxicating beverages and substances represented as alcohol.

**Arson:** The setting of any unauthorized fire or the possession of any incendiary device anywhere on school property (including trash can fires).

**Assault:** Verbal or physical intimidation of, threats toward, or verbal abuse of a student or school employee (including verbal or physical harassment, hazing, or other activities intended to threaten, frighten, shame, or disgrace and including any harassment based on race, religion, ethnic origin, gender, or handicap) (Also, see "Bullying" "Extortion," and "Harassment/hazing").

**Battery:** Any physical contact intended to intimidate, threaten, injure, or otherwise harm.

**Behavior Plan:** A written agreement signed by the student involved, the student's parent(s) or legal guardian(s), and the appropriate teacher(s) and school official(s) identifying specific behavior problem areas for the student and stating what is expected of the student to correct the inappropriate behavior(s) and the consequences for the student if the plan is not followed and the identified behavior(s) not corrected.

**Bullying/Cyberbullying:** The intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student against another student or public school employee by a written, verbal, electronic, or physical act that causes or creates a clear and present danger of:

- Physical harm to a public school employee or student or damage to the public school employee's or student's property;
- Substantial interference with a student's education or with a public school employee's role in education;
- A hostile educational environment for one (1) or more students or public school employees due to the severity, persistence, or pervasiveness of the act; or
- Substantial disruption of the orderly operation of the school or educational environment.

**Cheating/plagiarism:** Dishonest or otherwise unacceptable efforts to improve a student's grade or to unfairly take academic advantage of the work of others.

**Chronic Disruption:** Demonstrating a pattern of repeated misbehavior.

**Corporal punishment:** A form of discipline in which a student is struck.

**Club:** Any instrument that is specially designed, made, or adapted for the purpose of inflicting serious physical injury or death by striking, including a blackjack, billie, and sap.

**Days:** School days; those days during which students are in attendance.

**Detention:** A period of supervised confinement -- before, during, or after school -- used when a student has committed relatively minor violations of the Standards of Behavior; limitations are typically placed on students' freedom to talk, move about, etc.

**Detention violations:** Failure to attend assigned detention or to comply with the rules and regulations established for detention.

**Disorderly conduct:** Disruptive behavior that poses a serious threat to the learning environment, health, safety, and the welfare of others, including students, school district employees, and other children or adults.

**Display of affection:** Physical contact between students, which violates standards of propriety, good taste, or rules and regulations established by the school.

**Disrespect:** Rudeness, name-calling, inappropriate gestures, or other actions intended to show a lack of respect for any student or school employee.

**Disruptive behavior:** Any interference with the proper conduct of a school, a school activity, or an individual class; bomb threats; false fire alarms; attempts to prohibit or discourage attendance by others at school or a school activity; attempts to encourage others to violate school rules or policies; and refusal to identify others engaged in unlawful or disruptive acts or to otherwise fail to divulge information regarding such acts.

**Distribution:** The giving, sharing, selling, providing or making available to any other person while on school property or while attending a school-sponsored event.

**Dress code violations:** Attire which disrupts the educational environment or otherwise interferes with the rights or opportunities of others to learn or teach, including the violation of any established building-level or classroom regulations; examples include tank tops, muscle shirts, sheer or see-through clothing, clothing which violates common standards of decency, clothing which advertises prohibited or illegal substances, and any gang-related attire. Students are prohibited from wearing while on school property during the regular school day and at school sponsored activities and events, personal clothing that exposes underwear, buttocks, or the breast of a female.

**Drugs:** Legally controlled substances such as marijuana, cocaine, methamphetamines, LSD, Demerol, morphine, and other narcotic substances, inhalants, illicit drugs, look alike products (including over the counter and prescription drugs) or inhalants used to produce an euphoric effect, etc.

**Electronics:** Any device used for personal communication and entertainment.

**Electronic act:** Without limitation a communication or image transmitted by means of an electronic device, including without limitation a telephone, wireless phone or other wireless communications device, computer or pager. This also includes video conferencing such as Zoom Meetings, Google Meets, or any other media that allows for live presentations via electronic means.

**Emergency:** Any situation in which the safety of one or more people is threatened or in which the school's mission to educate students is compromised.



**Explosives:** Any weapon which may expel or be converted to expel a projectile or multiple projectiles by action of explosion or other propellant, and any device which has a barrel with a bore of more than ½ inch diameter (i.e. bomb, grenade, rocket having a propellant of more than four (4) ounces, missile having an explosive charge of more than 1.4 ounce, mine, or similar device, etc.)

