

NORTH BOONE CUSD #200
2010-2011
PRE-K-4 DISCIPLINE CODE

The purpose of school is to prepare students with the skills they will need to be successful in life. The objective of the Board of Education in establishing this Discipline Code is to promote a positive and secure learning climate.

North Boone Community Unit School District #200 students are required to attend all classes and participate in selected school activities as responsible school citizens. Respect for all school employees, public property, and respect for the rights and welfare of others must govern pupil actions.

The rules, regulations, and procedures found in this Discipline Code are applicable to all North Boone Elementary students and apply whenever the student's conduct is reasonably related to school or school activities, including, but not limited to:

1. On or within sight of school grounds--before, during or after school hours or at any other time when the school is being used by a school group;
2. Off school grounds at a school-sponsored activity, or any activity or event which bears a reasonable relationship to school;
3. Traveling to or from school, including designated bus stops, at a school activity, function, or event;
4. Anywhere, if the conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member, or an interference with school purposes or an educational function; or
5. Anywhere outside of school if a nexus, or relationship, can be proven between the incident and the school.

No disciplinary action shall be taken against any student that is based totally or in part on the refusal of the student's parent/guardian to administer or consent to the administration of psychotropic or psycho stimulant medication to the student.

This Discipline Code is written to provide students and parents with information regarding the expectations for student behavior and the consequences for inappropriate behavior. It is presumed that students and parents are aware of all laws, rules, and regulations regarding reasonable expectations for a child's behavior in the school setting. Therefore, activities and occurrences not specifically mentioned in the Code will be dealt with by applying a reasonable interpretation of the Code to the occurrence.

All detentions and suspensions are to be served as soon after the discipline has been assigned as possible according to the respective school's procedure. Appeals to the decision may be made, and if upheld, the record of the discipline action will be expunged from the record. Following the conclusion of the appeal process neither the student nor parents have the right to refuse disciplinary measures. Failure to serve a punishment, whether a detention or a suspension, may ultimately result in the student being expelled from school even if the student was acting at the direction of the parent/guardian.

Neither the failure to read this discipline code nor the failure to sign and return the signature form excuses a student from the rules and procedures described herein.

Definitions

1. **Detention:** is defined as a student being required to remain in the classroom or office beyond the normal scheduled time. Examples of detentions include, but are not limited to, lunch, recess, after school activities, and after school. Teachers or principals issue detentions to students for an infraction of the rules. The person assigning the detention is responsible for notifying the parent of the detention and the infraction, as soon as possible. The principal shall review all detentions.
2. **Suspension:** a student is removed from the regular program or service for a given period of time not to exceed 10 days. Examples of suspensions include, but are not limited to, bus suspension, after school activity suspension, in school suspension (ISS) and out of school suspension.
 - During the period of time a student is suspended, the student shall be excluded from all North Boone School District #200 extracurricular activities and practices whether held on or off campus.
 - Suspended students must make up all work missed including class work and homework. All missed assignments due to suspension will be counted as late and graded according to student handbook on late work. Parents may pick up work daily at the school office within 45 minutes of the end of the normal school day.
 - Students will receive a zero (0) for class participation.
 - Students who return to school property during suspension will be considered as trespassing.
3. **Expulsion:** the student is removed from school or riding the bus by the Board of Education. The length of the expulsion is determined by the Board of Education and may range up to two school years. A maximum of a 10-day suspension is imposed in order to provide time for due process procedures to be completed.
4. **Activity:** any school-sponsored event held on or off campus involving North Boone C.U.S.D. students.
5. **Fighting:** This may be deemed a battery. A person commits battery if he/she intentionally or knowingly without legal justification and by any means, (1) causes bodily harm to an individual or (2) makes physical contact of an insulting or provoking nature with an individual
6. **Hearings:** There are three types of hearings that are used in this discipline code:
 - Pre-suspension Hearing--The administrator meets with the student and identifies the rule violation and the evidence against him/her. In some instances parents may be involved in this hearing.
 - Suspension Hearing--The parent requests an administrative hearing to review the incident leading to the suspension and the discipline.
 - Expulsion Hearing--A hearing conducted by the Board of Education to determine if a student should be allowed to remain in school.
7. **Searches:** The District reserves the right to search the school grounds, the building, classrooms, lockers, and student property, in accordance with Illinois law, when there are reasonable grounds that the search will produce evidence the student has or is violating either the law or the rules of the school. Law Enforcement officers and specially trained dogs may be used for any searches.
8. **Weapons:** A "weapon" means possession, use, control, transfer, or threat of use of any object that may be used to cause bodily harm. This includes, but not limited to, "look-a-like" objects/items, knives, guns, rifles, shotguns, brass knuckles, firecrackers, and billy clubs. Such items as baseball bats, pipes, bottles, locks, sticks, pencils, pens, or snowballs may be considered weapons if used, or attempted to be used to cause bodily harm.
9. **Firearms:** Any device using an explosive to propel a projectile that could inflict bodily harm upon others. This includes a starter pistol.

