

# Manitou Springs High School



## Behavioral Guidelines 2011-2012

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## **BEHAVIORAL GUIDELINES**

These Guidelines are not intended to stifle school spirit or to establish an unreasonable restrictive atmosphere. Quite the opposite is true. Responsible behavior opens up opportunities for everyone to learn and grow in a comfortable setting.

The following behavior guidelines have three purposes:

1. To assure every student an opportunity to succeed at MANITOU SPRINGS HIGH SCHOOL
2. To maintain an orderly school environment
3. To inform all students about the guidelines for acceptable and unacceptable behavior and the consequences for unacceptable behavior

These guidelines are open for revision as needs change at the school. Ideas and suggestions from staff, students, and parents are welcomed and encouraged.

All students and staff should be involved in preventing behavior problems from occurring at school or during school functions. When behavior problems do occur, these steps should be followed:

### INFORMAL

1. Everyone should be aware of the day-to-day rules of behavior at school. Therefore, all students and staff members have the right to remind a student about his/her behavior.

### FORMAL ACTION

2. If warnings by students and staff are ignored, a student will be referred to the administration for a conference. Normally, a Disciplinary Referral will be given to the administration describing the behavior.

### STAFFING

3. If the behavior persists, the student, assistant principal and/or the principal will have a conference to discuss the situation and decide upon appropriate action. This may include other teachers, counselors, and parents or guardians.

### REMOVAL FROM A CLASS

4. If any staff member feels that a student's behavior in class is such that the learning environment is being disrupted, he/she may ask the student to leave the class and see the administration. The staff member will then complete a Disciplinary Referral describing the incident.

**POLICIES ESTABLISHED 2008/2009**  
**REVISED 2011/2012**

## Tardy Policy

**Per Quarter:**

- Tardy 1 – 3    No Office consequences
- Tardy 4 – 5    Lunch Time or After School Detention will be served that day.  
If tardy is received during fourth block, after school detention will be served that day or lunch the next school day.
- Tardy 6 – 7    Students will be assigned In-School Suspension. ISS will be served on Fridays, all day, in the Main Office. Students will be responsible for completing all assigned class work by their teachers during ISS.
- Tardy 8 +     Students will have a Mandatory Discipline Hearing with a possible Restorative Justice Component. Truancy proceedings, Saturday School, Suspension and / or Expulsion are all possible consequences.

Failure on the student's part to follow through on the consequences will be treated as insubordination.

**Tardiness will be excused (not added to the total number) only for an appointment.**  
Your overall Tardy count will be reset at the end of each quarter.

## **POLICIES ESTABLISHED 2007/2008**

### **Dress Code Vision:**

Manitou Springs High School Dress Code Policy will encourage a positive work and learning environment. This policy will also promote an environment that will reflect respect for self and others. The code will prepare our students to enter the world dressing for success without removing individuality. By following the basic guidelines of decency, modesty, good taste, and cleanliness, students are expected to exercise good judgment in their style of dress.

### **Dress Code Policy:**

The following guidelines display what would or would not be acceptable in school buildings, on school grounds, or at school activities:

- Shorts, skirts, dresses and other similar clothing should fall within a hand's length above the knee and may not allow private body parts or undergarments to show.
- Sunglasses should not be worn inside the building.
- Hats may be worn at the discretion of faculty.
- Students may not wear inappropriately sheer, tight or low-cut clothing – meaning no cleavage – (halter tops, backless clothing, strapless clothing, garments made of fishnet, mesh or similar material.)
- Tank tops or other similar clothing must have straps as wide as two finger widths.
- Students may not wear undergarments without appropriate covering, including but not limited to corsets, muscle shirts and camisoles.
- Bottom of shirt should meet top of pants, skirts, etc. No midriffs or undergarments visible.
- Pants may not have holes that allow parts of the body to be visible that would otherwise be covered by a skirt, dress or shorts.
- Students may not wear any clothing, jewelry, accessories or body adornments that are or contain a reference to:
  - Drugs, tobacco, alcohol, weapons, or gangs
  - Are of a sexual nature
  - No radical or hate signs
  - Are obscene, profane or vulgar
  - Threaten the safety or welfare of any person
  - Promote activities prohibited by the Student Code of Conduct
  - Disrupt the teaching/learning process

### **Exceptions:**

Appropriate athletic clothing may be worn in physical education class or during sports related activities.

