

**Student Conduct Expectations and Reasonable Sanctions**  
**Replaces Policies 8028, 8029, 8030, 8031 and 8032**

TABLE OF CONTENTS

Section I	General
Section II	Definitions
Section III	Persons Authorized to Impose Discipline, Suspension, Expulsion, or Emergency Removal Upon Students
Section IV	School District Rules for Student Conduct
Section V	School District Rules Defining Misconduct — Distribution of Rules
Section VI	Conditions and Limitations for Discipline
Section VII	Rules for Suspensions
Section VIII	Types of Student Misconduct
Section IX	Student Misconduct Eligible for Long-Term Suspension and Expulsion
Section X	Due Process
Section XI	Disciplinary Guidelines for handicapped Students
Section XII	Review of Disciplinary Data
Section XIII	Resident Students Expelled From Other School Districts

### Section I: GENERAL

The mission of the Star School District is to provide learning experiences which will assist all students to develop skills, competencies, and attitudes that are fundamental to an individual's achievement as a responsible, contributing citizen. In order to maintain and advance this mission, it shall be the responsibility and duty of each student to pursue his/her course of studies, comply with the student conduct rules, and submit to reasonable corrective action, discipline, or punishment imposed by the school/district.

All students who attend the District's schools, school sponsored events, present on school grounds and are transported on school district vehicles shall comply with the written policies, rules and regulations of the schools and shall submit to the authority of the teachers of the schools, subject to such corrective action or punishment as the school officials determine.

Conduct and behavior is closely associated with learning. An effective instructional program requires a wholesome and orderly school environment. Students must adhere to the rules of conduct and submit to corrective action taken as a result of conduct violations. The rules of conduct are applicable during the school day as well as during any school activity conducted on or off campus. Special rules are also applicable while riding on a school bus.

The purpose of school discipline is to provide a safe environment that is conducive to learning for all students. Corrective actions should strive to keep students in class and maximize engagement.

Students and/or their parents/guardians will be provided information regarding substantive and procedural due process in regard to grievances, hearings and/or appeals of corrective action. The District will assist long-term suspended and expelled students in returning to school as soon as possible by providing them with a reengagement plan tailored to the student's individual circumstances, considering the incident that led to the student's removal. Reengagement meetings must take place within twenty days of the student's long-term suspension or expulsion, but no later than five days before the student's exclusion from school is set to expire, to discuss a plan to reengage the student in a school program. Staff will consider shortening the length of time that the student is suspended or expelled, other forms of corrective action, and other interventions that aid in the student's academic success. The student's family will be provided the opportunity to participate and have meaningful input into the student's reengagement plan.

### Section II: DEFINITIONS

As used in this policy the term:

“Academic term” shall mean the duration of time equal to the cumulative number of school days within a semester which is 90 school days and does not mean the duration lasting until the end of the current semester.

“Alternative setting” shall mean those educational opportunities provided to a student who is excluded from their regular classroom as a form of discipline, suspension, or expulsion. Alternative settings should be comparable, equitable, and appropriate to the regular education services a student would have received without the exclusionary discipline. Example alternative settings include alternative high schools, one-on-one tutoring, and online learning.

“Alternatives to Suspension” shall mean responses to student behavior that help direct or redirect the student without resorting to suspension.

"Discipline" shall mean all forms of corrective action other than emergency removal from a class, subject, or activity, suspension, or expulsion and shall include the exclusion of a student from a class or instructional activity by a teacher, administrator, or designee for a period of time not exceeding the balance of the immediate class, subject, or instructional activity period: PROVIDED, that the student is in the custody of a school district employee for the balance of such period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or on behalf of the school district.

“Discretionary discipline” shall mean a disciplinary action taken by the school for student behavior that violates rules of student conduct. State law prohibits districts from imposing long-term suspensions or expulsions as a form of discretionary discipline. The student misconduct excluded from discretionary discipline is listed in Section X.

