

## STUDENT CONDUCT AND DISCIPLINE Standards of Behavior

### Discipline Policy

It is the belief of Mustang Public Schools that the primary function of the schools is to educate the students. It is further believed that students have the right to learn free of unnecessary distractions and to attend a school in which an atmosphere conducive to learning exists.

Education includes establishing norms of acceptable behavior and assisting students in understanding and attaining those norms. From time to time, it may be necessary for the benefit of the students and of the school, for the faculty and the administrators to enforce corrective actions for breaches in acceptable behavior. Each student will be treated in a fair and equitable manner, and the severity of the disciplinary action will be based on a careful assessment of the circumstances surrounding any infraction of the school regulations.

It is the policy of Mustang Public Schools that no student of the district shall participate in any form of hazing, harassment, intimidation and bullying. Threatening behavior by electronic communication is prohibited whether or not such communication originated at school or with school equipment, if the communication is specifically directed at students or school personnel and concerns harassment, intimidation or bullying at school. Furthermore, no student of the district shall participate in or be members of any secret fraternity or secret organization that is in any degree related to the school or to a school activity. (Refer to District Policy # 5110)

**The administrator has the discretion to choose any disciplinary action in regard to unacceptable student behavior.** The following examples of behavior are not acceptable in society generally and in the school environment particularly:

1. Truancy
2. Developing non-factual accounts for absence or behavior
3. Cheating on school work
4. Using profanity or expressing vulgarities
5. Disrespectful conduct/language toward another student, teacher, substitute teacher or staff member in or out of the classroom
6. Blatant disrespect toward faculty or staff
7. Public display of affection
8. Physical altercation/fighting while at school or at a school activity
9. Assault and battery
10. Insubordination or defiance
11. Dress code violation
12. Misuse of PTD/ wireless communication device, ex. filming of fights
13. Other disruptive or insubordinate behavior
14. Misuse of the Internet and/or local area network computer
15. Vandalism/arson
16. Theft
17. Forgery, fraud or embezzlement of legal tender
18. Gambling
19. Gang-related behavior, including gestures, language or dress
20. Sexual, physical and verbal harassment, threats or threatening behavior, bullying, intimidation, hazing, racial slurs or stalking of students or employees, this includes

antisemitism, which is a certain perception of Jews, which may be expressed as hatred toward Jews.

21. Possessing or distribution of pornography
22. Use or possession of tobacco products, electronic cigarettes, vapes or vaping products or any other product packaged for smoking or the simulation of smoking on campus or school activity.
23. Possessing, sharing, selling, distributing or use of alcohol, illicit substances or paraphernalia including intoxicating and/or non-intoxicating substances
24. Possessing, sharing, selling, distributing and/or use of prescription, non-prescription drugs in violation of school policy
25. Possessing, sharing, selling, distributing and/or use of substances represented as intoxicating or non-intoxicating
26. Possession, threat or actual use of dangerous or offensive weapons including "fake" weapon whether loaded or unloaded, concealed or unconcealed
27. An act of violence
28. Acts of licentious behavior, sexual misconduct, lewdness or indecent exposure
29. Adjudication as a delinquent for an offense that is non-violent (Title 57-571 of the Oklahoma Statutes) committed on any school premise, while in transit under the authority of the school or while attending any function authorized or sponsored by the school
30. Adjudication for an offense that is a violent act off campus
31. Repeated minor offenses
32. Failure to produce MPS identification badges (grades 9-12).
33. Parking lot violations
34. Failure to comply with the teacher or school administrator when asked to empty pockets or provide your backpack will be grounds for disciplinary action.

These examples are not intended to be exhaustive and the exclusion or omission of examples of unacceptable behavior is not an endorsement or acceptance of such behavior.

