

STUDENT CODE OF CONDUCT AND DISCIPLINE

Statement of Principle

The District recognizes and accepts its responsibility to create, foster, and maintain an orderly and safe class environment, conducive to teaching and to the learning processes. Every member of the school community is expected to cooperate in this central mission. Staff, including administrators and teachers, must use their training, experience, and authority to create schools and classes where effective learning is possible. Students are expected to come to school, and to every class, ready and willing to learn. Parents should be aware of their children's activities, performance and behavior in school, and are asked to cooperate and consult with the school to prevent or address problems.

The District has a legal duty to make its schools as free as possible of the dangers of violence, weapons, drugs, and other behavior harmful to the educational environment. This duty is enforced through the District's policy on suspension and expulsion, which provides procedures by which students may be removed from the school community either temporarily, or in the case of certain expulsions, permanently.

But equally important, the District owes its students, as a group, the opportunity to attend school as free as reasonably possible from unnecessary and unwarranted distraction and disruption. Such behavior, while not necessarily so serious or pervasive to warrant suspension or expulsion, can be nearly as destructive to the educational environment. Such behavior warrants, at a minimum, that the student be removed temporarily from the class or activity ("short-term removal" or "temporary removal"). Such removal serves the multiple purposes of eliminating (or minimizing) the disruption, of reinforcing the District's strong commitment to an appropriate educational environment, and of allowing a "cooling off" period, for disciplinary or other reasons, short of suspension or expulsion.

In other circumstances, the student's conduct, or the best interests of the student and the other members of the class, may warrant long-term removal from the class ("long term removal"). Long term removal may, but need not always, be for disciplinary purposes.

A teacher/employee of the District may temporarily remove a pupil from the teacher's class if the pupil violates the terms of this Student Code of Conduct (the "Code"). In addition, long term removal of a student will be possible if the building administrator upholds a teacher's/employee's recommendation that a student be removed from the class for a longer period of time. Removal from class under this Code does not prohibit the District from pursuing or implementing other disciplinary measures, including but not limited to detentions, suspension, or expulsion, for the conduct for which the student was removed.

GLOSSARY OF TERMS

Building Administrator	A "building administrator" means a principal of a school, or other District employee duly designated by the building administrator or District Administrator.
Class	For the purposes of this Code, a "class" is any class, meeting, or activity which students attend, or in which they participate while in school under the control or direction of the District. This definition of "class" includes, without limitation, regular classes, special classes, resource room sessions, labs, library time, counseling groups, assemblies, study halls, lunch, or recess. "Class" also includes regularly scheduled District sponsored extracurricular activities, either during or outside of school hours. Such activities include, by example and without limitation, District sponsored field trips, after school clubs, and sporting activities.
Designee	A designee is a District employee who is specifically appointed, by the building administrator, to have the authority to create additional rules of conduct for a student under their supervision.
IDEA	Individuals with Disabilities Education Act - A federal law that guarantees a free and appropriate public education for all children between the ages of 3 and 21 regardless of handicapping condition.
IEP	Individual Educational Program – An individualized educational plan devised for each handicapped student detailing how their disability will be addressed educationally.
Section 504	Refers to Section 504 of the Rehabilitation Act of 1973 addressing free and appropriate public education.
Short-term Removal	A period of time related to the incident, not to equal more than one school day.
Short-term Removal Area	An area designated by the individual site where the student(s) is held during the removal period.
Teacher	A "teacher" is any certified instructor, counselor, nurse, or administrator in the employ of the District.
Employee	An individual authorized by the building administrator to establish and/or enforce rules of conduct.
Teacher of that class	A "teacher of that class" means the regularly assigned teacher of the class, or any teacher assigned to teach, monitor, assist in, or oversee the class. This definition includes, without limitation, any assigned substitute teacher, proctor, monitor, or group leader. Where there is more than one teacher in a class, any teacher may remove a student from that class, upon informing the other teacher(s) of their intent to do so. It is advisable, though not absolutely required, that all teachers of a class assent to the removal of the student.

Long-term Removal

Refers to a student permanently removed from a class.