**Expulsion:** Removal of a student from all contact with the school for a period greater than 10 days.

**Extortion:** Subjecting another person to verbal or physical threats (stated or implied) in an effort to obtain money or other materials or services of value (Also, see “Assault,” “Bullying,” and “Harassment/hazing”).

**Failure to identify:** Refusal to provide proper identification, or providing false identification, to any school employee.

**Fighting:** A disagreement between two or more students which leads to physical contact; unless school officials can establish that one or more students involved did nothing to provoke the disagreement and attempted to avoid the conflict, all students involved will be held equally accountable.

**Fireworks:** Possession or use of any explosive or decorative pyrotechnic device on school property or at a school activity.

**Gambling:** Games of chance conducted at school or at a school activity (except as a part of regular classroom instruction) where money or other valuables may be won or lost.

**Gangs/gang-related activities:** Individuals who associate with each other primarily for criminal, disruptive, and/or other activities prohibited by law and/or by the school district’s rules and regulations, including recruiting others for membership; participating in or inciting physical violence; extorting or soliciting money/services for protection, insurance, or dues; wearing, possessing, using, displaying, distributing, or selling any clothing, jewelry, emblem, badge, symbol, sign or other item associated with membership in or affiliation with a gang (as determined by a building or district administrator); using any verbal or nonverbal communication showing membership in or affiliation with a gang; or engaging in any other activity intended to promote or further the interests of any gang or gang activity.

**Handgun:** Any firearm with a barrel length of less than 12 inches (12”) that is designed, made, or adapted to be fired with one hand.

**Harassment:** Annoying, ridiculing, or humiliating another student by words or actions. A pattern of unwelcome verbal or physical conduct relating to another person’s constitutionally or statutorily protected status that causes, or reasonably should be expected to cause, substantial interference with the other’s performance in the school environment.

**Hazing:** A willful act by one student alone or acting with others against any other student and done for the purpose of intimidating, humiliating, abusing, ridiculing, threatening or striking a student on or off school property. As defined in A.C.A. 6-5-201(b), hazing is limited to those actions taken and situations created in connection with initiation or affiliation with an organization, extracurricular activity, or sports program and does not include customary athletic events or similar contests or competitions.

**Huffing:** The purposeful inhalation of chemical vapors to achieve an altered mental or physical state, which for most abusers is a euphoric effect.

**Indecent exposure:** Clothing (or lack of clothing) which exposes the body in an immodest manner, which does not meet common standards of decency and good taste.

**In-school suspension:** An on-site location in a school where students may be temporarily assigned for more serious or chronic disciplinary violations; students assigned to in-school suspension will be counted present and will be expected to complete all regular school assignments during their suspension.

**Insubordination:** Willful and intentional failure or refusal to obey or submit to any reasonable request from a school employee.

**Knife:** Any bladed hand instrument that is capable of inflicting serious physical injury or death by cutting or stabbing, including a dirk, sword or spear in a cane, razor, ice pick, throwing star, switchblade and butterfly knife. Note: a knife with a blade of three inches or longer by definition of Arkansas law (A.C.A. 5-73-120) is classified as a weapon.

**Look-alike (drugs, weapons, etc.):** Legal substances or objects which appear to be, may be mistaken for, or are represented as substances or objects which, if authentic, would be prohibited at school or at school activities.

**Mob action:** Two or more students attacking or threatening a single student; two or more students acting "as one" to break rules, disrupt the school, etc.; see also "Gang-related activities."

**Possession:** A student will be considered "in possession" of drugs, alcohol, weapons, or other prohibited materials if such items are found on the student's person or in the student's locker, desk, automobile, or other storage area.

**Profane or obscene language, gestures or behaviors:** Language, gestures or behaviors that violate common standards of decency and good taste.

**Progressive Discipline Program:** Notice to a student that the consequences for additional offenses will be increasingly severe, even if the additional offenses are relatively minor (recommended when a student demonstrates a pattern of unacceptable behavior).

**Prohibited substances:** Items such as, but not limited to, alcohol, tobacco, vaping, illegal drugs, look alike drugs, drug paraphernalia, toxic chemicals, contraband (such as, but not limited to, stolen or otherwise illegal goods), any instrument that can reasonably be construed to be a dangerous weapon, inappropriate or indecent articles of clothing or signage, or any other substance in violation of the preceding school policies shall constitute prohibited substances.