In considering the different forms of disciplinary action, the faculty and the administration of the school district will consider the following; however, the school is not limited to these various methods, nor does this list reflect any order of sequence of events to follow in disciplinary actions:

1. Conference with student
2. Conference with parent
3. In-school Intervention
4. Detention
5. Referral to counselor
6. Behavior contract
7. Changing student's seat assignment or class assignment
8. Requiring a student to make financial restitution for damaged property
9. Requiring a student to clean or straighten items or facilities damaged by the student's behavior
10. Restriction of privileges
11. Involvement of local authorities
12. Referring student to appropriate social agency or to a delinquency prevention and diversion program administered by the office of Juvenile Affairs.
13. Suspension
14. Performing Campus-site services for the school district.

15. Other appropriate disciplinary action as required and as indicated by circumstances which may include, but is not limited to, removal from eligibility to participate or attend extracurricular activities as well as removal from the privilege of attending or participating in the graduation ceremony, school dances, prom, prom activities, and/or class trips, change of placement which could include online instruction, education at Canadian County Juvenile Center, or other placement as administration sees appropriate.

ISI – In-school Intervention is an alternative to home suspension when deemed advisable by the principal. In-school Intervention is assigned during part of or all of a student's schedule, where the student spends time in a monitored, structured study environment. Students will have access to regular child nutrition programs during assigned restriction and access to equal education opportunities. The decision of the principal is final.

Student Privileges while under ISI: When a student's behavior justifies ISI, the student forfeits the privilege of participating in the social activities and will not be permitted to participate in or be in attendance at any extracurricular activities in which schools participate.

## **Procedures**

The procedure for investigating reported incidents of harassment, intimidation, and bullying or threatening behavior, is as follows:

1. The matter should immediately be reported to the building principal or designee. If the bullying involved an electronic communication, a printed copy of the communication as well as any identifying information such as email address or web address shall be provided to the building principal or designee. As much detailed information as possible should be provided to the building principal or designee in written form to allow for a thorough investigation of the matter.
2. Upon receipt of a written report, the building principal or designee shall contact the superintendent or designee and begin an investigation to determine the severity of the incident and the potential for future violence.
3. If, during the course of the investigation, it appears that a crime may have been committed the building principal or designee and/or superintendent or designee shall notify local law enforcement and request that the alleged victim also contact law enforcement to report the matter for potential criminal investigation.
4. If it is determined that the school district's discipline code has been violated, the building principal or designee shall follow district policies regarding the discipline of the student. The building principal or designee shall make a determination as to whether the conduct is actually occurring.
5. Upon completion of the investigation, the principal or designee or superintendent or designee may recommend that available community mental health care substance abuse or other counseling options be provided to the student, if appropriate. This may include information about the types of support services available to the student bully, victim, and any other students affected by the prohibited behavior.  
If such a recommendation is made, the administration shall request disclosure of any information that indicates an explicit threat to the safety of students or school personnel provided the disclosure of information does not violate the provisions or requirements of the Family Educational Rights and Privacy Act of 1974, the Health Insurance Portability and Accountability Act of 1996, Section 2503 of Title 12 of the Oklahoma Statutes,

Section 1376 of Title 59 of Oklahoma Statutes, or any other state or federal laws relating to the disclosure of confidential information.

6. Upon completion of an investigation, timely notification shall be provided to the parents or guardians of a victim of documented and verified bullying. This information should be provided within 3 school days of the conclusion of the investigation.
7. Upon completion of an investigation, timely notification shall be provided to the perpetrator of the documented and verified bullying. This information should be provided within 3 days of the conclusion of the investigation.

### **Personal Technology Device (PTD) in compliance with Oklahoma SB 139 for the 25-26 school year**

Mustang Public Schools limit the student use of PTD's or Personal Technology Devices.

- Pre-K-6<sup>th</sup> grade students will not be allowed to utilize PTD's while on school grounds.
- 7<sup>th</sup>-8<sup>th</sup> grade students will not be allowed to utilize PTD's at school from 8:35-3:35 (or 5 minutes before school begins through the dismissal bell at the end of the regular day).
- 9<sup>th</sup>-12<sup>th</sup> grade students will not be allowed to utilize PTD's at school from 8:40 to 3:35.