**No exceptions will be made for spirit days and/or holidays, etc.**

School administration will have the final determination as to whether or not certain attire is in violation of the dress code.

## **POLICIES ESTABLISHED 2004/2005**

### **Self-Referral of Potential Alcohol or Drug Abuse:**

When a student recognizes that he/she has a problem with chemical use and chooses to do something about this problem, the school district will cooperate as fully as possible with this student. The school will create a climate and provide resources by which a student may seek and receive education, referral and/or counseling related to this problem. This will be provided without reprisal provided that the following conditions are met:

1. There is no immediate or apparent threat of harm to self or others.
2. The student is self-referred, not caught in violation of school, district or legal policies.
3. A commitment is made to abstain from further chemical use and to cooperate with a rehabilitative plan.

### **Rehabilitative Action:**

The Rehabilitation Team will meet to develop a plan for rehabilitative action. This team may consist of parents, students, administrators, counselors, and staff members. Students considered to be in need of further education or counseling will be referred to the appropriate program(s) or person(s) within the school. Students felt to be in need of individual or group counseling beyond that which can be provided by the school shall be referred to appropriate community agencies. The Manitou Springs School District will not be financially responsible for services provided by community agencies or private treatment providers.

### **Student Privileges:**

Open Campus, Attending School Sponsored Events, Driving/Parking on Campus, Senior Week Activities, Field Trips, and Early Release/Late Starts are a partial list of student privileges. Violation of school policies may result in the revocation of all or some student privileges.

### **District Attorney Report:**

Manitou Springs High School reserves the right to use the Colorado Prosecutors' Tracking System Juvenile School Report to offer students support, as well as hold them accountable relative to school policies and guidelines.

## ATTENDANCE

The Colorado General Assembly declares that two of the most important factors in ensuring a child's educational development are parental involvement and parental responsibility. It further declares that it is the obligation of every parent to ensure that every child under the parent's care and supervision receives adequate education and training. Therefore, every parent of a child who is under the age of sixteen years shall ensure that such child attends the public school in which such child is enrolled.

**EXCUSED ABSENCES:** **Building administrators are the final authority as to whether or not an absence is excused.** It is the student's responsibility to get his or her absence excused. To excuse a student, parents should call the day of the absence or, if necessary, the following day. If a parent does not call by the end of that second day, the absence becomes unexcused. If the parent does not call by the end of the third day, the student will serve consequences for truancy. The student's individual teachers will determine how make-up work will be handled.

**UNEXCUSED ABSENCES:** If an absence is determined by the building administrator to be unexcused, the student will receive zeros for all work missed during the unexcused absence. The student is urged, however, to make up the work for the purpose of keeping up with the class.

**TRUANCIES:** If a student is absent without an excuse by the parent/guardian or if the student leaves school or class without permission of the teacher or administrator in charge, the student shall be considered truant.

**HABITUALLY TRUANT:** A child who is under the age of seventeen years and has four unexcused absences in any month, or ten unexcused absences in a year, is considered habitually truant and may face legal proceedings dealing with the compulsory school attendance law. Remedial measures to correct a student who is habitually truant may include, but are not limited to, a conference with the parents and appropriate school personnel, a written attendance contract with the student, or removal from class and/or school.

**LEAVING THE BUILDING DURING THE DAY:** No student will be allowed to leave the building during the school day without prior permission from his/her parents, either by a phone call or a note to the office secretary. Students who leave the building during school hours must first check with the office secretary and, secondly, must sign out on the sign-out sheet. The only exception will be students with free hours. Failure to comply with this rule will be dealt with as a truancy.

## DRIVING/PARKING

**DRIVING/PARKING:** Since there is an increasing number of students driving automobiles to school, certain regulations must be adhered to and enforced for the safety of all concerned. If you wish to continue to drive a car to school, you must be willing to obey the following regulations:

- Drive with care at all times. Speed limit is 5 mph.
- Park properly and only in designated areas. Handicapped and maintenance spots are reserved.
- Any accident must be reported immediately.
- No excessive driving around school building.

Failure to follow these necessary regulations will result in temporary suspension of the privilege to drive and park on school grounds. *\*Due to the limited number of spaces, Sophomores may be required to park on the high school hill at any time during the school year.* **Repeated or flagrant infractions of parking regulations may result in the vehicle being towed.**

## OTHER AREAS OF BEHAVIORAL CONCERNS

DISRUPTIVE BEHAVIOR: Any behavior which interferes with the smooth operation of the school is not acceptable and will not be tolerated.

