

**STUDENT GUIDE:**

**STUDENT CODE OF CONDUCT**



**BOULEVARD ELEMENTARY SCHOOL  
ADOPTED 2019-20**

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## **INTRODUCTION**

The Cleveland Heights-University Heights City School District (the “District”) believes that it is important to maintain respectful, responsible, safe, and orderly learning and working environments for all students and employees. The 2019-20 edition of *Student Guide: Student Code of Conduct* (the “Student Guide”) is intended to support our continued efforts toward achieving this outcome.

As a learning community, it is our responsibility to teach students skills that will allow them to be successful not only as young people, but also as adults. Because we believe that all students will choose to demonstrate positive behavioral choices if they are prepared to make them respectfully and with dignity, the Student Guide was established as a systematic resource for describing:

- What appropriate actions and behaviors “look like” (these are contained in the Student Code, or “the Code”);
- What student personnel do to help students choose them;
- What inappropriate actions and behaviors “look like”; and
- What student personnel do to help students avoid them.

To this end, the Cleveland Heights-University Heights City School District Board of Education (the “Board”) is committed to the District-wide use of Positive Behavior Interventions and Supportss (“PBIS”) with students, a school-wide systematic behavior management approach that embeds evidence-based practice and data-driven decision making to:

- Improve school climate and culture;
- Achieve improved academic and social outcomes, and
- Increase learning for all students.

The PBIS approach encompasses a range of systemic and individualized positive strategies intended by student personnel to:

- Teach appropriate behaviors to students;
- Reinforce desired behaviors; and
- Diminish reoccurrences of challenging behaviors.

To find out more about the District’s PBIS program, visit our website or contact the Boulevard Elementary School office, school Principal, or school counselor.

The Student Guide also outlines the types of sanctions that may be used by student personnel, when necessary, if students have violated the Code. Any of these actions shall:

- Relate in kind and degree to the infraction;
- Help students learn skills to take responsibility for their actions; and
- Be directed, where possible, to reduce the effects of any harm which may have been caused by the misconduct of the students involved.

The Board believes that students should learn to assume responsibility for their own behavior and the consequences of their actions, but also recognizes that exclusion from the educational program, whether by Suspension, Expulsion, or Permanent Exclusion, is the most severe sanction that can be imposed on students. Whenever such a need arises, appropriate due process will be provided to those students involved in accordance with federal law, state statute, and/or Board Policy.

The Board also seeks to maintain a balance between maintaining a proper educational environment and a compassion for students, and recognizes that students may experience difficulties that educational programs and sound discipline may not prevent, and that other forms of assistance need to be available through the schools. To that end, the District may utilize a variety of student assistance programs to address violations of the Code whenever reasonable and appropriate.

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It is important to note that the Student Guide is not an all-encompassing document, and occasionally may not address every imaginable conduct or behavior issue involving students. Student personnel will use their best judgement and discretion in managing such cases.

Further, nothing in the Student Guide creates new rights for students that do not already exist as a matter of federal law, state statute, and/or Board Policy. In the event of any conflict between the Student Guide and Board Policy, Board Policy will govern.

The Principal or his/her designee will provide a yearly orientation to the Student Guide for all students, and copies of the Student Guide will be made available to all students in print, online, or in the central offices of all schools. Issues, concerns, or questions relating to the Student Guide may be directed to the school Principal.

Finally, it should be noted that key terms in the Student Guide are defined within their respective contexts. Where applicable, one or more examples of terms are also provided.

From the first day of the school year to the last, it will take the collective efforts of students, parents or legal guardians, teachers, and administrators to promote a respectful, responsible, safe, and orderly learning environment where all students can succeed. Working together, we can realize this outcome!

Sincerely,

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Elizabeth Kirby, Superintendent of Schools  
Cleveland Heights-University Heights City School District

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Dr. Michael Jenkins, Principal  
Boulevard Elementary School

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## **STUDENT CODE OF CONDUCT**

### ***DISTRICT LEVEL EXPECTATIONS***

The Board has both the authority and the responsibility to maintain behavioral expectations that apply for all students within the District, which are intended to assist students in selecting actions and behaviors that not only contribute to safe, positive, and orderly learning environments, but support high levels of student achievement as well. These behavioral expectations (also called the “Tiger Expectations”, the “Student Code of Conduct”, the “Student Code”, or the “Code”) are as follows:

#### **TIGER EXPECTATIONS:**

**BE SAFE**

**BE RESPECTFUL**

**BE RESPONSIBLE**

*Our expectations support the following central themes for the behavior of students in the District:*

- *All students have the right to learn in a safe, positive, and orderly environment; and*
- *All student personnel have the right to perform their assigned duties.*

Tiger Expectations shall apply on school grounds, and may apply off school grounds in some cases. All students will be held accountable for meeting them in a reasonable, fair, and consistent manner.

### ***SCHOOL LEVEL EXPECTATIONS***

Each school within the District implements the Tiger Expectations in a way that applies to all students within the particular school. The Tiger Expectations at our school are as follows:

<b>BE SAFE</b>
• Know and follow all school rules and classroom rules for keeping you and others safe.
• Be on the alert for any condition that might put you or others in danger.
• Provide an appropriate amount of personal space to others.
• Inform a staff member immediately if you feel you are being mistreated by another student.
• Inform a staff member immediately about any safety threat you become aware of.
<b>BE RESPECTFUL</b>
• Know and follow all school rules and classroom rules for respecting the rights of others.
• Use your inside voice when entering and exiting classrooms, cafeterias, and other places.
• Use school-appropriate language at all times.
• Cooperate with teachers, other staff, and students, and follow directions when they are given.
• Care for the school property and that of others as if it were your own.
<b>BE RESPONSIBLE</b>
• Know and follow all school rules and classroom rules for doing your best in each class or activity.
• Attend school regularly, and arrive at classes or other school destinations on time.
• Do your best to participate in all classes, and earn grades or credits fairly.
• Accept responsibility for your actions.
• Protect your personal belongings at all times.
Personal belongings are the responsibility of the student or parent/guardian, and are not covered by the District’s insurance in case of loss or theft.

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Transportation in Board-approved vehicles (such as buses or vans) is a privilege, not a right, and the driver is the sole authority on the vehicle while students are being transported. For students who ride the bus, the following additional bus rules apply:

AT THE BUS STOP
<ul style="list-style-type: none"><li>• Enter and leave the bus only at the assigned bus stop.</li><li>• Arrive at the assigned bus stop five (5) minutes prior to scheduled pick-up time.</li><li>• Conduct yourself properly at the bus stop, and avoid disturbing nearby residents.</li><li>• Take care to avoid damaging public property or the personal property of others.</li><li>• Remain clear of traffic, and keep all articles off the roadway.</li></ul>
GETTING ON OR OFF THE BUS
<ul style="list-style-type: none"><li>• Cross all streets at least ten (10) feet in front of the bus, and after the driver has signaled you.</li><li>• Wait until the bus stops and then walk to the bus door in orderly fashion.</li></ul>
ON THE BUS
<ul style="list-style-type: none"><li>• Follow the directions of the driver or monitor at all times.</li><li>• Remain in your seat, and share seats as directed by the driver.</li><li>• Speak and behave respectfully toward adults and other students at all times.</li><li>• Keep noise on the bus to a minimum, and speak in a reasonable conversation voice.</li><li>• Keep quiet at railroad crossings and any other danger zones as designated by the driver.</li><li>• Keep the parts of your body, and all other items, inside the bus.</li><li>• Avoid creating any unsafe condition which could cause injury to you or others, or damage property.</li><li>• Take care to avoid damaging the bus or the personal property of others.</li><li>• Keep food or drink enclosed inside bags, backpacks, or containers (eating or drinking is a safety risk).</li><li>• Do not bring forbidden cargo onto the bus, such as pets, alcoholic beverages, drugs, ammunition, explosives, firearms, knives, or any other dangerous materials or objects.</li></ul>
BUS EVACUATION DRILLS
<ul style="list-style-type: none"><li>• Participate in each drill as directed by the driver.</li><li>• Leave all personal items on the bus.</li><li>• Use the exit indicated by the driver.</li><li>• Refrain from using windows to exit the bus.</li><li>• Assemble in the location indicated by the driver, and stay there until given further directions.</li></ul>
Evacuation drills will be conducted during the school year. Each drill will consist of an orderly use of the available exits on the bus and is designed to familiarize students with the proper safety procedures to be followed in case of emergency.

## **SETTING LEVEL EXPECTATIONS**

Finally, all students are also expected to follow the classroom rules established by teachers, coaches, activity advisors, and other personnel. These will be provided to students at the beginning of the school year or when they are enrolled, and may be posted in each classroom or other participation setting.



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## **BEHAVIOR MANAGEMENT OVERVIEW**

The District is committed to limiting the use of exclusionary discipline practices wherever possible. With that objective in mind, we believe as a school District community, students, parents/guardians, and employees all share responsibility for ensuring that learning and working environments remain as respectful, responsible, safe, and orderly as possible.

As a part of the District's PBIS initiative, students can expect to be supported in their learning of the skills necessary to avoid negative behaviors by student personnel, who:

- Teach positive school rules and social skills;
- Reinforce desirable behaviors in positive ways; and
- Use early interventions and more intensive support strategies when undesirable behaviors arise.

When these measures fail, or when serious misconduct affecting the school order has occurred, students may face disciplinary action involving logical, meaningful consequences. During any disciplinary action, a student and his or her parent(s)/guardian(s) can expect:

- To be treated reasonably, fairly, and consistently by student personnel; and
- To receive appropriate due process consistent with state statute and/or Board Policy.

The remainder of this part of the Student Guide further details these responsibilities and expectations.

## ***GENERAL RESPONSIBILITIES***

### **Principals are responsible for:**

- Supervising all phases of the school program, including, but not limited to, the instructional program, guidance services, health services, and school-sponsored events or activities.
- Supervising students and staff.
- Ensuring that a satisfactory instructional program is scheduled for all students.
- Providing adequate police protection at all school-sponsored events or activities.
- Communicating the District behavior management philosophy to students, parents/guardians, and employees.
- Establishing, maintaining, and reviewing: 1) school rules that are consistent with the Code; and 2) school level procedures and routines that encourage appropriate behavior choices by students.
- Regarding students as individuals, assisting them in their learning, treating them with courtesy and consideration, and relating to them within the guidelines established by the state licensure code.
- Resolving Code violations in a reasonable, fair, consistent, and confidential manner.
- Considering potential alternatives to disciplinary consequences, if possible.
- Suspending for Code violations when necessary.
- Referring recommendations for Expulsion or Permanent Exclusion to the Superintendent.
- Accurately recording and communicating reports to parents/guardians of Code violations managed at the school level, and what was done to resolve them.
- Participating in complaint or appeal proceedings as necessary.
- Maintaining disciplinary data at the school level and reviewing it on a regular basis.

### **Teachers are responsible for:**

- Establishing, maintaining, and reviewing: 1) Classroom rules that are consistent with school rules; and 2) Setting level procedures, routines, and behavioral supports that encourage appropriate behavior choices by students.
- Maintaining close communication with parents/guardians.
- Communicating the District behavior management philosophy to students and parents/guardians.
- Supporting and enforcing policies and regulations of the Board.

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- Regarding students as individuals, assisting them in their learning, treating them with courtesy and consideration, and relating to them within the guidelines established by the state licensure code.
- Giving proper concern for, and attention to, their responsibilities for the safety and welfare of students, including the need to ensure that students are supervised at all times.
- Following Behavior Intervention Plans for those students who have them.
- Managing less serious Code violations promptly and directly, and considering potential alternatives to disciplinary consequences, if possible.
- Referring other Code violations requiring administrative action to the Principal or his/her designee.
- Accurately recording and communicating reports to parents/guardians of Code violations managed at the setting level, and what was done to resolve them.
- Participating in complaint or appeal proceedings as necessary.
- Maintaining disciplinary data at the setting level and reviewing it on a regular basis.

### **Parents/guardians are responsible for:**

- Enrolling their children at school under the terms and conditions outlined in Board Policy.
- Providing the school with current contact information so they may be located when necessary.
- Notifying student personnel when their children have any situations that could affect the wellness or safety of their children, other children, or staff (e.g., allergies or other medical problems; family, legal, or social issues; custody changes; or participation preferences).
- Ensuring regular school attendance of their children who are between six (6) years of age and eighteen (18) years of age or who are enrolled in Kindergarten.
- Reporting and verifying absences from school promptly.
- Discussing the school's discipline Policy with their children, showing their support for school rules and classroom rules, and helping their children understand the reasons for them.
- Being involved in their children's school lives by supporting and reviewing homework, maintaining close communication with teachers, and attending school functions.
- Setting rules for appropriate behavior at home.
- Respecting the rights of others, considering their privileges, and demonstrating cooperative citizenship.
- Communicating with student personnel in a civil manner.
- Cooperating with the school if disciplinary action becomes necessary.
- Being liable for any damage to school property incurred by their children.

If a parent/guardian is awarded custody of a child by the courts, he or she must provide the school with a copy of the custody order, and inform the school in writing of any rights limitations for the non-custodial parent/guardian. Without such notice, school personnel will presume that the rights of the non-custodial parent/guardian remain intact (e.g., the student may be released into the care of either parent/guardian, and either parent/guardian will be able to act in the educational interests of the child).

### **Students are responsible for:**

- Taking advantage of the opportunity for an education to which they are entitled.
- Demonstrating respect for the law and for those persons in authority.
- Complying with school rules and general provisions of law affecting students.
- Respecting the rights of others, considering their privileges, and demonstrating cooperative citizenship.
- Maintaining classroom environments that: 1) Allow teachers to communicate effectively with all students; and 2) Allow all students the opportunity to learn.
- Behaving in a manner that will be a credit to our schools.

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## **GENERAL EXPECTATIONS**

### **Parents/Guardians can expect:**

- To be free from discrimination in school-related matters based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age (except as authorized by law), religion, ancestry, genetic information, or any other basis in federal law, state statute, and/or Board Policy.
- To be informed about the educational experiences of their students (e.g., academic requirements, school programs, grading, and promotion policies, resources to further the educational progress of their children, and the like).
- To have the opportunity to inspect any instructional materials used to educate their children.
- To be treated with courtesy and respect by all student personnel.
- To have access to their children's cumulative records, written work, and portfolios, to be able to request the removal or correction of any inaccurate, misleading, incomplete information, and to be able to request the names and addresses of outside recipients of information about their children.
- To be provided information about programs for exceptional students, if applicable, and to participate in decisions regarding the placements of their children with disabilities or disabling conditions.
- To have classroom discipline maintained, and to be informed of any documented disciplinary steps taken that affect their children.
- To receive prompt and appropriate communications about their children.
- To be able to participate in groups that deal with school policy, program development, evaluation, and dissemination of information.

### **Students can expect:**

- To be free from discrimination at school based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age (except as authorized by law), religion, ancestry, genetic information, or any other basis in federal law, state statute, and/or Board Policy.
- To have an opportunity to receive the education to which they are entitled.
- To have equal access to the educational program.
- To consideration for the degree of responsibility they possess, as well as their varying needs for the continuing guidance and control of those responsible for their education.
- To exercise the rights of freedom of speech, expression (including symbolic expression), and association, as appropriate for the school environment.
- To exercise the right to freedom of the press, except where the material in publications is libelous, slanderous, obscene, or prejudicial.
- To be free from unreasonable search and seizure of their persons and property and to a reasonable degree of privacy.
- To be free from cruel and unusual punishment.
- To be able to organize a student government, to conduct meetings, to elect officers and representatives, and to petition the Board.
- To be afforded appropriate due process in disciplinary matters, including additional considerations under federal law, state statute, and/or Board Policy for students with disabilities or disabling conditions.
- To exercise the option of assuming authority over those school matters previously handled by their parents/guardians at the age of majority.

## **ESTABLISHING CODE VIOLATIONS**

Depending on the nature of the Code violation involved, a student may be subject to any the following procedures when a Code violation is first alleged:

### **REMOVAL FROM THE CLASSROOM**

Teachers have the authority to remove students from their classrooms, whether to the office for

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disciplinary referrals or in a manner consistent with the Student Guide. Teachers will not remove students from their classrooms directly to In-School Suspension for disciplinary purposes.

Exclusionary discipline will be used as little as possible.

### OFFICE REFERRALS

Disciplinary referrals will be made to the Principal or his/her designee by teachers and other student personnel whenever:

- Prior actions taken by student personnel to resolve a Code violation failed to correct the inappropriate or unacceptable behavior(s) involved; or
- The Code violation is serious enough to require immediate action.

If a teacher finds it necessary to send a student from a classroom to the office for a disciplinary referral:

- The referring teacher will complete and submit a referral form;
- The student is to report to the school office immediately; and
- The Principal or his/her designee will take appropriate action to resolve the disciplinary referral.

