

REVERE LOCAL SCHOOLS

Code of Student Behavior

GRADES K– 12

DISCIPLINE

In order to foster a trust and respect between staff and students, guidelines must be developed for the purpose of providing fair and just treatment for students who violate the offenses listed in this handbook. When breaches of school rules and regulations occur, it is the responsibility of the involved teachers and administrators to work with the student, his parents and other personnel to help the student correct his behavior. All disciplinary actions should help to protect the welfare of the school community as well as help the student to develop self-discipline.

The following guidelines have been developed for the purpose of providing fair and just treatment for students who violate the rules listed in this handbook.

- A. To protect the rights of students, staff and public, all offenses shall be thoroughly investigated and properly recorded. This may include a conference with the students involved in an incident and a search of the student, student's belongings, student's assigned school locker(s), car or other school property based upon "reasonable suspicion" that a dangerous situation exists.
- B. In seeking a solution of the offenses, there shall be appropriate alternatives such as one, or a combination of the following actions, but not necessarily in the order appearing below:
 1. Conference with the student to clarify the problem and to insure full understanding of consequences of future misbehavior.
 2. Assignment of additional task(s), which may or may not interfere with the academic or after-school programs.
 3. Assignment of detentions.
 4. Conference with parents to secure cooperation of the home in regaining student behavior.
 5. Referral to counselor, school psychologist or Intervention Assistance Team for guidance, testing or therapy.
 6. Referral to Juvenile Court.
 7. Emergency removal in accordance with State law, including curricular and extracurricular activities.
 8. Suspension: To refer to "out-of-school" in accordance with State law covering both curricular and extra-curricular activities. Suspension is the removal from all academic, extra-curricular and social events affiliated with the school.
 9. Expulsion from school in accordance with State law.
- C. Students enrolled in alternative program options are subject to all rules and regulations covered under the Code of Student Behavior and adopted by the Revere Board of Education.

SUSPENSION PROCEDURE

- A. Definitions:

Suspension (out-of-school) is defined as the denial of attending school for the period of at least one (1) but not more than ten (10) school days. Students suspended may not take part in or attend any school activities, or be on school property.

- B. In case of a student's intended removal from school for purposes of suspension, the following procedures shall be enacted:
 1. Only the principal or superintendent may suspend.
 2. The student shall be informed in writing of the intended suspension and reasons for the proposed action.
 3. The pupil and/or his parent(s) shall be provided an opportunity for an informal hearing to discuss the reason for the intended suspension and/or otherwise explain his/her actions.
 4. An attempt shall be made to notify his/her parent(s), guardian or custodian by telephone of the suspension and the reason for it.
 5. Notification of Appeal: Within twenty-four (24) hours after the notice of the suspension to the student and his/her parent(s), guardian or custodian, they have a right to appeal the suspension. A written notification of appeal must be made to the Superintendent and the Treasurer of the Board of Education. The notice shall include the right to an informal hearing by personnel not prejudiced by association with the decision to suspend

or recommended suspension of the student from school. It shall also include notification of the right of the student and his/her parent(s), guardian or custodian to appeal the suspension, in writing, to the Superintendent/or his designee, to be represented in the appeal proceedings, to be granted a hearing before the superintendent (or his designee), in order to be heard against the suspension, and to request that such hearing be held in private. The hearing shall be scheduled as soon as possible, but no later than five (5) school days after receipt of the appeal request, unless extended by mutual agreement. A verbatim record of the hearing shall be made. After reviewing all the information, the superintendent/or his designee may affirm the suspension, may re-instate the pupil or otherwise reverse, vacate or modify the order of the suspension. Written copies of the decision shall be distributed to all concerned parties. If the suspension is vacated, all references to it in school records will be purged.

6. Should a student enrolled at the Cuyahoga Valley Career Center be suspended from the career center for a conduct code violation, which would also be grounds for suspension in the home school district, the suspension of such student also will be in effect at the home school district. The student shall be notified of that suspension by the home school district in accordance with the normal suspension procedure.
7. Simultaneous written notice of the suspension shall be sent to (a) student's discipline file; (b) Superintendent; (c) Treasurer of the Board of Education.

EMERGENCY REMOVAL PROCEDURES

Definition: The term "emergency removal" shall be understood to mean the removal of a student from curricular or extra-curricular activities or from the school premises because the student's presence poses a continuing danger to persons or property, or is an ongoing threat or disruption to the academic process. In all cases of emergency removal where a student is removed from a curricular or extra-curricular activity for less than twenty-four (24) hours, the staff person initiating the removal shall submit to the assistant principal or principal, the reasons in writing for the removal.

If it is intended that the student is removed from a curricular or extra-curricular activity for more than twenty-four (24) hours, a due process hearing must be held within seventy-two (72) hours after a removal is ordered.

1. An attempt should be made to notify his/her parents, guardian or custodian immediately by telephone of the pending action and the reasons for it.
2. Written notice of the hearing and reasons for the removal and any intended disciplinary action must be given to the pupil as soon as possible prior to the hearing.
3. The person who ordered or requested the hearing must be present at the hearing.
4. If suspension or expulsion is intended, the due process requirement of the law must be carried out.

EXPULSION PROCEDURES

Definition: The term "expulsion" shall be understood to mean exclusion of a student from all school attendance and related activities for the remainder of the current semester, or for a period of up to 90 days. The Superintendent of Schools may expel a pupil in accordance with procedure outlined by Ohio Statute. Exclusion from school attendance by expulsion is the most severe remedy available to the school for disciplinary infractions.