“Disruptive conduct” means an act by a student that intentionally cause substantial and/or material disruption of any school operations. HB 1541 provides the following illustrate the kinds of offenses that are prohibited:

- Intentionally obstructing normal pedestrian or vehicular traffic on a school campus;
- Intentionally obstructing the entrance or exit of any school building or room in order to deprive others of passing through;
- Causing a disturbance or disruption on school grounds, at school activities, or on district-provided transportation, including substantially interfering with any class or activity;
- Cheating or disclosure of exams;
- Defiance of school personnel;

- Disobedience of reasonable requests, instruction, and directives of school personnel;
- Refusal to leave an area when instructed to do so by school personnel;
- Refusing a reasonable request to identify oneself to district personnel (including law enforcement officers) while under the supervision of the school; and
- Refusal to cease prohibited behavior;
- Disruptive and/or dangerous use of motor vehicles or conduct on a school bus that endangers students;
- Extortion, theft, forgery;
- Fighting: Fighting and instigating, promoting, or escalating a fight, as well as failure to disperse. Engaging in any form of fighting where blows are exchanged is prohibited, regardless of who initiated the fight. This prohibition includes hitting, slapping, pulling hair, biting, kicking, and scratching or any other acts in which a student intentionally inflicts or attempts to inflict injury on another;
- Gambling or encouraging other students to gamble;
- Gang-related behavior, association, and/or affiliation;
- Harassment of others;
- Inappropriate dress or appearance;
- Trespassing on school property or school transportation at a time or place the student's presence is not permitted;
- Occupying a school building or school grounds in order to deprive others of its use;
- Preventing students from attending class or school activities;
- Use or possession of tobacco;
- Using any object in a dangerous manner; and
- Intentionally defacing or destroying the property of another.

"Emergency expulsion" shall mean an emergency removal from school for up to, but not exceeding, ten (10) consecutive school days from the student's current school placement by the district superintendent or designee. The superintendent or designee must have good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to other students or school staff or an immediate and continuing threat of substantial disruption of the educational process. An emergency expulsion must end or be converted to another form of corrective action within ten (10) school days from the date of the emergency removal from school.

"Emergency removal" shall mean a student's immediate removal from a class, subject or activity by a certificated teacher or an administrator or a school bus driver and sending of that student to the building principal or designee. This occurs when the teacher or administrator has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students or school staff or an

immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process.

"Exceptional misconduct" shall mean student misconduct other than absenteeism which (a) is of such frequent occurrence, despite past attempts of staff to control such misconduct through the use of other forms of corrective action; or (b) is so serious in nature and/or so serious in terms of the disruptive effect upon the operation of the school as to warrant an immediate resort to a short-term or a long-term suspension or expulsion. While the following list has been developed by the ad hoc citizens committee, each incident may not rise to the level of "exceptional misconduct":

- Arson
- Assault
- Criminal Acts
- Drug Possession, Being under the Influence, Transfer of Alcohol, Controlled Substance, Inhalants, Anabolic Steroids or Look-alike/Imitation Drugs
- Drug Sale/Barter of a Controlled Substance, Alcohol, Controlled Substance, Inhalants, Anabolic Steroids or Look-alike/Imitation Drugs
- Possession of a Firearm
- Sexual Harassment
- Theft
- Threat/Verbal Assault
- Tobacco/Nicotine/Smoking devices/"look alike" products possession and use
- Vehicle Infraction
- Verbal/Physical Abuse Directed At Staff Member

"Expulsion" shall mean a denial of attendance for a period of time up to, but not longer than one calendar year from the time a student is removed from his or her current school placement by the district superintendent or designee. An expulsion also may include a denial of admission to, or entry upon, real and personal property that is owned, leased, rented, or controlled by the district.

"Long-term suspension" shall mean a suspension that:

- (a) Exceeds ten school days;
- (b) Cannot be imposed in such a manner that causes the student to lose academic grades or credit in excess of one semester or trimester during the same school year; and
- (c) Cannot be imposed beyond the school year in which the alleged misbehavior occurs.