### ELECTRONIC RECORDKEEPING SYSTEM

The District uses an electronic recordkeeping system ("Infinite Campus" or "IC") to enter and maintain discipline referrals and issued sanctions. All discipline referrals must be entered into Infinite Campus and must include the following:

- First name, last name, identification number, race and Hispanic/non-Hispanic, sex, disability status (including special education status), Limited English Proficiency status, grade level, school.
- Time and date of the referral, detailed narrative description of the incident, staff ID of referrer, location of incident (e.g. classroom, bus, hallway, lunch, after-school activity, sporting event), staff-recommended resolution, staff member who assigned the penalty/sanction (by staff ID), misconduct for which discipline was imposed, resolution (e.g., conference with student/family, conflict mediation, use of restorative practices, or other alternative techniques, teacher Detention, administrator Detention, In-School Suspension, Out-of-School Suspension, Expulsion, referral and/or notification to law enforcement, Alternative Education Program), resolution start date, and number of days of resolution.
- The number of total referrals, including the current referral, for the student during that school year.
- A list of any actions taken in the classroom prior to making a referral.
- The name and identification number of any student or staff witness.
- The names and identification numbers of any other students involved in the incident.
- Whether the student was arrested or otherwise sanctioned by law enforcement.

Records of a student's misconduct as well as disciplinary actions, suspensions, and expulsions, will be made a part of his or her permanent record until the student leaves the school. Such record(s) are to be released only in accordance with Board Policy 8330.

### REASONABLE FORCE

Under state law, designated student personnel may, within the scope of their employment, use and apply such amount of force as is reasonable and necessary to quell disturbances threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon students or within their control: 1) For the purpose of self-defense; or 2) For the protection of persons or property.

### RESTRAINT AND SECLUSION

Under state law, trained school personnel determined by the Superintendent are permitted to use restraint and/or seclusion with a student:

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- When there is immediate risk of physical harm to the student and/or others;
- When there is no other safe and effective intervention possible; and
- When the restraint and/or seclusion is used in a manner that is age and developmentally appropriate and protects the safety of all children and adults at school.

Whenever possible, student personnel shall work to prevent the need for the use of restraint and/or seclusion. PBIS emphasizes prevention of student behavior problems through the use of non-aversive techniques, which should greatly reduce, if not eliminate, the need to use these practices.

When these actions are necessary, they will be performed, documented, and reported to parents/guardians in accordance with the standards of the state board as outlined in Board Policy 5630.01. For additional information, please visit the District website.

### **EMERGENCY REMOVAL**

If a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process taking place either in a classroom or elsewhere on school premises, the Superintendent, Principal, or assistant principal may remove the student from the school premises. A teacher may remove the student from curricular activities under the teacher's supervision, but not from the premises [ORC §3313.66(C); Board Policy 5610.03 and related administrative guidelines]. A student whose conduct warrants Emergency Removal shall be dealt with in accordance with the rights and procedures outlined in Board Policy 5610.03.

### **VERIFYING CODE VIOLATIONS**

Depending on the nature of the Code violation involved, school personnel may use any the following procedures to determine whether or not a student has violated the Code:

### **ELECTRONIC SURVEILLANCE**

In order to promote security, to protect the health, welfare, and safety of students, staff, and visitors, and to protect Board property, the Board authorizes the use of video surveillance and/or electronic monitoring equipment on school property, and in school buildings, and school buses.

Information obtained through video surveillance and/or electronic monitoring may be used to identify intruders, persons breaking the law, and/or persons violating Board Policy and/or Code, and may be used as evidence in disciplinary actions and/or criminal proceedings. Any such recordings involving students may become a part of their education records, and will be treated as confidential materials under federal and state privacy laws.

The parent(s)/guardians(s) of a student charged with disciplinary violations (or a student so charged who is eighteen (18) years of age or older) may view relevant portions of any such recordings related to any charges, provided that such viewing does not violate the privacy rights of any other students whose images may appear on the recordings. For the related viewing procedure, see Board Policy 7440.01.

### **SEARCHES OF SCHOOL PROPERTY**

The Board acknowledges the need for in-school storage of the possessions of students, and provides storage places, including desks and lockers, for that purpose. Such spaces remain the property of the Board, and, in accordance with state law, may be the subject of random search.

Where locks are provided for such places, students may lock them against incursion by other students. However, students and parent(s)/guardians(s) have no expectation of privacy that would prevent the examination of these places by a school official, and the Principal will conduct a routine inspection of all such storage places on at least an annual basis.

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## **SEARCHES OF STUDENTS OR THEIR PERSONAL PROPERTY**

The Board recognizes that the privacy of students or their belongings (including, but not limited to, automobiles, backpacks, handbags, outer clothing, pockets, mobile devices, digital media, and the like) may not be violated by unreasonable search and seizure. A student will not be searched without reasonable suspicion, nor will a student be searched in an unreasonable manner; however, such a search may be conducted with or without the consent of the student, either on school grounds or off school grounds, if a school official reasonably suspects that a search is required to discover evidence of a law violation or a violation of school rules.

The school official responsible for the search must be able to articulate the nature of the reasonable suspicion.

## **SEARCHES FACILITATED BY K-9 UNITS**

K-9 units may be used by law enforcement to locate contraband (illegal items) on property owned, leased, or controlled by the Board upon reasonable suspicion by the Superintendent that illegal drugs or devices may be present in a school. Such searches may not be used to search an individual student, unless a warrant is obtained prior to the search.

## **SEARCHES FACILITATED BY SCREENING DEVICES**

Students may also be subject to screening using either fixed or handheld electronic detection devices. If and when such equipment is in use, students will place their personal property on the tables set up nearby for screening.

An affirmative signal from such a device will serve as reasonable suspicion for a more intrusive search, and law enforcement will be notified if prohibited items (e.g., weapons or drugs) are found.

## **RESOLVING CODE VIOLATIONS**

Factors that school personnel will consider the following when selecting or recommending action to address a Code violation include, but are not limited to, the following:

## **PROGRESSION-BASED RESOLUTIONS FOR CODE VIOLATIONS**

The Student Code of Conduct is progression-based. The District has placed an emphasis on PBIS, as indicated in the introduction to this Student Guide and the District Behavior Management Plan (see [Appendix 1](#)).

Administrators will address student misconduct with disciplinary actions commensurate with the level and number of the offenses. It will begin with positive responses, communication, conflict-resolution, and getting the families involved early on.

Exclusionary discipline will be used as little as possible.

## **STUDENTS WITH DISABILITIES OR DISABLING CONDITIONS**

Frequently, students with disabilities or disabling conditions have conduct issues that may be related to those disabilities or disabling conditions. Special consideration may be required when a student with a disability or disabling condition is subject to any disciplinary action that may constitute a change of placement.

The Board shall abide by federal law and state statute when disciplining students with disabilities or disabling conditions through removal by Suspension, Expulsion, or Permanent Exclusion.



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## CODE VIOLATIONS

### **DEFINITIONS AND EXAMPLES**

Definitions and examples of Code violations within the District are listed below. Law violations are included not to create the elements of a crime, but rather to indicate the nature of the action(s) or behavior(s) that may be involved.

CLASS 1 VIOLATIONS
<p><b>Disruption (Minor):</b> This term means any brief or of low intensity interruption of a class or activity.</p> <p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>Talking at inappropriate times during a lesson or activity (e.g., talking while a teacher is talking, engaging in a side conversation with other students, or calling out to others without permission).</li> <li>Distracting others while they are working (e.g., “fidgeting” with other students or their belongings).</li> <li>Failing to work, or remain working, on classwork (e.g., reading a newspaper during an assignment, doing homework from another class, or distracting other students who are working).</li> <li>Engaging in any other “off-task” disruption (e.g., being out of one’s seat).</li> </ul>
<p><b>Dress Code Violation:</b> This term means clothing or grooming that: 1) Presents a hazard to the health or safety of the student or to others in the school; 2) Interferes with school work, creates disorder, or disrupts the educational program; 3) Causes excessive wear or damage to school property; or 4) Prevents a student from achieving his or her own educational objectives.</p> <p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>Clothing that is overly revealing, suggestive, obscene, or lewd (e.g., halter tops, “bare midriff” tops, “spaghetti-strapped” tops, low-cut or “cut-out” blouses, tube tops, tank tops, clothing with holes, or otherwise revealing clothing; skirts or shorts less than two (2) inches below the fingertips with arms held parallel to the body; shirts that do not meet or fall below the pants waistband; translucent or “see-through” clothing; tight clothing or that which reveals underwear; underwear worn as outerwear; or clothing which does not cover “hickeys”).</li> <li>Items that reference activity that is either illegal or prohibited for students (e.g., clothing promoting a drug, alcohol, or tobacco).</li> <li>Clothing that contains messages considered offensive by community standards (e.g., any item containing violent, sexual, or offensive pictures, emblems, words, phrases, slogans, pictures, diagrams, drawings, or symbols).</li> <li>Items associated with a criminal gang, youth gang, or other illegal or prohibited group that reasonably reference, demonstrate support for, symbolize, or suggest gang involvement (e.g., “colors”, sagging pants, bandanas, headbands, caps, hoods, head wraps, or hair nets).</li> <li>Clothing that may present a security risk (e.g., oversized outerwear, heavy coats at inappropriate times, or “fanny packs”)</li> <li>Items that may block vision or otherwise conceal the condition or identity of the student (e.g., “hoodies” or sunglasses indoors).</li> <li>Clothing that may restrict movement or otherwise pose a safety risk (e.g., “heelies” or “wheelies” instead of required footwear, heavy chains, or chain belts).</li> <li>Items containing messages of bias (e.g., language advocating or demonstrating approval of discrimination due to race, creed, color, national origin, religion, sex, sexual orientation, disability, or any other basis in federal law, state statute, or Board Policy.</li> <li>Items with heavy black soles (e.g., work boots) or sharp decorations (e.g., rhinestones).</li> </ul>
<p><b>Inappropriate Display of Affection:</b> This term means any inappropriate (as defined by the school), consensual and/or welcomed gestures, written communication, verbal messages, or physical contact</p>

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with others that: 1) Is beyond casual contact; or 2) Has the potential to create a disturbance of the setting or school.
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Sending affectionate notes to someone or using romantic words with him or her in view of others.</li> <li>• Making intimate contact with someone with others nearby (e.g., hand holding; prolonged touching or hugging; massaging; sitting on someone's lap; kissing; or giving "hickey").</li> <li>• Dancing in a sexually suggestive manner (e.g., "grinding", "freaking", or "twerking").</li> </ul>
<p><b>Insubordination (Minor); Defiance or Non-Compliance:</b> This term means any brief or of low intensity: 1) Failure or refusal to follow directions; or 2) Talking back to an adult.</p> <p><b>Insubordination (Minor); Disrespect:</b> This term means delivering a brief or of low intensity socially rude or dismissive message to an adult.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Refusing to follow school rules, bus rules, or classroom rules after being requested to comply.</li> <li>• Continuing to question the need to participate in a lesson or activity after being requested to stop.</li> <li>• Refusing to sit (or remain sitting) in an assigned seat.</li> <li>• Refusing to stop a disruptive behavior when requested.</li> <li>• Ignoring a directive to complete an assignment as instructed.</li> <li>• Communicating with a staff member as if he or she was a peer.</li> <li>• Mocking or mimicking (i.e., repeating his or her words for no reason) a staff member.</li> </ul>
<p><b>Nuisance Item; Personal Technology Misuse:</b> This term means leaving on, turning on, or using any personally owned technology device that emits an audible signal, vibrates, displays a message, or sends/receives communication: 1) During a restricted time; or 2) In a way that disrupts the setting.</p> <p><b>Nuisance Item; Other:</b> This term means bringing any other item to school that has the potential for disrupting the setting.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Using a PCD or having it powered "on" (ready to receive, send, capture, or record any communication, visual image, sound, text message, or other information) without permission of the supervising teacher, an administrator, or IEP team.</li> <li>• Possessing a prohibited electronic device on school property or at any school-sponsored activity without permission of the Principal.</li> <li>• Using an electronic device in a manner that distracts others or disrupts the educational process.</li> <li>• Bringing a valuable, sentimental, or non-replaceable personal item to school without permission of a staff member.</li> </ul>
<p><b>Out of Assigned or Designated Area; Tardy to School:</b> This term means being late for the beginning of school without valid reason.</p> <p><b>Out of Assigned or Designated Area; Tardy to Class:</b> This term means not being in homeroom or class when the late bell rings.</p> <p><b>Out of Assigned or Designated Area; Other:</b> This term means being on campus, but: 1) Away from the assigned area, class, or activity; or 2) Moving into a prohibited area.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Arriving late to a class or activity already in session.</li> <li>• Arriving back to class late after an out-of-class activity.</li> </ul>



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- Failing to have an appropriate pass when required.
- Being in a place that is “off limits” (or other room or area) without staff permission.
- Moving from a classroom, playground, or lunchroom to another area at an inappropriate time or without staff permission.
- Being on campus, but failing to arrive at an assigned class, program, or activity without staff permission.
- Failing to arrive at the location on a pass (e.g., the main office or a counselor’s office).

## CLASS 2 VIOLATIONS

**Dishonesty (Minor); Alteration of Document:** This term means tampering with, altering, or destroying an unofficial document in a matter of interest to the school only.

**Dishonesty (Minor); Cheating or Plagiarism:** This term means knowingly using or copying the academic work of another and presenting it as one’s own.

**Dishonesty (Minor); Defamation:** This term means making or publishing a provably false statement that injures the reputation of an individual or a public official in the community.

**Dishonesty (Minor); False Reporting:** This term means knowingly: 1) Providing false information to a school personnel; or 2) Tampering with, altering, or destroying an unofficial document, note, or signature.

**Dishonesty (Minor); Failing to Report:** This term means knowingly withholding information about an unofficial matter from school personnel.

**Dishonesty (Minor); Lying:** This term means knowingly: 1) Making an untrue unofficial statement with intent to deceive; or 2) Creating a false or misleading impression.

Examples include, but are not limited to, the following:

- Engaging in any type of academic dishonesty (e.g., using a PCD or electronic device to capture, record, transmit, and/or receive test items, answers, or other secured information; copying the classwork or homework of other students; or requesting, offering, giving, or receiving prohibited information during a quiz).
- Engaging in plagiarism (e.g., presenting the labor, language, structure or concepts of others as one’s own original work without proper citation; using source materials without proper citation; or obtaining unauthorized and undocumented material from the Internet and including it in a class assignment).
- Using education technology in a dishonest manner (e.g., posting false or defamatory information about a person or organization, or “spoofing” a website).
- Failing to make an unofficial report (e.g., neglecting to make school personnel aware of a Code violation by another student).
- Making a false unofficial report (e.g., failing to be truthful when questioned by staff; making a false accusation of non-criminal activity; or giving another student’s name when identifying oneself).
- Tampering with an unofficial document (e.g., signing a parent’s name on a note or progress report; signing a teacher’s name on an eligibility report; or changing the expiration time of a hall pass).

**Disregard for Safety:** This term means engaging in any action or behavior that has the potential to harm or injure the student or others, but does not result in any actual harm or injury.

Examples include, but are not limited to, the following:

- Initiating a prank (e.g., pushing or tripping).
- Leaving an external door propped open during school hours.
- Crossing streets or high traffic areas in an unsafe manner or in non-designated locations.