HAZING, PHYSICAL ABUSE, INTIMIDATION, OR BULLYING OF ANOTHER STUDENT OR SCHOOL PERSONNEL: Nationally and locally there have been incidents of hazing that have resulted in injury and even death. What begins as innocent play can become dangerous. Therefore, any behavior that would be considered hazing is strictly forbidden and may result in immediate suspension from school.

CRIME OF VIOLENCE: Any student 14 to 18 years old charged with a crime of violence will undergo a mandatory hearing with the superintendent. The purpose of this hearing shall be to determine if he/she shall be expelled or moved to home tutoring or an alternative education program until his/her charge has been disposed of in court. If the student is found guilty or pleads guilty to such a charge, he/she may be expelled.

INTERGOVERNMENTAL AGREEMENT: There is an intergovernmental agreement between the City of Manitou Springs and School District #14 that treats the entire street of El Monte Place (the street that runs in front of the school) as school property for the purpose of student behavior. Therefore, **all school rules apply on the entire length of El Monte Place and adjacent trails.** Even though all school rules will be enforced on El Monte Place and adjacent trails, it is not part of the high school campus, and going out on the street or trails during school time without permission and signing out is considered a truancy.

CLOSED CAMPUS: Manitou Springs High School is a closed campus school. This means that students are not allowed to leave the campus during the school day except at lunch, or to attend A.V.P. or college classes, without properly checking out. The school campus is defined as the area where school business takes place on a daily basis. It includes the buildings, the upper athletic field, the parking lot, and driveway. Open Campus is a privilege and can be revoked at any time based upon student behavior. The length of revocation will be based upon the violation of the student.

PRIME TIME: Prime Time is considered instructional time, and students may not leave the campus during this time. It is designed for students to get extra help from teachers and for organizations to meet. Each student is assigned a Prime Time teacher and room, and on occasion we will have all students go to their Prime Time teachers. When any teacher tells a student to come into his/her classroom for Prime Time, the student must comply. Freshmen, Sophomores, and Juniors with one or more grades below C- must attend Prime Time Required Study. Failure to do so will be treated as insubordination.

PERSONAL SEARCHES: The principal, or a staff member designated by the principal and acting at the direction of the principal, may search the person of a student or a student's personal effects on school property, including vehicles, if the principal or designee has reasonable grounds to suspect that the search will uncover evidence that the student has violated Board policy, school rules or law. If a student refuses to allow a search by a staff member, the police may be called in to conduct the search. Refusal by the student to allow such a search can result in a recommendation to the superintendent for expulsion of such student.

LOCKER SECURITY-- It is strongly recommended that students put locks on their locker(s).

The following list of behavior problems and the consequences for each infraction are based on experiences at Manitou Springs High School. They reflect the policies of the Board of Education and comply with current laws of the Colorado Department of Education. These infraction consequence guidelines are not intended to represent an inclusive list of consequences more severe that are detailed below for any given singular instance of behavior. A student who is suspended in-school can make up work at the discretion of the teacher. Out-of-school suspensions are counted as unexcused absences and work should be made up, but will receive full credit for their work. All infractions result in conferences with assistant principal/dean of students. You have the right to appeal to the principal if the assistant principal/dean of students disciplines, and the superintendent if the principal disciplines.