"Re-engagement meetings" shall mean the required meeting held between the school district and the student's parent and/or guardian to discuss how to return a long-term suspended or expelled student to an educational setting as soon as possible.

"Re-engagement plan" shall mean a written plan developed between the school district and a student and his/her parent or guardian designed to aid the student in taking the necessary steps to remedy the situation that led to the student's long-term suspension or expulsion and return the student to the educational setting as soon as possible.

"Student misconduct" shall mean when a student violates rules and responsibilities of the district or school or violates a law.

"Suspension" shall mean a denial of attendance (other than for the balance of the immediate class, subject, or activity period for "discipline" purposes) for any single subject or class, or for any full schedule of subjects or classes, for a stated period of time. A suspension also may include a denial of admission to, or entry upon real and personal property that is owned, leased, rented, or controlled by the school district.

"Short-term suspension" shall mean a suspension for any portion of a calendar day up to and not exceeding ten consecutive school days.

"School business day" shall mean any calendar day, exclusive of Saturdays, Sundays, and any federal and school holidays, upon which the office of the superintendent of the school district is open to the public for the conduct of business. A school business day shall be concluded or terminated upon the closure of said office.

"School day" shall mean a calendar day except school holidays on which students enrolled in the school district are afforded the opportunity to be engaged in educational activity which is planned, supervised, and conducted by or under the supervision of the school district certificated staff, and on which day all or any portion of the students enrolled in the program actually participate in such educational activity.

**Section III: PERSONS AUTHORIZED TO IMPOSE DISCIPLINE, SUSPENSION, EXPULSION, OR EMERGENCY REMOVAL UPON STUDENTS**

Each certificated teacher, each school administrator, each school bus driver, and any other employee designated by the superintendent shall possess the authority to impose discipline upon a student for misconduct which violates rules of the school district established pursuant to school district policies and to impose an emergency removal from a class, subject, or activity upon to this policy.

Subject to the limitations set forth herewith in connection with the suspension or expulsion of students, the following school district personnel are delegated the authority to suspend, expel, or order the emergency expulsion of students for any misconduct which violates the rules for student conduct: superintendent, assistant superintendent, principals, assistant principals, administrative assistants, and any other district employee to whom such authority has been delegated by the superintendent.

#### Section IV: SCHOOL DISTRICT RULES DEFINING RULES OF STUDENT CONDUCT — DISTRIBUTION OF RULES

The district shall adopt, publish, and make available on an annual basis to all students and parents written rules which state with reasonable clarity the types of misconduct for which discipline, suspension, and expulsion may be imposed.

Rules that establish types of misconduct pursuant to this section must have a real and substantial relationship to the lawful maintenance and operation of the school district including, but not limited to, the preservation of the health and safety of students and employees and the preservation of an educational process which is conducive to learning.

Any pupil who willfully performs or fails to perform any act which materially interferes with or is detrimental to the orderly operation of a school, a school-sponsored activity, or any other aspect of the educational process of the school district shall be subject to discipline, suspension, or expulsion by authorized school district authorities.

The consequences of violations listed below shall be determined at the building level and shall be consistent with district policy and state and local law as applicable. The principal or his/her designee(s) shall have the responsibility to establish disciplinary standards appropriate to his/her particular school as he/she deems necessary and which bear a real and substantial relationship to the direct preservation of the students, staff, and public health and safety, or for the maintenance of the educational process.

Regardless of other discipline imposed, a student and his/her parents will be held responsible for damage, vandalism, destruction or other financial loss to the school or District.

#### Section V: DISCIPLINE — CONDITIONS AND LIMITATIONS

Discipline may be imposed upon any student for violation of the rules of the school district that have been established pursuant to this policy, subject to the following limitations and conditions:

No form of "discipline" shall be enforced in such a manner as to prevent a student from accomplishing specific academic grade, subject, or graduation requirements.

A student's academic grade or credit in a particular subject or course may be adversely affected by reason of tardiness or absences only to the extent and upon the basis that the student's attendance and/or participation is related to and identified by the district-approved instructional objectives or goals of the particular subject or course as a basis for grading, in whole or in part. The circumstances pertaining to the student's inability to attend school has been taken into consideration, including whether the tardiness or absences are directly related to the student's disability under Section 504 of IDEA.