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<ul style="list-style-type: none"> <li>Failing to wear safety equipment (e.g., goggles, splash shields, masks, or gloves) when required.</li> <li>Neglecting to wear a school-issued ID badge, if required.</li> </ul>
<p><b>Disruption (Major):</b> This term means any ongoing or high-intensity interruption of a class or activity.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>Communicating inappropriately (e.g., engaging in sustained loud talk, yelling or screaming; or making inappropriate noises either verbally or with materials).</li> <li>Being involved in other “off-task” disruptions (e.g., engaging in sustained out of seat behavior).</li> <li>Wrestling, running in high traffic areas, or engaging in “horseplay” or “roughhousing.”</li> </ul>
<p><b>Hostile Environment (Minor); Aggressive Behavior:</b> This term means any inappropriate conduct that is repeated or serious enough to negatively impact a student's educational, physical, or emotional well-being that involves some form of intimidation or harassment.</p>
<p><b>Hostile Environment (Minor); “Cyber-Bullying”:</b> This term means any electronic act meeting the definition of harassment, intimidation, or bullying below involving the use of information and communication technologies to support deliberate, repeated, and hostile behavior by an individual or group, that is intended to harm others.</p>
<p><b>Hostile Environment (Minor); “Cyber-Stalking”:</b> This term means any electronic act that meets the definition of “Stalking” below.</p>
<p><b>Hostile Environment (Minor); Harassment, Intimidation, or Bullying:</b> This term means any intentional verbal, written, graphic, electronic, or physical act that a student (or group of students) exhibits toward another student (or students) more than once that: 1) Causes mental or physical harm to the other student(s); and 2) Is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s).</p>
<p><b>Hostile Environment (Minor); Stalking:</b> This term means intentionally and repeatedly following a person: 1) For the purpose of intimidation or harassment; 2) For the purpose of causing emotional distress; or 3) For no legitimate purpose at all.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>Prohibited verbal, written, or non-verbal conduct, such as: <ul style="list-style-type: none"> <li>Using words and/or gestures to ridicule, humiliate, taunt, or intimidate another student.</li> <li>Excluding a student from a peer group or spreading rumors about him or her.</li> <li>Calling another student names, cruelly teasing him or her, taunting him or her, or socially excluding him or her.</li> <li>Threatening to strike, shove, kick, or otherwise subject a person to physical contact.</li> <li>Using abusive or demeaning words or language to verbally attack a person, to get him or her to believe an untrue statement, or to speak falsely about him or her.</li> <li>Abusing, intimidating, or threatening another student.</li> <li>Sending disrespectful messages on social media or by text.</li> <li>Making ominous (vaguely threatening) statements or comments that have some meaning to the person receiving them.</li> <li>Drawing pictures, writing notes, or making gestures that send a meaning of harm known to the person receiving them (e.g., making a fist or a slashing motion across the throat).</li> </ul> </li> <li>Prohibited electronic acts, such as: <ul style="list-style-type: none"> <li>Using a PCD or education technology to create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed, or intimidated.</li> <li>Posting slurs, rumors, disparaging remarks, or gossip about students or teachers on</li> </ul> </li> </ul>

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<p>social media.</p> <ul style="list-style-type: none"> <li>Using a PCD, an electronic device, or education technology to misrepresent others (e.g., taking, posting, or otherwise distributing embarrassing, misleading, or fake photos or recordings of students or teachers on social media).</li> <li>Sending email or instant messages that are mean, threatening, or so numerous as to drive up the recipient's cell phone bill.</li> <li>Sending abusive or threatening instant messages.</li> <li>Using social media to circulate gossip and/or rumors.</li> <li>Excluding others from an on-line group by falsely reporting them for inappropriate language to an Internet Service Provider (ISP).</li> </ul> <ul style="list-style-type: none"> <li>Prohibited physical conduct, such as: <ul style="list-style-type: none"> <li>Pushing, pulling, punching near, or striking near a person in a way that: 1) Creates a climate of abuse; 2) Causes injury (psychological or physical); or 3) Conveys violent intent.</li> <li>Attempting to draw someone into a fight (e.g., <u>non-mutual</u> pushing, grabbing, touching, taunting, slapping, or pulling someone's hair).</li> <li>Demonstrating power (e.g., shoving a person against a wall, cornering or blocking movements, or invading personal space).</li> <li>Acting in a way that arouses a reasonable fear violence may follow (e.g., drawing back a hand or fist to make a person believe he or she is about to be slapped or punched; or swinging a hand toward someone to cause him or her to flinch, duck, or raise hands for protection).</li> <li>Acting in a way that is violent and/or unpredictable near another person (e.g., picking up a chair and throwing it across a room).</li> </ul> </li> </ul>
<p><b>Insubordination (Major); Defiance or Non-Compliance:</b> This term means engaging in an ongoing or high-intensity: 1) Failure or refusal to follow directions; 2) Talking back to an adult.</p> <p><b>Insult (Major); Disrespect:</b> This term means delivering an ongoing or high-intensity socially rude or dismissive message to an adult.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>Confronting, resisting, or challenging staff authority in a verbal, symbolic, or physical manner.</li> <li>Refusing to identify oneself or to display a school-issued ID when requested.</li> <li>Actively refusing to complete an assignment.</li> <li>Failing to go to class or return to class when told to do so.</li> <li>Refusing, or failing to report for, an assigned intervention or consequence (e.g., missing a detention after being made aware of its date and time).</li> <li>Using disrespectful (but non-discriminatory/non-threatening) language (e.g., using words reasonably perceived by the recipient or a bystander as inappropriate or disrespectful; or using combative speech with student personnel).</li> </ul>
<p><b>Non-Controlled Substance Policy Violation:</b> This term means the possession or use of <u>any</u> Over-the-Counter ("OTC") medication or non-controlled prescription in a manner that violates school rules.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>Possessing or using an OTC medication, such as a pain reliever (e.g., Tylenol®), antihistamine (e.g., Benadryl®), laxative (e.g., Ex-Lax®), or decongestant (e.g., Afrin®).</li> <li>Possessing or using a non-controlled prescription item (e.g., an antibiotic or other ointment).</li> </ul>
<p><b>Offensive Speech; Inappropriate Language:</b> This term means using words, gestures, or writing that is/are inappropriate in school.</p>

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**Offensive Speech; Gang Affiliation or Display:** This term means using speech or gestures that are consistent with affiliation or advertisement of a criminal gang or youth gang.

**NOTE:** These Code violations do not include discriminatory, harassing, or threatening actions(s) or behavior(s).

Examples include, but are not limited to, the following:

- Using offensive words (e.g., profane, vulgar, rude, inflammatory, abusive, or disrespectful language with another person).
- Making vulgar gestures (e.g., making hand signs with offensive meanings or flashing gang signals).
- Delivering inappropriate messages in notes, drawings, letters, notebook graffiti, emails, text messages, webpages, blog entries, or newspaper editorials).
- Delivering offensive communications through education technology).

**Technology Policy Violation:** This term means failure to use education technology for its intended educational use as described in the Board *Student Education Technology Acceptable Use and Safety Agreement* (SETAUSA).

Examples include, but are not limited to, the following:

- Using a PCD to access and/or view websites blocked to students on education technology.
- Using a PCD or electronic device on school property or at a school-sponsored activity without the permission of the Principal.
- Using either a PCD or electronic device (during the school day on school property, or at a school-sponsored activity) or education technology to capture, record, transmit, and/or receive the words, sounds, and/or images (i.e., audio, pictures, and/or video) of oneself or any student, staff member, or other person: 1) Without the permission of an administrator, teacher, or IEP team; and/or 2) Without the proper consent of the person.
- Blocking, moving, or altering the location or viewing angle of a school surveillance video camera.
- Failing to perform a required activity on education technology, such as:
  - Deleting email on a regular basis.
  - Scanning downloads for viruses.
  - Neglecting to log off or lock a device when it is left unattended.
- Neglecting to fulfill a condition for using education technology, such as:
  - Accessing real-time electronic communication (e.g., chat or instant messaging) either without supervision or outside of a moderated environment.
  - Accessing limited access material (e.g., electronic commerce, games, jokes, recreation, entertainment, sports, or investments) without permission.
  - Accessing restricted access material (i.e., content available only to high school students) without letting a teacher or the Principal know immediately.
  - Downloading information onto school-owned equipment or into online services without prior approval from the teacher.
  - Using a personal email address to access real-time electronic communications for education purposes.
  - Loading software on the network without authorization.
  - Seeking out network security problems without authorization.
  - Joining a Listserv (i.e., an electronic mailing list) without prior approval from the teacher or Principal.
- Performing prohibited activities on education technology, such as:
  - Accessing social media for personal use.
  - Accessing prohibited material that promotes violence.

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<ul style="list-style-type: none"> <li>○ Using someone else's account information (e.g., username or password), or allowing someone else to use one's own account information.</li> <li>○ Disclosing personally identifiable information on the Internet (e.g., revealing names, addresses, phone numbers, or passwords on a commercial website).</li> <li>○ Failing to immediately notify teachers, principals, or staff when security problems are identified.</li> <li>○ Developing programs that harass other users, infiltrate the network, or damage software.</li> <li>○ Posting personal messages on bulletin Boards or Listservs.</li> <li>○ Creating a conflict of interest for the school (e.g., unapproved advertising, commercial use, or political lobbying).</li> <li>○ Using education technology as a fileshare service.</li> </ul>
<p><b>Tobacco Policy Violation:</b> This term means possessing, consuming, purchasing, attempting to purchase, and/or using tobacco: 1) On Board premises; 2) In Board-owned vehicles; 3) Within any indoor facility owned, leased, contracted for, and/or used to provide education or library services to children by the Board; or 4) At any Board-sponsored event.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>● Possessing or using tobacco or a tobacco substitute, including smoked forms of tobacco (e.g., cigarettes, cigars, or pipe tobacco) or "smokeless" forms of tobacco (e.g., chewing tobacco, "snuff", betel nut, or any other matter or substances containing tobacco).</li> <li>● Possessing or using substitutes for tobacco, including vapor products (e.g., electronic cigarettes or "e-cigarettes"), other substitute forms of cigarettes, clove cigarettes, or other lighted smoking devices for burning tobacco or any other substance.</li> <li>● Possessing related paraphernalia (e.g., rolling papers or pipes).</li> </ul>
<p><b>Transportation Policy Violation; Bus Disturbance:</b> This term means any action or behavior that: 1) May create a safety problem on a school bus or other Board transportation; or 2) May otherwise violate the Board's transportation policies.</p>
<p><b>Transportation Policy Violation; Other:</b> This term means any action or behavior that violates a Board Policy or school rules relating to the transportation of students.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>● Acting in a way that interferes with, or might interfere with, the safe operation of a school bus (e.g., talking loudly, yelling, screaming, making noise with materials, being out of one's seat).</li> <li>● Being careless with property, neglecting to observe safety rules, or failing to display courtesy and consideration toward others while operating a bicycle on campus.</li> <li>● Parking an automobile or other motorized vehicle on school property during the school day without prior approval of a building administrator.</li> <li>● Going to an automobile or other motorized vehicle during the school day.</li> <li>● Using a cell phone while operating a Board-owned motorized utility vehicle (e.g., a golf cart).</li> <li>● Driving to a field trip or other school-sponsored trip without prior approval.</li> <li>● Using a prohibited vehicle or method of transportation (e.g., a moped, skateboard, roller blades, or "roller shoes") on campus without permission of the Principal.</li> <li>● Operating a motor vehicle in an unsafe manner.</li> <li>● Exceeding campus or school zone speed limits.</li> <li>● Blocking a bus or car "drop off" lanes at a school.</li> <li>● Parking a bicycle, moped, or car, where applicable, in a non-designated area or without a valid operator's license or permit.</li> </ul>
<p><b>Unexcused Absence; Habitually Absent:</b> This term means absence without legitimate excuse during a semester or term for either: 1) Ten (10) school days consecutively; or 2) Fifteen (15) school days in total.</p>

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**Unexcused Absence; Truancy:** This term means absence without excuse from one's assigned location.

**Unexcused Absence; Habitually Truant:** This term means absence without legitimate excuse for five (5) school days consecutively, seven (7) school days or more in a month, or twelve (12) school days in the school year.

**Unexcused Absence; Chronically Truant:** This term means absence without legitimate excuse for seven (7) school days or more consecutively, ten (10) school days or more in a month, or fifteen (15) school days in the school year.

Examples include, but are not limited to, the following:

- Being absent without legitimate excuse (e.g., "sleeping late") or for no reason (e.g., "ditching").
- Leaving campus after arriving, but before being reported as present.
- Leaving and returning to campus without administrative permission (e.g., leaving campus during a passing period or recess, missing an entire class or activity, or leaving campus for lunch).
- Leaving campus early without administrative permission or without following the proper checkout procedure. (e.g., leaving at lunch for the day or leaving before the end of the school day).

## CLASS 3 VIOLATIONS

**Dishonesty (Major); Defamation:** This term means making or publishing a provably false statement that injures the reputation of an individual or a public official in the community that rises to the level of slander or libel.

**Dishonesty (Major); Failing to Report:** This term means concealing, or not disclosing, knowledge of a crime or other incident to the proper authorities when required to do so under federal law, state statute, and/or Board Policy.

**Dishonesty (Major); False Report:** This term means: 1) Making a report or intentionally causing the transmission of a report to law enforcement of a crime or other incident knowing that it did not occur; or 2) Furnishing information to law enforcement relating to an offense or other incident, knowing that such information is false.

**Dishonesty (Major); Forgery:** This term means: 1) To fabricate or create, in whole or in part and by any means, any writing that is not genuine or authentic; or 2) To make, execute, alter, complete, reproduce, or otherwise purport to be authentic any writing, when the writing, in fact, is not authentic.

**Dishonesty (Major); Bribery:** This term means promising, offering, or giving, with purpose to corrupt or improperly influence him or her, any valuable thing or valuable benefit to a public servant with respect to the discharge of his or her official duties.

Examples include, but are not limited to, the following:

- Reporting an alleged crime that did not actually occur (e.g., making a false accusation; or being dishonest when questioned by police).
- Failing to make an official report (e.g., neglecting to make staff aware of a criminal Code violation).
- Making or altering an official instrument (e.g., creating or using a false ID; or signing a parent's signature on a check).
- Using a PCD, electronic device, or education technology to capture, record, transmit, and/or receive any information in a manner constituting fraud.
- Using education technology to engage in software pirating or intellectual property violations, or using any other means to violate a copyright (e.g., disseminating, distributing, copying, printing or creating derivatives of the registered intellectual property of others works without permission).
- Using education technology to knowingly or recklessly post false or defamatory information about a



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<p>person or organization.</p> <ul style="list-style-type: none"> <li>• Using education technology to seek information on other users or to modify their files, data, or passwords (e.g., possessing or installing an eavesdropping device or keylogger).</li> <li>• Tampering with an official document (e.g., changing an attendance sheet; or altering/deleting a grade or transcript).</li> <li>• Interfering with official proceedings (e.g., concealing evidence, tampering with a witness or otherwise interfering with an investigation; or attempting to bribe student personnel).</li> </ul>
<p><b>Disturbance of School; Disorderly Conduct:</b> This term means recklessly causing inconvenience, annoyance, or alarm to another by doing any of the following: 1) Engaging in fighting, threatening harm to persons or property, or violent or turbulent behavior; 2) Making unreasonable noise or an offensively coarse utterance, gesture, display, or communicating unwarranted and grossly abusive language to any person; 3) Insulting, taunting, or challenging another, under circumstances likely to provoke a violent response; 4) Hindering or preventing the movement of persons on a public street, road, highway, or right-of-way, or to, from, within, or upon public or private property, so as to interfere with the rights of others, and by any act that serves no lawful and reasonable purpose of the offender; or 5) Creating a condition that is physically offensive to persons or that presents a risk of physical harm to persons or property, by any act that serves no lawful and reasonable purpose of the offender.</p>
<p><b>Disturbance of School; Failure to Disperse:</b> This term means failing to obey the order of a law enforcement officer to move, disperse, or refrain from specified activities in the immediate vicinity of an unlawful disturbance.</p>
<p><b>Disturbance of School; False Emergency Alarm:</b> This term means knowingly causing a false alarm of fire or other emergency to be transmitted to or within any organization, public or private, for dealing with emergencies involving a risk of physical harm to persons or property.</p>
<p><b>Disturbance of School; Riot:</b> This term means participating with four (4) others or more in a course of disorderly conduct with purpose to: 1) Commit or facilitate the commission of a misdemeanor (other than disorderly conduct); 2) Intimidate a public official or employee into taking or refraining from official action; 3) Hinder, impede, or obstruct a government function or the orderly process of administration or instruction at school; or 4) Interfere with or disrupt lawful activities carried on at school.</p>
<p><b>Disturbance of School; School Disorder:</b> This term means any deliberate activity by an individual or a group, whether peaceful or violent, which interferes with the normal operation of the schools.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Starting or participating in a brawl or melee (e.g., an altercation between multiple students or any other act involving imminent or actual physical violence in which two or more sides have contributed to the altercation either verbally or physically, regardless of who initiated the incident).</li> <li>• Participating in a disruptive event (e.g., running the hallways and kicking doors, organized chants, walk-outs, "ditch days", sit-downs, or picketing).</li> <li>• Advising, counseling, or inciting others to create or contribute to an event that disrupts the school.</li> <li>• Failing to disperse from a crowd after being requested to do so by student personnel.</li> <li>• Reporting a false threat (e.g., pulling a fire alarm when there is no fire).</li> <li>• Engaging in any other conduct that interferes with the operations of a school or law enforcement.</li> <li>• Obstructing or interfering with a Board meeting.</li> <li>• Using an electronic device in a manner that disrupts the school environment.</li> <li>• Representing, recruiting, or conducting unlawful activities in the name of, or on behalf of: 1) A criminal gang; and/or 2) A youth gang.</li> </ul>
<p><b>Endangering Others; Hazing:</b> This term means: 1) Doing any act or coercing another (including a victim) to do any act of initiation into any student organization (or other organization) that causes or creates a substantial risk of mental or physical harm to any person; or 2) Recklessly participating in</p>

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such an activity.
<b>Endangering Others; Reckless Behavior:</b> This term means deliberately or carelessly acting or behaving in any manner that endangers the safety of others.
Examples include, but are not limited to, the following: <ul style="list-style-type: none"> <li>• Causing an unsafe environment while using a PCD (e.g., driving on campus while texting).</li> <li>• Engaging in “joyriding” or “horseplay” while operating a Board-owned motorized utility vehicle (e.g., a golf cart or similar low-speed vehicle) or a personal vehicle.</li> <li>• Creating a hazard situation with equipment (e.g., Bunsen burners, glassware, or paint solvents).</li> <li>• Bringing dangerous animals onto campus.</li> <li>• Chasing another student with a dangerous object (e.g., scissors) with no intent to injure him or her.</li> <li>• Planning, encouraging, engaging, or participating in an initiation into a class, team, or organization (e.g., a secret society, club, or gang), regardless of whether or not the victim(s) permitted, consented to, or assumed the risk of doing so.</li> </ul>
<b>Fighting; Pre-Fighting:</b> This term means engaging in mutually aggressive verbal and/or physical actions involving some form of contact where a fight may, or is likely, to occur.
<b>Fighting; Mutual Combat:</b> This term means engaging in mutually aggressive physical actions involving some form of contact where injury to self or others may, or is likely, to occur.
<b>NOTE:</b> Students have a right to self-defense, as determined by the administration. In no case shall substantially different disciplinary actions result when multiple students are determined by the administration to be the aggressors.
Examples include, but are not limited to, the following: <ul style="list-style-type: none"> <li>• Attempting to start a fight (e.g., <u>mutual</u> pushing, grabbing, touching, slapping, or pulling hair).</li> <li>• Engaging in any physical contact with at least one (1) or more students involving scratching, kicking, pulling of hair, wrestling for leverage, or the use of fists.</li> <li>• Participating in “fight clubs” or “ten second fights.”</li> </ul>
<b>Gambling:</b> This term means risking or giving something of value for the opportunity to obtain a benefit from: 1) A game, activity, event, or simulation based on chance or skill; or 2) A future event which may or may not occur.
<b>NOTE:</b> This Code violation does not include school-sanctioned activities of chance.
Examples include, but are not limited to, the following: <ul style="list-style-type: none"> <li>• Organizing or engaging in any game with cards, dice, or other implements or devices of any kind that requires a risk of money or property for the possibility of gain.</li> <li>• Accessing gaming sites (e.g., web-based poker tournaments).</li> <li>• Placing a wager on a non-participatory event (e.g., professional or college level sporting events or scoring pools).</li> <li>• Acting as a sports book (e.g., holding the bets of all participants until an event is over before paying winners or keeping score for later settlement).</li> </ul>
<b>Hostile Environment (Major); Harassment, Intimidation, or Bullying:</b> This term means any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, that is severe or pervasive enough to: 1) Create an intimidating, hostile, or offensive educational (or work) environment; 2) Cause discomfort or humiliation; or 3) Interfere unreasonably with the person’s school (or work) performance or participation.
<b>Hostile Environment (Major); Sexual Harassment:</b> This term means any act that involves unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature against a student, employee, other person associated with the District, or a third party (of the



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same or opposite gender): 1) When submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment (or status in a class, educational program, or activity); 2) When submission to, or rejection of, such conduct by an individual is used as the basis for educational (or employment) decisions affecting such individual; or 3) When such conduct has the purpose or effect of unreasonably interfering with an individual's educational (or work) performance, of creating an intimidating, hostile, or offensive learning (or work) environment, or of interfering with one's ability to participate in or benefit from a class, educational program, or activity.

