

Administrative Rule

CODE OF CONDUCT

Code **JICDA-R** Issued _____

Levels of Intervention and Disciplinary Response

The categories shown are designed to guide administrators in using progressive interventions and responses to teach and motivate students to change their behaviors.

In cases where a range of possible levels of response is indicated, administrators are to determine the appropriate level by taking into consideration the circumstances of the incident and the student's age, grade, developmental level, intentionality, and prior infractions.

If, on a first offense, administrators believe a level 4 response is warranted, they must contact the Assistant Superintendent for Elementary Education or Assistant Superintendent for Secondary Education for guidance and support before proposing extended suspension or a hearing.

The principal and faculty will develop a written set of expectations for student classroom behavior to include guidelines to be used by teacher/staff member prior to office referral.

LEVEL 1 Classroom Interventions and Responses

These interventions aim to teach correct and alternative behavior so students can learn and demonstrate safe and respectful behavior. Teachers are encouraged to try a variety of teaching and classroom management strategies.

- Contact parent via telephone, email, or (if permission to do so has been secured) text message
- Verbal correction
- Reminders and redirection (e.g., role play)
- Written reflection or apology
- Seat change
- Parent or guardian conference
- Daily progress sheet on behavior
- Establish buddy teacher system
- Loss of classroom privileges
- Teacher or student conference
- Loss of recess
- Behavior contract

LEVEL 1 School Support Interventions and Responses

These interventions often involve support staff, both school based and within the broader

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community, and aim to engage the student's support system to ensure successful learning and consistency of interventions and to change the conditions that contribute to the student's inappropriate or disruptive behavior.

- Parent or guardian notification *
- Restorative practices including community conferencing
- Mentoring
- Peer mediation
- IEP or 504 team
- IEP meeting
- Development of Functional Behavioral Assessment (FBA) and Behavioral Intervention Plan (BIP)
- Referral to school-based counselor
- Referral to appropriate after-school program
- Service to school
- Restitution
- Conflict resolution
- Community mediation
- Short-term behavior progress reports
- Referral to community organization
- Confiscate material/equipment
- Development of student support team plan
- Loss of driving privileges
- Warning
- Other interventions identified by staff

LEVEL 2 Administrative Staff Interventions and Responses

These interventions can involve the school administration and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school.

- Parent or guardian notification *
- Change in schedule or class
- Loss of privileges
- Restitution
- Conflict resolution
- Peer mediation
- Reprimand by appropriate administrator
- Referral to school counselor
- Referral to IEP or 504 team
- Development of FBA and BIP
- Overnight suspension
- In-school suspension
- Mentoring
- Referral to substance abuse counseling
- Referral to ABE

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- Confiscate material/equipment
- Loss of driving privileges
- Law enforcement contact
- Other interventions identified by staff

LEVEL 3 Suspension and Referral Responses

These interventions may involve the removal of a student from the school environment for up to three days because of the severity of the behavior. The duration of the suspension, if issued, is to be limited as much as practicable while adequately addressing the behavior.

- Parent or guardian notification *
- Short-term suspension (*one to three days*)
- In-school suspension
- Overnight suspension
- Restorative practices including community conferencing *
- Referral to IEP team for manifestation determination for students with disabilities
- Revision to IEP or 504 plan (students with disabilities) as needed
- Development of FBA and BIP
- Referral to substance abuse counseling
- Referral to community organization (e.g., mentoring programs)
- Referral to behavior counseling
- Referral to ABE
- Behavior contract
- Referral to Circle Park
- Loss of driving privileges
- Other interventions identified by staff
- Law enforcement contact

LEVEL 4 Extended Suspension and Referral Responses

These interventions involve the removal of a student from the school environment because of the severity of the behavior. They may involve the placement of the student in an alternative environment that provides additional structure to address behavior. These interventions focus on maintaining the safety of the school community and ending behavior that is harmful to the student or others.