10. **Corporal Punishment:** Is defined as slapping, paddling, or prolonged maintenance of students in physically painful positions, or intentional infliction of bodily harm. Corporal punishment does not include, and certified personnel are permitted to use reasonable force as needed to maintain safety for students, staff or other persons, or for the purpose of self-defense or defense of property. Corporal Punishment is **NOT ALLOWED** in North Boone Community Unit School District #200.

GENERAL DISCIPLINE PROCEDURES

Each classroom teacher will develop a discipline plan regarding student discipline in the room. These classroom discipline plans are posted in each room. The teacher is expected to enforce discipline according to established classroom rules through Step 2 as defined below. Some situations will be referred to the building administrator for further consideration.

Teachers, other certified educational employees, and other delegated personnel shall maintain discipline in the schools, including school grounds, which are owned or leased by the board and used for school purposes and activities. This shall extend to all activities connected with the school program, including all athletic and extracurricular programs, and may be exercised at any time for the safety and supervision of the pupils in the absence of parents or guardians.

A school staff member shall immediately notify the Building Principal in the event that he or she: (1) observes any person in possession of a firearm on or around school grounds; however, such action may be delayed if immediate notice would endanger students under his or her supervision, (2) observes or has reason to suspect that any person on school grounds is or was involved in a drug-related incident, or (3) observes a battery committed against any staff member. Upon receiving such a report, the Building Principal or designee shall immediately notify the local law enforcement agency, State Police, and the student's parent(s)/guardian(s).

Efforts, including the use of early intervention and progressive discipline, shall be made to deter students, while at school or a school-related event, from engaging in aggressive behavior that may reasonably produce physical or ~~physiological~~ *psychological* harm to someone else. The Superintendent or designee shall ensure that the parent(s)/guardian(s) of a student who engages in aggressive behavior are notified of the incident. The failure to provide such notification does not limit the Board's authority to impose discipline, including suspension or expulsion, for such behavior.

Nothing in this section affects the power of The Board to establish rules with respect to discipline. The Board shall establish a policy consistent with appropriate laws and review the policy annually. The policy shall provide that a teacher may use reasonable force, as needed, to maintain safety for the other students, school personnel, or for the purpose of self-defense or the defense of property. Further, school personnel may remove a student from the classroom for disruptive behavior. The principal shall provide for due process rights of students. The policy shall not include slapping, paddling, or prolonged maintenance of students in physically painful positions nor shall include the intentional infliction of bodily harm.

The following outlines the basic steps towards maintaining discipline:

STEP ONE - conference with student. Record of conference.

STEP TWO - Detention: The teacher or principal will decide the appropriate detention and duration. Parents will be notified of the detention.