<b>Rules and Definitions</b>	<b>1<sup>st</sup> Infraction</b>	<b>2<sup>nd</sup> Infraction</b>	<b>3<sup>rd</sup> Infraction</b>
<b>Truancies (Unexcused Absence)</b>	Instructional time missed will be made up in ISS or detention	1 day in-school suspension	1 day Saturday school
<b>Disruptive Behavior/ Insubordination/Disobedience/ Class Disruption</b>	Conference with Administration, possible detention or out of school suspension	1 – 3 day(s) out of school suspension	3-5 days out of school suspension
<b>Use of Possession of Tobacco</b>	1 day in-school suspension, PHC and other support services will be offered	1 day in-school suspension, PHC and other support services will be offered	2 days out of school suspension, PHC and other support services will be offered
<b>Drugs/Drug Paraphernalia/ Alcohol**</b>	Up to 5 days out of school suspension, possible expulsion hearing, PHC and other support services will be offered	Up to 5-10 days out of school suspension, possible expulsion hearing, PHC and other support services will be offered	Administrative conference, possible expulsion hearing
<b>Damaging Property/Vandalism or actions which would result in such</b>	Payment of Damages; possible suspension or Saturday School	1-3 day(s) suspension; payment of damages	3-5 days out of school suspension, payment of damages
<b>Fighting</b>	Up to 5 days out of school suspension, possible expulsion hearing*	Up to 5 days out of school suspension, possible expulsion hearing*	Administrative conference, possible expulsion hearing
<b>Theft or Extortion</b>	Payment of damages; up to 3 days out of school suspension or expulsion hearing	Payment of damages; up to 5 days out of school suspension or expulsion hearing	Up to 5 days out of school suspension, expulsion hearing*
<b>Possession of Obscene Material or Conduct including Vulgarity</b>	Conference with Administration; possible detention or Saturday school	After school detention, suspension or Saturday school	Up to 5 days out of school suspension, expulsion hearing*
<b>Paraphernalia Likely to Cause Harm</b>	Up to 3 days out of school suspension, possible expulsion hearing	Up to 5 days out of school suspension, possible expulsion hearing	3 days out of school suspension, possible expulsion hearing
<b>Bullying, Cyber-bullying</b>	Up to 5 days out of school suspension, possible expulsion hearing	Up to 5 days out of school suspension, possible expulsion hearing	Administrative conference, possible expulsion hearing

In case of flagrant violations; additional, more serious, consequences may be issued. Parents will be notified of all suspensions and of all unexcused absences from class. **THE OFFICE MUST APPROVE YOUR LEAVING SCHOOL** any time during the school day and **YOU MUST SIGN OUT BEFORE YOU LEAVE**. Failure to do so will result in a truancy charge. All conduct rules apply at school and on El Monte Place, as well as at school sponsored activities whether at home or away. Possession or use of alcoholic beverages, drugs or tobacco products on the grounds or in the building, whether during school time or at school sponsored activities is prohibited, as is attending school while under the influence of either drugs or alcohol. Parents and legal authorities will be notified of any student whose breath or behavior indicates that he/she has been drinking or using drugs. At any time, the administration reserves the right to place a student on a behavior/privilege continuum to help the student be successful at Manitou Springs High School.

*If an infraction is considered by an administrator to be a serious violation in accordance with 22-23-106(1)(d) C.R.S., the suspension may be levied for a maximum of up to ten days.
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**The Board of Education has directed the administration to turn over all cases of vandalism, drugs and alcohol directly to the police department for prosecution
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Use or possession of a dangerous weapon, sale of drug or controlled substances, will result in mandatory expulsion.
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Expulsion is mandatory when a student commits an act that, if committed by an adult, would be considered first or second degree assault. A student may be expelled for an act that, if committed by an adult, would be considered third degree assault.
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It shall remain an option for the student's parent(s) or guardian(s) to attend classes with the student as an alternative to some out of school suspensions with permission of all the student's teacher, including the building administration. At the time of notification of suspension, the parent must request permission from the building administration to attend classes as an alternative to suspension.
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•After third infraction, an administrative conference will be required.
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## **DISTRICT-WIDE CONDUCT AND DISCIPLINE POLICY**

The Board of Education of and for School District #14, El Paso County, Colorado, pursuant to its responsibility under the Colorado School Attendance Law of 1963, adopts the following definitions, policy, and procedures:

**SECTION A.** Definitions: The following definitions shall be applied to administer this act.

1. "Parent" means the mother or father of a child, or any other person having custody of a child.
2. "Board of Education" means the Board of Education for the district.
3. "Superintendent" means the Superintendent of Schools as executive director.
4. "Academic Year" means the calendar of school days between late August and early June, as authorized by the Board of Education.
5. "One Year" means twelve consecutive months.
6. "Child" means a person not less than the age authorized for enrollment in this district, and not more than twenty-one years of age.
7. "Student" means any child enrolled in the schools of the district.
8. "Principal" means the chief administrator of an individual school, or his or her designated representative in his or her absence.
9. "Cause" means the fact or facts supporting an action to suspend, expel, or deny admission.
10. "Suspension" means the interruption of attendance at a school as an act of a school administrator. Inter school transfers for non-disciplinary educational reasons shall not be considered under this code as suspension, expulsion, or denial of admission. Removal from a class or combination of classes with placement in other classes, except study halls, in the same school shall not be considered under this code as suspension, expulsion, or denial of admission.
11. "Expulsion" means the termination of enrollment of a student as an action authorized by the Board of Education.
12. "Denial of Admission" means the withholding of the privilege of enrollment.
13. "School" means the individual attendance unit facility within the district.
14. "Truancy" means the act of being absent from a class or school without permission or other lawful excuse.