- Parent or guardian notification *
- Suspension (*one to three days*)
- Expulsion (serious behavioral infractions; more than 45 days)
- Development of FBA and BIP
- Referral to IEP team for manifestation determination for students with disabilities
- Recommendation for hearing
- Revision to IEP or 504 plan (students with disabilities) as needed
- Alternative education placement
- Referral to substance abuse counseling
- Permanent expulsion for serious offenses as outlined in policies and regulations
- Law enforcement contact

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- Suspension from bus
- Administrative Hearing
- Referral to Circle Park

* Required Response

Inappropriate or Disruptive Behavior and Levels of Response

	LE VE L 1	LE VE L 2	LE VE L 3	LE VE L 4	Law Enfor cemen t Infor med	NOTES
Absences						
Unexcused absence from school	.	.				
Persistent or excessive absences from school (150)	.	.				<i>Attendance Interventions Required</i>
Habitual truancy (152)	.	.				
Alcohol (680)						
Under the influence			.	.	.*	<i>Referral to Circle Park for appropriate substance abuse counseling. *Required Reporting</i>
Possessing			.	.	.*	
Distributing or selling			.	.	.*	
Arson (500)				.	.*	<i>*Required Reporting</i>

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	LE VE L 1	LE VE L 2	LE VE L 3	LE VE L 4	Law Enfor cemen t Infor med	NOTES
Attack on Student (009)						
Fighting—Physical aggression with another student or other students (009)				.^*	.	<i>^ Automatic recommendation for expulsion *Required reporting</i>
Bomb Threat (260)						
Pre-K to grade 3			.		.*	<i>*Required Reporting</i>
Grades 4 to 6			.	.	.*	
Grades 7 to 12				.	.*	

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	LE VE L 1	LE VE L 2	LE VE L 3	LE VE L 4	Law Enfor cemen t Infor med	NOTES
Bullying, Including Cyberbullying and Gang-Related Incidents (651)						
Intentional conduct (including verbal, physical, or written conduct or electronic communication) that is threatening or seriously intimidating and substantially disrupts the orderly operation of a school (027)	.	.	.			
Serious bullying (i.e., repeatedly over time engaging in intentional negative behaviors that adversely affect another student or students' ability to participate in or benefit from a school's education or extracurricular programs) (651) Cyber bullying (652)			.	.	.	
Publishing a fight or other disturbance			.	.	.	
Bus Violations						
Minor disruption on the bus (e.g., eating, drinking, being too loud, standing, etc.)	.	.	.			<i>A student may be denied the use of the school bus for misbehavior. (see page 21)</i>
Serious disruption on the bus (340)		

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	LE VE L 1	LE VE L 2	LE VE L 3	LE VE L 4	Law Enfor cemen t Infor med	NOTES
Class Cutting (160)						
Failure to attend a scheduled class (320) or leaving school without permission (310)	.	.	.			
Cheating (190)						
Giving or accepting assistance, plagiarizing (may receive a failing grade for assignment)	.	.				
Classroom Disruption (7)						
Talking out in class or talking out of turn, picking on or teasing other students, and other behavior that detracts from student learning	.	.				
Serious classroom disruption that directly affects the safety of others (e.g., throwing harmful items, turning over tables, or disrupting a fire or safety drill, etc.)		.	.	.		

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	LE VE L 1	LE VE L 2	LE VE L 3	LE VE L 4	Law Enfor cemen t Infor med	NOTES
Defiance of Authority and/or Insubordination (270)						
Failure to follow directions	.	.				<i>Non-violent/ Non-physical</i>
Deliberate refusal to follow request by school personnel or agents			.			
Disrespectful Behavior						
Inappropriate, obscene gestures (290) , symbols, profanity, comments, or offensive language to <i>students</i> (210)	.	.	.			
Inappropriate gestures, symbols, profanity, comments, or offensive language to <i>school personnel</i> (420)			.	.		
Using verbal insults or put-downs, lying to, misleading, or giving false information to school personnel (420)		.	.	.		
Language, behavior, or (420) disrespect which demeans, insults, incites, or is inflammatory to others (school personnel or students) based on ethnic, cultural, religious, gender, or individual differences		.	.	.		
Distribution of unauthorized materials (018)	.	.	.			