STEP THREE - Suspension: The principal will decide on the appropriate suspension and duration. The principal shall contact the parent(s) prior to the suspension. All suspensions will also result in an activity suspension for the student as a participant or a spectator.

STEP FOUR - The Superintendent may bring a possible recommendation to the Board of Education for expulsion of the student. Federal statute requires automatic expulsion for certain weapons violations.

Repeated violations of school rules or misbehavior may also constitute gross disobedience or misconduct, thus warranting expulsion or suspension, even though each isolated violation or misbehavior may alone not constitute gross disobedience or misconduct.

The principal may initiate the action at any step indicated, depending on the severity of the misbehavior or in cases of frequent reoccurrence of discipline issues on the part of the student. Principals are not obligated to act in all instances of violations of this code if the punishment is deemed inappropriate for the age of the child. This decision is solely at the discretion of the principal.

The following list includes, but is not limited to, examples of behaviors, which are considered inappropriate. To the right of each discipline infraction is the ACTION that may be taken. Some items below are violations of state law. Therefore, in addition to the enforcement of the local discipline code, the Law Enforcement Officers may be called when state laws may be violated on school property or at any school function or activity.

Note: Information about tardies and truancy will be contained in the elementary handbook's absence from school section.

Inappropriate behaviors requiring consideration of detention(s) for first offense.

1. Dress Code Violations:

1st Offense	Student will change into alternate attire or, in the case of a shirt, turn the shirt inside-out
2nd Offense	STEP TWO: Detention
3rd Offense	STEP THREE: In School Suspension
Subsequent Offense	STEP THREE: 1-10 Days Suspension
2. Inappropriate Display of Affection:

1st Offense	STEP ONE: Conference with students
2nd Offense	STEP TWO: Detention
3rd Offense	STEP THREE: Suspension
4th Offense	STEP THREE: 1-10 Days Suspension
3. Bus misconduct:

1 st Bus Report	STEP ONE: Conference with student
2 nd Bus Report	STEP TWO: Detention
Subsequent Report	STEP THREE: Suspension from riding the bus
4. Cafeteria misconduct:

1st Offense	STEP ONE: Conference with student
2nd Offense	STEP TWO: Removal from recess/cafeteria 1-5 days
3rd Offense	Removal from recess/cafeteria up to 10 days
Subsequent Offenses	Removal from eating in cafeteria for quarter/semester
5. Vulgar /Obscene or inappropriate language or obscene gestures towards anyone at school, at school-sponsored events.

1st Offense	STEP TWO: Detention
2nd Offense	STEP THREE: Suspension

- Subsequent Offense STEP THREE: 1-10 Days Suspension and possible expulsion
6. Cheating or copying from another student's work or from prepared material explicit to the examination being taken or plagiarism:
- 1st Offense STEP TWO: Detention and assignment of (0) on the assignment/test
- 2nd Offense STEP THREE: Suspension
- 3rd Offense & STEP THREE: 1-10 Days Suspension
- Subsequent Offense
7. Forgery or giving false or misleading information to school officials:
- 1st Offense STEP TWO: Detention
- 2nd Offense STEP THREE: Suspension
- 3rd Offense & STEP THREE: 1-10 Days Suspension
- Subsequent Offense
8. Possession of handheld electronic devices and games: All such devices will be confiscated. MP3 players or CD's used on the bus must be kept in a backpack or locker.
- 1st Offense STEP TWO: Conference
- 2nd Offense & STEP THREE: Detention
- Subsequent Offense
9. Students may not use or possess electronic signaling (paging) devices or two-way radios on school property at any time, unless ~~authorized by the administration or representative thereof~~ *the Building Principal specifically grants permission.*
- The possession and use of cell phones and other electronic devices, other than paging devices and two-way radios, are subject to the following rules:
1. They must be kept out of sight and in an inconspicuous location, such as a backpack, purse, or locker.
 2. They must be turned off during the *regular* school day unless the supervising teacher grants permission for them to be used *or if needed during an emergency.*
 3. They may not be used in any manner that will cause disruption to the educational environment or will otherwise violate student conduct rules.
 4. ~~If a cell phone is confiscated, the district reserves the right to search the cell phone as related to the violation. Example: If a student is texting in class, it may be that a student is sending improper academic information to a peer. The school may search only through the texts. If a student is showing pictures, it may be that inappropriate material is being shown, so a school official may search through the pictures on the phone.~~
 4. *They may not be used for creating, sending, sharing, viewing, receiving, or possessing indecent visual depictions as defined in state law, i.e., sexting. Possession is prohibited regardless of whether the depiction violates state law. Any cellular phone may be searched upon reasonable suspicion of sexting. All sexting violations will require school administrators to follow student discipline policies in addition to contacting the police and reporting suspected child abuse or neglect when appropriate.*

