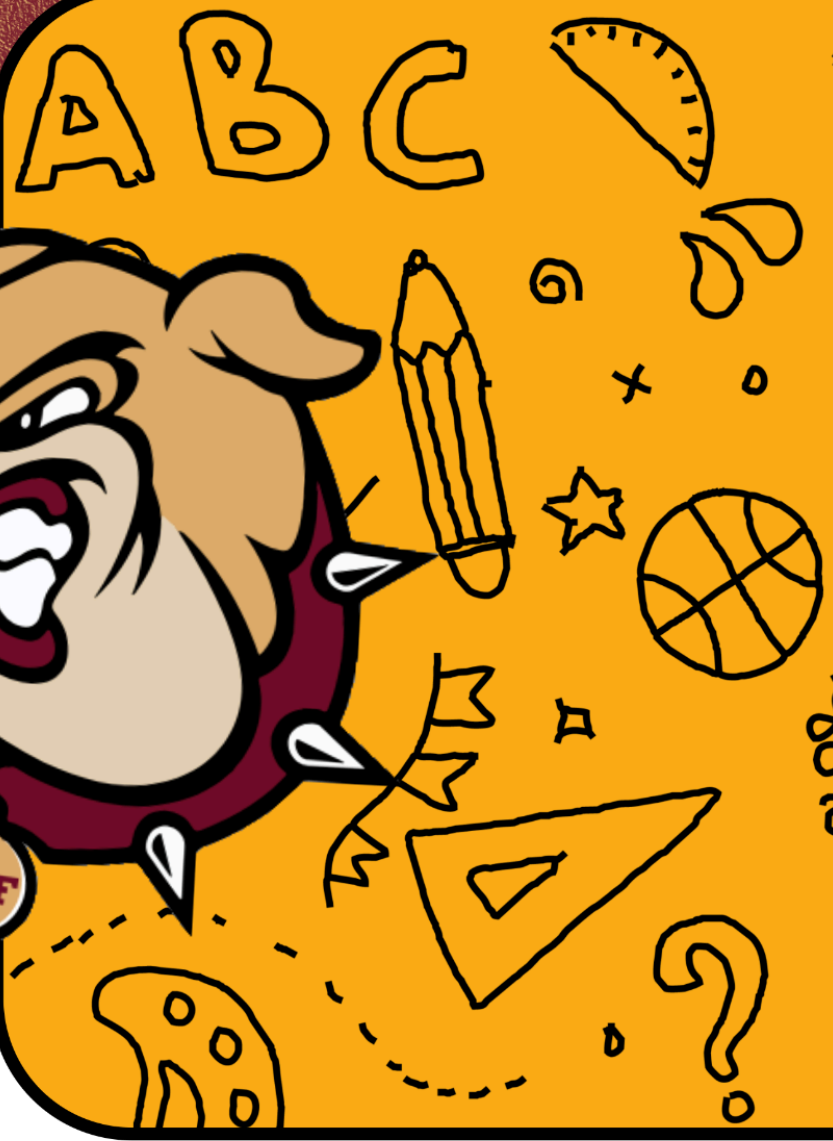


STUDENT CODE OF CONDUCT



Stow-Munroe Falls City School District

Student Code of Conduct

The items in this Code apply to all students when on school property; under the authority of school personnel; on school-owned vehicles, or during any school-sponsored or related event or activity, whether on property owned, rented, or maintained by another party. The Code also applies to any student misconduct, regardless of where it occurs, that is directed at a District student, official, or employee, or the property of such student, employee, or official, or if the conduct causes a substantial disruption with school activities or the overall educational mission of the District.

At the beginning of each school year, District students and parents will receive a copy of this Code via Final Forms along with the written mandate that compliance with the provisions set forth herein is required for all students. Additionally, the Code is available on the District's website. Parents are encouraged to read through the Code along with the following Board Policies at the beginning of the school year and contact their child's principal with any questions, concerns, or needs for clarification.