	LE VE L 1	LE VE L 2	LE VE L 3	LE VE L 4	Law Enfor cemen t Infor med	NOTES
Dress Code (280)	.	.	.			Refer to dress code standards (see page 19)
Drugs, Controlled Substances, Inhalants, Paraphernalia, or Purported Substances						
Possessing (580)				.^*	.*	^ Automatic recommendation for expulsion *Required Reporting Referral to Circle Park for appropriate substance abuse counseling
Under the influence (575)				.^*	.*	
Distributing or selling (570)				.^*	.*	
Extortion (600)						
Pre-K to grade 1	.	.				Taking or attempting to take money or property from another by threat of force, express or implied
Grades 2 to 6		.	.			
Grades 7 to 12		
False Activation of a Fire Alarm (350)						
Pre-K to grade 1	*Required Reporting
Grades 2 to 6			.	.	.	
Grades 7 to 12			.	.	.*	

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	LE VE L 1	LE VE L 2	LE VE L 3	LE VE L 4	Law Enfor cemen t Infor med	NOTES
Gambling (630)	.	.				
Gang Materials (250)						
Displaying/possession of gang materials/signs/ symbols			.	.	.	
Harassment Based on Race, Ethnicity, Gender, Sexual Orientation, Disability, or Religion, Including Cyber harassment, against Staff and Students						
Minor harassment (e.g., verbal discriminatory actions) (012)	.	.	.			
Serious harassment (e.g., verbal discriminatory actions) (012)		
Horseplay						
Running (024) , making excessive noise (400)	.	.				
ID Violation (360)	.	.				

	LE VE L 1	LE VE L 2	LE VE L 3	LE VE L 4	Law Enfor cemen t Infor med	NOTES
Inciting or Participating in Disturbance (20)						
Causing a large disruption to the atmosphere of order and discipline in the school that is necessary for effective learning and directly affects the safety of others. Disrupting lawful assembly		
Phone Violation (330)						
Unauthorized possession of cellphone during school hours unless approved by the building principal		.				1 st offense: confiscate by admin, return to student, parent notification 2 nd offense: confiscate by admin, return to parent, parent notification 3 rd offense: confiscate by admin, return to parent, OSS 1 day 4 th offense: confiscate by admin, return to parent, OSS 2 days 5 th offense—Level 3 (aggravated for non-compliance), confiscate by admin, return to parent, OSS 3 days, Admin hearing
Physical Contact with School Personnel						

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Striking/physical contact with a staff member who is intervening in a fight or other disruptive activity (520)				.	.	
Attack against school personnel: physically attacking an employee or other adult, including intentionally striking a staff member who is intervening in a fight or other disruptive activity (pre-k to grade 3) (510)				.	.	
Attack against school personnel: physically attacking an employee or other adult, including intentionally striking a staff member who is intervening in a fight or other disruptive activity (grades 4 to 12) (510)				.^*	.*	
	LE VE L 1	LE VE L 2	LE VE L 3	LE VE L 4	Law Enfor cemen t Infor med	<i>^ Automatic recommendation for expulsion *Required Reporting</i>
NOTES						
Property Damage, Including Graffiti						
Minor (under \$100) or accidental damage (023)	.	.				<i>Restitution may be required</i>
Damage to another person’s or school property (Above \$100) (760)			.	.	.	
Robbery (730)						
Taking money or property from another by force or intimidation (pre-k to grade 3)		.	.			<i>Restitution may be required</i>

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Taking money or property from another by force or intimidation (grades 4 to 12)			.	.	.	
	LE VE L 1	LE VE L 2	LE VE L 3	LE VE L 4	Law Enforc ement Infor med	NOTES
School Equipment Use without Permission						
Computer violation, (220) Property misuse (023)	.	.	.	.	.
False activation of a school alarm						
Pre-K to grade 1 (002)	.	.	.		.
Grades 2 to 6 (002)		.	.	.	.
Grades 7 to 12 minor (002) major (700)			.	.	.	
Sexual Assault or Offense						
Forced sexual act (610)				.	.*	<i>*Required Reporting</i>
Sexually-Based Infraction						
Sexual harassment (013) (e.g., unwelcome sexual advances; request for sexual favors; other inappropriate verbal, written, or physical conduct of a sexual nature), areas off limits, sexting			.	.	.	