Electronic study aids may be used during the school day if:

1. Use of the device is provided in the student's IEP, or
2. Permission is received from the student's teacher.

Examples of electronic devices that may be used as study aids include ~~tape recorders, palm pilots, CD players, MP3 players, radios, cell phones, and~~ *devices with audio or video recording, iPods®, some cellular telephones, laptop computers and iPads®.*

*Examples of electronic devices that are **not** used as study aids include: hand-held electronic games, CD players, MP3 players/iPods®, global positioning systems (GPS), radios, and cellular telephones (with or without cameras), and other portable mobile computers capable of transmitting images or pictures.*

The school district is not responsible for the loss of theft of any electronic device brought to school.

1 st Offense	STEP ONE: Conference and Confiscation
2 nd Offense & Subsequent Offenses	STEP THREE: Suspension

10. Misuse of computers by attempting to gain access to unauthorized sites or unauthorized use of computers;
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| 1 st Offense | STEP TWO: Detention |
| 2 nd Offense | STEP THREE: Banned from computer use for the quarter. |

Serious violations requiring consideration of suspension for first offense

- Excessive detentions:

4th detention	STEP THREE: Suspension
Subsequent detention	STEP THREE: 1-10 Days suspension

Detentions are cumulative for the quarter.
- Failure to serve a detention:

Each Offense	STEP THREE: Suspension unless it is rescheduled by the teacher and/or principal.
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- Defiance/Disrespect/Insubordination: Insubordination is defined as a refusal to obey a school rule, regulation, a continual ignoring of school rules, or the ignoring or refusal to obey a directive of a teacher or school official.

1 st Offense	STEP THREE: Detention
2 nd Offense	STEP THREE: Suspension
3 rd Offense & Subsequent Offense	1-10 Days Out of School Suspension/ Possible expulsion
- Inappropriate Behavior/Disorderly conduct: (Engaging in any activity that constitutes an interference with school purposes or an educational function or is disruptive in any way at any school function or activity.)

1 st Offense	STEP TWO: Detention or STEP THREE: Suspension
2 nd Offense & Subsequent Offense	STEP THREE: 1-10 Days Out of School Suspension/ Possible expulsion
- Fighting or inciting mob or group action: This may be deemed a battery. A person commits battery if he/she intentionally or knowingly without legal justification and by any means, (1) causes bodily harm to an individual or (2) makes physical contact of an insulting or provoking nature with an individual. Students may face legal action. In many cases a student may be removed from class/building if deemed necessary by the administrator.