15. An “Habitually Disruptive Student” is one who has been suspended out of school three times for a material and substantial disruption in the classroom, on school grounds, in school vehicles, or at school-sponsored activities. After the first out-of-school suspension for disruption, a remedial discipline plan will be developed by the administration with possible input from the student, parents and counselors. This remedial plan will be reviewed and modified, if necessary, after a second suspension is imposed for another disruption infraction. If a third out-of-school suspension is required for an additional disruptive act, this suspension will be extended, pending an expulsion hearing.
16. “Remedial Discipline Plan” means a written plan developed after the first out-of- school suspension for a material and substantial disruption in a school year. It will specify penalties for further disruptive acts and include a behavioral contract between the administrator and student.
17. “Habitually Truant” means a child who has attained the age of seventeen and who is under the age of seventeen years, having four unexcused absences in any one month or ten unexcused absences from school during any school year.
18. “Dangerous Weapon” means any of the following which in the manner it is used or intended to be used is capable of producing death or serious bodily injury: a firearm, whether loaded or unloaded; a knife; a bludgeon; any other weapon, device, instrument, material, or substance, whether animate or inanimate.

**SECTION B. Grounds for Suspension, Expulsion, and Denial of Admission**

1. The following shall be grounds for suspension or expulsion of a child from a public school during a school year:
  - (a) Continued willful disobedience or open and persistent defiance of proper authority.
  - (b) Willful destruction or defacing of school property.
  - (c) Behavior on or off school property which is detrimental to the welfare or safety of other pupils or of school personnel, including behavior which creates a threat of physical harm to the student or to other students; except that, if the student who creates such threat is a student with a disability pursuant to section 22-20-103 (1.5), such student may not be expelled if the actions creating the threat are a manifestation of such student’s disability. However, the student shall be removed from the classroom to an appropriate alternative setting within the district for a length of time which is consistent with federal law. Within ten days, the school in which the student is enrolled shall arrange for a reexamination of his or her IEP to amend the plan as necessary to insure that the needs of the student are addressed in a more appropriate manner or setting which is less disruptive to other students.
  - (c.5) Declaration as an habitually disruptive student, for which expulsion shall be mandatory. In order for a student to be declared habitually disruptive, a remedial discipline plan must be developed after the first out-of- school suspension for a material and substantial disruption.

- (d) Serious violations in a school building, or in or on school property, which suspension or expulsion shall be mandatory; except that expulsion shall be mandatory for the following violations: carrying, bringing, using, or possessing a dangerous weapon as defined in section 18-1-901 (3) (e), C.R.S.; or the commission of an act which, if committed by an adult, would be robbery pursuant to part 3 of article 4 of title 18, C.R.S., or assault pursuant to part 2 of article 3 of title 18, C.R.S.
  - (e) Repeated interference with a school's ability to provide educational opportunities to other students.
2. The following shall be grounds for expulsion from, or denial of, admission to a public school:
- (a) Physical or mental disability such that the child cannot reasonably benefit from the programs available.
  - (b) Physical or mental disability or disease such as to cause the attendance of the child suffering therefrom to be inimical to the welfare of other pupils.
3. The following shall constitute additional grounds for denial of admission to a public school:
- (a) Graduation from the twelfth grade of any school or receipt of any document evidencing completion of the equivalent of a secondary curriculum.
  - (b) Failure to meet the requirements of age, by a child who has reached the age of six at a time after the beginning of the school year, as fixed by the Board of Education of the district in which the child applies for enrollment, as provided in section 22-1-115.
  - (c) Having been expelled from any school district during the preceding twelve months.
  - (d) Not being a resident of the District, unless otherwise entitled to attend under the provisions of article 23 or 32 of this title.
  - (e) Failure to comply with the provisions of part 9 of article 4 of title 25, C.R.S. Any suspension, expulsion, or denial of admission for such failure to comply shall not be recorded as a disciplinary action but may be recorded with the student's immunization record with an appropriate explanation.
  - (f) Behavior in another school district during the preceding twelve months that is detrimental to the welfare or safety of other pupils or of school personnel.