**Hostile Environment (Major); Other Unlawful Harassment:** This term means the discriminatory harassment of a student, employee, other person associated with the District, or a third party based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age (except as authorized by law), religion, ancestry, or genetic information when the conduct has the purpose or effect of: 1) Interfering with the person's educational (or work) performance; 2) Creating an intimidating, hostile, or offensive learning (or working) environment; or 3) Interfering with the person's ability to participate in or benefit from a class, educational program, or activity.

Examples include, but are not limited to, the following:

- Prohibited, unwelcome verbal, written, or non-verbal conduct, such as:
  - Making sexually suggestive comments or innuendoes.
  - Telling jokes or stories of a sexual nature.
  - Making sexual propositions, invitations, solicitations, or flirtations.
  - Threatening or insinuating that a person's employment or education may be adversely affected by not submitting to sexual advances.
  - Commenting about a person's body, dress, appearance, or sexual activities.
  - Using sexually degrading language.
  - Invading someone's personal boundaries inappropriately (e.g., remarking or asking about the sexual history or activities of oneself or another person).
  - Causing the placement of offensive sexually suggestive or graphic objects, pictures, images, recordings, commentaries, or literature in the school (or work) environment that may embarrass or offend individuals.
  - Making obscene, offensive, sexually suggestive, or insulting gestures or sounds (e.g., leering, whistling, and the like).
  - Placing offensive objects, pictures, or graphic comments in the school (or work) environment.
  - Making obscene telephone calls.
  - Making offensive innuendoes, comments, jokes, insults, threats, or disparaging remarks about a person's race, color, national origin, disability, age, religious beliefs, or ancestry).
  - Using racial or ethnic slurs, nicknames implying stereotypes, epithets, and/or negative references to racial customs.
  - Making negative comments about customs, manner of speech, language, or surnames.
  - Making negative comments about speech patterns, movement, physical impairments or defects, appearances, or the like.
  - Making insulting or threatening gestures based upon a person's race, color, national origin, disability, age, religious beliefs, or ancestry.
- Prohibited electronic acts, such as:
  - Using a PCD or electronic device to transmit material that is threatening, disruptive, or that can be construed as harassment or disparaging of others based upon race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, or political beliefs.
  - Using education technology to threaten the life or safety of another person or for obscene, lewd, or sexually explicit, or discriminatory communications.

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<ul style="list-style-type: none"> <li>Prohibited, unwelcome physical conduct, such as: <ul style="list-style-type: none"> <li>Invading someone's personal space inappropriately (e.g., attempting, threatening, or causing unwanted physical and/or sexual contact by touching, patting, pinching, or brushing the body).</li> <li>Engaging in any pattern of conduct that has sexual overtones and is intended to create, or have the effect of creating, discomfort and/or humiliation to another person.</li> <li>Intimidating or disparaging actions (e.g., hitting, pushing, shoving, or hissing) based upon the person's race, color, national origin, disability, age, religious beliefs, or ancestry.</li> <li>Engaging in similar conduct within a dating relationship that does not rise to the level of assault or a sexual offense.</li> </ul> </li> </ul>
<p><b>Offensive Conduct; Disseminating Matter Harmful to Juveniles:</b> This term means selling, delivering, furnishing, disseminating, providing, exhibiting, or presenting any material or performance describing or representing nudity, sexual conduct, sexual excitement, or sadomasochistic abuse in any form to which: 1) The material or performance, when considered as a whole, appeals to the prurient interest of juveniles in sex; 2) The material or performance is patently offensive to standards in the adult community as a whole with respect to what is suitable for juveniles; and 3) The material or performance, when considered as a whole, lacks serious literary, artistic, political, or scientific value for juveniles.</p> <p><b>Offensive Conduct; Prostitution:</b> This term means engaging in sexual activity for hire.</p> <p><b>Offensive Conduct; Public Indeceny:</b> This term means knowingly or recklessly exposing the person's private parts, engaging in sexual conduct, masturbation, or conduct that to an ordinary observer would appear to be any of these under circumstances in which the person's conduct is likely to be viewed by and affront others or minors who are in the person's physical proximity.</p> <p><b>Offensive Conduct; Sexting:</b> This term means sending, receiving, sharing, viewing, or possessing pictures, text messages, emails, or other materials of a sexual nature in electronic or any other form.</p> <p><b>Offensive Conduct; Sexual Behavior:</b> This term means engaging in any consensual, non-coerced, non-criminal sexual behavior or acts on school grounds or off school grounds.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>Using a PCD, electronic device, or education technology to download, store, transmit, share, or view pictures, text messages, emails, or recordings of students that are obscene or sexually explicit [Board policies 5136, 5136.01, and related administrative guidelines].</li> <li>Activating or using a PCD at any time in any school situation where a reasonable expectation of personal privacy exists (such as classrooms, gymnasiums, locker rooms, shower facilities, restrooms, or any other area where students or others may change clothes or be in any stage or degree of disrobing).</li> <li>Using a PCD, electronic device, or education technology to download, store, transmit, share, or view prohibited material (e.g., pictures, text messages, emails, or recordings) that is obscene, sexually explicit, or advocates illegal activities [Board policies 5136, 5136.01, and related administrative guidelines].</li> <li>Possessing, exhibiting, transmitting, distributing, or creating pornography in any other form (e.g., bringing erotic content to campus or creating offensive objects in an art class).</li> <li>Exposing oneself, or someone else, to others (e.g., revealing breasts, buttocks or genitals; or "de-pantsing").</li> </ul>
<p><b>Property Damage; Criminal Mischief:</b> This term means, without the privilege to do so, 1) Knowingly moving, defacing, damaging, destroying, or otherwise improperly tampering with the property of another; 2) Purposely interfering with the use or enjoyment of property of another by employing a noxious substance that is harmful or offensive to persons exposed or that tends to cause public alarm; 3) Knowingly moving, defacing, damaging, destroying, or otherwise improperly tampering with any safety</p>

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device or the property of another, so as to destroy or diminish its effectiveness or availability for its intended purpose; or 4) Intentionally impairing the functioning of any computer, computer system, computer network, computer software, or computer program.

**Property Damage; Vandalism:** This term means knowingly causing serious physical harm: 1) To property owned, leased, or controlled by the Board; or 2) To an occupied structure or its contents.

Examples include, but are not limited to, the following:

- Knowingly moving, defacing, damaging, destroying, or otherwise improperly tampering with Board-owned property, such as:
  - Defacing school grounds or facilities (e.g., “tagging” locker bays or demolishing signs, foliage, sprinklers, windows, or doors),
  - Damaging Board-owned furnishings (e.g., engraving desks)
  - Destroying or sabotaging fixtures (e.g., toilets or mirrors).
  - Engaging in any act of sabotage (e.g., plumbing).
  - Damaging classroom equipment (e.g., storage cases).
  - Engaging in any other non-accidental act that results in the partial or total loss of Board-owned property.
- Possessing or using any object that emits an unharmed noxious gas (e.g., tear gas devices, stink bombs, smoke generator, or “stink bombs”) on school grounds or off school grounds.
- Knowingly moving, defacing, damaging, destroying, or otherwise improperly tampering with safety equipment (e.g., fire extinguishers, fire hoses, fire axes, fire escapes, emergency exits, emergency escape equipment, or warning signs).
- Intentionally altering, damaging, destroying, or modifying a District computer, computer system, computer network, computer software, or computer program without permission, such as:
  - Disabling education technology protection measures or other security features.
  - Using education technology to engage in hacking.
  - Using programs or applications to harass other users, infiltrate network components, or damage software.
  - Engaging in or attempting an act of network vandalism (e.g. creating and/or uploading computer viruses, changing equipment configurations, deliberately destroying hardware and its components, or changing user permissions).
  - Conducting network port scans.
  - Altering computer programs or data without permission.
- Causing damage to Board property while operating a bicycle on campus.
- Causing damage or likely damage to Board property while operating a Board-owned motorized utility vehicle (e.g., a golf cart or similar low-speed vehicle).
  - Damaging personal property in retaliation (e.g., slashing a teacher’s tires after a poor grade is received).

**Theft; Extortion:** This term means doing any of the following with purpose to obtain any valuable thing or benefit, or to induce another to do an unlawful act: 1) Threaten to commit any felony; 2) Threaten to commit any offense of violence; 3) Threaten to engage in menacing or aggravated menacing; 4) Utter or threaten any false or malicious statement designed to injure the reputation of any person; or 5) Expose, or threaten to expose, any matter tending to subject any person to hatred, contempt, or ridicule, or to damage any person's personal or business repute, or to impair any person's credit.

**Theft; Receiving Stolen Property:** This term means receiving, retaining, or disposing of property of another knowing or having reasonable cause to believe that the property has been obtained through commission of theft.

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**Theft; Stealing property:** This term means knowingly obtaining or exerting control over an owner's property, with purpose to deprive the owner of the property: 1) Without his or her consent (or a person authorized to give consent); 2) Beyond his or her scope of express or implied consent (or a person authorized to give consent); or 3) By deception, threat, or intimidation.

Examples include, but are not limited to, the following:

- Stealing school property (e.g., leaving a computer lab with a hard drive or removing equipment from a locker room).
- Using a PCD to capture, record, transmit, and/or receive any information in a manner constituting theft.
- Using education technology to obtain copies of files.
- Stealing education technology hardware or components.
- Assisting another person in the theft or concealment of school property (e.g., storing a stolen school laptop in a locker for a friend; or storing a router in one's car for later removal from campus).
- Stealing the personal property of a student, employee, other person associated with the District, or a third party (e.g., music, wallet, purse, backpack, collectible, or mobile device).
- Attempting to take the personal property of a student, employee, other person associated with the District, or a third party (e.g., driving off campus in someone else's car without his or her permission; being caught taking money from another student's purse; or being caught copying a teacher's personal information to make an online purchase with it later).
- Removing the personal property of a student, employee, other person associated with the District, or a third party from his or her control, custody, or care under non-confrontational, covert, or deceptive circumstances.
- Obtaining money or property by false pretenses (e.g., using a teacher's credit card; or using a "skimming" device to extract personal identification numbers from passersby).
- Receiving stolen property from another person knowing or believing that it was stolen.

**Trespassing; Aggravated Trespass:** This term means entering or remaining on the land or premises of the Board with purpose: 1) To cause physical harm to another person; or 2) To cause another person to believe that the offender will cause physical harm to him or her.

**Trespassing; Criminal Trespass:** This term means: 1) Knowingly entering or remaining on the land or premises of the Board, the use of which is lawfully restricted to certain persons, purposes, modes, or hours, when the offender knows the offender is in violation of any such restriction or is reckless in that regard; or 2) Recklessly entering or remaining on the land or premises of the Board, as to which notice against unauthorized access or presence is given by actual communication to the offender, or in a manner prescribed by law, or by posting in a manner reasonably calculated to come to the attention of potential intruders, or by fencing or other enclosure manifestly designed to restrict access.

**Trespassing; Refusing to Leave School Property:** This term means refusing to leave school property after being requested to do so by the appropriate school official.

**Trespassing; Violation of Disciplinary Action Terms:** This term means being on school grounds or off school grounds without permission while a Suspension, Expulsion, or Permanent Exclusion is in force.

**NOTE:** Students who come to campus in violation of Suspension or Expulsion conditions may be subject to prosecution.

Examples include, but are not limited to, the following:

- Remaining on school grounds after being asked to leave.
- Entering a restricted building, area or room on campus.
- Coming on to campus without permission when school is not in session.
- Riding the bus to campus while serving a Suspension or Expulsion.



## CLASS 4 VIOLATIONS

**Arson; Fire or Explosion:** This term means knowingly, by means of fire or explosion, causing or creating a substantial risk of physical harm to: 1) A school building, other building, or structure owned or controlled by the Board; 2) Any park, preserve, wildlands, brush-covered land, cut-over land, forest, timberland, greenlands, woods, or similar real property owned or controlled by the Board by means of fire or explosion; 3) Any structure of the Board that is not an occupied structure, or offering or accepting an agreement for hire to do such; or 4) Any structure that is not an occupied structure in or on any park, preserve, wildlands, brush-covered land, cut-over land, forest, timberland, greenlands, woods, or similar real property owned or controlled by the Board.

**Arson; Aggravated Arson:** This term means knowingly, by means of fire or explosion: 1) Creating a substantial risk of serious physical harm to any person; 2) Creating a substantial risk of physical harm to any occupied structure; or 3) Creating, through the offer or acceptance of an agreement for hire or other consideration, a substantial risk of physical harm to any occupied structure.

Examples include, but are not limited to, the following:

- Setting, or attempting to set, fire to school property (e.g., lighting books, papers, trash, or ceiling tiles on fire; or placing burning material into a trash can).
- Setting, or attempting to set, fire to personal property (e.g., starting a fire inside a parked car).

**Assault; Menacing:** This term means knowingly causing a person to believe that the offender will cause physical harm: 1) To the person or his or her property; or 2) The person or property of an immediate family member.

**Assault; Menacing by Stalking:** This term means engaging in a pattern of conduct that knowingly causes a person to believe that the offender will cause physical harm or mental distress: 1) To the person; or 2) A family or household member.

**Assault; Physical Harm:** This term means knowingly causing or attempting to cause physical harm to an administrator, teacher, other staff member, student, third party, or any other person.

**NOTE:** Students have a right to self-defense, as determined by the administration.

Examples include, but are not limited to, the following:

- Attempting to injure or injuring another person intentionally.
- Placing a person in immediate harm (e.g., interfering with their normal breathing or circulation by applying pressure on the throat or neck, or by blocking the nose and mouth).
- Injuring a third party when fighting (e.g., hitting a school official who is attempting to stop the fight).
- Entering a fight after it has started without being initially involved (i.e., bystander battery).
- Retaliating physically for a non-physical conflict.
- Exposing a person to a health risk (e.g., spitting, biting, or bodily fluids).
- Engaging in violence within a dating relationship that does not rise to the level of a sexual offense.

**Burglary; Breaking and Entering:** This term means, by force, stealth, or deception: 1) Trespassing in an unoccupied structure, with purpose to commit therein any Theft offense or any felony; or 2) Trespassing on the land or premises of the Board, with purpose to commit a felony.

**Burglary; Purpose to Commit Crime:** This term means, by force, stealth, or deception, and with purpose to commit any criminal offense: 1) Trespassing in an occupied structure (or a separately secured or separately occupied portion of the structure) when another person is present; 2) Trespassing in an occupied structure (or a separately secured or separately occupied portion of the structure) that is a permanent or temporary habitation of any person when any person is present or likely to be present; or 3) Trespassing in an occupied structure (or a separately secured or separately occupied portion of the structure), with purpose to commit any criminal offense.