1 st Offense	STEP THREE: 1-10 Days Suspension
2 nd Offense & Subsequent Offense	STEP FOUR: 1-10 Days Suspension/ Possible expulsion

If it is determined who provoked the fight or threw the first blow, different punishments may be imposed.
- Harassment-Hazing-Bullying, Engaging in hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to another or any urging or other students to engage in such conduct. Prohibited conduct includes any use of violence, force, noise, coercion, threats, intimidation, fear, harassment, hazing or other comparable conduct. **A report of harassment will be filed with Law Enforcement Officers**

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| 1st Offense | STEP THREE: Suspension |
| 2 nd Offense &
Subsequent Offense | STEP THREE: 1-10 Days Out of School Suspension/
Possible expulsion |
7. Tobacco: Using, possessing, distributing, purchasing, or selling tobacco. Illinois law prohibits the use of tobacco on school property. Possession of matches and lighters by students is also prohibited.
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| 1st Offense | STEP THREE: Suspension |
| 2 nd Offense &
Subsequent Offense | STEP THREE: 1-10 Days Out Of School suspension/
Possible expulsion |
8. Vandalism: Destruction or defacement of school property or attempting to cause damage to school property, or damage to the personal property of others:
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| 1st Offense | STEP THREE: 1-10 Days Out Of School Suspension, repair
and/or restitution. |
| 2 nd Offense &
Subsequent Offense | STEP THREE: 1-10 Days Out of School Suspension and repair
and/or restitution/Possible expulsion |
9. Possession of Stolen Property:
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| 1st Offense | STEP THREE: Suspension |
| 2 nd Offense &
Subsequent Offense | STEP THREE: 1-10 Days Out of School Suspension/
Possible expulsion |
10. Theft:
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| Any Offense | STEP THREE: 1-10 Days Out of School Suspension; possible
expulsion. Student(s) may be detained until
investigation has been completed. |
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11. False fire alarm, bomb threat, or setting fires possession of matches, lighters and/or incendiary devices:
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| Any Offense | STEP THREE: 1-10 Days Out of School Suspension/Possible expulsion |
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12. Gang Activity: Student involvement in gangs or gang related activities including the wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other things that are evidence of membership or affiliation in any gang or conduct engaged in by students to perpetuate the existence of any gang or to effect the common purpose and design of any gang. Gang activity is prohibited on or about school grounds, on school buses, or off school grounds at any school activity.
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| Any Offense | STEP THREE: 1-10 Days Out of School Suspension/Possible
expulsion |
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13. Being a member of or joining or promising to join, or becoming pledged to become a member of, soliciting any other person to join, promise to join, or be pledged to become a member of any public school fraternity, sorority or secret society: 105 ILCS 5/31-3
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| Any Offense | STEPTHREE: 1-10 Days Out of School Suspension/Possible
expulsion |
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14. Threatening of a staff member: Students who threaten or intimidate teachers or staff will be reported to the Law Enforcement Officers for inclusion in the Illinois Uniform Crime Reporting Program. This is considered an assault.
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| Any offense | STEPTHREE: 1-10 Days Out of School Suspension/Possible
expulsion |
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15. Physical Assault on a School Employee: Defined as a student or adult who causes bodily harm to an individual or makes physical contact of an insulting or provoking nature. Students who commit a battery against a teacher/staff will be reported to the Law Enforcement Officers for inclusion in the Illinois Uniform Crime Reporting Program.
Any Offense STEP THREE: Suspension/Possible expulsion

Gross misconduct requires consideration of expulsion for the first offense. The infraction requires the notification of the appropriate Law Enforcement Authority.

1. Using, possessing, distributing, purchasing, or selling:
- a. Any illegal drug, controlled substances, or cannabis (including marijuana and hashish).
 - b. Any anabolic steroid unless being administered in accordance with a physician's or licensed practitioner's prescription.
 - c. Any performance-enhancing substance on the Illinois High School Association's most current banned substance list unless administered in accordance with a physician's or licensed practitioner's prescription.
 - d. Any prescription drug when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or prescribing physician's or licensed practitioner's instructions.
 - e. "Look-alike" or counterfeit drugs, including a substance not containing an illegal drug or controlled substance, but one: (a) that a student believes to be, or represents to be, an illegal drug or controlled substance; or (b) about which a student engaged in behavior that would lead a reasonable person to believe that the student expressly or impliedly represented to be an illegal drug or controlled substance.
 - f. Drug paraphernalia, including devices that are or can be used to: (a) ingest, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances.