I. WHAT ARE THE GROUNDS FOR DISCIPLINARY REMOVAL FROM CLASS?

Student behavior that is dangerous or disruptive and that interferes with the teacher's ability to teach effectively will not be tolerated. Any student who engages in such behavior may be subject to removal from class and placement in an alternative setting as outlined in this code. In addition, the student may be subject to disciplinary action in accordance with established Board policies, school rules, state and federal laws and municipal ordinances.

STUDENT REMOVAL FROM CLASS

1. A teacher/employee may remove a student from class for the following reasons:

- a. Dangerous, disruptive or unruly behavior or behavior that interferes with the ability of the teacher to teach effectively. This type of behavior includes the following:
 - Possession or use of a weapon or other item that might cause bodily harm to persons in the classroom.
 - Being under the influence of alcohol or other controlled substances or controlled substance analogs, or otherwise in violation of District student alcohol and other drug policies.
 - Behavior that interferes with a person's work or school performance or creates an intimidating, hostile or offensive classroom environment.
 - Fighting.
 - Taunting, baiting, inciting and/or encouraging a fight or disruption.
 - Disruption and intimidation caused by gang or group symbols or gestures, gang or group posturing to provoke altercations or confrontations.
 - Pushing or striking a student or staff member.
 - Obstruction of classroom activities or other intentional action to attempt to prevent the teacher from exercising their assigned duties.
 - Interfering with the orderly operation of the classroom by using, threatening to use or counseling others to use violence, force, coercion, threats, intimidation, fear or disruptive means.
 - Dressing or grooming in a manner that presents a danger to health or safety, causes interference with work or creates classroom disorder.
 - Restricting another person's freedom to properly utilize classroom facilities or equipment.
 - Repeated classroom interruptions, confronting staff argumentatively, making loud noises or refusing to follow directions.
 - Throwing dangerous objects in the classroom.
 - Repeated disruption or violation of classroom rules.
 - Excessive disruptive talking.
 - Behavior that causes the teacher or other students fear of physical or psychological harm.
 - Physical confrontations or verbal/physical threats.
 - Overt or passive refusal to engage in class activities
 - Behavior that may constitute sexual or other harassment
 - Disruptive Behavior
 - Unauthorized Electronic Devices

- Repeated refusal to obey school rules
 - Bullying and/or harassing other individuals in the school
- b. Other behavior as outlined below. Examples of such behavior may include, but not necessarily be limited to, the following:
- Willful damage to school property.
 - Defiance of authority (willful refusal to follow directions or orders given by the teacher).
 - Repeatedly reporting to class without bringing necessary materials to participate in class activities.
 - Possession of personal property prohibited by school rules and otherwise disruptive to the teaching and learning of others.
 - Repeated use of profanity.
 - Any other infractions as identified in the individual buildings' discipline plan.
- c. A student with a disability may be removed from class and placed in an alternative educational setting only to the extent authorized by state and federal laws and regulations.

II. WHO MAY REMOVE A STUDENT FROM CLASS?

Any student may be temporarily removed from class under this Code by a teacher/employee of that class. For the purpose of this Code, "student" means any student enrolled in the District, exchange student, or student visitor to the District's schools.

Any student may be removed on a long-term basis from a class based upon the request of a teacher/employee as upheld and implemented in the discretion of the building administrator.

III. WHAT PROCEDURES MUST BE FOLLOWED IN TEMPORARILY REMOVING A STUDENT FROM CLASS?

Except where the behavior is extreme, a teacher/employee will generally address the behavior, teach expected behavior and warn a student that continued misbehavior may lead to temporary removal from class. When the teacher/employee determines that removal is appropriate, the teacher/employee should take one of the following courses of action:

- A. instruct the student to go to the main office for the period of removal. In such case, the teacher should send a note with the student and follow up with a phone call.
- B. obtain coverage for the class and escort the student to the main office.
- C. seek assistance from the main office or other available staff. When assistance arrives, the teacher/employee or the other adult should accompany the student to the main office.

When the student arrives at the main office, the building administrator or designee should give the student an opportunity to explain the situation. If the building administrator or designee is not available immediately upon the student's arrival, the student should be taken to the removal area, and the administrator or designee should speak to the student as soon as practicable thereafter. For the purposes of short-term removal, it is not necessary to obtain witnesses or to otherwise verify the student's or teacher's accounts of the situation.