Before a student is disciplined by removal from a teacher's class for the remainder of the class period or day, the teacher must have attempted one or more alternative forms of corrective action, except in emergency situations. A student may not return to class before the end of the class or activity period without the teacher's consent.

Building administrators shall have the responsibility for ensuring that written procedures for administering corrective action are developed for their schools with the input of parents, staff, and the community. The procedures shall provide that every reasonable attempt be made to involve parents and the student in the resolution of behavior problems at an early stage. The building administrator and staff shall meet at least annually to review building behavior standards and discuss uniform enforcement of those standards. All staff shall work cooperatively toward consistent enforcement of behavior standards.

Corporal punishment which is defined as any act which willfully inflicts or willfully causes the infliction of physical pain on a student is prohibited. Corporal punishment does not include:

- (a) The use of reasonable physical force by a school administrator, teacher, school employee or volunteer as necessary to maintain order or to prevent a student from harming him/herself, other students and school staff or property.
- (b) Physical pain or discomfort resulting from or caused by training for or participating in athletic competition or recreational activity voluntarily engaged in by a student, or athletic competition or recreational activity voluntarily engaged in by a student, or
- (c) Physical exertion shared by all students in a teacher directed class activity, which may include but is not limited to, physical education exercise, field trips or vocational education projects.

Nothing herein shall be construed as limiting or otherwise modifying provisions governing aversive interventions set forth in state and federal law.

All students will be provided the opportunity to educational services when they have been suspended or expelled. The district and individual schools may not suspend the provision of educational services to any student as a disciplinary action. A student may be excluded from a particular classroom or instructional or activity area for the period of suspension or expulsion, but the student must be provided an opportunity to receive education services during a period of suspension or expulsion.

Long-term suspension and expulsion may not be used as a form of discretionary discipline.

The District will assist long-term suspended and expelled students in returning to school as soon as possible by providing them with a reengagement plan tailored to the student's



individual circumstances, considering the incident that led to the student's removal. Reengagement meetings must take place within twenty days of the student's long-term suspension or expulsion, but no later than five days before the student's exclusion from school is set to expire to discuss a plan to reengage the student in a school program. Staff will consider shortening the length of time that the student is suspended or expelled, other forms of corrective action, and other interventions that aid in the student's academic success. The student's family will be provided the opportunity to participate and have meaningful input into the student's reengagement plan.

#### Section VIII: RULES FOR SUSPENSIONS

In all cases where sanctions are imposed, a reasonable effort to contact parents or guardians will occur prior to, or contemporaneous with, the imposition of the sanction, in addition to any written notice required by law. When a school administrator has good and sufficient reason to believe that a student's presence poses an immediate and continuing danger to the student, other students or school staff, or an immediate and continuing threat of substantial disruption of the educational process, immediate emergency removal or emergency expulsion may be appropriate.

In conjunction with the following sanction guidelines, administrators may also consider any alternative form of corrective action—including programs intended to lessen the time of exclusion from class attendance. The District encourages the use of alternative forms of correction action when possible and practicable in light of the duty to maintain safe and orderly school environments conducive to student learning.

School administrators are expected to use their professional judgment and experience when assigning students sanctions and will, to the best of their abilities, attempt to apply these sanctions to all similarly-situated students in a fair and equitable manner. The administrator's judgment and discretion will carefully balance the duty to maintain order and discipline in a safe school environment, the appropriate corrective action needed to address the student's misconduct, and the student's long-term educational success. Staff are expected to refer criminal matters to local law enforcement.

No student in grades kindergarten through four shall be subject to short-term suspensions for more than a total of ten school days during any single semester or trimester as the case may be, and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student.

No student in grades kindergarten through four shall be subject to long-term suspension during any single semester or trimester, as the case may be, and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student.