PTDs include but are not limited to laptops, computers, tablets, cellular phones, smart phones, smart watches, ear pods, or headphones. Devices whose primary purpose is gaming and portable speakers are expressly prohibited at all times.

All students will be permitted to carry their cell phones/PTD's in their backpacks but they must be turned off, unless it is at one of the approved times listed above.

Possession of a cell phone/PTD on school campus is a privilege, and may be revoked at any time by the administration for violating this school policy regarding such possession. Furthermore, the school and its employees are not responsible for any theft or damage for any cell phone/PTD while on school grounds. The school is not obligated to investigate the loss or damage of a cell phone/PTD.

Exceptions may be made only in compliance with SB 139, including for documented medical needs or emergency circumstances.

### **Dress Code Standards**

Mustang Public Schools respect the students' rights to express themselves appropriately in the way they dress. All students who attend Mustang Public Schools are also expected to respect the school community by dressing appropriately for a PreK-12 educational environment. Student attire should facilitate participation in learning as well as the health and safety of students and personnel. This policy is intended to provide guidance for students, staff, and parents.

### **District Dress Code Expectations:**

***DRESS CODE EXAMPLE AND EXPECTATIONS LISTED ON FOLLOWING PAGE.***

### **Clothing**

1. Clothing must cover areas from one armpit across to the other armpit (in the front and back), extending down to cover the student's buttocks when standing or bending.

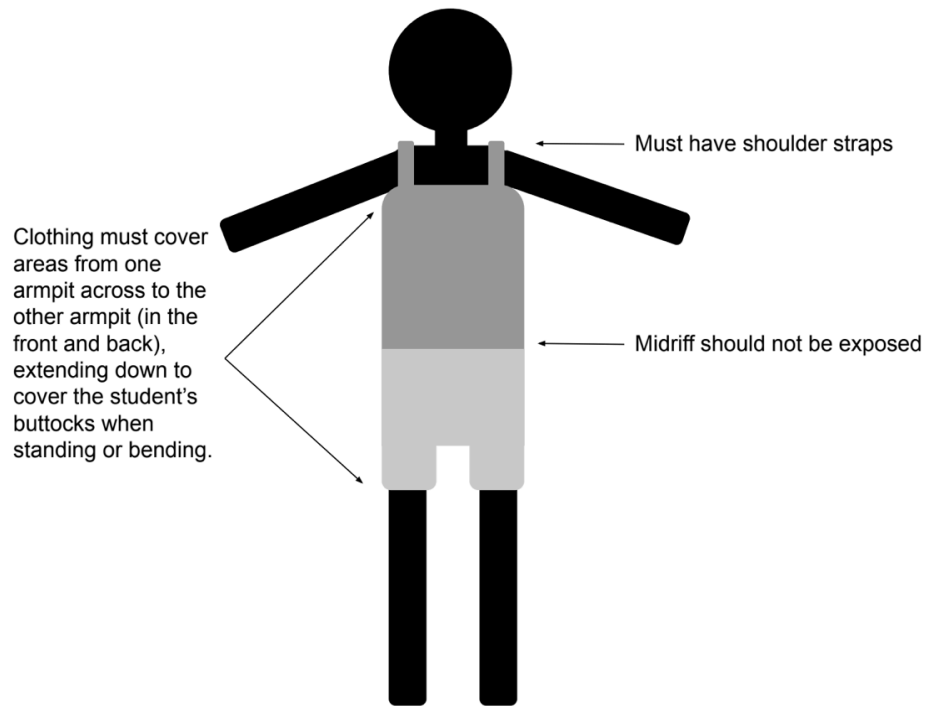
2. Tops must have shoulder straps.

3. Clothing that is transparent, made of mesh, or has holes must cover skin and undergarments while meeting the expectations of #1.

4. Midriff should not be exposed.

5. Specialized courses may require specific attire, such as sports, uniforms and/or safety gear.

### **Dress Code Example**



### **Accessories**

- Headgear including hats and hoodies are allowed as long as eyes and ears are not obstructed by the headgear.
- Sunglasses may not be worn to cover the student's eyes while inside the school.
- Clothing and accessories that endanger student or staff safety may not be worn.
- Clothing that is considered pajamas or bedtime wear is prohibited.