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Examples include, but are not limited to, the following:

- Entering school property to commit a crime (e.g., coming onto campus before school hours to change a grade, or shattering a window at night to vandalize the inside of a school).
- Remaining in the school to steal property (e.g., hiding on campus after school hours to steal money left in an unlocked file cabinet).
- Entering a separately secured area of the school to damage property (e.g., entering a utility room during school hours that is “off-limits” to tamper with the network).
- Breaking into the personal property of others (e.g., a car or vending machine).

**Dangerous Instrument; Prohibited Item:** This term means the possession, storage, making, or use of any instrument, tool, object (including parts of the human body), article, or substance which is capable of inflicting bodily harm, causing property damage, or otherwise endangering the health and safety of persons when used either: 1) Recklessly; or 2) For offensive purposes.

**Dangerous Instrument; Weapon “Look-Alike”:** This term means the possession, storage, making, or use of any object that reasonably “looks like” a weapon: 1) On school grounds; 2) On school vehicles; and/or 3) At any school-sponsored event.

Examples include, but are not limited to, the following:

- Possessing or using certain bladed instruments, such as utility tools, box cutters, or pocketknives with blades less than two and a half (2 1/2) inches long.
- Possessing or using any defensive repellant, such as “mace”, “pepper spray”, or any other chemical sprays.
- Possessing or using any type of simulated weapon, such as plastic axes, rubber knives, toy guns, or cap guns.
- Possessing or using any potentially dangerous item such as matches or lighters.
- Using any common tool or office implement (e.g., screwdrivers, letter openers, or staplers) or electronic device (e.g., laser pointers, pens, or keychains) in a way that could injure someone.

**Drug Policy Violation; Alcohol:** This term means the possession, use, concealment, or distribution of any alcoholic beverage: 1) On school grounds; 2) On school vehicles; and/or 3) At any school-sponsored event.

**Drug Policy Violation; Drug:** This term means the use, possession, concealment, or distribution of any dangerous controlled substance (as so designated and prohibited by Ohio , statute), dangerous drug, drug of abuse, illegal drug, prescription drug or patent drug (except those for which permission to use in school has been granted under Board Policy), or any anabolic steroid: 1) On school grounds; 2) On school vehicles; and/or 3) At any school-sponsored event.

**Drug Policy Violation; Drug “Look-Alike”:** This term means the use, possession, concealment, or distribution of any substance that “looks like” a drug: 1) On school grounds; 2) On school vehicles; and/or 3) At any school-sponsored event.

**Drug Policy Violation; Intoxicant:** This term means the use, possession, concealment, or distribution of any chemical which releases toxic vapors: 1) On school grounds; 2) On school vehicles; and/or 3) At any school-sponsored event.

Examples include, but are not limited to, the following:

- Knowingly possessing, using, concealing, or distributing: 1) A fermented beverage (e.g., beer, malt liquor, wine) or derivative (e.g., “fortified” wine); 2) A distilled spirit (e.g., whiskey, scotch, vodka, or rum) or 3) An Over-the-Counter (OTC) product containing ethanol (e.g., flu or cold remedy, cough syrup, or mouth wash).
- Knowingly possessing, using, concealing, or distributing any opiate (e.g., heroin, morphine, or



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<p>codeine) or opioid (e.g., oxycontin, oxycodone, or hydrocodone), any hallucinogen or psychedelic (e.g., Marijuana, LSD, and MDMA or “ecstasy”), any depressant (e.g., barbiturates and benzodiazepines), any stimulant (e.g., amphetamines, methamphetamines, cocaine, or “crack”), or any anabolic steroid (e.g., dehydro-epiandrosterone or DHEA); 2) Trafficking in drugs; or 3) Corrupting another with drugs.</p> <ul style="list-style-type: none"> <li>• Knowingly possessing, using, concealing, or distributing: 1) Any type of drug paraphernalia (e.g., syringes, pipes, water pipes, rolling papers, razor blades, torches, scales, baggies, balloons, tins, or capsules); or 2) Any other drug abuse instruments.</li> <li>• Knowingly possessing, using, concealing, or distributing any type of medication in school without permission as required by Board Policy.</li> <li>• Knowingly possessing, using, concealing, or distributing: 1) Any item appearing like, or similar to, a controlled substance (e.g., sugar or oregano); or 2) Any item represented to someone as a counterfeit controlled substance (e.g., diet supplements or laxatives).</li> <li>• Knowingly possessing, using, concealing, or distributing: 1) A harmful intoxicant (e.g., volatile organic solvent, plastic cement, model cement, fingernail polish remover, lacquer thinner, cleaning fluid, gasoline, aerosol propellant, fluorocarbon refrigerant, anesthetic gas, or any other product containing a substance that can provide an intoxicating or mood-altering effect); or 2) Otherwise abusing harmful intoxicants.</li> <li>• Using education technology to sell illegal substances and goods such as those above.</li> </ul>
<p><b>Robbery:</b> This term means, in attempting or committing a theft offense or in fleeing immediately after the attempt or offense, doing any of the following: 1) Having a deadly weapon on or about the offender's person or under the offender's control; 2) Inflicting, attempting to inflict, or threatening to inflict physical harm on a person; or 3) Using or threatening the immediate use of force against a person.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Taking from someone using a threat of force (e.g., shoving a peer up against a wall to force him or her to give up a possession).</li> <li>• Taking from someone after an assault (e.g., striking a peer before taking his or her possession).</li> <li>• Taking from someone while displaying a weapon or “look-alike.”</li> </ul>
<p><b>Sexual Offense; Sexual Violence:</b> This term means any physical sexual conduct perpetrated: 1) Against a person's will; or 2) Where a person is incapable of giving consent.</p>
<p><b>Sexual Offense; Other:</b> This term means any physical sexual contact perpetrated: 1) Against a person's will; or 2) Where a person is incapable of giving consent.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Engaging in rape, sexual battery, sexual assault, sexual abuse, sexual coercion, unlawful sexual conduct with a minor, or any other type of sexual conduct with a person (such as intercourse or any other form of penetration activity) against his or her will, or when he or she is incapable of giving consent (e.g., due to his or her age, intellectual or other disability, or use of a drug or alcohol).</li> <li>• Engaging in sexual imposition, gross sexual imposition, or any other type of sexual contact with a person (such as touching or removing clothing covering the intimate body parts of a person, fondling or groping a person's intimate body parts, rubbing a person with one's own intimate body parts, or forcing another person to touch one's intimate body parts) against his or her will, or when he or she is incapable of giving consent (e.g., due to his or her age, intellectual or other disability, or use of a drug or alcohol).</li> </ul>
<p><b>Terroristic Behavior; Making a Terroristic Threat:</b> This term means threatening to commit or threatening to cause to be committed a specified offense when the person makes the threat with purpose : 1) To intimidate or coerce a civilian population, to influence the policies of any government by intimidation or coercion, or to affect the conduct of any government by the threat or by the specified</p>

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<p>offense; and 2) As a result of the threat, the person causes a reasonable expectation or fear of the imminent commission of the specified offense.</p>
<p><b>Terroristic Behavior; Terrorism:</b> This term means committing a specified offense with purpose: 1) To intimidate or coerce a civilian population; 2) To influence the Policy of any government by intimidation or coercion; or 3) To affect the conduct of any government by the threat or by the specified offense.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Making a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat, such as: <ul style="list-style-type: none"> <li>○ Any verbal threat to commit an offense (e.g., making an anonymous call to the school or a TV station stating that students will be injured after school).</li> <li>○ Any written threat to commit an offense (e.g., posting a blog entry indicating that arson will occur in a wing of the building unless a demand is met, writing a letter, note, or email with a death threat, or making a “hit list” threatening to target staff or students).</li> <li>○ Any symbolic threat to commit an offense (e.g., drawing a picture of large scale violence or making a gesture that communicates an action is imminent or in progress).</li> </ul> </li> <li>• Placing a hoax substance or device on campus.</li> <li>• Placing an actual substance or device on campus (e.g., an explosive, incendiary, infectious, or radiologic letter, package, or device).</li> </ul>
<p><b>Weapons Policy Violation; Weapon:</b> This term means the possession, storage, making, or use of any concealed weapon, dangerous weapon, deadly weapon, or other object which, in the manner in which it is used, intended to be used, or represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons: 1) In a school safety zone; or 2) In any setting that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board, including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board-approved vehicle.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Knowingly possessing, storing, making, or using any type of ammunition (e.g., (cartridge cases, primers, bullets, shells, or propellant powders).</li> <li>• Knowingly possessing, storing, making, or using any type of dangerous ordnance, explosive device, incendiary device, or other destructive device (e.g., bombs, grenades, rockets, missiles, mines, high explosives, plastic explosives, blasting agents or caps, explosives used for military, mining, quarrying, excavating, or demolition purposes, rocket launchers, mortars, artillery pieces, torpedoes, suppressors for firearms, or firebombs).</li> <li>• Knowingly possessing, storing, making, or using any type of firearm or other gun, whether loaded or unloaded (e.g., handguns, air-powered guns, gas-powered guns, starter guns, BB guns, flare guns, paintball guns, or any other types of guns).</li> <li>• Knowingly possessing, storing, making, or using any type of knife (e.g., hunting knives, switchblades, razor blades, razors, ninja “throwing stars”, or pocket knives with blades over two and a half (2 1/2) inches).</li> <li>• Knowingly possessing, storing, making, or using any type of fireworks (e.g., sparklers, “pop bottle” rockets, or firecrackers).</li> <li>• Knowingly possessing, storing, making, or using any other type of weapon (e.g., slingshots, bows, arrows, Nunchaku karate sticks, loaded canes, artificial knuckles, blackjacks, clubs, or electrically charged stun devices).</li> </ul>
<p><b>Other Criminal Offense:</b> This term means committing any other criminal offense not referenced in this class of Code violations.</p>



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Examples include, but are not limited to, the following:

- Advocating overthrow of the government.
- Forming or participating in a criminal syndicate.
- Taking the life of another person.

## **RELATED NOTICES**

Additional guidance for students and parents/guardians in avoiding the Code violations above includes, but is not limited to, the following:

### **SCHOOL DRESS CODE**

The Board recognizes that each student's dress and grooming is a manifestation of personal style and individual preference. The Board will not interfere with the right of students or parents/guardians to make decisions regarding the appearance of students, except when their choices interfere with the educational program of the schools.

### **PERSONAL COMMUNICATION DEVICES (PCDs)**

Possession of Personal Communication Devices ("PCDs") such as computers, laptops, tablets (e.g., iPad® or similar devices), electronic readers (e.g., "e-readers", Kindles®, or similar devices), cellular or mobile phones, "smartphones" (e.g., BlackBerries®, iPhones®, Android devices, or MS Windows® mobile devices), or other web--enabled devices of any type by students at school during school hours and/or during extra-curricular activities is a privilege. As long as these items do not create a distraction, disruption, or otherwise interfere with the educational environment, students may use PCDs to make and/or receive calls, or for any other purpose (such as to send e-mail, text message, or instant messages, take pictures, or make recordings or videos):

- Before and after school;
- While riding to and from school or school-sponsored activities on a school bus or other Board-provided vehicle (at the discretion of the bus driver, teacher, sponsor, advisor, or coach); and
- During lunch breaks.

At all other times between the start of the school day to the end of the school day, PCDs must be "off" (powered down completely and not just placed into vibrate or silent mode), unless approved by the supervising teacher, an administrator, or IEP team. Also, during after-school activities, PCDs shall be "off" and stored out of sight when directed by an administrator or the activity sponsor.

A student may keep his or her PCD "on" with prior approval of the Principal under the following circumstances:

- When the student has a special health or medical circumstance (such as an ill family member or his or her own special health or medical condition);
- When the student is using the PCD for an educational or instructional purpose (such as taking notes, recording a class lecture, or writing papers) with the teacher's permission and supervision; or
- When the student is involved in an extra-curricular activity after school hours and needs to communicate with a parent/guardian when the activity is ending so the student can be picked up.

If a teacher or administrator observes a violation of Board Policy 5136, he or she is required to confiscate the device, bring it to the Principal's office, and provide the name of the student from whom the PCD was taken. Any confiscated device will be held in a secure location in the building's central office until the item is either retrieved by the parent/guardian (after the student complies with any other disciplinary action imposed) or turned-over to law enforcement (if potential illegal activity is involved).

A school official will not search or otherwise tamper with a PCD in District custody, unless he or she

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reasonably suspects that a search is required to discover evidence of a law violation or a violation of school rules. Any such search will be conducted in accordance with Board Policy 5771.

Violation of Board Policy 5136 may also result in disciplinary action ranging from the loss of the student's school PCD privilege (either temporarily or permanently) up to and including Expulsion.

Students have no expectation of confidentiality with respect to their use of PCDs on school premises or school property. Additionally, the Board assumes no responsibility for theft, loss, or damage to, or misuse or unauthorized use of, PCDs brought onto its property. Students and parents/guardians are strongly encouraged to take appropriate precautions with PCDs brought to school to make sure that devices are not left unattended or unsecured.

## **ELECTRONIC DEVICES**

Possession and use of electronic devices such as cameras (photographic and/or video), laptops, personal digital assistants, laser projection mechanisms (e.g., laser pointers, pens, or keychains), radios, "boom-boxes", headphones, portable CD/MP3 players, portable TVs, electronic games or toys, pagers/beepers, or other paging device by students at school can have the effect of distracting, disrupting and/or intimidating others in the school environment, and may lead to opportunities for academic dishonesty and other disruptions of the educational process. Consequently, the Board will supply any electronic devices or authorized assistive technology devices necessary for participation in the educational program, and students shall not use any personal electronic devices on school property or at any school-sponsored activity without the permission of the Principal.

Exceptions to this prohibition include the following:

- Use of laptops on school property for an educational or instructional purpose (e.g. taking notes, recording a class lecture, or writing papers) with the teacher's permission and supervision; and
- Use of laptops, personal digital assistants, portable CD/MP3 players (with headphones), and electronic games or toys while riding to and from school or school-sponsored activities on a school bus or other Board-provided vehicle (at the discretion of the bus driver, teacher, sponsor, advisor, coach, or Principal).

Unauthorized electronic devices will be confiscated by student personnel, and disciplinary action will be taken. Any confiscated device will be held in a secure location in the building's central office until:

- The item is retrieved by the parent/guardian (after the student complies with any other disciplinary action imposed); or
- Turned-over to law enforcement, if potential illegal activity is involved.

A school official will not search or otherwise tamper with an electronic device in District custody, unless he or she reasonably suspects that a search is required to discover evidence of a law violation or school Rule violation. Any such search will be conducted in accordance with Board Policy 5771.

Violation of Board Policy 5136.01 may also result in disciplinary action, up to and including Expulsion.

Students are personally and solely responsible for the care and security of any electronic devices they bring to school. The Board assumes no responsibility for theft, loss, damage, or vandalism to electronic devices brought onto its property, or the unauthorized use of such devices.

## **BULLYING AND OTHER AGGRESSIVE BEHAVIORS**

Harassment, intimidation, bullying, or other aggressive behavior toward students, other members of the school District community, and third parties is strictly prohibited. The Board will not tolerate any gestures, comments, threats, or actions which cause or threaten to cause bodily harm or personal degradation to students on school grounds or off school grounds.

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## REPORTING

School personnel who directly observe acts of harassment, intimidation, bullying, or other aggressive behavior against a student:

- Are required to report the situation(s) to the Principal, assistant principal, or the Superintendent; and
- Shall promptly file a written incident report concerning the event(s) witnessed.

In cases that are not directly observed by Board employees, school personnel who receive reports of alleged harassment, intimidation, bullying, or other aggressive behavior from students or parents/guardians shall promptly notify the Principal or his/her designee of such report(s); and

- Shall prepare written reports of informal complaints received, and promptly forward them (no later than the next school day) to the building Principal or his/her designee; or
- Shall promptly forward (no later than the next school day) any formal, written complaints to the Principal or his/her designee.

Additionally, any student or parent/guardian who believes that a student has been or is the victim of harassment, intimidation, bullying, or other aggressive behavior should immediately report the situation to the Principal, assistant principal, or the Superintendent. The student may also report concerns to teachers and other school personnel, who will be responsible for promptly forwarding such reports to the appropriate administrator or Board official for review, investigation, and action.

Finally, students, parent/guardian, and school personnel may also make informal or anonymous complaints of conduct that they consider to be harassment, intimidation, bullying, or other aggressive behavior by verbal report to a teacher, administrator, or other school personnel. An employee receiving such a complaint shall promptly document the complaint and forward it to the appropriate administrator or Board official for review, investigation, and action.

Filing a malicious or knowingly false report or complaint of harassment, intimidation, bullying, or other aggressive behavior may subject the filer to disciplinary action and/or civil sanctions.

## INVESTIGATION

The Principal or an appropriate administrator shall promptly investigate all allegations of such behavior in accordance with the procedures in Board Policy 5517.01 and related administrative guidelines. The District will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to fulfill any discovery or disclosure obligations.