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Sexual activity or sexual misconduct (013) indecent exposure (019), engaging in sexual activity (690), areas off limits (200), PDA (015)						
	LE VE L 1	LE VE L 2	LE VE L 3	LE VE L 4	Law Enfor cemen t Infor med	NOTES
Tardiness (180)						
Persistent or excessive tardiness to class or school (180)	.	.	.			<i>See Tardiness (see page 20)</i>
Failure to Attend Class (160)	.	.	.			
Technology Acceptable Use Policy Violation						
Student access to inappropriate Internet sites (pornography, hate groups, violence, illegal activity, extremist groups, online advertising, sexting, etc.); violation of acceptable use policy (220)	.	.	.	.	.	<i>Refer to the district website at www.fsd1.org</i>
Student altering computer setup (e.g. password, security, setting, etc.) (220)	<i>Refer to the district website at www.fsd1.org</i>
Theft						

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Under \$100 (740)	.	.	.			<i>Restitution may be required</i>
More than \$100 (670)		
	LE VE L 1	LE VE L 2	LE VE L 3	LE VE L 4	Law Enfor cemen t Infor med	NOTES
Threat against School Personnel, Written or Verbal (27)						
Pre-K to grade 3	.	.				<i>^ Automatic recommendation for expulsion *Required Reporting</i>
Grades 4 to 6		.	.	.^*	.*	
Grades 7 to 12				.^*	.*	
Threat to Student, Verbal or Physical (027)						
Threatening or aggressive language or gestures directed toward another student (Grades K – 6)	.	.	.			

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Threatening or aggressive language or gestures directed toward another student (Grades 7 - 12)		
	LE VE L 1	LE VE L 2	LE VE L 3	LE VE L 4	Law Enfor cemen t Infor med	NOTES
Tobacco Possession or Use (230)						
Possession, use, sale, or distribution of tobacco products, e-cigarettes, lighters	.	.	.	.	.	1 st offense will result in Level 2 intervention. Subsequent offenses shall be assigned Level 3 or 4 interventions.
Trespassing (750)						
Being on school property without permission	.	.	.	.	.
Unauthorized Area						
Student in unauthorized area (200)	.	.	.			
Loitering (240)	.	.	.			
Hall Pass Violation (410)	.	.	.			

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Recording another student without permission (200)	.	.	.			
Recording school personnel without permission (200)	.	.	.			
Unauthorized Device (390)						
Unauthorized possession of handheld mobile devices, electronic game devices, Bluetooth communication devices, smart watches, and other similar items, unless approved by the building principal		.				1 st offense: confiscate by admin, return to student, parent notification 2 nd offense: confiscate by admin, return to parent, parent notification 3 rd offense: confiscate by admin, return to parent, OSS 1 day 4 th offense: confiscate by admin, return to parent, OSS 2 days 5 th offense—Level 3 (aggravated for non-compliance), confiscate by admin, return to parent, OSS 3 days, Admin hearing
	LE VE L 1	LE VE L 2	LE VE L 3	LE VE L 4	Law Enfor cemen t Infor med	NOTES
Weapons, Firearms, and Explosives						
Explosives (10) (possession, sale, distribution, detonation, or threat of detonation of an incendiary or explosive material or device including firecrackers, smoke bombs, flares, or any combustible or explosive substances or combination of substance or articles			.	.^*	.*	<i>Applicable</i>