**SECTION C.** Policy: As provided in the School Attendance Law of 1963, the Board of Education for this district:

1. Delegates to the Principal or Assistant Principal of any school within the district the power to suspend a student in the school for not more than five school days on the grounds specified in Section B 1.(a),1.(b), 1.(c),1.(c.5), or 1.(e) or not more than ten school days on the grounds stated in Section B 1.(d), unless expulsion is mandatory pursuant to such provision.
2. Delegates to the Superintendent the power to suspend a student, upon referral from a school, for an additional ten school days, with the provision that the suspension may be extended, but not to exceed another ten school days if necessary, to present the matter to the next meeting of the Board of Education. The total number of days of suspension by the building administrator and Superintendent shall not exceed thirty days.
3. Delegates to the Superintendent the power to deny admission to, or to expel from the schools of the district, for any period not extending beyond one year, any child whom the Superintendent, in accordance with the limitations imposed by the Law (Section B above), determines does not qualify for admission to, or continuation of attendance at, the public schools of the district. The superintendent shall report on each such case acted upon at the next meeting of the Board.

4. Affirms that an appeal of the decision of the Superintendent may be taken to the Board. The Board shall conduct a hearing if one is requested by the parent of the child.
5. Designates the Principals and Assistant Principals as attendance officers in accordance with the provision of the law. It shall be their duty to counsel with students and parents and investigate the causes of nonattendance so as to enforce the provisions of the law pertaining to compulsory attendance.

**SECTION D. Procedures for Suspension, Denial of Admission, and Expulsion**

1. Suspension Procedure for Principals:

- a. If a Principal deems it necessary to suspend a student, he or she will have a conference with the student explaining the reason for the suspension, and he or she will allow the student to tell his or her side of the problem before a final decision of suspension is made. The parent will be notified of the action by telephone, a home visit, or delivery of a written notice. The parent will also be notified that the parent, with the consent of all of the student's teachers and administrators, may attend class with the pupil for a period of time specified by the suspending authority as an alternative to the suspension. If the teachers do not consent to have the parent attend class, or if the parent does not agree to attend class or fails to attend class with the student, the pupil shall be suspended in accordance with the conduct and discipline code of the district.
- b. A notice of a suspension shall be delivered orally to the parent or sent by U.S. certified mail to the address on record. Such notice shall identify the student, the date of suspension, the legal grounds for suspension and, at least, the precipitating incident for the suspension. The notice shall request a conference and provide a telephone number for confirming or seeking a change of the appointment.
- c. A conference with the parent shall be arranged at the earliest possible time during the suspension period and as set in agreement with the parent. An effort shall be made to hold such conference not later than the third effective day of such suspension period.
- d. Such conference shall include the parent and other appropriate persons. At the conference, relevant portions of the student's records shall be available for consideration and examination by the parent. The Principal shall consider the available records and statements of all parties in making his or her decision.
- e. At the conclusion of the conference, the Principal shall deliver an oral opinion to the parties and, within two school days, he or she shall deliver or mail to the parent a statement of his or her findings and ruling. If the decision is adverse to the student, the Principal shall inform the parent at the end of the conference of his or her right to request a review of the decision.
- f. Following the conference with the parent, and provided that mutual agreement is reached, the student shall be readmitted. If agreement is not reached, the matter shall be referred to the Superintendent prior to the expiration of the fifth day of suspension, and the parent shall be directed to seek an appointment with the Superintendent.
- g. If the parent does not respond to the conference request, or if he or she does not keep the conference appointment within the five-day period of suspension authorized, the Principal shall:
  - (1) Permit the student to return to school, or
  - (2) Refer the case to the Superintendent prior to the expiration of the fifth day of suspension with full details and a recommendation that the suspension be extended under the Superintendent's authority. Such referral shall first be by telephone and followed by the written report, thus enabling the receiving office to notify the parent of the extended suspension.
- h. Suspensions shall not be consecutive, nor can a student be suspended a second time for the same incident.