All records generated under Board Policy 5517.01 and its related administrative guidelines: 1) Shall be maintained as confidential to the extent permitted by law; and 2) Will be maintained in a file separate from education records (except for discipline imposed or remedial action taken).

If the allegation(s) are verified, the Principal: 1) Shall notify, in writing, the parents/guardians of the perpetrator of that finding and any disciplinary consequences that are imposed; and 2) Shall notify, in writing, the parents/guardians of the victim of such finding, while respecting the perpetrator's statutory privacy rights.

## RESOLUTION

Verified acts of harassment, intimidation, bullying, or other aggressive behavior shall result in:

- Intervention by the Principal or his/her designee that is intended to provide that the prohibition against the behavior is enforced, with the goal that any such prohibited behavior will cease; and/or
- Disciplinary action, up to and including Suspension or Expulsion.

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## RETALIATION PROHIBITED

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry related to a complaint of harassment, intimidation, bullying, or other aggressive behavior is prohibited. Suspected retaliation should be reported in the same manner as harassment, intimidation, bullying, or other aggressive behavior, shall be considered a serious violation of Board Policy (independent of whether a complaint is substantiated), and may result in disciplinary action, up to and including Suspension or Expulsion, and/or referral to law enforcement.

## **USE OF MEDICATIONS AT SCHOOL**

Except for diabetes care covered under Board Policy 5336, the administration of prescribed medications and/or treatments during school hours will be permitted only when:

- Failure to do so would jeopardize the health of the student;
- The student would not be able to attend school if the medication or treatment was not available during school hours; or
- If the student is disabled and requires medication to benefit from his OR her educational program.

## PROCEDURE FOR ADMINISTERING MEDICATION AT SCHOOL

The Board requires a written statement from the prescriber accompanied by the written authorization of the parent/guardian before any medication or treatment may be administered to any student during school hours. These documents must be given by the next school day following the District's receipt of the documents, to the person authorized to administer the medication or treatment to the student, and shall be kept on file in the school Nurse's office, and made available to the persons designated by Board Policy 5330 who are authorized to administer the medication or treatment.

Only medication in its original container with the student's name, and a label with the prescription date (if applicable), the expiration date, and exact dosage will be administered. All medications will be kept in secure locations within each building, and emergency medications may also be stored in the school Nurse's office.

Except for diabetes care covered under Board Policy 5336, only employees of the Board who are licensed health professionals or those who have completed a drug administration training program conducted by a licensed health professional and are designated by the Board may administer prescription drugs to students in school. Also, except for diabetes care, a parent/guardian may administer a medication or treatment to his or her child at school, but only in the presence of a designated employee.

## SELF-ADMINISTRATION OF MEDICATION AT SCHOOL

Students may administer a medication or treatment to themselves, if authorized in writing by the prescriber and the parent/guardian, but only in the presence of a licensed health professional employed by the Board or an employee who has completed the required training program. Students authorized to attend to their diabetes care and management under Board Policy 5336 are exempted from this requirement.

A student shall be permitted to carry and use, as necessary, an asthma inhaler or an epinephrine auto-injector ("epi-pen") at school or any school-sponsored activity, event, or program, provided the student has prior written permission from the prescriber and the parent/guardian submitted on the appropriate form(s). The student or parent/guardian shall provide a back-up dose of any self-administered medication to the Principal or school nurse.

The Board shall not be responsible for the diagnosis and treatment of the illnesses of students.
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## EDUCATION TECHNOLOGY ACCEPTABLE USE AND SAFETY

The Board provides access to education technology (including the Internet) to students so that they may acquire the skills and knowledge to learn effectively and live productively in a digital world, and also to enhance the instruction delivered to its students. All use of these resources is intended by the Board to be for limited educational purposes only.

The District's network does not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on the use of the network consistent with its limited educational purpose, including, but not limited to, the following:

- Use of Board education technology resources is a privilege, not a right.
- All users (and their parents, if minors) are required to sign the Student Education Technology Acceptable Use and Safety Agreement prior to using education technology, and students must complete a mandatory training session or program before using education technology.
- The Board uses multiple means to monitor the use of education technology; as such, users have no right or expectation to privacy when using education technology.

Users who disregard the Student Education Technology Acceptable Use and Safety Agreement: 1) May have their use privilege suspended or revoked; 2) May have disciplinary action taken against them in accordance with any applicable due process; and 3) May be held personally responsible and liable, both civilly and criminally, for unauthorized and/or inappropriate uses of education technology.

## UNEXCUSED ABSENCES

In accordance with the laws of the state, the Board requires all students enrolled in the schools of this District to attend school regularly during the days and hours that the schools are in session, or during the attendance sessions to which they have been assigned.

The Superintendent shall require, from the parent(s)/guardian(s) of each student of compulsory school age or from an adult student who has been absent from school or from class for any reason, a statement of the cause for such absence. The Board reserves the right to verify such statements and to investigate the cause of each single absence or prolonged absence.

Repeated violations of Board Policy regarding attendance may result in disciplinary action.

## FIRST DAY OF SCHOOL

All students must come to school beginning on **August 19, 2019**.

## SCHOOL DAY

At **Boulevard Elementary School**, the school day runs from **8:50 AM** to **3:20 PM**. For their safety and well-being, students should not arrive earlier than **8:20 AM** or remain on campus later than **3:20 PM** unless they are participating in supervised school activities.

## PROCEDURE FOR ABSENCES FROM SCHOOL

The parent/guardian must notify the school by **9:30 AM** on the day a student is to be absent, unless previous notification was given using the school's procedure for reporting absences.

The District only accepts certain excuses as being reasonable for time missed at school. Each absence shall be explained in writing and signed by the parent/guardian, submitted to the Principal, and filed as part of the student's record.

Written excuses for absences from school may be approved for the following reasons:

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EXCUSED ABSENCES	
DEFINITION	PROCEDURE
<b>College visit</b>	These absences do not accumulate against Board Policy 5200, but may not exceed four (4) days in number.
<b>Death in the family</b>	Such an absence is limited to a period of three (3) days, unless a reasonable cause may be shown for a longer absence.
<b>Emergency or other circumstance</b>	In such cases, the Superintendent shall determine whether the reason for the absence constitutes good and sufficient cause.
<b>Field trip</b>	These absences do not accumulate against Board Policy 5200.
<b>Illness (personal)</b>	The Principal may require a doctor's confirmation, if he or she deems advisable.
<b>Illness (family)</b>	Such an absence may be permitted when the illness necessitates the presence of the student.
<b>Quarantine of the home</b>	Such an absence is limited to the length of the quarantine, as fixed by the proper health officials.
<b>Necessary work at home due to absence or incapacity of parent(s)/guardian(s)</b>	<p>Any such absence shall only apply to a student over fourteen (14) years of age, and shall not extend for a period longer than five (5) days, but may be renewed for an additional five (5) days. At no time shall such excuse permit a student to be absent from school for more than ten (10) days consecutively.</p> <p>At the discretion of the Superintendent or his/her designee, a student may be excused for a longer period of time than ten (10) days if the student's parent/guardian has recently died or become totally or partially incapacitated and there is no older sibling living in the home who is out of school. In such cases, the Superintendent or his/her designee may request a physician's certificate attesting to the condition of the parent/guardian.</p>
<b>Out-of-state travel</b>	Such an absence is limited to a maximum of twenty-four (24) hours per school year that the school is open for instruction, to participate in a District-approved enrichment or extracurricular activity. Any classroom assignment missed due to the absence shall be completed by the student. If the student will be absent for twenty-four (24) hours or more consecutively that the school is open for instruction, a teacher shall accompany the student during the travel period to provide the student with instructional assistance.
<b>Pregnancy</b>	Medically necessary leave for a student who is pregnant may be taken in accordance with Board Policy 5751. Absence due to pregnancy will be considered as excused for so long a period as is deemed medically necessary by the student's physician. Written confirmation by the physician may be required.
<b>Professional appointment</b>	Parents/guardians are encouraged to schedule medical, dental, legal, and other necessary appointments outside of the school day. Since this is not always possible, when a student is to be absent for part of the day, he or she shall report back to school immediately after the appointment if school is still in session.
<b>Religious holiday</b>	Any student shall be excused for the purpose of observing or celebrating a bona-fide religious holiday consistent with his or her creed or belief.



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<b>Vacation</b>	<p>Except for the last week of each semester, students are permitted to go on vacation during the school year without penalty. The purpose of this provision is to accommodate parents/guardians who must take their vacations during the school year and desire to enjoy that time as a family.</p> <p>Whenever a vacation is proposed, the parent(s)/guardian(s) must discuss it with the Principal. The length of the absence should be made clear, and those involved should have an opportunity to express views on its potential effects.</p> <p>The District will only approve a vacation absence when the student will be in the company of the parent(s)/guardian(s) or other family relatives, unless there are extenuating circumstances deemed appropriate by the Principal. The time missed will be counted as an authorized, unexcused absence, but shall not be a factor in determining grades, unless make-up work is not completed.</p> <p>Absence for any other type of vacation will be considered to be unexcused, and the Student will be subject to Truancy regulations.</p>
<p>All other types of excuses are considered to be unreasonable and/or unauthorized, and may subject students and parents/guardians to state truancy regulations. Truancy demonstrates a deliberate disregard for the educational program and is considered a serious matter for which action will be taken in accordance with Board Policy 5200.</p>	

### MAKE-UP WORK

A student will be given the opportunity for making up work missed due to approved absences, and the length of time for completion of such make-up work will be proportional to the length of the absence involved. Also, a student may make-up units of study with properly licensed teachers with prior approval of the Principal.

No credit will be recorded for work missed as result of truancy.

### **LATE ARRIVALS AND EARLY DISMISSALS**

The Board recognizes that on occasion, compelling circumstances require that a student be either late to school or dismissed before the end of the school day, and requires that the school be notified in advance of such absences by personal request of the parent/guardian, either in writing or in person. The notice:

- Must state the reason(s) for the tardiness or early dismissal; and
- Should be submitted to the Principal as early in the school day as possible.

Only the Principal may release a student from school before the end of the school day, and he or she may do so only upon presentation of the request from the parent/guardian or for emergency reasons.

The student may be released only to: 1) The parent/guardian; or 2) A properly-identified person authorized in writing by the parent/guardian to act on their behalf. No student shall be released to anyone who is not authorized such custody by the parent/guardian, and no student who has a medical disability which may be incapacitating may be released without a person to accompany the student.

### **HAZING**

Hazing activities of any type are inconsistent with and disruptive to the educational process, and are prohibited at any time in school facilities, on school property, and/or off school property (if the misconduct is connected to activities or incidents that have occurred on school property). No administrator, faculty member, or other employee shall encourage, permit, authorize, condone, or tolerate any hazing activities, and no student shall plan, encourage, or engage in any hazing.

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Administrators, faculty members, and other employees shall be alerted to possible situations, circumstances, or events that might include hazing. If hazing (or planned hazing) is discovered, the students involved shall be informed by the discoverer of the prohibitions contained in Board Policy 5516, and shall be ordered to end all activities (or planned activities) immediately.

All alleged hazing incidents shall be reported immediately to the Superintendent. Students, administrators, faculty members, and other employees who fail to abide by Board Policy 5516 may be subject to disciplinary action, and may be held personally liable for civil and criminal penalties in accordance with state law.

### **UNLAWFUL HARASSMENT**

It is the policy of the Board to maintain education and work environments within all District operations, programs, and activities that are free from all forms of unlawful harassment, including, but not limited to, sexual harassment. The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age (except as authorized by law), religion, ancestry, or genetic information on school grounds and off school grounds, and encourages students, others within the school District community, and third parties who feel aggrieved to seek assistance to rectify such problems.

All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment occurring on school grounds and off school grounds.

### **REPORTING**

Any employee who directly observes unlawful harassment of a student:

- Is obligated to report such to a District compliance officer within two (2) business days; and
- Is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous (in which case the staff member should immediately notify other employees and/or law enforcement, as necessary, to stop the harassment).

In cases that are not directly observed by employees, students are encouraged to promptly report incidents of harassing conduct to a teacher, administrator, or other school official so that the Board may address the alleged conduct before it becomes severe, pervasive, or persistent.

Students, other members of the school District community, and third parties who believe they have been subject to unlawful harassment are also entitled to directly utilize the Board's informal complaint process and/or formal complaint process set forth in Board Policy 5517.

A student who believes that he or she has been subject to unlawful harassment (a "Complainant"):

- May make an informal complaint, either verbally or in writing, to: 1) A teacher, administrator, or other employee in the school that he or she attends; 2) To the Superintendent or another District level employee; and/or 3) Directly to a District compliance officer; or
- May file a formal complaint, either verbally or in writing, with a teacher, Principal, an employee who works at another school, or a District level employee.

Neither procedure is intended to interfere with the rights of a student to pursue a complaint of unlawful harassment or related retaliation with the U.S. Department of Education's Office for Civil Rights. Filing a malicious or knowingly false report or complaint of unlawful harassment may result in a referral to law enforcement.

Any employee or official who receives such a complaint shall file it with a designated District compliance officer within two (2) school days.



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Due to the sensitivity surrounding complaints of unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint as soon as possible (for an informal complaint) or within thirty (30) calendar days (for a formal complaint) after the alleged conduct occurs while the facts are known and potential witnesses are available.

### INVESTIGATION

The compliance officer or his/her designee will investigate all allegations of unlawful harassment, either informally or formally, using the procedures in Board Policy 5517 and related administrative guidelines. The District will use all reasonable efforts to protect the rights of the Complainant, the individual against whom the complaint is filed (the "Respondent"), and any witness(s), consistent with the Board's legal obligations to investigate, take appropriate action, and fulfill any discovery or disclosure obligations.

Confidentiality, however, cannot be guaranteed, and a Complainant proceeding through the formal complaint process will be advised that his or her identity may be disclosed to the Respondent. All records generated under the terms of Board Policy 5517 and related administrative guidelines shall be maintained as confidential to the extent permitted by law.

Once the formal complaint process has begun, the investigation will be completed in a timely manner—ordinarily, within fifteen (15) business days of receipt of the complaint. Absent extenuating circumstances, within ten (10) school days of receiving the report of the District compliance officer, the Superintendent must either issue a final decision regarding whether the complaint of unlawful harassment has been substantiated or request further investigation.

A copy of the Superintendent's final decision will be delivered to the Complainant and the Respondent.

### RESOLUTION

In those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the unlawful harassment, prevent its reoccurrence, and remedy its effects. While observing the principles of due process, a student who is found to have engaged in unlawful harassment will be subject to appropriate disciplinary action, up to and including Suspension or Expulsion.

### RETALIATION PROHIBITED

Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's participation in educational programs, extra-curricular activities, or employment. Any act of retaliation against a person who has either made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a related investigation, is prohibited.

### **DRUG-FREE SCHOOLS**

In accordance with federal law, the Board prohibits the use, possession, concealment, or distribution of drugs by students on school grounds, in school or school-approved vehicles, or at any school-related event. Compliance is mandatory for all students.

For the purposes of Board Policy, the term "drug" includes any alcoholic beverage, anabolic steroid, dangerous controlled substance (as defined by state statute), or substance that could be considered a "look-a-like" controlled substance.

Any student who violates this Board Policy in this area will be subject to disciplinary action, in accordance with due process and as specified in the Student Guide, up to and including Expulsion, and when required by state law, the District will also notify law enforcement officials.

The District is concerned about any student who is a victim of alcohol or drug abuse and will facilitate the process by which he or she gets help through available community programs and services. Students and parent(s)/guardian(s) should contact the Principal or counseling office whenever such help is needed.

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## SEXUAL VIOLENCE

Sexual violence not only interferes with the right of students to receive an education free from discrimination, it is also a crime. Pursuant to its federal Title IX obligations, the Board is committed to eliminating sexual violence in all forms against students, other members of the School District Community, and third parties on school grounds or off school grounds, and will take appropriate action against any individual found responsible for violating Board Policy 5517.02.

All students, administrators, teachers, and other school personnel share responsibility for avoiding, discouraging, and reporting any sexual violence occurring on school grounds or off school grounds.

### REPORTING

Students and employees are required, and parents/guardians, community members, and third parties are encouraged, to report sexual violence promptly to a teacher, administrator, Supervisor, or other school official. Reports can be made verbally or in writing, and should be as specific as possible.

A student has the right to file simultaneous criminal and/or Title IX complaints (he or she does not need to wait until the Title IX investigation is completed before filing a criminal complaint); likewise, questions or complaints relating to sexual violence or any other Title IX concerns may also be filed with the U.S. Department of Education's Office for Civil Rights. Filing a malicious or knowingly false report or complaint of sexual violence may result in a referral to law enforcement.

The employee receiving a complaint alleging sexual violence from a student (the "Complainant"):

- Shall file it with the designated District compliance officer within two (2) school days; and
- Shall comply with his or her mandatory reporting responsibilities under state law.

### INVESTIGATION

The compliance officer or his/her designee will investigate all allegations of sexual violence in coordination with any ongoing criminal investigation in accordance with the procedures in Board Policy 5517.02 and related administrative guidelines as well as any related Title IX-related complaint. The District will respect the student's privacy, and will only disclose information regarding alleged sexual violence to those individuals responsible for handling the school's response, a minor student's parent(s)/guardian(s), or as otherwise required by law.