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Firearms (789) (possession of a firearm as defined in 18 USC 921 of the federal code; e.g., handguns, rifles, shotguns, and bombs)				.^*	.*	<i>at school, at school-sponsored activities, or when involved in incidents affecting the safety or welfare of the school community; expulsion for no less than one calendar year is mandated by law for firearms violations</i>
Other guns (789) (possession of a gun of any kind, loaded or unloaded, operable or inoperable; e.g., BB guns, pellet guns, etc.)				.^*	.*	
Other weapons (789) (possession of any other implement that could cause bodily harm, other than a firearm or other gun)			.	.^*	.*	
Use of any other weapon of any kind in the commission of an aggressive act toward another person (789)				.^*	.*	
Possession of a toy gun, water gun, or look-alike gun that is not used in the commission of an aggressive act toward another person (K-6)		.	.	.	.
Possession of a toy gun, water gun, or look-alike gun that is not used in the commission of an aggressive act toward another person (7-12) minor (002) major (700)			.	.	.*	<i>^ Automatic recommendation for expulsion</i> <i>*Required Reporting</i>

Dress Code

District students are expected to dress, be groomed, and otherwise conduct themselves in such a way as to not distract or cause disruption to the educational program or orderly operation of the school. Personal appearance and conduct of students should promote health and safety, contribute to a climate conducive to teaching and learning, and project a positive image of the district to the community. School administrators will be responsible for determining violations of this policy. The principal reserves the right to amend any provisions that he/she deems to be in the best interest of the student or the educational process.

The administration will make the final judgment on the appropriateness of a student’s clothing, appearance, and/or display of symbols, messages, or statements on school grounds and reserves the right to prohibit students from wearing any articles of clothing or other items or displaying any symbols, messages, or statements which lead to or may foreseeably result in the disruption of or interference with the school environment.

The following guidelines shall be observed:

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- No hats, caps, hoods, visors, towels, sunglasses, or any type of headgear is to be worn on the head in the building at any time.
- Bandanas, head sweat bands, and wrist sweat bands are not allowed on campus.
- No clothing or accessories promoting the use of alcohol, tobacco, drugs, violence, weapons, or gang activity are to be worn at any time.
- Attire that is immodest, having stated or implied profanities, obscenities, or sexual references may not be worn at any time.
- Shirts, tops, blouses, etc., must cover the midsection and not show cleavage.
- Shorts, skirts, etc., must be long enough so that when hands are extended by the side, the student does not touch skin. Garments should be of adequate length to assure modesty when the student is seated or engaged in school activities. Skirts, shorts, dresses, and shirts must be worn with any form-fitting attire such as leggings, leotards, tights, or jeggings and must reach below the fingertips.
- Pants/jeans must be worn at the waist. Underclothing is not to be exposed.
- Tank tops are not allowed. All shirt straps must be at least the width of two fingers.
- Shoes must be worn at all times.
- No pajamas or bedroom shoes are allowed.
- Wearing accessories or clothing that could pose a safety threat to one's self or others is not allowed. This includes but is not limited to, heavy chains not made as jewelry, fishhooks, multiple-fingered rings (rings welded together resembling brass knuckles or rings that can be used as a weapon), studded bracelets or collars, nose/lip to ear chains, etc. No medallions will be worn larger than the student's ID badge. Unusual body piercing that is disruptive to the order of the school or is a distraction to the learning environment will not be allowed. No wallet chains or other type chains that may be dangerous or disruptive will be allowed.
- All clothing is to be worn appropriately and as designed.

Tardiness

Tardies are cumulative rather than each scheduled period independent of the other. (Includes late to school and late to class).

Acceptable Excuses for Tardiness

- A signed note from medical, court, law enforcement, or other authority indicating the reason for the pupil's tardiness.
- Accidents that can be **documented by the principal**, including any police report or witness, if available.
- Malfunctioning automobiles directly causing the tardiness **with documentation to principal's satisfaction**; any frequent use of this excuse for tardiness might result in the student being advised to secure more dependable transportation.

Unacceptable Excuses for Tardiness

- Oversleeping
- Missing the school bus (unless the school bus departed from its regular schedule)
- Arriving late due to dependence on another person (parent, student, or anyone else).
- Walking to school
- Being held up in traffic

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- Trouble with a vehicle that could have been anticipated and controlled (example: insufficient gas).