Prior to allowing the student to resume their normal schedule, the building principal or designee shall speak to the student within 24 hours to determine whether the student is, or appears to be,

ready and able to return to class without a recurrence of the behavior for which the student was removed.

In the event it is not deemed appropriate to return the student to regular classes, the building administrator or designee shall either retain the student in short term removal, or, where necessary, appropriate, and practicable, shall take steps to have the student sent home.

By the end of the day, the teacher/employee shall submit to the building principal or designee a short and concise written explanation of the basis for the removal. Such information may be submitted electronically or on a form provided by the building administrator or designee.

The teacher shall inform the student's parents that the student was removed from class as soon as possible, preferably no later than the end of the day, but prior to the beginning of the next scheduled school day. Such notice may be by phone, email, or Skyward. Such notice shall specify the class from which the student was removed, the duration of the removal, and the basis for the removal as stated by the teacher/employee. The teacher/employee shall keep written documentation of all attempts to contact the parents in accordance with this provision and shall submit copies to the building principal or designee.

If the removal from class and change in educational placement involves a student with a disability, parent/guardian notification shall be made consistent with state and federal laws and regulations.

If the student removed from a class is also subject to disciplinary action for the particular classroom conduct (i.e., suspension or expulsion), the student's parent/guardian shall also be notified of the disciplinary action in accordance with legal and policy requirements.

IV. LONG TERM PLACEMENT PROCEDURES

1. The building principal or designee shall place a student who has been removed from a class in one of the following alternative educational settings:
 - An alternative education program approved by the School Board.
 - Another class in the school or another appropriate place in the school.
 - Another instructional setting.
2. When making placement decisions, the building principal or designee shall consider the following factors:
 - The reason the student was removed from class.
 - The severity of the offense.
 - The type of placement options available for students in that particular school and any limitations such as costs, space availability and location, on such placements.
 - The estimated length of time of placement.
 - The student's individual needs and interests.
 - Whether the student has been removed from a teacher's class before.
 - The relationship of the placement to any disciplinary action.

The principal or designee may consult with other appropriate school personnel as the principal or designee deems necessary when making or evaluating placement decisions. A student's

parent/guardian may also be consulted regarding student placement decisions when determined by the principal or designee to be in the best interests of the persons involved or required by law.

3. All placement decisions shall be made consistent with established Board policies and in accordance with state and federal laws and regulations.

Removal and placement is an administrative decision not subject to a formal right of appeal. However, the parents of the student, and/or the student, shall have the right to meet with the building administrator and/or the teacher(s)/employee(s) who made the request for removal. Where possible, such meeting shall take place within three (3) business days of the request for a meeting. At the meeting, the building administrator shall inform the parents and/or student as fully as possible regarding the basis for the removal, the alternatives considered, and the basis for any decision. However, nothing in this Code shall prevent the building administrator from implementing a removal to another class, placement or setting prior to any meeting, and notwithstanding the objection of the parent(s) or student.

V. TO WHAT EXTENT IS REMOVAL APPLICABLE TO STUDENTS IDENTIFIED AS DISABLED UNDER THE IDEA?

Some different rules and considerations apply for students identified as requiring special education services under the IDEA or Section 504. In particular, placement for such students is a decision of the student's IEP team, subject to stringent procedural safeguards, and cannot be made unilaterally by teachers or the administration. In addition, some students covered by the IDEA have a behavior plan, which will address (a) whether and to what extent the student should be expected to conform to the behavioral requirements applicable to nondisabled students; and (b) alternative consequences or procedures for addressing behavioral issues. It is highly advisable that all IEP teams address these issues, and this Code, at least annually, setting forth the consensus of the IEP team regarding behavioral expectations and consequences.

Notwithstanding these issues, students identified as requiring special education services under the IDEA or Section 504 may, in general, be temporarily removed from class under the same terms and conditions as nondisabled students.

For the reasons noted above, no change in placement for more than ten (10) school days may be made for a student with disabilities outside of the IEP process. This ten- (10) day limit applies to out of school suspensions as well as days of removal.

VI. HOW WILL THIS CODE BE COMMUNICATED TO PARENTS AND STUDENTS?

A copy of the Student Code of Conduct shall be made available to parents in the school's handbook, on the school district website, and at any building office. In addition, this Code shall be provided to, and discussed with, students of the District at the beginning of each school year.

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