

Student Behavior: Expectations and Consequences

POLICY

A. Statement of Beliefs for Policy 5200

In order to fulfill the mission of the Dubuque Community School District, and to develop world-class learners and citizens of character in a safe and inclusive learning community, student behavior expectations and consequences must be shared with and understood by the community. This community includes students, parents, teachers, administrators, school staff, volunteers, related community agencies, and the general public.

Students should conduct themselves in a manner fitting to their age level, intellectual ability, and maturity and with respect and consideration for the rights of others. Student behavior which interferes with the mission of the school or denies the rights of other students and staff is not acceptable and will not be allowed.

Policy 5200 addresses student behavior expectations and consequences, and district administration has the authority to develop guidelines for administration of this policy. This policy supports *the vision and values* already established by the school district and uses the following beliefs as the basis of this document.

1. **Rights carry responsibilities.** Students must be guided to make choices and take actions which respect the rights of others, recognize their impact on others and understand that all choices have consequences.
2. **Individuals can learn to demonstrate appropriate school and public behaviors.** Students need a school environment where they will experience success and learn from their mistakes.
3. **All students should have the right to achieve a quality education.** All students and staff have a joint responsibility to create learning conditions that result in substantial learning and respect the dignity of all people.
4. **The individual worth of each person must be valued.** Student behavior expectations are consistent. Consequences and interventions are appropriate to the situation and the student.
5. **Positive student behavior is based on a partnership between student, school, family, and community.** Quality, long-term relationships among family, educators, staff and the community result in greater learning, better use of resources and greater student satisfaction of school life.
6. **School must be a safe place for all.** Students must comply with all local, state and federal law, which enhance their personal safety and that of others. Unsafe and dangerous situations that threaten or harm others will not be tolerated.

B. Student Behavior Expectations Apply In These Situations

A student's behavior is expected to conform to the school's rules of conduct in situations which influence the effective operation and welfare of the school. These include the following:

1. While in school or on any school district grounds.
2. While attending or engaged in school sponsored activities, whether at school or away from school, (see Policy 5305: Participation Code for Activities)
3. While in all officially sanctioned vehicles used for student transportation to and from school and school sponsored events. While on school-owned or school operated buses, vehicles or chartered buses.
4. While away from school grounds, if such conduct would distract from the learning environment or directly affect the good order, efficiency, management, and welfare of the school district, students, or staff.
5. While using district hardware, software or network. (see Policy 5504: Student Network/Internet Acceptable Use)

C. Due Process

Due process serves the interest of the school in maintaining an orderly environment conducive to learning and the rights of the student.

For infractions, procedures will include:

- Notifying the student of the infraction.
- Explaining the evidence of such an infraction.
- Giving the student the opportunity to explain his or her side of the story.

D. Consequences and Interventions

Student conduct which violates the beliefs and policies of the Dubuque Community School District is subject to intervention, correction, or other consequences determined by school officials as set forth in this policy, which may include suspension or expulsion.

Consequences and interventions are listed in the Administrative Guidelines to this policy in order to provide the Principal/designee with options for improving student behavior. In choosing a consequence or intervention, authorized personnel will consider the facts and circumstances surrounding the incident including the student's past performance, the duration, intensity and frequency of the student's behavior, as well as seriousness of the incident.

E. Appeal Process

An appeal process exists for students in the administration of consequences and interventions. Students, parents, or guardians wishing to appeal a consequence or

intervention should first speak with the person administering the consequence or intervention. If the issue is not resolved, the order of levels to follow is:

- Level 1: Teacher or staff member
- Level 2: Student Needs Facilitator, Assistant Principal, Principal or other building level designee
- Level 3: Superintendent or designee
- Level 4: School Board*

*Only incidents involving suspension for more than 10 consecutive days or expulsion have a right to a hearing before the Board of Education. For consequences short of that, a student or parent may request a review by the Board of Education. Such review may be granted or denied at the discretion of the Board.

- F. Students identified for special education services** shall receive all due process consideration required under federal and state law. State of Iowa law pertaining to special education is detailed in the Iowa Administrative Rules for Special Education.

A copy of this policy will be made available to each student and staff member in the district at the beginning of the school year, and to each new student who enters the school system during the academic year. In addition, copies of this policy are always available to students, parents or guardians, and staff at each school, at The Forum, 2300 Chaney Road, and on the district's website at www.dbqschools.org.