No student in grade five and above program shall be subjected to short-term suspension for more than a total of fifteen school days during any single semester or ten school days during any single trimester, as the case may be.

No single long-term suspension shall be imposed upon a student in the grade five and above program in a manner which causes the student to lose academic grades or credit for in excess of one semester or trimester, as the case may be, during the same school year.

Any student subject to a short-term suspension shall be provided the opportunity upon his or her return to make up assignments and tests missed by reason of the short-term suspension if:

- (a) Such assignments or tests have a substantial effect upon the student's semester or trimester grade or grades; or
- (b) Failure to complete such assignments or tests would preclude the student from Receiving credit for the course or courses.

#### Section IX: TYPES OF STUDENT MISCONDUCT

The types of student misconduct include, but not be limited to, the following:

1. Alcoholic Beverages and/or Controlled Substances - A student may be guilty of violation of this policy and school rule for the possession, consumption, use, storage, transfer, being under the influence of, showing evidence of having used, manufacture of, delivery, distribution, and/or sale/barter of alcoholic beverages, illegal or controlled chemical substances, controlled substances including marijuana, substances proposed to be drugs or look-alike substances, paraphernalia, inhalants, anabolic steroids, and/or imitation drugs on school property, district transportation, or at a school activity. See Policy 8006.1 on Alcohol, Tobacco, and Other Drug Use/Abuse Policy for more information. For purposes of student conduct expectations:
  - a. This section applies to any controlled substance, medication, stimulant, depressant, or mood altering compound, including simulated compounds intended to produce intoxication or euphoria, whether or not such compounds have been designated a controlled substance by state or federal law;
  - b. This section applies to marijuana or substances containing marijuana;
  - c. This section applies to legally-prescribed drugs which a student is nevertheless not lawfully authorized to possess on school grounds, at school activities, or on district-provided transportation;
  - d. This section applies to students who enter school grounds, school activities, or district-provided transportation following the unlawful use or consumption of drugs, alcohol, and other similar chemical substances, including students who appear to be under the influence of such substances; and

- e. This section applies equally to the possession or use of paraphernalia or other items used to possess, consume, store, or distribute drugs, alcohol, and/or other illegal chemical substances, including marijuana or substances containing marijuana.
2. Arson/Damaging School Property/Vandalism - For purposes of school discipline, “arson” means any intentional or reckless setting of a fire or other burning of personal or public property. “Reckless” means that the student understood, but acted with disregard for, the consequences of his or her conduct. “Damaging School Property” means intentional damage to district property. “Vandalism” means the act of deliberately destroying or damaging property of another.
  3. Assault/Fighting - For the purposes of school discipline, “assault” means actual or attempted hitting, striking or other wrongful physical contact inflicted on another either directly or indirectly through an object. For verbal threats, see Harassment, Intimidation, and Bullying. Fighting and instigating, promoting, or escalating a fight, as well as failure to disperse are included in this prohibition. Engaging in any form of fighting where physical blows are exchanged is prohibited, regardless of who initiated the fight. This prohibition includes hitting, slapping, pulling hair, biting, kicking, choking, and scratching or any other acts in which a student intentionally inflicts or attempts to inflict injury on another.
  4. Cheating - cheating/academic dishonesty includes but is not limited to the following:
    - a. Copying from or allowing another student to copy from a test, homework, paper, project, lab report or other work that is not intended to be collaborative in nature
    - b. Sharing papers with another student
    - c. Plagiarizing the work of others
    - d. Intentionally obtains test questions and/or answers through fraudulent means
    - e. Looking at another student’s test, answer sheet, or other materials
    - f. Using unauthorized material including textbooks, notes, calculators, computer program, or outside help during an examination or other assignment
    - g. Using writings, passages, ideas of others and passing them off as your own (including, but not limited to faxing, duplicating, file sharing, or transmittal using any technology)
    - h. Sabotaging or destroying the work of others
    - i. Illegal or unauthorized entry into school computer or program
    - j. Submitting material (written or designed by someone else without citing the source, e.g., plagiarizing or submitting work created by family, friends, tutors, or anyone else not the student)
  5. Computer Misuse/Unauthorized Use of Technology - It may be a violation of this

section for a student to tamper with the electronic hardware, data files, or software or gain unauthorized access to, or use of, such technology. Students are NOT permitted to:

- a) Damage any part of the computer system by attempting to harm, modify, or destroy computer hardware, software, or the data stored therein.
  - b) Send, receive, or display offensive, inappropriate, or sexually explicit material
  - c) Use obscene language
  - d) Use other people's passwords
  - e) Harass, bully, insult, or attack others
  - f) Seek to receive or provide unauthorized access to resources
  - g) Trespass in files and/or folders of others
  - h) Violate copyright laws and/or plagiarize the material of others
  - i) Steal equipment or software
  - j) Intentionally waste resources
  - k) Use a network computer for commercial purposes, personal gain, and fraud  
\*See Policy 8024 – Electronic Information System for more information.
6. Criminal Acts - For purposes of student discipline, the commission of any crime on school grounds, while the student is expected to be attending school, at a school sponsored event, on school bus or vehicle.
7. Cyber-Bullying - A student may be guilty of cyber-bullying if they engage in any harassment, intimidation or bullying, as defined above, when such is accomplished utilizing electronic communication media. Such media includes, but shall not be limited to, email messages, text messages, instant messages, social networking sites, internet based video sites, and posting of blogs. See Policy 3207 - Harassment, Intimidation, Bullying, and Cyber-Bullying for more information.
8. Defiance of School Authority/Insubordination/Cumulative Violations - For purposes of student discipline, the refusal to obey reasonable requests, instructions, and directives of any school personnel, including volunteers or contractors working for the school. Defiance includes dress or appearance in violation of Policy 8017 that the student either refuses to correct at the directive of a school administrator, or that is a persistent and repeated violation of school district policy. Defiance of school authority can also include intentional disruptive behavior.
9. Disrupting the Educational Process - For disciplinary purposes, this section addresses the student creating a substantial or material disruption to the educational process or any school operation and conduct that markedly interrupts or severely impedes the day-to-day operations of a school. Includes disruption of the school program by bomb scares, false fire alarms, firecrackers, etc.

10. Damages or Destruction of Property - A student may be guilty of this section if they cause physical damage to the property of another and/or the school district.
11. Falsification/Forgery - A student may be guilty of falsifying or forging documents if the student knowingly makes any false entry, alters times, names, dates, grades, addresses or alters any school document used or intended to be used in connection with the operation of the school. Also a false representation of a matter of fact - whether by words or by conduct, by false or misleading allegations, or by concealment of what should have been disclosed - that deceives and is intended to deceive another so that the individual will act upon it to her or his legal injury.
12. False Accusations - A student may be guilty of making a false accusation if the student intentionally makes false accusations or untrue charges of wrong-doing against staff, students, volunteers, or patrons.
13. Gambling - For purposes of student discipline, means an activity in which a person stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under the control or influence of the person, upon an agreement or understanding that the person or someone else will receive something of value in the event of a certain outcome.
14. Gang/Gang Activity - The Board of Directors is aware of the public existence of gangs which are involved in illegal, intimidating and harassing conduct and the Board hereby determines that such gangs and the expression of such gang membership cause or are likely to cause disruption in the school environment and present a threat to the health and safety of students and school personnel. "Gang" means a group which: (a) consists of three or more persons; (b) has identified leadership; and (c) on an ongoing basis, regularly conspires and acts in concert mainly for criminal purposes. Any such activity or expression by students is prohibited while they are subject to the disciplinary control of the school district. Therefore, it may be a violation of this section for a student or students on or about school property or in any place involving a school-related activity to:
  - a. wear, possess, distribute or display any clothing, jewelry, display any sign, which by virtue of its color, arrangement, symbol, or any other attribute, is evidence of membership or affiliation in any such gang; or imply gang membership or affiliation by written communication in conjunction with design, emblem upon any school or personal property or one's person that is disruptive or interferes with the school environment, and/or activity, and/or educational objectives and/or process; or
  - b. Use any speech, gesture, conduct, or commit any act or omission in furtherance of the interest of any such gang or such gang activity.