Students who are under the influence of any prohibited substance are not permitted to attend school or school functions and are treated as though they had the prohibited substance, as applicable, in their possession.

Any Offense STEP FOUR: Recommendation for expulsion

2. Alcohol: Sale, distribution, use, or possession of alcohol: Students under the influence of, or who smell of recent use of alcohol are not permitted to attend school or school functions and will be suspended and recommended for expulsion.

Any offenses STEP FOUR: Recommendation for expulsion

3. Weapons: A student who is determined to have brought one of the following objects to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of at least one calendar year but not more than 2 calendar years:

- a. A firearm, meaning any gun, rifle, shotgun, or weapon as defined by Section 291 or Title 18 of the United States Code (18 U.S.C. §921), firearm as defined in Section 1.1 of the Firearm Owners Identification Card Act (430 ILCS 65/), or firearm as defined in Section 24-1 of the Criminal Code of 1961 (720 ILCS 5/24-1).
- b. A knife, brass knuckles, or other knuckle weapon regardless of its composition, a billy club or any other object if used or attempted to be used to cause bodily harm, including "look-alikes" of any firearm as defined above.

The expulsion requirement under either paragraph a or b above may be modified by the Superintendent, and the Superintendent's determination may be modified by the Board on a case-by-case basis. The Superintendent or designee may grant an exception to this policy, upon the prior request of an adult supervisor, for students in theatre, cooking, ROTC, martial

arts, and similar programs, whether or not school-sponsored, provided the item is not equipped, nor intended, to do bodily harm.

The Building Principal or designee shall notify the appropriate Law Enforcement Authority of any student who brings a weapon to school.

Any Offense STEP FOUR: Recommendation for expulsion

GENERAL INFORMATION REGARDING CONDUCT

Guidelines for Reciprocal Reporting of Criminal Offenses Committed by Students

1. The School Principal and/or the Police Department School Liaison officer will arrange meetings as needed between school officials and individuals representing law enforcement to share information.
2. The Police Department School Liaison Officer and the School Principal will verbally report to each other the following activities when committed by a student enrolled in the Principal's school:
 - i. Unlawful use of weapons under Section 24-1 of the Criminal Code of 1961
 - ii. A violation of the Illinois Controlled Substances Act
 - iii. A violation of the Cannabis Control Act
 - iv. A forcible felony as defined in Section 2-8 of the Criminal Code of 1961
- a. The reporter should identify the student by name and describe the circumstances of the alleged criminal activity. Local law enforcement officials must certify in writing that the information received from the school will not be disclosed to any other party except as provided by State law without the prior written consent of the student's parent(s)/guardian(s).
- b. The report should be made as soon as possible after the Liaison Officer or Principal reasonably suspects that a student is involved in such activity.
- c. The School Principal's duty to report such activity arises only when the activity occurs on school property or off school grounds at a school-related function.
3. The State's Attorney shall provide to the School Principal a copy of any delinquency dispositional order where the crime would be a felony if committed by an adult, or was a Class A misdemeanor in violation of Section 24-1, 24-3, 24-3.1, or 24.5 of the Criminal Code (weapons offenses).
4. Local law enforcement shall provide a copy of all arrest records, and the State's Attorney shall provide a copy of all conviction records, to the School Principal if the record involves a student who is arrested or taken into custody after his or her 17th birthday.

Early Identification: Aggressive Behavior

Students who are identified by one or more teachers as having demonstrated conduct or behavior that puts them at risk for aggressive behavior, including but not limited to "bullying," shall be referred to the school principal or designee. For purposes of the Policy, "bullying" is defined as conduct or behavior toward other students that, to a marked degree, appears intended to terrorize, intimidate, or start fights with other students. The principal or designee shall promptly notify the student's parents or legal guardians of the referral, and shall schedule a parent-teacher conference to discuss the referral and to recommend such community-based or District-provided early intervention procedures as are available and are deemed reasonably appropriate.