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Revised: August 13, 2007
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OFFENSES

The following categories define behaviors which are prohibited because they are disruptive to the learning process, student achievement, and respectful relationships. This list is considered comprehensive, but not all inclusive. Any behavior that distracts from the learning environment or adversely affects the good order, efficiency, management, or welfare of the school is under the jurisdiction of this policy.

Abusive/inappropriate language – profanity

Student uses language that is offensive and includes swearing, name calling or use of words in an inappropriate way.

Alcohol – Use/Possession

Student is in possession of, is using, or is found to be under the influence of alcohol.

Arson

Student sets a fire, attempts to set fire, or uses incendiary devices with the intent of causing damage or creating a distraction.

Bomb Threat/False Alarm

Student uses any verbal, written or electronic transmission which causes or seeks to cause fear of the detonation of an explosive.

Student tampers with fire alarm equipment or turns in a false fire or explosive report.

Broke Attendance Contract/Agreement

Student violates agreement previously written and agreed upon to resolve attendance concerns.

Bullying

Student engages in behavior that is considered bullying as defined by Iowa Code 280.28. Bullying means any electronic, written, verbal, or physical act or conduct towards any person which is based on any actual or perceived trait or characteristic of the student and which creates an objectively hostile school environment that meets one or more of the following conditions:

- Places the student in reasonable fear of harm to the student's person or property;
- Has a substantially detrimental effect on the student's physical or mental health;
- Has the effect of substantially interfering with the student's academic performance; or
- Has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school. See Policies 1001 and 1005.

Cell Phone Violation

Cellular or other wireless communication devices may be allowed on school grounds only if their use is not disruptive to a productive and safe learning environment as determined by school officials. Students may not use electronic devices for any inappropriate, disruptive, or illegal purpose. Students may not use electronic devices for activities that disrupt the learning environment to include but not limited to: organizing fights, promoting disruptive or any illegal activity, harassing or bullying another person, or violating another person's privacy. See student acceptable use policy 5504.

Combustibles – Use/Possession

Student is in possession of or uses substances/objects readily capable of catching fire or burning and causing bodily harm and/or property damage (matches, lighters, firecrackers, gasoline, lighter fluid).

Dating Violence

Student engages in a pattern of behavior where as a dating partner, he/she threatens to use, or actually uses physical, sexual, verbal, or emotional behavior to harm, intimidate, or control another person in a current or past relationship. Abuse can occur in both heterosexual and same-sex or serious and casual relationships and covers a wide range of behaviors that include harassment, verbal, emotional and physical abuse, sexual abuse or stalking.

Defiance/Insubordination/Non-compliance

Student refuses to conform to reasonable requests or directives by teachers or other school personnel.

Disrespect

Student engages in behavior that is reasonably considered rude, impolite, or discourteous toward other individuals.

Disruption

Student engages in willful or continued disobedience of rules designed for the orderly operation of the school. Student demonstrates expression in any form, including electronic, or distribution by any means of material which is lewd, indecent, vulgar, obscene, libelous, slanderous, or which encourages violent or unlawful acts.

Dress Code Violation

Student wears any form of clothing, apparel, or personal appearance which is indecent, lewd, immodest, vulgar, obscene, disruptive of the orderly operation of the school, or which constitute a health or safety hazard.

Student is not allowed to wear or exhibit clothing, apparel, or personal appearance which depict, advertise, or promote any substance prohibited by these rules (including beer, alcohol, controlled substances, or tobacco products).

Drugs – Use/Possession

Student uses, is in possession of, sells, supplies or is under the influence of any controlled or illegal substance (drugs) or has unlawful possession of a prescribed drug. The Board prohibits the distribution, dispensing, manufacture, possession, use, or being under the

influence of controlled substances, synthetic substances, or “look alike” substances that appear to be tobacco, beer, wine, alcohol or controlled substances by students while on school district property or on property within the jurisdiction of the school district; while on school owned or operated school or chartered vehicles; while attending or engaged in school activities; or while away from school grounds if the misconduct will distract from the learning environment or adversely affects the good order, efficiency, management or welfare of the school district.

Student is in possession of paraphernalia related to the use or distribution of illegal substances. This includes but is not limited to: pipes, rolling papers, or scales.

Student who needs to take medication during the school day or on a school sponsored activity should refer to Policy 7200.

Fighting

Student engages in actions involving intentional physical contact where injury may occur (e.g., hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc.).