Violation by a student of any one or more of the following rules of conduct may result in one or more of the following disciplinary actions: detention, deprivation of privileges, parental contact, referral to legal authorities, suspension of driving privileges, emergency removal, disciplinary removal, suspension, expulsion and/or permanent exclusion. Progressive disciplinary action may take place for students with repeated violations of the provisions of the Code. In all cases, the decision regarding the disciplinary consequence to be issued to a student shall be left to the sole discretion of the appropriate District administrator.

The district is committed to using restorative practices as an integral approach to student discipline. Discipline should not only address infractions but also focus on changing behavior, promoting accountability, and fostering personal growth. Restorative practices allow students to understand the impact of their actions, make amends, and restore relationships, creating a positive and supportive learning environment where all students have the opportunity to thrive.

A. Academic Dishonesty

A student shall not engage in any act of cheating, plagiarism, or academic dishonesty, including but not limited to the removal and/or change of any school records.

B. Bomb Threat / False Alarm / Causing Panic

Any threat, whether verbal, written, or electronic, by a person to bomb or use other substances or devices to explode, burn, or cause damage to a school building or school property, or to harm students or staff, is prohibited. Any attempt to create any kind of false alarm (i.e., setting off a fire alarm), or any attempt to cancel a school day or school events, or any action that may cause fear or panic is prohibited. Conduct that violates this provision shall result in a mandatory police referral.

C. Sexual Harassment – [Board Policy 2266](#)

Sexual harassment means conduct based on sex that satisfies one or more of the following:

- unwelcomed conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- conduct which meets the definition of sexual assault, dating violence, domestic violence, or stalking as those terms are defined in Board Policy 2266.

D. Hazing – [Board Policy 5516](#)

Hazing is defined as any act or coercing another, including the victim, to do any act of initiation into any class, team, or organization or any act to continue or reinstate membership in or affiliation with any class, team, or organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or drugs.

E. Harassment Based on a Protected Class– [Board Policy 5517](#)

Harassment means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property; or
- has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- has the effect of substantially disrupting the orderly operation of the school.

F. Harassment, Intimidation or Bullying – [Board Policy 5517.01](#)

Harassment, intimidation, or bullying means either of the following:

- any intentional written, verbal, electronic, or physical act that a student or group of students exhibits towards another particular student(s) more than once and the behavior both causes mental or physical harm to the other student(s) and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other students; or
- cyberbullying through electronically transmitted acts (i.e., internet, e-mail, cellular telephone, personal digital assistance, or wireless hand-held device) that a student(s) or a group of students exhibits towards another particular student(s) more than once and the behavior both causes mental and physical harm to the other student and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student(s); or
- violence within a dating relationship.

G. Aggressive Behavior – [Board Policy 5517.01](#)

Aggressive behavior means inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional well-being.

H. Class Cutting, Punctuality, and Tardiness

All students are expected to be on time for school and for each class, unless illness or a delayed school bus prevents timely attendance at school. Students shall not be absent from all or any portion of the regularly scheduled classes or other mandatory activities without school authorization. For purposes of this Code, a student is considered tardy to first period if he/she is not in his/her assigned seat when the late bell rings.

I. Complicity

A student shall not actively or passively aid, abet, act as an accomplice of, and/or otherwise encourage others to violate the rules contained in the Code of Conduct. Violations are not limited to only those actions that encourage students to break rules.

J. Computer / Technology Tampering or Inappropriate Use of School Property

A student shall not alter or attempt to alter another individual's data by using their login information, individual computer or computer network system software, place unauthorized information, computer viruses or harmful

programs on the system, and disrupt the operation of the individual computer/network in any way (for example: chat-rooms, hate mail, harassment, profanity, vulgar statement, discriminatory remarks, proxy servers, inappropriate sites). Students shall not violate the acceptable use policy of the district. Students found in violation of this article will lose the privilege to use school computers and face school discipline, including suspension.

K. Damage to Property

A student shall not cause or attempt to cause damage to school property or private property, through improper use or otherwise, on school premises or during school activities conducted on or off school grounds. Restitution will be made by the student(s).

L. Disrespect/Disobedience

Students shall not intimidate, demean, or otherwise abuse, orally or in writing, any member of the school staff or student body.

M. Disruption of School / Disorderly Conduct

A student shall not cause any disruption of any classroom activity, the operation of the school, or the educational process, and shall not engage in any act that is potentially harmful to the health, welfare and safety of the student himself/herself, other students, or staff.