**Petitions and other printed matter:** Distribution of printed materials not approved in advance by the principal. (Note: the principal's sole basis for denying such distribution will be a sincere belief that possession or distribution of the materials will cause substantial disruption of school activities because of obscene or libelous language, personal attacks, or the method or time of distribution).

**Rifle:** Any shoulder weapon used to fire a long-range projectile.

**Sale (of illegal substances):** Selling or offering to sell any illegal substance or look-alike substance.

**School employee:** Any person employed by or otherwise providing services to the school, including student/intern teachers and school volunteers.

**Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature may constitute sexual harassment where:

Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or participation in an educational function, or

Submission to or rejection of such conduct by an individual is used as the basis for employment or decisions affecting such individual's education, or

Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

Sexual harassment, as defined above, may include but is not limited to:

1. Sex-oriented verbal "kidding", abuse, or harassment;
2. Pressure for sexual activity;
3. Repeated remarks to a person with sexual or demeaning implications;
4. Unwelcome touching such as patting, pinching, or constant brushing against another's body;
5. Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, employment status, or similar personal concerns;
6. Uninvited letters, telephone calls, electronic communications or materials of a sexual nature;
7. Visual harassment, including offensive posters, cards, cartoons, graffiti, drawings or gestures;
8. Attempted or actual rape or sexual assault.

**Shotgun:** A smooth bore shoulder weapon used to fire a short-range projectile or projectiles.

**Substantial disruption:** Without limitation that any one (1) or more of the following occur as a result of the bullying:

- Necessary cessation of instruction or educational activities.

- Inability of students or educational staff to focus on learning or function as an educational unit because of a hostile environment.
- Severe or repetitive disciplinary measures are needed in the classroom or during educational activities.
- Exhibition of other behaviors by students or educational staff that substantially interfere with the learning environment.

Suspension (out-of-school): Temporary (1-10 days) removal of a student from all contact with the school district, to be used in cases where the student's presence represents a threat to others, where the student's presence prevents others from pursuing desirable educational goals, or where other forms of discipline have not been successful with the student.

Terroristic Threatening: Threatening to cause death, serious injury or substantial property damage with the intent to scare or intensely frighten another person.

Tobacco: Cigarettes, cigars, chewing tobacco, snuff, other forms of tobacco, and electronic cigarettes and similar devices that allow for vaping.

Tuancy: Any unauthorized absence from school, including any unauthorized absence from an individual class and leaving a classroom or a school campus without permission.

Under the influence: A student will be presumed to be under the influence of alcohol or illegal drugs if school officials believe that sufficient evidence exists to indicate that the student has ingested any amount of alcohol or illegal drugs at school or a school activity or that the effects of any prior ingestion are detectable while the student is at school or a school activity.

Vandalism: The intentional destruction, damage, or defacement of public or private property (including graffiti) without the consent of the owner or persons having custody or control of it.

Vehicle violations: Any unsafe, reckless, or otherwise inappropriate operation of an automobile, truck, motorcycle, bicycle, skateboard, or other vehicle on school property or traveling to or from school.

Weapons violations: Possession or use of any gun, knife, club, or any other item that could reasonably be believed to be or considered an offensive or defensive weapon, including look-alike weapons made of plastic or other such materials. In accordance with Ark. Code Ann. § 5-73-124, a container of tear gas or pepper spray to be used for self-defense purposes only that does not exceed the capacity of one hundred fifty cubic centimeters (150 cc) spray shall not be considered a weapon.

Zero tolerance: The administrator or designee will take action on the violation.

Approved

Amended 8/5/86	Revised 4/19/05	Revised 3/18/14
Amended 8/25/92	Revised 6/21/05	Revised 5/19/15
Revised 8/8/95	Revised 5-15-06	Revised 3/15/16
Revised 6/18/96	Revised 6/12/07	Revised 4/18/17
Revised 7/15/97	Revised 4/15/08	Revised 4/17/18
Revised 2/17/98	Revised 6/16/09	Revised 5/21/19
Revised 6/15/99	Revised 5/18/10	Revised 9/17/19
Revised 7/17/01	Revised 6/21/11	Reviewed 4/21/20
Revised 6/18/02	Revised 3/13/12	Revised 5/18/21
Revised 6/17/03	Revised 5/15/12	
Revised 4/20/04	Revised 4/16/13	

Rogers School District No. 30