Forgery/Plagiarism

Student has signed a person’s name without that person’s permission or depicts himself/herself as another person. Student takes someone else’s work or ideas and passes them off as one’s own.

Gang Affiliation/Display

The appearance of gangs and gang activities will cause a substantial disruption of or materially interfere with school and school activities. A “gang,” as defined in this policy and under Iowa Code 723A, means any on-going organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity. The “pattern of criminal gang activity” means the commission, attempt to commit, conspiring to commit or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of, or belong to, the same criminal street gang. By this policy and Policy 5201 the Board acts to prohibit the existence of gangs and gang activities as follows:

Violation of this policy would include any of the following on or near school property or at any school activity:

- Student wears, possesses, uses, distributes, displays, or sells any clothing, jewelry, emblem, badge, symbol, sign, or other things which are evidence of membership in or affiliation with any gang;
- Student commits any act, uses any speech or other form of communication, either verbal or non-verbal (gestures, handshakes, etc.) as evidence of membership or affiliation with a gang;
- Student uses any speech or commits any act in furtherance of the interests of any gang or criminal gang activity, including, but not limited to:
 - soliciting others for membership in any gangs;

- requesting a person to pay for “protection” or otherwise intimidating or threatening any person;
- committing any illegal act or violation of school policies;
- inciting another student to act with physical violence upon another person(s).

Harassment

Student engages in behavior that is considered harassment as defined by federal or state law. Under federal law, discriminatory harassment is considered unwelcome conduct based on a protected class. These protected classes are: race, color, national origin, disability, age, sex and religion. Harassing conduct may take many forms, including threats, physical assaults, and verbal and written abuse. This conduct may be physically threatening, degrading, or humiliating. Harassment can happen in person, by electronic device, or on the internet. Harassment creates a hostile environment when the conduct is sufficiently serious to interfere with or limit a student’s ability to participate in or benefit from the school’s program on the basis of a protected class

Under Iowa law, harassment is paired with bullying. See bullying above and refer to district policies 1001 and 1005.

Inappropriate Display of Affection

Student engages in any verbal or physical gesture or contact of a sexual nature with another student.

Inappropriate Location/Out of Bounds

Student is not to be in areas of school property for which they have not been given permission or granted access.

Student is in an area that is outside of property within the jurisdiction of the school district, school owned and/or operated school or chartered vehicles, or area being used for school activities.

Lying/Cheating

Student delivers a message that is untrue and/or deliberately violates rules.

Student acts dishonestly or unfairly in order to gain advantage on academic assignments or examinations.

Other Behavior

Student engages in behavior that is detrimental to the best interest of the school, staff, students or self.

Parking Violations

Student parks a motorized vehicle in an unauthorized area or without a proper permit on school property or is in violation of any other parking lot rules of the school.

Parking vehicles on school premises is a privilege for which the district may charge a fee and for which the school may establish procedures and regulations.

Peer Conflict

Student engages in behavior that creates a physical, verbal or cyber conflict with a peer or peers. Peer conflict differs from bullying and harassment when the students have equal power, when the behavior is intermittent or accidental, when both parties are willing to resolve the conflict, or when the relationship is valued/maintained.

Physical Aggression/Assault

Student engages in any act which is intended to place another in fear, is intended to cause or does cause physical contact, which is offensive, insulting, painful, or injurious to another person, coupled with the apparent ability to execute the act. An assault may occur even though there is no physical contact or injury inflicted.

Property Damage/Vandalism

Student willfully defaces, destroys, or causes damage to school property or any person's property.

Sexual Abuse

Student engages in behaviors that demonstrate a broad continuum of sexually violating and abusive behaviors that include, but are not limited to: sexual assault, sexual harassment or sexting. The definition includes any completed or attempted physical contact when the victim is unable to consent (e.g. due to age or illness) or unable to refuse (e.g. due to physical violence or threats) or where consent is not obtained or able to be given freely, by any person regardless of their relationship to the targeted student.

Stalking

Student willfully engages in an intentional pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms that person and would cause a reasonable person to suffer substantial emotional distress, and/or makes a threat with the intent to place the person in imminent fear of harm to the person, other persons or property.

Skip Class

Student leaves or misses class without permission.

Skip Detention

Student leaves or misses a previously assigned detention (lunch, after school or Saturday School).

Tardy

Student is tardy to class or school as defined in Policy 5107.