Recommended Consequences (Late to School/Class)

Elementary

First Time: Warning

Second Time: Warning

Third Time: Warning/letter to parent/guardian

Fourth Time: Warning

Fifth Time: Overnight suspension
Notify attendance supervisor

Sixth Time: One (1) day of out-of-school suspension
The parent may attend school with the child in lieu of out-of-school suspension. This may be one-half hour or one day as determined by the principal. (Principal option)

Secondary

First Time: Warning

Second Time: Overnight suspension

Third Time: Overnight suspension

Fourth Time: One (1) day in-of-school suspension

Fifth Time: One (1) day out-of-school suspension
Notify attendance supervisor

Bus Violation

A student may be denied the use of the school bus for misbehavior. Consequences recommended by the state:

Offenses

1. Behavior that distracts the driver and impairs the safe operation of the bus such as loud noise, refusal to be seated, etc.
2. Pushing, shoving, tripping, etc. while boarding, riding, or departing the bus.

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3. Extending arms and/or head out of the bus window at any time.
4. Throwing objects in or out of the bus.
5. Operating/tampering with the bus door or emergency door.
6. Use of emergency door except in case of an emergency or bus evacuation drill.
7. Refusing to allow another student to sit in a seat.
8. Electronic devices may be active, but may not be audible or cause a disturbance.
9. **Fighting, Drugs, Weapons, Alcohol, Assault on staff member; or other Level 4 offenses that occur on the bus.*

Consequences

First Time: Warning

Second Time: Parent/guardian conference required before riding bus

Third Time: Two (2) day bus suspension; conference with parent/guardian is required

Fourth Time: Five (5) day bus suspension; conference with parent/guardian is required

Fifth Time: Ten (10) day bus suspension; conference with parent/guardian is required

Sixth Time: Suspended from bus remainder of school year

**Fighting, Drugs, Weapons, Alcohol, Assault on staff member; or other Level 4 offenses that occur on the bus may result in removal from the bus for 45 days or the remainder of the year on the first offense.*

Pupil Operation of Motor Vehicles

Driving vehicles on school property is a privilege granted by the Board of Trustees. Misuse of a motor vehicle on school property, in any manner, may result in the withdrawal of this privilege. All students driving vehicles to school are required to display a current parking permit, as designated by the school, each year that he/she is in attendance and parking on campus.

Students must park only in the area designated for student parking and display a current parking permit. Students are not penalized during the first ten (10) days of school for not having a permit. After the first ten (10) days, penalties will be imposed.

Penalties will be imposed for the following:

- Failure to display current permit after the first ten (10) days of school
- Parking Violations
- Speeding on school grounds
- Reckless and unsafe operation of motor vehicle on school grounds.

Consequences

First Time: Loss of driving privilege for one week.

Second Time: Loss of driving privilege for the remainder of the current semester.

Students are required to park and leave their vehicles when they arrive in the morning. They are not to return without permission from one of the principals until they are ready to leave for the day. All parking areas, including bus areas, are off limits except during arrival and departure.

Extenuating, Mitigating, or Aggravating Circumstances

The board confers upon the superintendent and his/her designee the authority to consider extenuating, mitigating, or aggravating circumstances that may exist in a particular case of misconduct. Such circumstances should be considered in determining the most appropriate sanction.

Student Conduct Away From School Grounds

The board expects administrators to take appropriate action when student misconduct away from school grounds or school activities has a detrimental effect on the educational environment, safety, or general welfare of students or staff of the district. Student misconduct includes any action performed in person, in writing, or through electronic communications or the use of social media. The administrator should take into consideration the protection of students and staff from the effects of violence, drugs, and/or disruptions to the educational environment.

Administrators are directed to evaluate each situation on a case-by-case basis. At a minimum, administrators should meet with the student upon his/her arrival at school, give the student notice of the concerns based on the reported out-of-school behavior, and allow the student an opportunity to present his/her side of the story. Based upon all of the circumstances, including a finding that the alleged conduct will have a direct and immediate effect on the school, the administration may either permit the student to attend classes as usual or may take appropriate disciplinary action including, but not limited to, in-school suspension or out-of-school suspension in order to conduct an investigation into the matter. The parents/legal guardians of students will be notified of any action taken by the administration and offered the opportunity for a conference with the administration.