- i. A record of all suspensions, including copies of all correspondence, shall be maintained in the name of the student and at the school where he or she is enrolled.
2. Suspension Procedure for Superintendent:
    - a. When the Superintendent receives a suspension referral, the parent shall be notified by telephone or delivery of written notice.
    - b. Written notice of continued suspension shall be delivered to the parent or sent by U.S. mail to the address on record. Such notice shall identify the student, indicate the dates for the suspension period, and make reference to the Principal's original notice in which legal grounds and precipitating incidences were set forth. The notice shall request a conference on the matter, set a tentative time for such conference, and provide a telephone number for confirming the appointment or for seeking a change of time or date for the conference.
    - c. A conference with the parent shall be arranged at the earliest possible time during the suspension period and as set in agreement with the parent. An effort shall be made to hold such conference not later than the third effective day of suspension.
    - d. Such conference shall include the parent and other appropriate persons. At the conference, relevant portions of the student's records shall be available for consideration and examination by the parent. The Superintendent shall consider the available records and the statements of all parties in making his or her decision.
    - e. At the conclusion of the conference, the Superintendent shall deliver an oral opinion to the parties, and within three school days he or she shall mail to the parent a written statement of his or her findings and ruling.
    - f. Following the conference with the parent, and provided that mutual agreement is reached, the student shall be returned to his or her school.
    - g. If the parent does not respond to the conference request, or if he or she does not keep the conference appointment within the suspension period, or if mutual agreement during conference is not reached, the Superintendent shall extend the suspension for a period not to exceed an additional ten days. During this period of suspension, the Superintendent shall summarize the case, determine the course of action to be taken, advise the parent of rights and procedures for an appeal to the Board of Education, and forward a detailed report to the Board prior to its next meeting.
    - h. A record of suspensions, including copies of all correspondence, shall be maintained in the name of the student and in the office of the Superintendent.
  3. Procedure in Denial of Admission:
    - a. A Principal deeming it necessary to recommend denial of admission to a child requesting enrollment at this school shall make such recommendations to the Superintendent. The recommendation shall be immediately made by telephone, requesting the earliest possible appointment for the child and the parent. There shall promptly follow a written statement of the grounds and the pertinent supporting information for the recommendation. One copy of the statement shall be given the parent, one copy shall be sent to the Superintendent, and one copy shall be maintained by the school.
    - b. The Superintendent shall hold a conference with the parent and child at the earliest possible time and as set in agreement with the parent.
    - c. At the conclusion of the conference, the Superintendent shall deliver to the parent and the child an oral opinion and, within three school days, he or she shall mail to the parent a written statement of his or her findings and ruling. If the denial of admission is to be upheld, the statement shall inform the parent of his or her right to request a review of the decision before the Board of Education. If denial of admission is not upheld, the child shall be promptly enrolled in the appropriate school.

- d. Upon completion of the conference, a detailed report of pertinent information and the action taken shall be prepared and forwarded to the Board of Education.
- e. No child shall be denied admission for any period beyond one year.
- f. Admission may be reconsidered during the same academic year upon the submission of evidence that the grounds for the denial no longer apply. The reconsideration of a case shall be conducted by the Superintendent under procedures b, c, and d immediately above.
- g. A record of denial of admission, including copies of all correspondence, shall be maintained in the name of the child and in the office of the Superintendent.

4. Procedure in Expulsion of Students:

- a. A Principal deeming it necessary to recommend the termination of enrollment of a student at his or her school shall suspend the student as provided in the Suspension Procedure for Principals above. The notice to the parent shall indicate that expulsion is being recommended.
- b. A Principal deeming it necessary to recommend the termination of enrollment of a student at his or her school shall make such recommendation to the Superintendent. The recommendation shall be accompanied by a copy of the notice of suspension to the parent. It shall specify the grounds and incidences on which the recommendation is based. Pertinent information from school records and school personnel shall accompany the recommendation. One copy of the foregoing shall be maintained for the school's file.
- c. The Superintendent shall, upon receipt of the recommendation for expulsion of a student, so notify the parent. He shall request a conference on the matter, setting a tentative time for such a conference and provide a telephone number for confirming or seeking a change of the appointment.
- d. A conference with the parent shall be arranged at the earliest possible time after receipt of the referral and at a time as set in agreement with the parent.
- e. Such conference shall include the parent and other appropriate persons. At such conference relevant portions from the student's school records shall be available for consideration and for examination by the parent. The Superintendent shall consider the record and the statements of all parties in reaching his or her decision.
- f. At the conclusion of the conference the Superintendent shall deliver an oral opinion to the parties and, within three school days, he or she shall mail to the parent a written statement of his or her findings and ruling. If the decision is adverse to the student, such statement shall inform the parent of his or her right to request a review of the decision before the Board. If the recommendation for expulsion is not upheld, arrangements for the student's return to the appropriate school shall be ordered.
- g. Upon completion of the conference, a detailed report of pertinent information and the action taken shall be prepared and forwarded to the Board prior to its next meeting.
- h. No student shall be expelled for a period extending beyond one year.
- i. Readmission may be considered during the period of expulsion if the parent presents evidence that corrective actions to relieve the cause of the expulsion have been taken. The Principal, upon receiving such evidence, shall telephone or write the Superintendent requesting a review of the case. Such review shall be in a conference arranged by the Superintendent and shall include the parent, the expelled student, the Principal, and other appropriate persons. The oral opinion, the written statement, and the report to the Board shall follow the procedures set forth in paragraphs "f" and "g" above.
- j. A record of expulsions, including copies of all correspondence, shall be maintained in the name of the student in the office of the Superintendent.