Technology Violation

Student transmits any material (e.g., pornography, obscene material) in violation of federal, state, or local law or uses any device for non-educational activities. Access to and use of Internet and other electronic communication is a privilege and not a right for students. A violation of the guidelines is explained fully in Policy 5504. Also see Policy 1001 regarding cyber-bullying.

Theft

Student takes or attempts to take property which belongs to another person or the school district.

Tobacco – Use/Possession

Student is in possession of or is using tobacco or other nicotine based products. See policy 4601.

Truancy

Student is expected to attend school regularly and punctually every day of the school year. See Policy 5107 for more detail.

Verbal or Written Aggression

Student engages in verbal or written communication (including cyber) which is intended to place another in fear or is offensive, insulting, painful, or hurtful to another person. Verbal or written aggression may occur without physical contact.

Weapons – Look-Alike

Student is in possession of or uses look-alike weapons, which are items resembling an actual weapon or dangerous object, including, but not limited to, squirt guns, water rifles or pistols, slingshots, toy guns, toy grenades, and other similar items.

The Principal shall have the authority to determine the extent and nature of the disciplinary action based upon the student's age, the actions of the student in possessing and using the look-alike weapon, and the student's intent, and the nature of the look-alike weapon's resemblance to a real weapon.

Weapons - Firearms - Use and Possession

Possession or use of firearms on school property or at school events is strictly prohibited. Any student found to be in possession of or who uses a firearm on school property or at a school event shall be immediately referred to law enforcement and, pursuant to federal law, expelled from school for not less than twelve months.

A firearm is defined as

- (A) any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, including but not limited to, a shotgun, a short-barreled shotgun, rifle, short-barreled rifle, ammunition, armor piercing ammunition, machine gun, semi-automatic rifle, handgun, pistol, revolver, starter gun;
- (B) The frame or receiver of any such weapon;
- (C) Any firearm muffler or firearm silencer; or
- (D) Any destructive device.

A "destructive device" is

- (1) any explosive, incendiary or poison gas, including but not limited to, a bomb, grenade, rocket having propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or similar device;

- (2) any type of weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and
- (3) any combination of parts either designed or intended for use in converting any device into a destructive device and from which a destructive device may be readily assembled.

This section does not apply to:

- Student who possesses firearms under the authority of a school district, such as for demonstration, rifle competition, or firearms safety courses;
- When it is determined by the Principal, in consultation with the superintendent that based on the student's age and intent, that expulsion is not appropriate under the circumstances.

Dangerous Weapon (other than firearm) – Use/Possession

Student is in possession of or uses a dangerous weapon or threatens to use a dangerous weapon while having the apparent ability to do so. A “dangerous weapon” is any instrument or device that is not a firearm, designed primarily for use in inflicting death or injury upon another. “Dangerous weapons” include but are not limited to: any offensive weapon, dagger, razor, razor blade or similar instruments with sharp cutting edges, stiletto, switchblade knife, ballistic knife, knife, any portable weapon directing an electric current, impulse, wave or beam that produces a high-voltage pulse designed to immobilize a person, chains, pipes, ice picks, nunchuck sticks, brass knuckles, throwing stars, billy clubs, and shanks.

The Principal, in consultation with the Superintendent, shall have the authority to determine the extent and nature of the disciplinary action based upon the student's age, the actions of the student in possessing and using the weapon and the student's express or apparent intent. However, the following classifications may be taken into consideration in determining disciplinary action:

Level 1: A student is in possession of a weapon but has no intention of using it or displaying it in a threatening manner. (e.g. hunting knife in a student's backpack).

Level 2: A student is in possession of a weapon, is well aware that it's a weapon, and has intent to use it or threatens to use it.

Level 3: A student is in possession of a weapon and either uses it for harm or displays it in a threatening manner.

If Level 2 or Level 3 apply, then in addition to any disciplinary action by the School, the student will be referred to law enforcement.

MENU OF CONSEQUENCES AND INTERVENTIONS

The purpose of this section, Menu of Consequences and Interventions, is to provide the Principal/designee with potential options for improving student behavior.

Interventions

Interventions assume that the student's behavior is symptomatic of an underlying issue; therefore, actions taken with a student who has violated this policy will be intended to help the student understand and refrain from engaging in the behavior again. Factors such as the student's past performance, the circumstances of a specific infraction (including its frequency, intensity and duration), and the seriousness of any incident will also be taken into consideration.