In the event that the student is incarcerated based on his/her out-of-school conduct, the principal or his/her designee will notify the student that he/she is to meet with the administration prior to returning to school.

At the conclusion of the investigation, the administrator should take appropriate action that may include, but is not limited to, the following:

- returning the student to his/her normal class schedule and removing all evidence of suspension

- placing the student on probation and allowing the student to resume his/her normal class schedule
- placing the student on probation, allowing the student to continue classwork, but restricting the student's participation in extracurricular activities and/or designated school activities, for example, clubs, study halls, pep rallies, student government activities, and so forth
- recommending suspension
- recommending expulsion from regular school and placement in the district's alternative school
- recommending expulsion for either the remainder of the semester or year

The disciplinary action taken must be supported by the evidence and take into full consideration the impact of the student's presence at school on the discipline, educational environment, and safety of other students and the school's faculty and staff.

Note regarding special education students: Administrators must also ensure that all procedural safeguards afforded to special education students are also implemented in such circumstances.

Discipline of Students with Disabilities

Students with disabilities are not exempt from school disciplinary processes, nor are they entitled to remain in a particular educational program when their conduct substantially impairs the education of other students in the program. However, federal and state laws and regulations require schools to meet the individual educational needs of such students to the extent possible.

The process of disciplining a student who receives special education services involves both administrative authorities who are responsible for discipline and the special education department, including teachers and administrators who have been assigned specific responsibilities in the implementation of the student's Individualized Education Program (IEP).

Program prescriptions

An IEP team may prescribe or prohibit specified disciplinary measures for an individual student by including appropriate provisions in the student's IEP. The IEP team must take into consideration the student's disabling condition when deciding whether or not staff may use a particular form of discipline. Administrative authorities will observe any such provisions contained in a student's IEP.

Suspensions

A student identified as disabled pursuant to Section 504 of the Rehabilitation Act of 1973 (hereinafter "Section 504-disabled"), or as disabled pursuant to the Individuals with Disabilities Education Act (hereinafter IDEA-disabled) may be suspended from school for not more than 10 consecutive school days, and for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do

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not constitute a “change in placement” under federal standards.

Whether a “change in placement” would occur depends upon a number of factors, including, but not limited to, the following:

- length of each suspension
- proximity of the suspensions to one another
- total amount of time the student is excluded from the classroom

The determination whether a change in placement would occur must be made on a case-by-case basis, based on the circumstances of each case.

However, students who bring weapons to school or a school function, knowingly possess or use illegal drugs, or solicit the sale of controlled substances, or inflict serious bodily injury upon another person while at school or a school function may be removed for up to 45 school days at a time. If school officials believe that a student with a disability is substantially likely to injure him/herself or others in the student’s regular placement, they may ask an impartial hearing officer to order that the student be removed to an interim alternative educational setting for a period up to 45 school days.

Expulsions

Before considering whether a Section 504-disabled or IDEA-disabled student may be expelled, a multidisciplinary team must determine whether or not the student’s conduct was caused by or had a direct and substantial relationship to the student’s disability.

If the multidisciplinary team determines that the student’s misconduct was a manifestation of his/her disability, the student may not be expelled. However, changes in the student’s program may be considered by the Section 504 or Individual Education Plan (IEP) team.

If the multidisciplinary team determines that an IDEA-disabled student’s misconduct was not a manifestation of his/her disability, the student may be expelled from school, subject to procedural safeguards; however, educational services, as determined by the IEP team, must be continued for the student. Such services may be provided in the home, in an alternative school or in another setting.

If the multidisciplinary team determines that a Section 504-disabled student’s misconduct was not a manifestation of his/her disability, the student may be expelled in the usual sense. In such cases, the district is not obligated to continue educational services.

Court injunctions

In appropriate circumstances, the district may seek a court injunction to allow disciplinary removals or other actions regarding students with disabilities beyond any time or other limitations set forth above.

Adopted 12/9/21; Revised 12/12/24