Policies regarding proper grooming and dress

It is recommended that students use good taste in presenting a neat and clean appearance. Parents are encouraged to see that their child is properly dressed before he or she leaves for school. Dress and grooming must meet standards that do not present health or safety hazards, interfere with maintenance of a positive teacher/learning climate, or substantially disrupt the

educational process. Clothes should be worn as they are intended - example: straps on overalls should be fastened appropriately and shoes should be tied.

Clothing that is tight or short so as to cause distraction to others is not considered appropriate dress. Bare midriff outfits, slashed clothing, spandex clothing, tank tops (no sleeves, scoop neck), halter-tops and see through tops cannot be worn in school. T-shirts, patches, or buttons that are considered obscene, suggestive, or have double meanings and disrupt the educational process are not permitted. Clothing styles or make-up that appear so extreme as to cause disruption in the classroom are not acceptable. Hats and other head coverings are not to be worn in school buildings. Hats and other head coverings that are worn to school must be kept in the student's locker during the school day and may not be carried to class. Student attire, which advertises or portrays any tobacco product, alcoholic beverage product, or other controlled substance, is prohibited along with any attire, which is considered sexual or inappropriate for school, and sufficiently interferes with the educational process. Students in any grade, as long as they do not disrupt the educational setting, may wear shorts. The above restrictions apply to both male and female students.

Policies regarding behavior on field trips or school special events:

1. All school-sponsored trips are privileges which may be revoked, all or in part, at the discretion of the supervisor(s) in charge.
2. All school district policies, including the discipline code, are in effect during all school-sponsored trips.
3. Violating the discipline code may result in removal from the trip.
4. Removal from a trip for disciplinary reasons shall be interpreted the same as a suspension, with all of the consequences outlined in the discipline code in effect.
5. Students who are unable to conform to school rules may not be allowed to participate on field trips or class trips.
6. Parents of students who have to be removed from school-sponsored trips will be contacted and expected to pick up that student. If the parent is unable to come and get the student, the parent will be responsible for making arrangements for and bearing the expense of transporting that student home. This includes all expenses incurred by the student and a chaperone if necessary,

HEARINGS AND APPEALS

As an important part of due process, students must be informed of what is acceptable behavior. In the event a student is accused of a violation of the rules in this Code, the accusation may be made in writing by a witness to the incident and given to the administrator prior to the administrator meeting with the accused. IN AN EMERGENCY the student may be removed immediately from the classroom or other activities. Before suspension is imposed, the student(s) involved will be told what inappropriate behavior allegedly has been committed. The student(s) will then have an opportunity to respond to the alleged infraction. The administrator may then make his/her decision concerning the suspension. Any suspension shall be reported immediately to the parent(s) or guardian(s) of such pupil along with a full statement of the reasons for such suspension and a notice of their right to an appeal. Parents will be notified of suspension by telephone or in person a notice of their right to appeal, a copy of which shall be given to the school board.

Parents will be notified of the suspension by telephone or in person and will be notified of their right to appeal and will be asked if they choose to appeal. Parents who are notified by telephone may request a 24-hour period to consider the appeal. Parents who cannot be reached by telephone or in person will receive written notice of suspension by certified mail and will have two school days from receipt of notification to appeal. Parents who are reached by telephone will receive a suspension notice by mail as confirmation. Requests for appeal must be presented to the

administrator in writing and parent must state why they want the appeal. Failure to exercise the appeal right within the allotted time limits will result in the loss of the appeal right.

Upon request of the parent(s) or guardian(s) the Board of Education's appointed hearing officer shall review such action of the administrator. At such review the parent(s) or guardian(s) of the pupil may appear and discuss the suspension with the hearing officer. The hearing officer shall report to the board a written summary of the evidence heard at the meeting. Upon receipt of the written report of its hearing officer, the board may take such action, as it finds appropriate. Parents do not have the right to refuse disciplinary measures.