Attendance Contract/Agreement

The student and parents/guardians may be asked to sign an agreement addressing the student's regular attendance in all scheduled classes. See Policy 5107.

Community Service

The student may be assigned duties directly related to the offense or infraction in the student's school building, in district facilities, district buses/vehicles, or in the community.

Confiscation of Inappropriate or Dangerous Items or Materials

Materials or items which are illegal, in violation of school rules, or used in a manner prohibited by this policy may be confiscated.

Conflict Resolution or Mediation

The student may be assigned participation in the process of conflict resolution or mediation facilitated by school officials, students, or community agencies agreeable to school officials to identify causes of unacceptable behavior, to examine alternative behaviors and develop a plan of action to resolve the conflict.

IEP Meeting

The student's IEP team may be called together for a meeting to determine if the student's actions are related to the identified disability and if determined, the appropriate measures to take to prevent the behavior from reoccurring.

Individualized Instruction

The Principal/designee may assign individualized instruction specifically related to the student's problem behaviors.

Intervention

In lieu of suspension a student may be temporarily assigned to a contracted facility for behavioral remediation. Interventions may also be specific activities addressed in the student's IEP, 504 plan, or behavioral plan.

Letter Sent

A letter or another form of communication to the student's parents/guardians may be sent explaining the student's behavior and suggestions for improvement.

Mentoring

The use of an adult mentor, including school officials and community members, may be used as a means of offering students support in adjusting their behavior.

None

A Principal/designee may decide that the student's behavior does not warrant interventions or consequences.

Parent Conference

Conferences with parents or guardians may be scheduled to review a student's conduct and to work collaboratively to alter that behavior.

Pending

A Principal/designee may use additional time for investigation or decision making regarding the intervention or consequence to employ.

Physical Restraint

Physical restraint or self-defense may be used if it is necessary to prevent a student from disrupting school activities or from injuring himself/herself, or others. All physical restraints will be conducted and documented according to Policy 5203.

Police Intervention

School officials may call upon the police department to assist in situations involving illegal student behavior or where the immediacy, severity or chronic nature of the behavior poses a serious threat to staff or other students.

Referrals to Outside Agencies

School officials may use referrals to external agencies to bring special expertise or resources to the modification of student behavior.

Saturday Success Lab

A student may be required to attend classes/make up work on a Saturday.

A student may also be required to attend a Saturday session to re-learn bus safety expectations/guidelines.

Search

This Student Search Rule is adopted for the purpose of implementing Iowa Code Chapter 808A, as amended. In order for searches to be conducted, there must be reasonable suspicion. Searches are based upon consideration of relevant factors, which include, but are not limited to, the following:

- the nature of the violation for which the search is being instituted;
- the age or ages and gender of the student who may be searched pursuant to the rule; and
- the objectives to be accomplished by the search.

Whenever an item, which is illegal or in violation of a school rule, is obtained by school officials, whether by the voluntary action of a student, by search of the student's person or locker, desk or other facilities or spaces owned by the school, or in any other lawful

fashion, school authorities may seize such an item and may turn it over to law enforcement authorities. In the case of discovery of illegal items, the police will be contacted.

Inspection of school owned spaces may be conducted by school officials under the following circumstances:

- a. Reasonable suspicion for suspecting that the search will produce evidence that the student has violated or is violating either the law or a school rule or regulation.
- b. Students, parents, guardians and legal custodians are put on notice that school officials may conduct periodic inspections of school owned spaces. Such inspections may be made without prior notice to the student or the student's parents, guardians, or legal custodians.
- c. Either of the above inspections shall occur either in the presence of the student whose locker is being inspected or in the presence of at least one other adult person.

Search of Protected Student Areas may be conducted by the Principal / designee if all of the following apply:

- a. There is reasonable suspicion for suspecting that the search will produce evidence that a student is violating or has violated either the law or school rule or regulation.
- b. The search is conducted in a manner which is reasonably related to the objective of the search and which is not excessively intrusive in light of the age and gender of the student and the nature of the infraction. The search will be done by an official of the same sex. A strip search, a body cavity search or the use of sniffing animals will not be used. If a student is not or will not be present at the time of the search, the student will be informed of the search either prior to or as soon as reasonably practical after the search is conducted.

1. Lockers, desks, facilities, school owned spaces

Lockers, desks, facilities and other school-owned spaces are the property of the school district and are provided as a courtesy to students. The furnishing of a school locker, desk, facility or other space owned by the school district shall not create a protected student area. Students shall not expect privacy with respect to that locker, desk, facility or space. Allowing students to use a separate lock on a locker, desk or other facility or space owned by the school and provided to the student shall also not create the expectation of privacy.