## SECTION E. Miscellaneous Provisions.

1. Written communication required in carrying out the provision of these policies and procedures shall be in English and, if in the judgment of the administrator involved be deemed necessary, in the language of the student's home if it is other than English.
2. Exclusion from a single class for not more than three consecutive days shall not be included under this code as a suspension.
3. Transfers within a school for academic reasons shall not be included under this code as suspension or expulsion
4. Transfers between schools for academic reasons and as agreed upon between the parent and the two schools involved shall not be included under this code as suspension or expulsion.
5. Transfers between schools which are agreed upon by the parent and the two schools involved, as an alternative to suspension or expulsion, shall not be included under this code as suspension or expulsion.
6. The availability and examination of a student's records at a conference shall be governed by provisions of the Open Records Law.
7. The Board shall receive a report of each expulsion or denial of admission.
8. Upon written request of the parent, the Board of Education shall conduct a hearing in an expulsion or denial of admission. At such hearing, the child or student and the parent, personally or through a representative, may make a statement and present evidence. Such statements and evidence may be oral or in writing.
9. If the Board, by majority vote, determines that the expulsion or denial of admission was justified, the parent shall be provided a written statement of the decision and supporting reasons. If the Board finds that the denial of admission or expulsion is not further justified, the child shall be admitted or returned to the appropriate school.
10. Suspensions shall be used as a last resort after other methods for the treatment and correction of problems have been unsuccessful. However, if a violation of school rules or an act of misconduct is, in the judgment of school officials, sufficiently serious, nothing in these procedures shall prevent suspension without exhaustion of other methods.
11. The rights and entitlements of these policies and procedures may be waived or modified by the parent or by an attorney representing the child upon request of the parent.
12. No student shall be suspended or expelled for failure to participate in religious or patriotic activities conducted at or by the school. However, disruptive behavior in participation or nonparticipation may be cause for suspension.
13. No student shall be suspended or expelled for political or religious activities unless such activities are disruptive, violate established regulations, or incite defiance of proper authority.
14. The following conduct or conditions, if occurring on or off school property, may be causes for the suspension or expulsion of students, but such enumeration of conduct or conditions shall not be exclusive or deemed to be a limitation on the causes for suspension or expulsion of a student:

- a. Continuing academic failure
  - b. Extortion
  - c. Fighting
  - d. Gambling
  - e. Hazing, intimidation and bullying
  - f. Immoral conduct
  - g. Insubordination
  - h. Persistent or recurring disobedience or disorder
  - i. Physical abuse or intimidation of another person
  - j. Poor personal hygiene
  - k. Possession, sale, distribution, or use of fireworks, firearms, or paraphernalia capable of inflicting bodily harm
  - l. Possession, sale, distribution, or use of narcotics, drugs, or alcohol
  - m. Possession, sale, or distribution of obscene literature or objects
  - n. Possession or use of tobacco products on school property or while a participant in a school activity or event
  - o. Tardiness
  - p. Theft or pilfering
  - q. Truancy
  - r. Vulgar and profane language
  - s. Defacing, damaging, or destroying of property
  - t. Gang-related behavior
  - u. Acts of violence
15. Each school in the district shall develop a Conduct and Discipline Policies and Procedures document which shall identify the above conditions as unacceptable behavior and outline consequences, including suspension and expulsion for infractions of the above and other unacceptable behaviors identified at the school level. These Conduct and Discipline Policies and Procedures shall be approved by the Board of Education and become a part of this policy.
  16. The district policy and the school-level Conduct and Discipline Policies and Procedures. Will be made available to students online at <http://mssd14.org> The school-level Conduct and Discipline Policies and Procedures for the other schools in the district shall be made available to the student through the central office upon request.
  17. The school's Conduct and Discipline Policies and Procedures shall be posted in the school, and students shall be informed of any significant changes to the document during a school year.