15. Harassment, Intimidation, and Bullying - A student may be guilty of violation of this policy and school rule of this section if a student uses any written or other visual communication, verbal communication or physical act, gesture or omission, engaged in with the intent to, creating a substantial and unjustifiable risk of, creating the threat of, or with the natural end result of:
- a. Physically, emotionally or mentally harming a student or a member of a student's immediate family, or damaging the student's property or that of the immediate family of the student; or
  - b. Substantially interfering with a student's educational experience; or
  - c. Being so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
  - d. Having the effect of substantially disrupting the orderly operation of the school; or
  - e. Casting a student or member of the student's immediate family in such light as to subject them to torment, ridicule or shame, regardless of the veracity of the facts upon which the actor has acted; or
  - f. Constituting a crime pursuant to Federal, State or local laws, statutes or ordinance; or
  - g. Subjecting any student to unwanted or illegal pornographic material; or
  - h. Portraying any student in a state of nudity, engaging in sexual acts, or in such a state of near nudity as to subject such person to shame and embarrassment.

\*See Policy 8035 - Harassment, Intimidation, Bullying, and Cyber-Bullying for more information.

16. Lewd Conduct - For purposes of school discipline, this includes, but is not limited to, lewd, obscene or profane language, gestures, exhibits indecent, or vulgar behavior through writing, pictures, signs, text messages, social networking sites, electronic mail (e-mail) messages or acts or materials that are unrelated to authorized school curriculum. Obscene acts or expressions, whether verbal or non-verbal. Prohibited "materials" includes digital or electronic text, images, or sounds that are possessed, displayed, or transmitted while under the supervision of school authorities.
17. Malicious Mischief - For purposes of student discipline, the willful, wanton, or reckless damage to or destruction of another's property shall include the total or partial alteration, damage, obliteration, or erasure of records, information, data, computer programs, or their computer representations, which are recorded for use in computers or the impairment, interruption, or interference with the use of such records, information, data, or computer programs, or the impairment, interruption, or interference with the use of any computer or services provided by computers.

"Physical damage" also includes any diminution in the value of any property as the consequence of an act and the cost to repair any physical damage.

18. Possession of a Firearm or Dangerous Weapon - A student may be guilty of this section if the student has a firearm or other weapon on school premises, at a school sponsored event, on school-provided transportation, at any official school bus stop, or in other areas of other facilities being used exclusively for school activities. Also defined in Policy 10,020. This includes when a student acts with malice as defined under RCW 9A.04.110 and displays a device that appears to be a firearm. Use or possession of dangerous weapons, including firearms, airguns, knives, nun-chu-ka sticks, throwing stars, stun guns, explosives and other weapons prohibited by state law.
19. Sexual Harassment - A student may be guilty of sexual harassment if they make unwelcome verbal, written, visual, or physical advances toward another person. See Policy 9016 - Sexual Harassment for more information.
20. Theft - A student may be guilty of theft if the student obtains or exerts unauthorized control over the property or services of another or the value thereof, with intent to deprive the person of such property or services. Also, the possession of another person's or district property, regardless of value, without the person's permission with the intent to deprive the owner of such property. As part of the sanction, restitution will usually be required.
21. Threat/Verbal Assault - A student may be guilty of this section if the student communicates, directly or indirectly, the intent to cause bodily injury to the person threatened or any other person or to cause physical damage to the property of a person.
22. Tobacco/Nicotine Products, Possession of Smoking Devices and "Look Alike" Products - Students may not participate in smoking, use of tobacco products or products containing nicotine, or possess tobacco products, smoking devices on the school premises, district vehicles, or at school-sponsored functions. See Policy 8006.1 - Alcohol, Tobacco, and Other Drug Use/Abuse Policy for more information.