N. Distribution or Sale of Unauthorized Materials

A student shall not distribute or sell unauthorized materials on school property (For example: students engaged in the trading/selling of personal property, unapproved fundraising, etc.)

O. Dress or Appearance

A student shall not wear clothing that disrupts the educational environment. This includes clothing that overexposes undergarments of any type, clothing with obscene or suggestive statements or symbols as is any apparel that advertises or promotes sex, drugs, alcohol, or tobacco. Shoes must be worn at all times. Hats can be worn at the building administrator's discretion.

P. Public Displays of Affection

Students shall not engage in kissing, embracing, or other displays of affection that are deemed to be inappropriate for the educational environment.

Q. Failure to Serve School Discipline

Refusing to serve an in-school suspension, misbehavior while serving school discipline, failure to report for assigned detention, and/or walking out of the principal's or assistant principal's office while discussing or receiving discipline will not be tolerated. The student may be required to serve the original consequence in addition to further disciplinary action.

R. Failure to Accept Discipline or Punishment

Students shall not refuse to accept discipline or punishment assigned by teachers, substitute teachers, educational aides, bus drivers, principals, or other appropriate school personnel.

S. Failure to Provide Evidence/Providing False Information

Students are expected to be honest concerning violations of the code of conduct and to assist school officials in establishing the truth about a possible violation of the Student Code of Conduct. In establishing the facts concerning an incident, students are expected to cooperate with school officials. Students shall not give or assist in giving false or fictitious accounts to any school official, staff member, and/or faculty member.

T. Firearm Look-a-Likes

Any item that resembles a firearm but does not have the explosive characteristics of a firearm but may use spring loaded devices or air pressure by which to propel an object or substance (i.e., toy guns, cap guns, bb guns, pellet guns) in the school building, school grounds, school property, and at school functions is prohibited. Any possession, use, or threatened use of a look-alike or counterfeit weapon is prohibited. Conduct in violation of this provision may result in a referral to local law enforcement.

U. Gambling

A student shall not engage in any gambling activities, such as playing or gambling for money or other stakes.

V. Insubordination / Defiance

A student shall not refuse to comply with reasonable requests, orders, and directions of teachers, substitute teachers, teacher aides, administrators, or other school personnel during any period when the student is properly under the authority of school personnel. Insubordination includes but is not limited to: disobedience or disrespect toward any staff member, not serving assigned detentions, not following school rules or proper procedures, not following assigned schedule/being in unauthorized area, chronic tardiness to school or class, repeated misbehavior after warning.

W. Intentional Burning

A student shall not act or attempt to act in the burning or attempted burning of any item on school property.

X. Loitering

A student shall not loiter or delay in any way that may disrupt any activity or function. Students must have a ride if planning to leave early. If a student does not have anywhere to go after school, he/she can wait in a designated area until no later than one hour after the school day.

Y. Misuse of Vehicles on School Property

A student shall not violate the prescribed rules and regulations for the use of vehicles on school property or exhibit unsafe vehicle operations on school grounds. This includes parking in the areas designated for visitors or persons with disabilities, parking without a parking pass, parking against a yellow curb, and parking in unmarked spots. This provision also prohibits students from engaging in unsafe operation of a vehicle, which includes but is not limited to: donuts, speeding, cutting into the bus line, etc. Conduct in violation of this provision may result in a referral to local law enforcement.

Z. Misconduct Away From School

Students who engage in assault or the sale or transmission of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, cocaine, marijuana, or other controlled substance or drug of abuse off school property or at a non-school sponsored or related activity, function, or event, or on school property before or after school may, in accordance with the procedures set forth in Ohio Revised Code (O.R.C.) 3313.66, be subject to suspension or expulsion from school if the principal or assistant principal determine that the student's continued presence in the school is reasonably certain to disrupt or interfere with the educational process or endanger the health or safety of the student or others.

AA. Profane, Obscene, or Vulgar Language / Gestures

A student shall not use profane, obscene, or vulgar language or gestures at school, on school buses, or while engaged in or present at any school-sponsored event or activity, and may face consequences.