### **Shoes**

- All students are required to wear shoes.
- Cleats, shoes with wheels, house shoes or any shoe that limits physical activity or safety are not permitted.

### **Hair color/hairstyle**

- Hair color/hairstyle, makeup or face paint that disrupts the learning environment is prohibited.

#### **Gang Related**

- Items will be identified and monitored by police and school officials. They are subject to change at the discretion of the administration as the need arises.

District Guidelines: Offensive writing, suggestive slogans or logos which pertain to beer, liquor, drug or tobacco; electronic cigarettes/vapes or vaping products or any other product packaged for smoking or the simulation of smoking; vulgarity, sexual innuendos, obscenity or nudity or promotion of violence are not allowed. Clothing may not state, imply, or depict hate speech/imagery targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, or religious affiliation.

School administration reserves the right to determine what constitutes appropriate dress. Clothing or accessories that create a disruption to the learning environment may not be allowed. Students who do not adhere to these guidelines will not be allowed to attend class. Parents will be called if appropriate clothing is not available or the student refuses dress-code appropriate clothing.

#### **FOOD CONSUMPTION**

Food/drinks must be consumed in cafeteria/commons. Outside food/drinks brought in by parents/guardians can only be consumed by their child and cannot be shared by other students unless directed by the school. Ex. Classroom parties.

#### **TOBACCO USE**

In accordance with Oklahoma law and the wishes of parents, educators and students, tobacco in any form or simulated tobacco products of any kind will not be possessed or used by students while on school premises. Tobacco will not be possessed or used by students attending any school-sponsored event outside school premises or while in transport to or from such an event in school-authorized vehicles.

In accordance with School Laws of Oklahoma and the Mustang Public School District's desire to provide a healthy smoke-free environment for students, employees and patrons, commencing the 16<sup>th</sup> day of March 2004, all facilities within the District will be smoke-free twenty-four (24) hours per day on a year-round basis. This prohibits smoking, the use of snuff, chewing tobacco, electronic cigarettes/vapes or vaping products devices or any other product packaged for smoking or the simulation of smoking, or any other form of tobacco product by all persons. This policy extends to all activities, vehicles and property.

There will be no designated smoking areas anywhere in the District. (Policy and Procedures, # 2060)

#### **ILLICIT DRUG DEFINITION IS DEFINED AS FOLLOWS:**

1. any controlled dangerous substance as defined in the Uniform Controlled Dangerous Substance Act
2. any intoxicating beverage as defined by Oklahoma law
3. any substance which is represented to be a prescription, non-prescription drug, facsimile of an illicit substance or synthetic drug
4. any inhalant
5. any other chemical or natural substance which is capable of producing injury and is misused by a student

### **USE OR POSSESSION OF ILLICIT SUBSTANCES DURING THE SCHOOL DAY OR AT ANY SCHOOL-SPONSORED ACTIVITY**

Students using, in possession of, or after having used controlled illicit substances, facsimile of an illicit substance, intoxicating beverages, and/or intoxicating substances, paraphernalia or exhibiting observable behaviors during school, while attending a school-sanctioned activity, while on any school premises, or when being transported, will be suspended.

First Offense: The following suspension will go into effect according to the grade level of the student on the first day of the offense.

- Grades 9-12 = 45 days (10 days out and 35 days in DPP)
- Grades 5-8 = 45 days
- Grades PreK-4 = a plan will be submitted and approved by the Superintendent or designee.

Reinstatement option - The suspension may be reduced for the first offense if the student/parent/guardian agrees to complete a reinstatement option which will consist of a list of criteria that will be set by Mustang Public Schools.