By accepting a locker, desk and other school-owned facilities or spaces, each student agrees that these are owned by the school district and provided as a courtesy to the student. The school shall retain a master key and/or reference to the combination of each locker and will have access to desks and other school-owned facilities or spaces. Individual lockers, desks, facilities or other school-owned spaces may be inspected without notice by the Principal/designee if there are reasonable grounds for suspecting that the search will produce evidence that the student has violated or is violating either the law or a school rule or regulation.

2. Vehicle

Any vehicle parked on school premises is subject to search.

3. Body, Clothing, Apparel, Containers

“Protected student area” is defined to include, but is not limited to:

- a student’s body,
- clothing worn or carried by a student,
- a student’s purse, pocketbook, briefcase, duffel bag, bookbag, billfold, backpack, knapsack, cell phone, personal electronic device, or any other container used by a student for holding or carrying personal belongings of any kind and in the possession or immediate proximity of the student. However, a school locker, desk, or other facility or space owned by the school / school district are not protected student areas.

Use of Police Canines in Searches

In order to deter or detect the presence on school property of drugs or other contraband items, school officials may use trained, certified, and reliable police canines (drug-detecting or drug-sniffing dogs) to assist in the search of lockers, desks, facilities, school owned spaces and vehicles parked on school premises under the following conditions:

- a. The school Principal requests such assistance based upon reasonable suspicion that cannot be resolved by an individualized search.
- b. The Superintendent authorizes such assistance.
- c. The search is supervised at all times by school officials.
- d. The police canine is under control at all times by its police handler.
- e. All appropriate means are used to ensure that no contact occurs between students and the police canine.
- f. In addition to the above Principal-initiated searches, the Superintendent may schedule a canine-assisted search in any district facility to deter or detect the presence on school district property of drugs or other contraband items.

Canines will not be used to search "protected student areas" as defined in this policy.

Student Conference

Consequence for referral results in student meeting with administrator, staff, and/or parent (in any combination).

Student Responsibility Plan

Students, in cooperation with school staff, will develop a written plan to be used to correct an infraction. This will include desired behavior, action steps, and timeline.

Truancy Mediation

A truant student and the student’s parents/guardians may be required to meet with the district’s Truancy Liaison to establish a plan for regular school attendance as defined in Policy 5107.

Warning

Student may be given a warning that repetition of the identified behavior will result in more serious interventions or consequences.

Consequences

Consequences for any of the above infractions will be left to the discretion of the building administrator. Factors such as the student's past performance, the circumstances of a specific infraction (including its frequency, intensity and duration), and the seriousness of any incident will be taken into consideration.

Apology/Restitution

The student may be required to submit an apology to another student, adult or the school body regarding misbehavior. This apology may be written, verbal or communicated electronically. A student may also be required to restore stolen or damaged property to its original state or engage in activities designed to restore the good order and effective management of the school.

Board Hearing

The student may be required to go before the DCSD Board of Education for determination of the consequences to behavior.

Bus Suspension

Students who violate rules established for appropriate behavior for school bus passengers may be denied opportunity to ride the bus for a specific period of time. Students who have lost the privilege of riding the bus may be required to attend sessions designed to re-teach bus behaviors in order to regain bus privileges. These sessions may be held during the school year or summer months.

Detention

Detention is before, during, or after school time as assigned.

Eligibility

School officials have the authority to deny privileges to participate in any extracurricular activity. The specifics of this action are addressed in Policy 5305.

Expulsion

Expulsion is the removal of a student from school by majority vote of the School Board of the school district, after which such student may be readmitted only after a majority vote of the School Board. The Board may expel any student from school for a violation of these rules established by the School Board, or when the presence of the student is detrimental to the best interests of the school.