Disallowance of Suspension as a Result a Hearing:

1. The student's record shall be expunged of all notations or remarks regarding the matter.
2. The student's absence shall be "excused."
3. All educational or extracurricular opportunities missed by the student shall, if possible, be afforded to the student including making up all tests and class assignments. All zeros received due to missed class participation will be removed from the grade average.

Expulsion

Expulsion is termination of enrollment for a definite period of time not to exceed 2 calendar years in accordance with the law. Incidents of serious misbehavior (or misconduct) or an accumulation of other offenses may result in a recommendation for expulsion. Only the Board of Education may expel students. This action must be taken at a meeting of the Board of Education. Administrators may recommend such action to the Board of Education through the Superintendent. Only the Board of Education may reinstate students who have been expelled.

Procedure for Expulsion Hearings:

The Superintendent or designee shall implement expulsion procedures that provide, at a minimum, for the following:

1. Before a student may be expelled, the student and his or her parent(s)/guardian(s) shall be provided a written request to appear at a hearing to determine whether the student should be expelled. The request shall be sent by registered or certified mail, return receipt requested. The request should include:
 - a. The reasons for the proposed expulsion as well as the conduct rule the student is charged with violating.
 - b. The time, date and place for the hearing.
 - c. A short description of what will happen during the hearing.
 - d. A statement indicating that The School Code allows the School Board to expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case by case basis.
 - e. A request that the student or parent(s)/Guardian(s) inform the District with at least 48 hours advanced notice if the student will be represented by an attorney and, if so, the attorney's name.
2. The parent(s) or guardian(s) and the student may attend the hearing. Unless the student and parent(s)/Guardians(s) indicate that they do not want a hearing or fail to appear at the designated time and place, the hearing will proceed. It shall be conducted by the School Board or a hearing officer appointed by it. If a hearing officer is appointed, he or she shall report to the Board the evidence presented at the hearing and the Board shall take such final action as it finds appropriate. The hearing, if held by the School Board, shall be held in executive session.

The Department of Mental Health shall be invited to send a representative to the hearing to consult with the Board whenever there is evidence that mental illness may be the cause for the suspension or expulsion.

The Boone County Probation Department shall also be invited to send a representative to the hearing to consult with the Board whenever the student is subject to the jurisdiction of the juvenile court system.

3. During the expulsion hearing, the Board or hearing officer shall hear evidence concerning whether the student is guilty of the gross disobedience or misconduct as charged. The student and his or her parent(s)/guardian(s) may be represented by counsel, when 48 hours advanced notice has been given. They may offer evidence, present witnesses, cross-examine witnesses who testified, and otherwise present reasons why the student should not be expelled. After presentation of the evidence or receipt of the hearing officer's report, the Board shall decide the issue of guilt and take such action as it finds appropriate.

Presentation of Evidence:

- a. The parties may make a short opening statement as to their position on the issues at the commencement of the hearing.
- b. The school officials shall present their evidence first. Such evidence may be in oral or written form. The school officials need not present their witnesses for confrontation if the school officials determine that such witnesses would be subject to physical or mental harassment. In such cases a summary of the witnesses' testimony must be presented to the student at the hearing.
- c. The student may present evidence to refute the charges, either orally or in writing. He/she shall be afforded an opportunity for cross-examination of the witnesses and an examination of any written evidence presented.
- d. Pertinent and relevant evidence shall be received without regard to the rules of evidence in such a manner as is appropriate to the circumstances.
- e. The hearing shall be recorded stenographically or by tape. The Board shall take responsibility for this and offer the other party an opportunity to purchase a copy of the transcript or tape.
- f. There may be short closing arguments by the parties at the conclusion of the hearing.
- g. A motion to exclude witnesses may be made by either party.