Criteria for a reinstatement will include the following:

- meeting with the Principal of the Mustang Education Center.
- Counseling services that consist of a school-approved chemical dependency education program, or a comparable program approved by the administration. Any counseling fees will be the responsibility of the parent/guardian.
- Urinalysis - At administrative request, the urinalysis will begin after 30 days from the date of the suspension and will be required throughout the term of the suspension (a minimum of once per month after the original urinalysis). The results will not affect the suspension term, however the school and parent(s) may implement additional counseling services as needed. If a student refuses to participate in the urinalysis at any point during the term the original suspension will go into effect.

Additional criteria can include but is not limited to:

- check and connect weekly with a site counselor or site administrator or site mentor
- In school placement
  - High School – Disciplinary Placement Program (DPP)
  - Middle School or Intermediate School – ISI
- On-site small group meeting with LPC

- re-entry meeting with a site counselor or site administrator
- community service
- performing campus-site services for the school district
- research and an assignment related to the offense

The reinstatement option will reduce the suspension days as follows:

- Grades 9-12 = 45 days/reduced to 10 days (3 days out, 7 days in DPP)
- Grades 5-8 = 45 days/reduced to 10 days
- Grades PreK-4 = a plan will be submitted and approved by the Superintendent or designee.

If a student fails to meet the terms of the reinstatement option the remaining days of the original suspension will be served, unless approved by the administration.

By choosing the reinstatement option, any right to an appeal of the full length of the suspension is voluntarily waived.

A reinstatement option will be available one time during grades 5th-8th and one time for grades 9th-12th, regardless if it was for use or possession or distribution.

**Second Offense:** If a student has a second offense during grades 5th-8th or 9th-12<sup>th</sup>. The following suspension will go into effect according to the grade level of the student on the day of the offense. The reinstatement option will not be available.

- Grades 9-12 = 45 days (10 days out and 35 days DPP)
- Grades 5-8 = 45 days
- Grades PreK-4 = a plan will be submitted and approved by the Superintendent or designee.

## **DISTRIBUTION OF ILLICIT SUBSTANCES**

Any student selling or distributing illicit substances, prescription and/or non-prescription drugs, illegal drugs, wine, beer, intoxicating beverages, and/or intoxicating substances during the school day, or a school activity, on school premises or while being transported by school personnel, will be suspended for ninety (90) school days. A forty-five (45) school days reinstatement option may be available in some circumstances. Grades 9-12 may, under special circumstances, place a student in the DPP as part of the suspension plan if approved by site and district administration, which could include a combination of out-of-school and DPP placement. A second offense will result in at least ninety (90) school day suspension with no reinstatement option. In addition, law enforcement authorities will be notified. By choosing the forty-five (45) day reinstatement option, any right to an appeal of the full length of the suspension is voluntarily waived.

Teachers are required by state law to report any suspected drug or alcohol use to the principal. Violation of this policy will be reported to the law enforcement authorities. Any incident that occurs outside the school day or not at a school function will be reported to the police.

## **ANY STUDENT SUSPENDED FOR ILLICIT SUBSTANCES**

For a student who does not take advantage of the option or commits a second offense or for distribution offenses, counseling services can still be available for students at parent request. Upon return from suspension for illicit substances a student will be required to have an in person meeting with the principal or designee prior to returning to the in person classroom. This requirement will apply regardless of whether an early reinstatement option was utilized or not. Parents or Guardians and/or students that are seeking help for students with issues related to drugs or alcohol can contact the Director of Student Assistance Programs at 405-376-7824. The director will be able to help answer questions and direct parents/students to various resources.

## **VANDALISM**

Each student shall pay for all damages he/she may do to school property within one (1) week after demand, unless an arrangement for deferred payment has been made with the school administration. Failure to make such payment shall be cause for suspension. The pupil responsible shall pay for books belonging to the school that are lost, stolen or mutilated.