The expulsion of any student shall be in compliance with the following procedures:

1. Superintendent is notified of incident. District Behavioral Support Specialist investigates the incident. If warranted, Superintendent receives a written recommendation for expulsion from the Principal.
2. Superintendent meets with Student and Parent/Guardian. If expulsion is recommended, a contract will be presented that sets forth the requirements that must be met before reinstatement by the Board may occur. At this time, parents may waive their right to a hearing.
3. A recommendation to the School Board that a student be expelled may be made by the Superintendent. When such a recommendation is made, a hearing by the School

- Board shall be set to consider the expulsion recommendation, unless the parent/s waive their right to a hearing.
4. A student may be temporarily dismissed (suspended) by a Principal/designee, or Superintendent for the conduct for which the student's expulsion is being considered. Such temporary dismissal shall be imposed in accordance with the usual procedure for temporary dismissal as described in these rules. If the Superintendent determines it is in the best interests of the school, or necessary for the orderly operation of the school, the Superintendent may continue the period of dismissal pending the hearing on expulsion, but in no case shall the total period of temporary dismissal exceed a total of 10 school days unless due to extraordinary circumstances determined by the Superintendent.
 5. Notice of Hearing (if applicable). Written notice of the hearing shall be sent by certified mail or personally delivered at least 5 days prior to the hearing to the student's parents or guardian and to the student. The notice shall clearly state:
 - The name of the student whose expulsion is to be considered.
 - The time, date, and place of the hearing.
 - The fact that expulsion is being considered and a brief explanation of the effect of the expulsion.
 - The rule allegedly violated by the student or other cause of the possible expulsion.
 - A summary of the evidence to support the recommendation of expulsion. A copy of any written materials that will be presented at the hearing will be available to the student.
 - A brief summary of how the hearing will be conducted indicating that the student and parents or guardian will have an opportunity to be heard.
 - Notice that the student and parents or guardian may be present together with an attorney.
 - Notice of the names of witnesses against him or her unless the witnesses are students and the circumstances warrant that these witnesses remain unidentified.
 - Notice that the student or advocate has a right to cross examine adverse witnesses.
 - The fact that the board decision will be issued in writing to the student.
 - Notice that the student may appeal any adverse decision.

In School Suspension

During in-school suspension a student is isolated from one or more classes while remaining on school property. In-school suspension will be imposed only after an investigation by the Principal/designee shows that there is factual basis to believe that the student was involved in unacceptable conduct. Such investigation shall include notice to the student and parents of the allegations and an opportunity for the student to respond.

A student who is serving an in-school suspension will receive academic credit for work missed during the period of suspension if the student completes the work during the time period designated by school personnel. It shall be the responsibility of such a student to make all arrangements necessary for the completion of such work. Any in-school suspension shall be counted as an approved absence. The student's re-integration following the suspension will be at the discretion of the Principal/designee.

Interim Setting by School Personnel

A student may be assigned to attend a suspension center on contract with the school district instead of an out of school suspension.

Legal

The school district may refer a student's behavior to the police department and county attorney for consideration of criminal charges or municipal infractions.

Loss of Privilege

A student may be denied privileges and access to equipment or specified areas.

Out of School Suspension

Suspension is an exclusion from school for a specific period, not to exceed three (3) days for the same infraction. In order to suspend a student for a period longer than three (3) days for the same infraction, permission must be obtained from the Superintendent. The Principal / designee may suspend a student only after conducting an informal investigation of the charges against the student and providing the student with:

1. Oral or written notice of the allegations against the student.
2. An oral or written statement of the facts which are the basis for the allegations.
3. The opportunity for the student to respond to those charges. Nothing shall prevent the immediate suspension of a student when that student's continued presence would endanger the student's safety or well-being, the safety or well-being of the other members of the student body, teachers, or other personnel, or substantially interfere with the proper functioning of the school.

Notice of the suspension shall be given to the student's parents or guardians, the Superintendent of Schools, and the President of the School Board of the school district. Such notice may be given in writing or orally, but where given orally it shall be followed by the mailing of a written notice.

A student who is suspended from school will receive academic credit for work missed during the period of suspension if the student completes the work in a time period designated by the administrator. It shall be the responsibility of such a student to make all arrangements necessary for the completion of such work. Out-of-school suspension shall be counted as an approved absence. The student's re-integration following the suspension will be at the discretion of the Principal/designee.

Removal (Permanent) From a Class

Principal / designee may remove a student from a segment (class) of the school day or activity for the duration of a semester or trimester if the student's behavior is deemed substantially disruptive following several other intervention measures by school officials. The student may be assigned to a similar class.

Removal (Temporary) From Class/Activity

School officials may temporarily remove a student from one segment (class) of the school day or activity.

Restrictions

Consequences may result in a student being restricted from an area of school property or from school sponsored activities.

Time in Office

Consequence for referral results in student spending time in the office away from scheduled activities/classes.