In addition to the above general rules, individual schools are authorized to develop and implement building discipline plans specifying additional expectations and consequences for student behavior. Such plans shall be reasonable in nature and shall have the primary purpose of creating an orderly and appropriate educational environment with the building.

## Section X: STUDENT MISCONDUCT ELIGIBLE FOR

### LONG-TERM SUSPENSION OR EXPULSION

Long-term suspension and expulsion may only be used for the following infractions:

- Possessing a firearm on school premises, transportation, or facilities under RCW 28A.600.420;
- Violent offenses such as manslaughter, kidnaping, arson, extortion, certain types of assault, robbery, and indecent liberties by forcible compulsion under RCW 9.94A.030;
- Sex offenses;
- Drug violations under Chapter 69.50 RCW;
- Alcohol violations under RCW 66.44.270;
- Harassment and related crimes, such as criminal stalking, violation of a no contact order, and criminal gang intimidation, under Chapter 9A.46 RCW.
- Property crimes such as arson, reckless burning, criminal street gang tagging and graffiti, and malicious mischief (a crime involving knowingly and maliciously damaging property, which includes painting or otherwise marking a building) under Chapter 9A.45 RCW;
- Two or more violations within a three-year period for criminal gang intimidation or other gang activity on school grounds, possessing dangerous weapons on school facilities, willfully disobeying school administrators or refusing to leave public property or defacing/injuring school property; and
- Behavior that adversely impacts the health and safety of other students or educational staff.

### Section XI: DUE PROCESS

Any student, parent, or guardian, who is aggrieved by any disciplinary action or the imposition of a short-term suspension, long-term suspension, or expulsion, shall have the right to appeal the action.

Letters notifying parents of a long-term suspension, expulsion, or emergency action, will detail for the parent their appeal rights. The letter will include all necessary timelines and rights of the student and parent/guardian under state law.

### Section XII: APPEAL PERIOD

Long-term suspension or expulsion may be imposed during the appeal period for no more than ten consecutive school days or until the appeal is decided by the school board, whichever is the shortest period. Any of the days that a student is temporarily suspended or expelled before the appeal is decided shall be applied to the term of the student's



suspension or expulsion and shall not limit or extend the term of the student's suspension or expulsion.

### Section XIII: DISCIPLINE GUIDELINES FOR HANDICAPPED STUDENTS

If an identified handicapped student is identified for disciplinary action pursuant to WAC 392-400 for violation of student conduct rules which would otherwise result in expulsion or suspension, the administrator will act immediately to determine whether or not such student behavior is related to the student's handicapping condition.

The determination of such relationship will be made by a multidisciplinary team having knowledge of the student's needs, limitations and abilities and special education placement options.

### Section XIV: APPLICATION FOR READMISSION FROM LONG TERM SUSPENSION OR EXPULSION

Any student, or the parent(s) or guardian(s) of any student who has been long term suspended or expelled, shall be allowed to make written application to the superintendent, or designee, for readmission at any time.

Application should state the reasons for the request and should include such assurances concerning the non-recurrence of the behavior which led to the suspension or expulsion.

The superintendent may designate an individual or committee to consider the application and make recommendations concerning such readmission.

The superintendent shall, in writing, advise the student and the student's parent(s) or guardian(s) of the superintendent's decision within thirty (30) days of the receipt of such application.

The superintendent's determination may be appealed to the Board of Directors.

### Section XV: REVIEW OF DISCIPLINARY DATA

The District will annually review data on disciplinary actions taken against students within each school disaggregated by groups and subgroups as defined by law. The review must include short-term suspensions, long-term suspensions and expulsions. In reviewing the data, the District will determine whether it has disciplined a substantially disproportionate number of students within any of the disaggregated categories. If disproportionality is found, the District will take action to ensure that it is not the result of discrimination.

Section XVI: RESIDENT STUDENTS EXPELLED FROM OTHER DISTRICTS

If a resident student has been expelled from another school district, the student can make application for admission at any time. The expulsion from the previous school district follows the student and the Star School District can opt to honor the expulsion.

Adopted October 27, 2016