## **DANGEROUS WEAPONS**

The use, display or possession of any kind of gun, ammunition, fireworks, weapon or device capable of discharging or throwing projectiles, whether loaded or unloaded, or the possession of any dagger, pocket knife, bowie knife, dirk knife, switchblade knife, spring-type knife, butterfly knife, sword cane, knife having a blade which opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, blackjack, loaded cane, billy, hand chain, metal knuckles or any other chemical or biological device intended by its nature to cause property damage, harm or endanger the life, health or safety of others. Examples include but are not limited to, mace, or pepper spray or other offensive weapon, or facsimile of a weapon, on the campus, parking lots, premises or property of the Mustang Public Schools or during school sponsored activities, functions or events whether such weapon is concealed or unconcealed, may result in the immediate suspension of all students involved for the current school semester and possibly the succeeding semester.

The term "gun or device capable of discharging or throwing projectiles" shall include, but not be limited to:

- a) rifles, pistols or shotguns of any caliber including a startergun
- b) B-B guns or air pistols
- c) potato throwers, dart guns or blow guns
- d) any other device the purpose of which is to throw, discharge or fire objects, bullets or shells

For the purpose of this policy, any student who aids, knowingly accompanies, assists or participates with another student who uses displays or possesses a gun, facsimile of a weapon, or device capable of discharging or throwing projectiles in violation of this policy may be suspended for the current school semester and possibly the succeeding semester.

## **USE OR POSSESSION OF DANGEROUS OR OFFENSIVE WEAPONS**

Any pupil found to be in possession of or using dangerous or offensive weapons or facsimile of a dangerous weapon on the school grounds or at any school-sponsored activity may be suspended by the superintendent or principal for a period not to exceed the current school semester and possible the succeeding semester (Refer to School Laws of Oklahoma, Article 24/Section 488.2).

## **SUSPENSION OF STUDENTS**

The term suspension or suspended as used in this policy and Oklahoma Law means that the student has been removed from attendance at any school. Alternative in-school placement, in-school restriction, detention, and similar disciplinary measures are not considered to be out-of-school suspensions and are not subject to an appeal process. Any student suspended out of school is prohibited by the terms of said suspension from being on the school grounds before, during, or after school hours and from participating in or attending any school-sponsored activity unless otherwise directed by the administration. All suspensions must have the approval of the superintendent or his/her designee. The authority to suspend a student from a school in the district is delegated to the respective building principals. The principal shall exercise his/her discretion as to the length of time of the suspension. When determining whether cause exists for suspension or determining the length of a suspension, the student's prior history of disciplinary infractions during the current school year may be considered if similar infractions have occurred in the past and other forms of discipline have not deterred such behavior.

1. Students may be suspended from school for engaging in any of the following while on school grounds, while on school vehicles and buses, or at school activities/events:
  - Violation of policy, rule, or regulation
  - Possession of an intoxicating beverage, low-point beer (37 O.S. 163.2)
  - Possession of missing or stolen property if the property is reasonably suspected to have been taken from a student, a school employee, or the school
  - Possession of a dangerous weapon or a controlled dangerous substance (Uniform Controlled Dangerous Substance Act)
  - Possession of a firearm (may result in out-of-school suspension of not less than one year)
  - Any act which disrupts the academic atmosphere of the school, endangers or threatens fellow students, teacher, or officials, or damages property
  - Students in grades six through twelve found to have assaulted, attempted to cause physical bodily injury, or acted in a manner that could reasonably cause bodily injury to a school employee or person volunteering for a school shall be suspended for the remainder of the current semester and the next consecutive semester. The term of the suspension may be modified by the school district superintendent on a case-by-case basis.
2. A full suspension shall not extend beyond the present semester and the succeeding semester except for violations of the Gun-Free Schools Act which provides suspensions for up to one calendar year or longer.
3. Except under circumstances that require the immediate removal of a student or students, the parent(s) or legal guardian(s) shall be informed before a student is released from school.

4. Students who are suspended out-of-school who are on an individualized education plan pursuant to IDEA, P.L. No. 101-476, shall be provided the education and related services in accordance with the child's IEP.
5. Any student who has been suspended for a violent offense that is directed towards a classroom teacher shall not be allowed to return to that teacher's classroom without the approval of that teacher.

No school board member, administrator, or teacher may be held civilly liable for any action, taken in good faith, which is authorized by law under the provisions of this policy.