BB. Prohibited Articles [5136](#)

Any object that, in the judgment of the administration, disrupts or interferes with the educational process or endangers the health, welfare, or safety of students or staff is prohibited. This includes, but is not limited to, gambling and gambling-related items, headphones, personal communication devices, personal computers or tablets, and any other electronic devices that disrupt the learning environment. These electronic devices may be confiscated if seen by a staff member and deemed to be disruptive to the learning environment.

CC. Repeated Offenses

A student shall not repeatedly fail to comply with school rules and regulations or directions of teachers, student teachers, teacher aides, principals, or other authorized school personnel. Repeated violations may result in increased severity of the consequence per occurrence.

DD. School Bus Conduct

A student shall not violate the prescribed rules and regulations for student conduct on school buses.

EE. Strong Arm / Extortion

A student shall not force another person to give money or articles of value.

FF. Theft

A student shall not attempt to act or act in taking or acquiring the property of others without their consent. This violation may result in a police referral.

GG. Threat

A student shall not engage in any threatened act of physical violence or force causing, attempting to cause, or threatening to cause physical harm to another. Acts of harassment and hazing may be considered threats as well.

HH. Unauthorized Bodily Contact (Level 1, 2, 3)

Unauthorized bodily contact of any kind is prohibited. Level 1: Students are pushing, shoving, and grasping each other. Level 2: Students have a physical altercation but end the altercation on their own. Level 3: Students have a physical altercation that requires the intervention of bystanders/school personnel, and/or the aggressor engages in an unprovoked attack upon another student. Violation of this provision may result in a referral to local law enforcement.

II. Use, Possession, Sale, or Distribution of Tobacco Products

Possession, use, sale, or distribution of or evidence of consumption (for example: smelling of the substance) of tobacco products in the school building, school grounds, school property, and at school functions is prohibited. This includes smokeless tobacco or inhalants, such as e-cigarettes or vapes.

JJ. Use, Possession, Sale, or Distribution of Intoxicating Alcoholic Beverages

Possession, sale, use, concealment, transmission, or evidence of consumption (for example: smelling of the substance) of intoxicating beverages is prohibited. Attendance at school-sponsored activities when there is evidence of consumption of such a substance is also prohibited.

KK. Use, Possession, Sale, or Distribution of Drugs Other Than Tobacco or Alcohol

Use, possession, sale, distribution, or evidence of consumption (for example: smelling of the substance) of any controlled drug other than prescription medication that has been administered in accordance with the district's policies is prohibited. Possession, sale, use, concealment, transmission, or evidence of consumption of intoxicating substances is prohibited, including the use of inhalants, drugs, counterfeit or look-alike drugs while on school property or in attendance at school-sponsored activities. This includes the prohibition of any prescription drug or medication that is not possessed by the student in accordance with school policy governing the possession of prescription medication on school grounds.

LL. Vandalism

A student shall not act or attempt to act in a way that results in the destruction, defacement, or damage of school property or equipment that is located on school grounds or at a school-related event or activity.

MM. Weapons and Dangerous Instruments

A student shall not bring to school, or threaten to bring, to any interscholastic competition or extracurricular event/activity on or off school property, or possess, handle, transmit, or conceal an object capable of injuring himself or others. This includes but is not limited to: knives, regardless of length, multi-tools, explosives, pyrotechnic devices of any kind, and other dangerous weapons or ordinances, including objects made, constructed, or altered so that to a reasonable person the object appears to be a firearm. This is a mandatory police referral.

NN. Other Misconduct

Any other conduct not specifically referenced herein that disrupts or interferes with the orderly operation of the school or the educational process, or which is detrimental to the health, safety, or well-being of a student, staff member, or other member of the school community.

OO. Multiple Code Violations

A student who accumulates 10 or more days of suspensions in the course of the school year may be recommended for expulsion from school. Serious violations of the Conduct of Student Conduct could result in a recommendation for expulsion before the accumulation of 10 days of suspension.