Upon completing its investigation, the District will notify both parties in writing about the outcome of the complaint and any appeal.

### RESOLUTION

In those cases where sexual violence is substantiated, the Board will take immediate steps to end the sexual violence, prevent its reoccurrence, and remedy its effects. While observing the principles of due process, a student who is found to have engaged in sexual violence will be subject to appropriate disciplinary action, up to and including Suspension or Expulsion.

### RETALIATION PROHIBITED

Retaliation against a Complainant or witness is strictly prohibited. The District will inform the Complainant of this prohibition, and direct him or her to report any retaliation by a student or school official to the District compliance officer. Upon learning of retaliation, school officials will take strong responsive action, as appropriate.

## WEAPONS

The Board prohibits students from possessing, storing, making, or using weapons, as defined in Board

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Policy and the Student Guide, within the locations referenced in Board Policy and the Student Guide. Policy exceptions include theatrical props used in appropriate settings.

Students shall immediately report any information concerning weapons and/or threats of violence by students, staff members, or visitors to any staff member, and staff members should report issues to administrators. Failure to report such information may subject a student to disciplinary action.

Board Policy 5772 shall be implemented through the Code, Board policies 5610, 5610.01, and related administrative guidelines. The Superintendent will refer any student who violates Board Policy 5772 to the student's parent(s)/guardian(s) and to either the criminal justice or the juvenile delinquency system.

The student may also be subject to disciplinary action, up to and including Expulsion.

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## **BEHAVIOR MANAGEMENT OPTIONS**

### **DEFINITIONS AND EXAMPLES**

Definitions and examples of possible resolutions for Code violations within the District are listed below.

<b>POSITIVE ACTIONS</b>
<b>PRIMARY/UNIVERSAL</b>
<p><b>Agreement or Plan:</b> This term means any informal document that contains both: 1) Notice of specifically expected behavior(s); and 2) Consequences for failing to meet the expectations.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• An informal or formal written agreement (e.g., a “behavior contract”, a “no-contact agreement”, or a “cease and desist order”) that outlines in detail the expectations of the student, teacher, and sometimes a parent/guardian, and typically includes: 1) Targeted behavior(s); 2) Incentives for successful compliance; and 3) Consequences for violating the agreement.</li> <li>• A Positive Behavior Support Plan (or “PBS Plan”) that involves the design, implementation, and evaluation of individual or group instructional and environmental modifications, including programs of behavioral instruction, to produce significant improvements in behavior through skill acquisition and the reduction of problematic behavior.</li> <li>• A Truancy Intervention Plan (or “TIP”) for truant and habitually truant students.</li> </ul>
<p><b>Conference:</b> This term means any informal discussion in which a warning, reprimand, or other admonishment is delivered to the student and/or parent/guardian in a private setting.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Informal talk with student (e.g., preparing a student to return to class).</li> <li>• Structured talk with student using a specific strategy (e.g., de-escalation techniques).</li> <li>• Arranged meeting with student and/or parent/guardian during or after the School Day (either in person or by phone).</li> </ul>
<p><b>Home/School Partnership:</b> This term means any measure used to establish an interactive alliance between school and home to accomplish specifically established behavioral objectives over a specified timeframe.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Daily behavior report or note home (whether misconduct resulted during the school day or not).</li> <li>• Parent/guardian escort: 1) To school; or 2) To one (1) class or more.</li> </ul>
<p><b>Mentoring or Mediation:</b> This term means enlisting the aid of one (1) or more students, student personnel, or other adults: 1) To provide guidance and coaching in areas determined to be impacting a student’s behavior; or 2) To facilitate resolution of conflict-based misconduct between students.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Student participation in any form of mentoring, such as: <ul style="list-style-type: none"> <li>○ Classroom-based mentoring (e.g., assignment to a classroom “buddy” or “partner”).</li> <li>○ Counseling for truancy or habitual truancy.</li> <li>○ School-based mentoring with student personnel (e.g., assignment to a teacher or other adult trusted by the student; or assignment to a school-based mentoring group designed to positively influence the lives of students and their academic success (e.g., “Girls on the Run”, “Boyz to</li> </ul> </li> </ul>

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<p>Men”, “Elite Young Gentlemen”, “Ladies in Leadership”, “Ambassadors”, or “Leading Ladies”).</p> <ul style="list-style-type: none"> <li>○ A multi-disciplinary “wrap-around” support program.</li> </ul> <ul style="list-style-type: none"> <li>• Student or parent/guardian participation in any form of mediation, such as: <ul style="list-style-type: none"> <li>○ The mutual resolution process for resolving an informal harassment complaint.</li> <li>○ A peer mediation program to resolve individual or group issues or disputes.</li> <li>○ A restorative mediation or restorative practices program.</li> <li>○ A Truancy Prevention Mediation Program (or “TPMP”) for the parent/guardian (optional or mandatory).</li> </ul> </li> </ul>
<p><b>Referral for Services:</b> This term means a recommendation for either school-based services or community-based services provided by one (1) licensed professional or more for: 1) Additional supports and/or strategies; or 2) Evaluation.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Any action involving a referral for internal services, such as: <ul style="list-style-type: none"> <li>○ Referral to a guidance counselor to address physical, emotional, or educational needs or situations that may be interfering with learning and success.</li> <li>○ Referral to a Student Assistance Program (or “SAP”) for issues-based intervention (e.g., substance abuse, pregnancy, problems associated with sexual behavior, alienation and other emotional difficulties, dysfunctional behaviors, or reactions to suicide or crisis situations).</li> <li>○ Referral to a drug or alcohol counseling, rehabilitation, and re-entry program.</li> <li>○ Referral to a Student Assistance Team (or “SAT”) for early intervening services.</li> </ul> </li> <li>• Any action involving a referral for external services, such as: <ul style="list-style-type: none"> <li>○ Referral to community-based resources (e.g., social workers, family resource programs, youth service centers, or mental health workers) that work with students and/or families to identify and address needs or situations that may be interfering with learning and success.</li> <li>○ Referral to a mental health agency to work with a service provider in the community that specializes in the treatment of children and adolescents with behavioral and emotional needs.</li> </ul> </li> </ul>
<p><b>Re-Teach Expectations:</b> This term means any instruction, assignment, project, or work that re-teaches the skills necessary for the student to be successful in the setting in which he or she experienced a problem.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Re-introduction or reinforcement of classroom rules by a teacher (e.g., non-academic assignments to assist students in gaining additional insight regarding expectations).</li> <li>• Re-introduction or reinforcement of school rules by an administrator.</li> </ul>
<p><b>Timeout:</b> This term means a behavioral intervention in which a student, for a limited and specified time, is separated from the class within the classroom or in an unlocked setting for the purpose of self-regulating and controlling his or her own behavior.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Any “safe place” or “cool-off” area at the setting level, such as: <ul style="list-style-type: none"> <li>○ In-class actions (e.g., providing brief breaks or opportunities to withdraw from group attention or negative reinforcers while remaining in the same classes).</li> <li>○ Team actions (e.g., providing periods of time in other team classrooms).</li> </ul> </li> </ul>

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<ul style="list-style-type: none"> <li>Any "safe place" or "cool-off" area at the school level, such as: <ul style="list-style-type: none"> <li>Out-of-class actions (e.g., providing opportunities to regroup in a supervised school area away from a class or activity, or providing opportunities in the school office to reflect on actions).</li> </ul> </li> </ul>
<b>SECONDARY/GROUP</b>
<p><b>At-Risk Group:</b> This term means participation in a topical group specifically related to the needs of the students involved.</p> <p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>Student participation in any behavioral group, such as: <ul style="list-style-type: none"> <li>A Truancy Student Intervention Program (or "TSIP").</li> <li>A Drug or Alcohol Education and Prevention Program .</li> <li>A topical Student Support Group.</li> </ul> </li> <li>Parent/guardian participation in any behavioral group, such as: <ul style="list-style-type: none"> <li>A Parental Education or Training Program (or "PETP") for habitually absent and truant students (optional or mandatory).</li> <li>A Truancy Prevention Mediation Program (or "TPMP") (optional or mandatory).</li> <li>Any other Parent Involvement Program (or "PIP") (optional or mandatory).</li> </ul> </li> </ul>
<b>TERTIARY/INDIVIDUAL</b>
<p><b>Alternative Education:</b> This term means re-assignment to a program or school that provides educational services to students in an alternative setting for part or all of the school day.</p> <p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>Assignment to the Alternative Education Program (or "AEP").</li> <li>Enrollment in Alternative School.</li> </ul>
<b>CONVENTIONAL CONSEQUENCES</b>
<b>PRIMARY/UNIVERSAL</b>
<p><b>Academic Penalty:</b> This term means either a loss or credit or requiring an alternative assignment in order to demonstrate standards mastery or course proficiency.</p> <p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>Loss of credit or alternative assignment in cases of schoolwork-related misconduct (e.g., cheating or plagiarism) until a replacement assignment is submitted. Loss of credit or alternative assignment in cases attendance-related misconduct (e.g., exceeding a maximum number of unexcused absences) until credit requirements are met.</li> </ul>
<p><b>Detention:</b> This term means a progressive in-school discipline option that requires a student: 1) To report to a designated area during non-instructional time; and 2) To remain there for the duration of the consequence.</p> <p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>Assignment to lunch-time detention by the Principal or a staff member for the duration of the student's lunch period.</li> </ul>



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<ul style="list-style-type: none"> <li>• Assignment to after-school detention by the Principal or a staff member with: 1) Notice to the parent/guardian of at least one (1) day; 2) Definite assignments or duties to be completed during the detention period; and 3) Parent/guardian agreement to be responsible for the child's transportation.</li> <li>• Assignment to "Saturday School" by the Principal, held in a school determined by the Superintendent, with transportation to be provided by the parent/guardian.</li> </ul> <p><b>NOTE:</b> Failure to report for a Detention or Saturday School, to remain in the assigned area, or to otherwise obey the school rules established for these actions may result in: 1) In-School Restriction; or 2) Suspension.</p>
<p><b>In-School Restriction:</b> This term means a progressive in-school discipline option that involves removal from the classroom, but not from the educational program.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Re-assignment to In-School Suspension (or "ISS") by the Principal or assistant principal, served entirely in a school setting in the Alternative Learning Center ("ALC" or "ALE").</li> </ul> <p><b>NOTE:</b> Failure to timely serve an In-School Restriction or obey the rules established for the action may result in: 1) Other in-school discipline; or 2) Suspension.</p>
<p><b>Property Confiscation:</b> This term means the separation of the student from some form of personal property: 1) Temporarily, until the provision(s) for its return are met; or 2) Permanently.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Confiscation of an item with: 1) Student pickup; or 2) Parent/guardian pickup.</li> <li>• Confiscation of contraband with law enforcement pickup.</li> <li>• Other indirect confiscations (e.g., requiring a change of clothes that do not conform to the school dress code before returning to the educational program, or requiring a PCD to be powered off and put away during an otherwise permitted use time).</li> </ul>
<p><b>Restitution:</b> This term means permitting a student or parent/guardian, either as a disciplinary measure or in the place of another disciplinary action, to make amends for the results of an incident that has affected or involved: 1) Board property; or 2) Another person or their property.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Student letter of apology.</li> <li>• Student completion of reflection worksheet or statement.</li> <li>• "Making it right" conversation between the student and the affected person.</li> <li>• Student return of stolen property.</li> <li>• Parent/guardian compensation for replacement costs or payment of a fine.</li> </ul>
<p><b>Schedule Change:</b> This term means a change in the student's class schedule.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Voluntary change of class (e.g., with different teacher).</li> <li>• Involuntary change in class (e.g., with same teacher).</li> </ul>
<p><b>Service Penalty:</b> This term means unpaid service for the benefit of the school or the public for a pre-defined period of time that is performed either inside or outside of school hours as part (or all) of a disciplinary consequence.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Participation on a "work detail" (e.g., to clean graffiti after being caught "tagging" a locker bay, or to remove trash from a bus after bus misconduct).</li> </ul>

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<ul style="list-style-type: none"> <li>• Assignment to community service.</li> <li>• Peer teaching or presentation regarding the effects of tobacco.</li> </ul>
<p><b>Student Privilege Denied:</b> This term means the temporary disqualification of the student to attend, participate in, or benefit from some non-educational or non-credit activity.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Denial of a setting level privilege (e.g., delayed recess start, alternate recess, or loss of preferred activity time).</li> <li>• Denial of a school level privilege (e.g., Bus Suspension, revocation of parking privilege, disqualification for an honors program, loss of participation in a “high-demand” elective, or declaration of ineligibility for a club or School-sponsored event).</li> <li>• Denial of a District level privilege (e.g., declaration of athletic ineligibility, prohibition from an extra-curricular activity, or loss of technology use privilege).</li> </ul>
<p><b>SECONDARY/GROUP</b></p>
<p><b>Suspension:</b> This term (“Out-of-School Suspension” or “OSS”) means the temporary exclusion of a student by the Superintendent, assistant superintendent, Principal, assistant Principal, or another Administrator from the District’s instructional program for a period not to exceed ten (10) school days.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Suspension at the school level by the Principal.</li> <li>• Suspension at the District level by action of the Superintendent.</li> </ul>
<p><b>TERTIARY/INDIVIDUAL</b></p>
<p><b>Expulsion:</b> This term means the exclusion of a student from the schools of the District: 1) For a period not to exceed the greater of eighty (80) school days (or the number of school days remaining in a semester or term in which the incident that gave rise to the action takes place); or 2) For a period of one (1) year as specifically provided in Board Policy 5610 and the Student Guide.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Expulsion with services.</li> <li>• Expulsion without services.</li> </ul>
<p><b>Permanent Exclusion:</b> This term means that the student is banned forever from attending public school in the state.</p>
<p>Examples include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Permanent Exclusion with services.</li> <li>• Permanent Exclusion without services.</li> </ul>

## RELATED NOTICES

Additional guidance for students and parents/guardians regarding the measures used to resolve Code violations includes, but is not limited to, the following:

## IN-SCHOOL DISCIPLINE RULES

In-School Discipline (Detention, Saturday School, and In-School Suspension) is a progressive discipline option that the Principal may use to improve attendance, to modify student behavior, or to monitor the student's behavior during the disciplinary process. The following school rules apply when a student is assigned to In-School Discipline:

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- Follow adult directions and remain on task.
- Raise hand and get permission to speak or leave seat or area.
- Keep hands and feet to yourself; and sit up straight at all times.
- District-issued items only at your desk or area.
- Your head is to remain uncovered.
- Have your class assignments with you if you are attending Saturday School.

**NOTE:** In addition to the above, all other school rules apply during In-School Discipline.

### **LOSS OF BOARD TRANSPORTATION PRIVILEGE**

Students on a school bus or other authorized Board transportation vehicles are under the authority of, and directly responsible to, the bus or vehicle driver, and the bus or vehicle driver has the authority to enforce the established regulations for bus or vehicle conduct (see [Section 2.0](#)). Disorderly conduct or refusal to submit to the authority of the driver will be sufficient reason for refusing transportation service to any student, to the extent permitted by law.

A student may be suspended from school bus or vehicle riding privileges for all or part of a school year for any violation of established regulations for bus conduct and/or conduct occurring on a bus or vehicle in violation of the Code. Bus Suspension periods for Code violations will be proportional to the infraction(s) involved, as determined by the Superintendent or designated District personnel.

### **LOSS OF EXTRACURRICULAR ACTIVITY PARTICIPATION PRIVILEGE**

Participation in extra-curricular activities, including interscholastic sports, is a privilege and not a right; therefore, the Board authorizes the superintendent, the athletic director, and principals to prohibit a student from participating in any particular or all District extra-curricular activities for offenses or Code violations. Further, students who are athletes are also subject to the Athletic Code of Conduct, and may be prohibited from participating in all or part of any interscholastic sport for violations therein.

Any such loss of participation privilege may be for a period not to exceed the remainder of the school year in which the offense or Code violation took place.

### **SUSPENSION AND EXPULSION**

The Board recognizes that students waive certain constitutional rights regarding their education. Accordingly, the Board has established due process procedures consistent with state statute for students facing Suspension or Expulsion, and the Superintendent shall ensure that they are used when dealing with students facing these actions.

### **PERMANENT EXCLUSION**

Under state law, if a student sixteen (16) years of age or older who has been convicted of or adjudicated delinquent for committing any of the following Code violations while on school grounds, he or she may be permanently excluded from the schools of the District or any other public schools in the state:

- Possession or involvement with a deadly weapon;
- Possession or Trafficking in drugs;
- Murder, Manslaughter, felonious or aggravated assault;
- Rape, gross sexual imposition, or felonious sexual penetration on school grounds, at a school event, or if the victim is an employee of the District; or
- Complicity in any of the above crimes, regardless of where the complicity occurs.

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## **DUE PROCESS**

A student against whom disciplinary action is taken by student personnel to address a Code violation is entitled to the following due process under state statute and/or Board Policy:

### **IN-SCHOOL DISCIPLINE**

The due process procedures in Board Policy 5611 shall not apply to In-School Discipline alternatives, including In-School Suspension.