### **SHORT-TERM SUSPENSION – ten (10) days or less**

Short-term suspension is when a student is suspended from school for ten (10) days or less. Before a student is suspended out of school, the school administration shall consider and apply, if appropriate, alternative in-school placement options that are not to be considered suspension (such as placement in an alternative school setting, reassignment to another classroom, in-school intervention, etc.).

- When a student is suspended, his/her parent(s) will be notified as soon as possible.
- If the student is suspended for five (5) days or less the district may provide an educational plan.
- If a student is suspended for more than five (5) days the district shall provide the student with an education plan designed for the eventual reintegration of the student into school which provides for the core units in which the student is enrolled.
- The parent(s) will bear the responsibility of monitoring the student's education progress until the student is readmitted to school.
- Students suspended from school shall be ineligible to participate in or attend extracurricular activities.
- Any student serving suspension during the time of graduation activities shall not be allowed to participate in or attend ceremonies or programs honoring graduates.

### **Appeal Process:**

1. The first level of appeal for suspensions of ten (10) days or less will be to the building principal.
  - o A written request specifying the reason(s) for the appeal must be submitted to the building principal within three (3) days of the notice of the suspension.
  - o A conference will be scheduled with the building principal.
    - This step may be skipped if the building principal was part of the first conference.
    - The Principal may uphold, overrule or modify the suspension.
    - The student and the student's parent(s) shall be notified in writing within five (5) days of the decision.
    - The student has the right to appeal the decision.
2. The second level of appeal for suspensions will be the appeal committee.
  - In order to appeal the building principal's decision, a written request specifying the reason for the appeal must be submitted to the district hearing officer for short-term suspensions within three (3) days.

- Upon receipt of the appeal, the district hearing officer shall schedule an appeal hearing within three (3) days from the date the notice of intent is filed.
- The appeal committee will consist of (1) central office administrator and two (2) building principals other than the suspending principal.
- During the hearing with the appeal committee, the student or the student's parent(s) shall have the right to provide evidence as to why the suspension, or the duration thereof, is inappropriate.
- Upon full investigation of the matter, the committee shall determine the guilt or innocence of the student and the reasonableness for the term of the out-of-school suspension.
- The appeal committee may uphold, overrule or modify the suspension. The student and the student's parent(s) shall be notified in writing within five (5) days of the decision.

In a short-term suspension (10 days or less) appeal, the student shall have the right for representation; however, the parent(s)/guardian(s)/student will not be able to bring legal representation to a level one suspension appeal hearing. If legal counsel is to be present in the level two appeal hearing on a short-term suspension, MPS requires a twenty-four (24) hour notice to exercise the option for legal counsel representation.

The decision of the appeal committee for short-term suspension will be final and may not be appealed to the district hearing officer or the board of education/board hearing officer.

### **LONG-TERM SUSPENSION – more than ten (10) days**

A long-term suspension is when a student is suspended from school for more than ten (10) days. When a long-term suspension occurs, the student's parent(s) will be notified as soon as possible, except under circumstances that require the immediate removal of the student.

- Before a long-term suspension is imposed, an initial suspension will occur while an investigation is conducted.
- A conference with a site administrator will be arranged to take place when the investigation is complete.
- The parent(s) will be provided a copy of the educational plan and will bear the responsibility of monitoring the student's education progress until the student is readmitted to school.
- A student, who is suspended from school for more than ten (10) days, may be eligible for an alternative placement to enroll in internet-based course work, but must abide by the contract guidelines given at time of enrollment.
- Students suspended from school shall be ineligible to participate in or attend extracurricular activities.
- Any student serving suspension during the time of graduation activities shall not be allowed to participate in or attend ceremonies or programs honoring graduates.

Schools are not responsible for the provision of educational services to those students who have been suspended for possession of a dangerous weapon or a controlled dangerous substance. (Reference Title 70, OK statutes, Section 24-101.3)

A student and/or his/her parent(s) may appeal the suspension.