Removal, Suspension, Expulsion, and Permanent Exclusion of Students

The Board of Education recognizes that exclusion from the educational program of the schools, whether by emergency removal, out-of-school suspension, expulsion, or permanent exclusion, is the most severe sanction that can be imposed on a student in this District, and one that cannot be imposed without due process. However, the Board has zero tolerance for violent, disruptive, or inappropriate behavior by its students.

No student is to be removed, suspended out-of-school, expelled, and/or permanently excluded unless their behavior represents misconduct as specified in the Student Code of Conduct/Student Discipline Code approved by the Board and/or the student's actions pose imminent and severe endangerment to the health and safety of other students or employees. The Code shall also specify the procedures to be followed by school officials when implementing such discipline. In determining whether a student is to be suspended or expelled, District administrators shall use a preponderance of evidence standard. In addition to the procedural safeguards and definitions set forth in this policy and the student/parent handbook, additional procedures and considerations shall apply to students identified as disabled under the IDEA, ADA, and/or Section 504 of the Rehabilitation Act of 1973. (See [Policy 5605](#) - Suspension/Expulsion of Students with Disabilities)

Students may be subject to discipline for violation of the Student Code of Conduct/Student Discipline Code even if that conduct occurs on property not owned or controlled by the Board but where such conduct is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a District official or employee, or the property of such official or employee.

For purposes of this policy and the Student Code of Conduct/Student Discipline Code, the following shall apply:

- A. "Emergency removal" shall be the exclusion of a student who poses a continuing danger to District property or persons in the District or whose behavior presents an ongoing threat of disrupting the educational process provided by the District. (See [Policy 5610.03](#) - Emergency Removal)
- B. "Suspension" shall be the temporary exclusion of a student by the Superintendent, Principal, assistant principal, or any other administrator from the District's instructional program for a period not to exceed ten (10) school days. Suspension shall not extend beyond the current school year if, at the time a suspension is imposed, fewer than ten (10) days remain in the school year.

The Superintendent may develop a list of appropriate alternative consequences and set forth such list in the applicable guidelines.

In the event the student fails to complete the required community service or the assigned alternative consequence, the Superintendent may determine the next course of action. Such a course of action, however, shall not include requiring the student to serve the remaining time of the suspension at the beginning of the following year.

The procedures for suspension are set forth in the Student Code of Conduct/Student Discipline Code and [Policy 5611](#) - Due Process Rights.

A student who is suspended shall be permitted to complete any classroom assignments missed because of the suspension and receive full credit for a completed assignment. Grade reductions on account of the student's suspension are permitted; however, no student may receive a failing grade on a completed assignment solely on account of the student's suspension.

- C. "Expulsion" shall be the exclusion of a student from the schools of this District 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 gives rise to the expulsion takes place or for one (1) year as specifically provided in this policy and the Student Code of Conduct/Student Discipline Code. Only the Superintendent may expel a student. The procedures for expulsion are set forth in the Student Code of Conduct/Student Discipline Code and Board [Policy 5611](#) - Due Process Rights.
- D. "Permanent exclusion" shall mean the student is banned forever from attending a public school in the State of Ohio. (See [Policy 5610.01](#) - Permanent Exclusion of Nondisabled Students)

For additional information regarding the removal, suspension, expulsion, and/or exclusion of students, please refer to Board [Policy 5610](#).

Due Process Rights

The Board of Education recognizes that students have limited constitutional rights when it comes to their education.

Accordingly, the Board establishes the following procedures, which District Administrators shall use when dealing with students:

- A. **Student subject to suspension:**

When a student is being considered for an out-of-school suspension by the Superintendent, Principal, or other administrator:

1. The student will be informed in writing of the potential suspension and the reasons for the proposed action.
2. The student will be provided an opportunity for an informal hearing to challenge the reason for the intended suspension and to explain his/her actions.
3. An attempt will be made to notify parents or guardians by telephone if a suspension is issued.
4. Within one (1) school day of the suspension, the Superintendent, Principal, or other administrator will notify the parents, guardians, or custodians of the student. The notice will include the reasons for the suspension and the right of the student, parent, guardian, or custodian to appeal to the Board or its designee; the right to be represented at the appeal; 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, parent, guardian, or custodian intends to appeal the suspension to the Board or its designee, such notice of appeal shall be filed, in writing, with the Treasurer of the Board or the Superintendent within five (5) calendar days after the date of the notice to suspend. If the offense is one for which the District may seek permanent exclusion, then the notice will contain that information.
5. Notice of this suspension will also be sent to the:
 - a. Superintendent;
 - b. student's school record (not for inclusion in the permanent record).
6. If a student leaves school property without permission immediately upon violation (or suspected violation) of a provision of the Student Code of Conduct/Student Discipline Code 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, assistant Principal, Superintendent, or any other administrator, may send the student and his/her parent(s)/guardian(s) notice of the suspension, and offer to provide the student and/or his/her parents an informal hearing upon request to discuss the reasons for the suspension and to allow the student to challenge the reasons and to explain his/her actions, any time prior to the end of the suspension period.

Appeal of Suspension to the Board or its designee

The student who is eighteen (18) or older or the student's parent(s) or guardian(s) may appeal the suspension to the Board or its designee. They may be represented in all such appeal proceedings.

A verbatim record will be kept of the hearing, which may be held in executive session at the request of the student, parent, or guardian, if held before the Board.

The procedure to pursue such an appeal will be provided in regulations approved by the Superintendent. Notice of appeal must be filed, in writing, with the Treasurer or the Superintendent within five (5) calendar days after the date of the notice to suspend.

While a hearing before the Board may occur in executive session, the Board must act in public.

Appeal to the Court

Under Ohio law, an appeal of the Board's or its designee's decision may be made to the Court of Common Pleas.

B. Students subject to expulsion:

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

1. The Superintendent will give the student and parent, guardian, or custodian written notice of the intended expulsion, including reasons for the intended expulsion.
2. The student and parent or 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 or parent.
3. Within one (1) school day of the expulsion, the Superintendent will notify the parents, guardians, or custodians of the student and the Treasurer of the Board. The notice will include the reasons for the expulsion and the right of the student, parent, guardian, or custodian to appeal to the Board or its designee; the right to be represented at the appeal; 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, parent, guardian, or custodian intends to appeal the expulsion to the Board or its designee, such notice of appeal shall be filed, in writing, with the Treasurer of the Board or the Superintendent within fourteen (14) calendar days after the date of the notice of expulsion. If the offense is one for which the District may seek permanent exclusion, then the notice will contain that information.

Appeal of Expulsion to the Board

A student who is eighteen (18) or older or a student's parent(s) or guardian(s) may appeal the expulsion by the Superintendent to the Board or its designee. They may be represented in all such appeal proceedings and will be granted a hearing before the Board or its designee.

A verbatim record will be kept of the hearing, which may be held in executive session at the request of the student, parent, or guardian, if it is held before the Board.

The procedure to pursue such an appeal will be in accordance with regulations approved by the Superintendent. Notice of appeal must be filed, in writing, within fourteen (14) calendar days after the date of the Superintendent's decision to expel with the Treasurer of the Board or the Superintendent.

While a hearing before the Board may occur in executive session, the Board must act in public.

Appeal to the Court

Under State law, the decision of the Board or its designee may be further appealed to the Court of Common

Pleas.

C. Students subject to emergency removal:

Students whose conduct warrants emergency removal shall be dealt with in accordance with the rights and procedures outlined in [Policy 5610.03](#) - Emergency Removal.

D. Students subject to permanent exclusion:

Students whose conduct is that for which permanent exclusion is warranted shall be dealt with in accordance with the rights and procedures outlined in [Policy 5610.01](#) - Permanent Exclusion of Nondisabled Students.

E. Students subject to suspension from bus riding/transportation privileges:

Students whose conduct warrants suspension from bus riding and/or transportation services shall be dealt with in accordance with the rights and procedures outlined in [Policy 5610.04](#) - Suspension of Bus Riding/Transportation Privileges.

These procedures shall not apply to in-school disciplinary alternatives, including in-school suspensions. An in-school suspension is one served entirely in a supervised learning environment within a school setting. Nor shall these disciplinary alternative procedures apply to students who are prohibited by authorized school personnel from all or part of their participation in co-curricular, interscholastic, and/or noninterscholastic extra-curricular activities.