### **LOSS OF BOARD TRANSPORTATION PRIVILEGE**

A student whose conduct warrants Bus Suspension shall be dealt with in accordance with the rights and procedures outlined in Board Policy 5610.04. Before a Bus Suspension is imposed, the Superintendent or his/her designee will provide the student with notice of an intended Bus Suspension and an opportunity to appear before the Superintendent or other designated District personnel.

### **LOSS OF EXTRACURRICULAR ACTIVITY PARTICIPATION PRIVILEGE**

A student prohibited from participation in all or any part of an extra-curricular activity is not entitled to further notice, hearing, or appeal rights under Board Policy 5611.

### **SUSPENSION**

When a student is being considered for Suspension by the Principal, Superintendent, or another administrator:

1. The student will be informed in writing of the potential Suspension and the reason(s) for it.
2. The student will be provided an opportunity for an informal hearing to challenge the reason(s) for the intended Suspension and to explain his or her actions.
3. An attempt will be made to notify the parent/guardian by telephone if a Suspension is issued.
4. Within one (1) school day of a Suspension, the Principal, Superintendent, or another administrator will notify the student and/or parent/guardian and the treasurer.

The notice will include the reasons for the Suspension and the right of the student and/or parent/guardian to appeal to the Board or its designee; the right to be represented at the appeal (at personal expense); and the right to request the hearing be held in executive session (if before the Board). The notice shall also specify that if the student and/or parent/guardian intend to appeal the Suspension to the Board or its designee, such notice of appeal shall be filed, in writing, with the treasurer or the Superintendent within fourteen (14) calendar days after the date of the Suspension notice.

If the offense is one for which the Board may seek the student's Permanent Exclusion, then the notice will also contain that information.

5. Notice of this Suspension will also be sent to: 1) The Superintendent; 2) The Treasurer; and 3) The student's school record.

If a student leaves school property without permission immediately after an alleged Code violation or prior to an administrator conducting an informal hearing as specified above, and the student fails to return to school on the following school day, the Principal, Superintendent, or another administrator may send the student and/or parent/guardian notice of the Suspension, and offer to provide them an informal hearing upon request to discuss the reason(s) for the Suspension, allow the student to challenge the reason(s) for the Suspension and to explain his or her actions, any time prior to the end of the Suspension period.

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## HOW TO APPEAL A SUSPENSION

Either a student who is eighteen (18) years of age or older or the parent/guardian may appeal the Suspension to the Board or its designee. Written notice of appeal must be filed, in writing, with the treasurer or the Superintendent within fourteen (14) calendar days after the date of the Suspension notice, and the procedure to pursue an appeal will be provided with the Suspension notice.

The student and/or parent/guardian may be represented in all such appeal proceedings (at personal expense). A verbatim record will be kept of the appeal hearing, which may be held in executive session of the Board at the request of the student and/or parent/guardian; however, the Board may only act on the appeal in public.

Under state law, further appeal of the decision of the Board or its designee may be made to the Court of Common Pleas.

## HOW TO STAY CURRENT IN CLASSES DURING A SUSPENSION

Credit will be given for work missed due to Suspension, provided the student completes and submits all required assignments upon return to school [Board Policy 5610 and related administrative guidelines].

## WHAT TO DO WHEN RETURNING FROM A SUSPENSION

A student returning from a Suspension must meet with the Principal and/or counselor before returning to class to get a pass that will let teachers know that he or she has been successfully reinstated. Any student arriving to class after a Suspension without a pass will be sent to the office immediately.

## **EXPULSION**

When a student is being considered for Expulsion by the Superintendent:

1. The Superintendent will give the student and/or parent(s)/guardian(s) written notice of the intended Expulsion, including reason(s) for the intended action.
2. The student and/or parent(s)/guardian(s), and representative have the opportunity to appear before the Superintendent or designee to challenge the proposed action or to otherwise explain the student's actions. The written notice will state the time and place to appear, which must not be earlier than three (3) school days nor later than five (5) school days after the notice is given, unless the Superintendent grants an extension upon request of the student, his or her parent(s)/guardian(s), or representative.
3. Within one (1) school day of an Expulsion, the Superintendent will notify the student and/or parent(s)/guardian(s) and the treasurer.

The notice will include the reason(s) for the Expulsion and the right of the student and/or parent(s)/guardian(s) to appeal to the Board or its designee; the right to be represented at the appeal (at personal expense); and the right to request the hearing be held in executive session (if before the Board). The notice shall also specify that if the student and/or parent(s)/guardian(s) intend to appeal the Expulsion to the Board or its designee, such notice of appeal shall be filed, in writing, with the treasurer or the Superintendent within fourteen (14) calendar days after the date of the Expulsion notice.

If the offense is one for which the Board may seek the student's Permanent Exclusion, then the notice will also contain that information.

## HOW TO APPEAL AN EXPULSION

Either a student who is eighteen (18) years of age or older or the parent(s)/guardian(s) may appeal the

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Expulsion to the Board or its designee. Written notice of appeal must be filed, in writing, within fourteen (14) calendar days after the date of the notice of the Expulsion decision, and the procedure to pursue an appeal will be provided with the Expulsion notice.

The student and/or parent(s)/guardian(s) may be represented in all such appeal proceedings (at personal expense). A verbatim record will be kept of the appeal hearing, which may be held in executive session at the request of the student and/or parent(s)/guardian(s); however, the Board may only act on the appeal in public.

Under state law, the decision of the Board may be further appealed to the Court of Common Pleas.

## **PERMANENT EXCLUSION**

A student whose conduct is that for which Permanent Exclusion is warranted shall be dealt with in accordance with the rights and procedures outlined in Board Policy 5610.01.

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## APPENDIX 1: BEHAVIOR MANAGEMENT PLAN

BEHAVIOR MANAGEMENT MATRIX (CLEVELAND HEIGHTS-UNIVERSITY HEIGHTS CITY SCHOOLS)															
	POSITIVE ACTIONS										CONVENTIONAL CONSEQUENCES				
	AGREEMENT OR PLAN	CONFERENCE	HOME/SCHOOL PARTNERSHIP	MENTORING OR MEDIATION	REFERRAL FOR SERVICES	RE-TEACH EXPECTATIONS	TIMEOUT	AT-RISK GROUP	ALTERNATIVE EDUCATION		DETENTION	IN-SCHOOL RESTRICTION	PROPERTY CONFISCATION	RESTITUTION	SCHEDULE CHANGE
CODE VIOLATION RESOLUTION OPTIONS (PK-5)		X	X	X	X	X	X					X			
	DISRUPTION (MINOR)	X	X	X	X	X	X					X			
	DRESS CODE VIOLATION	X	X	X	X	X	X					X			
	INAPPROPRIATE DISPLAY OF AFFECTION	X	X	X	X	X	X					X			
	INSUBORDINATION (MINOR)	X	X	X	X	X	X					X			
	NUISANCE ITEM	X	X	X	X	X	X					X			
	OUT OF ASSIGNED OR DESIGNATED AREA	X	X	X	X	X	X					X			
	DISHONESTY (MINOR)	X	X	X	X	X	X	X			X	X			
	DISREGARD FOR SAFETY	X	X	X	X	X	X				X	X			
	DISRUPTION (MAJOR)	X	X	X	X	X	X				X	X			
CLASS 2 VIOLATIONS	HOSTILE ENVIRONMENT (MINOR)	X	X	X	X	X	X	X			X	X			
	INSUBORDINATION (MAJOR)	X	X	X	X	X	X	X			X	X			
	NON-CONTROLLED SUBSTANCE POLICY VIOLATION	X	X	X	X	X	X				X	X			
	OFFENSIVE SPEECH	X	X	X	X	X	X	X			X	X			
	TECHNOLOGY POLICY VIOLATION	X	X	X	X	X	X				X	X			
	TOBACCO POLICY VIOLATION	X	X	X	X	X	X				X	X			
	TRANSPORTATION POLICY VIOLATION	X	X	X	X	X	X				X	X			
	UNEXCUSED ABSENCE		X	X	X	X	X	X			X	X			
		X	X	X	X	X	X				X	X			
		X	X	X	X	X	X				X	X			
CLASS 1 VIOLATIONS	EXPULSION														
	SUSPENSION														
	STUDENT PRIVILEGE DENIED														
	SERVICE PENALTY														
	SCHEDULE CHANGE														
	RESTITUTION														
	PROPERTY CONFISCATION														
	IN-SCHOOL RESTRICTION														
	DETENTION														
	ACADEMIC PENALTY														
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	X	X	X			X		X				X	X	X	X				X	
	X	X	X			X		X				X	X	X	X			X		
	X	X	X		X	X						X						X		
	X	X	X	X	X	X	X					X	X	X				X		
	X	X	X			X					X	X	X	X						
	X	X	X	X	X	X						X	X	X				X		
	X	X	X	X	X	X						X	X	X				X		
	X	X	X	X	X	X							X	X						
	X	X	X	X	X	X							X	X						
	X	X	X	X	X	X							X	X						
	X	X	X	X	X	X							X	X						
	X	X	X	X	X	X							X	X						
	CLASS 3 VIOLATIONS												CLASS 4 VIOLATIONS							

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	DISRUPTION (MINOR)	X	X	X	X	X	X				X	X	X	X	X		X			
	DRESS CODE VIOLATION	X	X	X		X					X	X	X		X		X			
	INAPPROPRIATE DISPLAY OF AFFECTION	X	X	X	X	X		X			X	X			X		X			
	INSUBORDINATION (MINOR)	X	X	X	X	X	X	X	X		X	X		X	X	X	X	X		
	NUISANCE ITEM	X	X	X		X					X	X	X				X			
	OUT OF ASSIGNED OR DESIGNATED AREA	X	X	X							X	X					X			
	DISHONESTY (MINOR)	X	X	X		X		X	X	X	X	X			X	X	X	X	X	
	DISREGARD FOR SAFETY	X	X	X	X		X	X	X	X	X	X				X	X	X	X	X
	DISRUPTION (MAJOR)	X	X	X	X	X	X	X		X		X	X		X		X	X	X	X
	HOSTILE ENVIRONMENT (MINOR)	X	X	X	X	X	X		X		X	X			X		X	X	X	X
	INSUBORDINATION (MAJOR)	X	X	X	X	X	X	X	X	X	X	X			X		X	X	X	X
	NON-CONTROLLED SUBSTANCE POLICY VIOLATION	X	X	X		X	X		X	X	X	X	X	X			X	X	X	X
	OFFENSIVE SPEECH	X	X	X	X		X	X	X	X	X	X	X	X	X		X	X	X	X
	TECHNOLOGY POLICY VIOLATION	X	X	X	X		X			X		X	X	X		X	X	X	X	X
	TOBACCO POLICY VIOLATION	X	X	X	X	X	X			X		X	X	X		X	X	X	X	X
	TRANSPORTATION POLICY VIOLATION	X	X	X			X		X		X	X				X	X	X	X	X
	UNEXCUSED ABSENCE		X	X	X	X	X		X	X	X	X	X			X	X	X	X	X
CLASS 2 VIOLATIONS																				
CLASS 1 VIOLATIONS																				

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		X	X			X		X	X			X		X		X	X	X	X	
						X		X	X			X		X		X	X	X	X	
		X	X	X	X		X		X			X				X	X	X	X	
			X	X	X							X		X		X	X	X	X	
		X	X	X	X	X	X		X			X		X		X	X	X	X	
		X	X	X	X				X		X	X		X		X	X	X	X	
		X	X	X	X	X			X			X		X		X	X	X	X	
		X	X	X	X	X			X			X		X		X	X	X	X	
		X	X	X	X	X			X			X		X		X	X	X	X	
		X	X	X	X	X			X			X		X		X	X	X	X	
		X	X	X	X	X			X			X		X		X	X	X	X	
		X	X	X	X	X			X			X		X		X	X	X	X	
		X	X	X	X	X			X			X		X		X	X	X	X	
		X	X	X	X	X			X			X		X		X	X	X	X	
		X	X	X	X	X			X			X		X		X	X	X	X	
		X	X	X	X	X			X			X		X		X	X	X	X	
		X	X	X	X	X			X			X		X		X	X	X	X	
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X	X	X			X			X		X		X	X	X	X		
	X	X	X																	

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	DISRUPTION (MINOR)	X	X	X	X	X	X				X	X	X	X	X		X	X		
	DRESS CODE VIOLATION	X	X	X		X					X	X	X		X		X			
	INAPPROPRIATE DISPLAY OF AFFECTION	X	X	X		X		X			X	X			X		X			
	INSUBORDINATION (MINOR)	X	X	X	X	X	X	X	X		X	X		X	X	X	X	X		
	NUISANCE ITEM	X	X	X		X					X	X	X				X			
	OUT OF ASSIGNED OR DESIGNATED AREA	X	X	X							X	X					X			
	DISHONESTY (MINOR)	X	X	X		X		X	X	X	X	X			X	X	X	X	X	
	DISREGARD FOR SAFETY	X	X	X	X		X	X	X	X		X	X			X	X	X	X	X
	DISRUPTION (MAJOR)	X	X	X	X	X	X	X		X		X	X		X		X	X	X	X
	HOSTILE ENVIRONMENT (MINOR)	X	X	X	X	X		X			X	X			X	X	X	X	X	X
	INSUBORDINATION (MAJOR)	X	X	X	X	X	X	X	X	X		X			X	X	X	X	X	X
	NON-CONTROLLED SUBSTANCE POLICY VIOLATION	X	X	X		X	X			X		X	X	X			X	X	X	X
	OFFENSIVE SPEECH	X	X	X	X		X	X	X	X		X	X	X	X		X	X	X	X
	TECHNOLOGY POLICY VIOLATION	X	X	X	X		X			X		X	X	X		X	X	X	X	X
	TOBACCO POLICY VIOLATION	X	X	X	X	X	X			X		X	X	X		X	X	X	X	X
	TRANSPORTATION POLICY VIOLATION	X	X	X			X		X		X	X				X	X	X	X	X
	UNEXCUSED ABSENCE		X	X	X	X	X		X	X	X	X	X			X	X	X	X	X
CLASS 2 VIOLATIONS																				
CLASS 1 VIOLATIONS																				

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	AGREEMENT OR PLAN	CONFERENCE	HOME/SCHOOL PARTNERSHIP	MENTORING OR MEDIATION	REFERRAL FOR SERVICES	RE-TEACH EXPECTATIONS	TIMEOUT	AT-RISK GROUP	ALTERNATIVE EDUCATION	ACADEMIC PENALTY	DETENTION	IN-SCHOOL RESTRICTION	PROPERTY CONFISCATION	RESTITUTION	SCHEDULE CHANGE	SERVICE PENALTY	STUDENT PRIVILEGE DENIED	SUSPENSION	EXPULSION	PERMANENT EXCLUSION
CLASS 3 VIOLATIONS	DISHONESTY (MAJOR)	X	X			X		X	X			X		X		X	X	X	X	X
	DISTURBANCE OF SCHOOL	X			X	X		X	X			X		X		X	X	X	X	X
	ENDANGERING OTHERS	X	X		X	X			X			X				X	X	X	X	X
	FIGHTING	X		X	X	X		X	X			X				X	X	X	X	X
	GAMBLING	X	X	X	X	X			X		X	X	X	X		X	X	X	X	X
	HOSTILE ENVIRONMENT (MAJOR)	X	X	X	X			X	X			X		X		X	X	X	X	X
	OFFENSIVE CONDUCT	X			X	X		X	X			X				X	X	X	X	X
	PROPERTY DAMAGE	X			X			X	X			X		X		X	X	X	X	X
	THEFT	X						X	X			X		X		X	X	X	X	X
	TRESPASSING	X	X	X		X			X			X				X	X	X	X	X
	ARSON	X	X	X	X				X					X				X	X	X
	ASSAULT	X			X	X			X				X					X	X	X
	BURGLARY	X			X				X				X	X			X	X	X	X
	DANGEROUS INSTRUMENT	X			X				X				X					X	X	X
CLASS 4 VIOLATIONS	DRUG POLICY VIOLATION	X			X				X				X					X	X	X
	ROBBERY	X			X				X				X					X	X	X
	SEXUAL OFFENSE	X			X				X									X	X	X
	TERRORISTIC BEHAVIOR	X			X				X									X	X	X
	WEAPONS POLICY VIOLATION	X			X				X										X	X
	OTHER CRIMINAL OFFENSE	X			X				X										X	X

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## APPENDIX 2: STUDENT GUIDE CERTIFICATION

We,

\_\_\_\_\_ and  
Parent/Guardian

\_\_\_\_\_  
Student

have accessed and read the 2019-20 edition of the **Cleveland Heights-University Heights City School District Student Guide: Student Code of Conduct** (the “Student Guide”), through the District’s website at [www.chuh.org](http://www.chuh.org). We understand the rights and responsibilities pertaining to students and agree to support and abide by the rules, guidelines, procedures, and policies of the District.

We also understand that printed copies are located in the central office and are available upon request.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

**NOTE:** Please return the signed copy to your child’s school. Thank you.



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