**Appeal Process:**

1. The first level of appeal for suspensions will be to the building principal.
  - This step may be skipped if the building principal was part of the first conference.
  - A written request specifying the reason(s) for the appeal must be submitted to the building principal within three (3) days of the notice of the suspension.
  - A conference will be scheduled with the building principal.
  - The Principal may uphold, overrule or modify the suspension.
  - The student and the student's parent(s) shall be notified in writing within five (5) days of the decision.
  - The student has the right to appeal the decision.
  
2. The second level of appeal for suspensions will be to the appeal committee.
  - In order to appeal the building principal's decision, a written request specifying the reason(s) for the appeal must be submitted to the district hearing officer for long-term suspensions within ten (10) days.
  - Upon receipt of the appeal, the district hearing officer shall schedule an appeal hearing with the appeal committee within ten (10) days from the date the notice of intent is filed.
  - The appeal committee will consist of one (1) central office administrator and two (2) building principals other than the suspending principal.
  - During the hearing with the appeal committee, the student or the student's parent(s) shall have the right to provide evidence as to why the suspension, or the duration thereof, is inappropriate.
  - Upon full investigation of the matter, the committee shall determine the guilt or innocence of the student and the reasonableness for the term of the out of school suspension.
  - The appeal committee may uphold, overrule or modify the suspension. The student and the student's parent(s) shall be notified in writing within five (5) days of the decision.
  - If the appeal committee does not withdraw the suspension, the student has the right to appeal the decision.
  
3. The third level of appeal for suspensions will be to the Board of education/board hearing officer.
  - In order to appeal the appeal committee's decision the student or the student's parent(s) shall notify the superintendent in writing within ten (10) days following receipt of the decision of the appeal committee.
  - Upon receiving notice of a student's intent to appeal, the superintendent shall advise the Board of Education/board hearing officer.
  - The Board of Education/board hearing officer will conduct the hearing within ten (10) days from the date the notice of intent is filed with the superintendent.
  - During the hearing of the appeal before the board of education/board hearing officer, the student or the student's parent(s) shall have the right to provide evidence as to why the suspension, or the duration thereof, is inappropriate.

- The Board of Education/board hearing officer shall determine the guilt or innocence of the student, and the reasonableness of the term of the suspension.
- The Board of Education/board hearing officer may uphold, overrule or modify the suspension. The student and the student's parent(s) shall be notified within five (5) days of the decision.
- Decisions of the suspension appeal may not be appealed.
- The decision of the Board of Education/board hearing officer suspension hearing with the hearing officer shall be final.

In a long-term suspension (more than 10 days) appeal, the student shall have the right for representation; however, the parent(s)/guardian(s)/student will not be able to bring legal representation to a level one or a level two suspension appeal hearing. If legal counsel is to be present in the level three appeal hearing on a long-term suspension, MPS requires a twenty-four (24) hour notice to exercise the option for legal counsel representation.

NOTE: 70 O.S. § 24-101.3 (E) states that a student who has been suspended from a public or private school in the State of Oklahoma or another state for a violent act or an act showing deliberate or reckless regard for the health or safety of faculty or other students shall not be entitled to enroll in a public school of this state, and no public school shall be required to enroll such student, until the terms of the suspension have been met or the time of suspension has expired.

## **STUDENT DISCIPLINE FOR OUT-OF-SCHOOL CONDUCT**

The Board of Education recognizes that out-of-school conduct of students attending school within this district is not normally a concern of the Board. However, the Board believes that disciplinary action for conduct occurring off school property and not involving a school activity is proper if the conduct is a sufficient connection to the school.

Therefore, it is the policy of this Board that any student attending school within this district will be subject to disciplinary action including, but not limited to, suspension from school for any conduct, which in the opinion of the school administrators, has an adverse impact upon the school.

Such activity includes, but is not limited to, the following:

1. Damaging school property, e.g. a school bus;
2. Engaging in activity which causes physical or emotional harm to other students, teachers or other school personnel;
3. Engaging in activity which directly impedes discipline at school or the general welfare of school activities.

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