The building administrator shall afford due process to the student before such administrator recommends expulsion to the Superintendent. Prior to expulsion, the Superintendent shall enact the following procedures:

1. Give the Pupil and his/her parent, guardian or custodian written notice of the intention to expel. The notice must advise the student and his/her parent, guardian or custodian or other representatives of their right to appear in person before the Superintendent or his designee to challenge the reasons for the expulsion. The notification must carry the place and time of the hearing, which must take place no earlier than three (3) school days and not later than five (5) days after the notice is sent. The Superintendent may grant an extension of time upon request provided all parties involved are notified.
2. Arrange for a hearing to be conducted by the Superintendent or his designee under the guideline established by the individual conducting the hearing. Within twenty-four (24) hours after the time of the expulsion, the Superintendent shall send written notice to the student and his/her parent, guardian or custodian, and the Treasurer of the Board of Education. The notice shall specify the duration of the expulsion and the reasons therefore. It also shall include notification of the rights of the student, his/her parent, guardian or custodian, to appeal the expulsion to the Board of Education or to its designee within the ten (10) days of receipt of the notification in order to be heard against such expulsion, to be represented in the appeal proceeding, to be granted a hearing before the Board or its designee in order to be heard against the expulsion, and to request that such a hearing be held in executive sessions.

Appeal - Within ten (10) days of notification of the student expulsion, the parent, guardian or custodian may appeal the expulsion. The request for appeal should be submitted to the Board of Education. A hearing shall be scheduled within five (5) days of receipt of the request, unless the time for the hearing is extended by mutual agreement. The student or his parent, guardian or custodian may be represented in the appeal proceedings. The Board may affirm the order of expulsion or may reinstate such pupil or otherwise reverse, vacate or modify the order of expulsion. The Board shall determine the procedures to be followed during the hearing. A verbatim record shall be made.

Should a student enrolled at the Cuyahoga Valley Career Center be expelled from the Career Center for a conduct code violation, which would be grounds for expulsion in the Home School District, the student will be expelled from the Home School District in accordance with the normal expulsion procedure.

LIMITATIONS ON THE DISCIPLINING OF HANDICAPPED STUDENTS

A handicapped student is one whose education is governed by an Individualized Education Plan (IEP). Unless their IEP provides otherwise, handicapped students may be suspended for a period not to exceed ten (10) days per year without convening a placement or IEP conference. All handicapped students are subject to removal on an emergency basis described in the *Code*. Repeated violation of the *Code* may indicate that a change in the student's placement or IEP is necessary.

PERMANENT EXCLUSION

Any student who has been found guilty of committing, when sixteen (16) years of age or older, any of the specific offenses identified by state statute while on school grounds may be permanently excluded by the Board of Education.

The Board's statement of policy on permanent exclusion is posted in each school and is available to students and their parents, upon request, at each school office.

GROUND FOR CLASS REMOVAL, SUSPENSION, OR EXPULSION

Grounds for removal from class, suspension or expulsion may include any of the following violations committed at school or school sponsored activities, on school premises, or against school property, personnel or students. A student under an out-of-school suspension is not permitted on school grounds or at school events during the suspension. A suspension appeal can only be made for two specific reasons: lack of student due process and severity of the punishment vis-a-vis the Student Code of Conduct.

1. **Aiding & Abetting** – an involvement with another student or students.
2. **Arson** – an act of arson, initiating without cause a fire alarm, reporting a fire, or reporting of an impending bombing or catastrophe.
3. **Attendance** – truancy or unexcused absence from class or school or excessive tardies to class or school.
4. **Bus Conduct** – violation of the rules of conduct on the school bus.
5. **Computer Usage** – violation of the school's computer lab policy and/or the district's acceptable use policy.
6. **Criminal Activities** – violations of specific provisions of federal, state, or local statutes.
7. **Dishonesty** – cheating on tests or school assignments, forging school and/or parental documents, falsifying information or committing fraud.
8. **Disrespect** – rude or disrespectful behavior or failure to cooperate with school personnel.
9. **Disruptive Behavior** – disruption or continuous disruption of the classroom, school, school grounds, or school activities or functions
10. **Fighting/Assault/Physical Violence** – to intentionally cause or threaten to cause physical or emotional harm to another student or behave in such a manner as to present an eminent risk of such harm. Causing or attempting to cause harm to ones self is included within.
11. **Fireworks** – the use, threatened use, or possession of fireworks or explosives including matches and lighters
12. **Gambling** – playing games of chance which involves wagering
13. **Harassment** – harassment includes, but is not limited to, any act which subjects an individual or group to unwanted abusive behavior of a nonverbal, verbal, written, or physical nature. An act that injures, degrades, or disgraces or attempts to injure, degrade, or disgrace a student falls within this category. Examples of, but

not inclusive, include the following: sexual harassment, bullying, intimidation, coercion, hazing, spreading rumors, name calling and menacing.

14. **Inappropriate Language/Materials** – the use of profane, vulgar, or other improper language, gestures, comments, or material, or the possession of any profane, vulgar, obscene, or other improper objects or material
15. **Inciting** – inciting to riot or to disrupt or attempt to disrupt the operation of the school
16. **Illegal Substances** – sale, possession, concealment, or uses of illegal drugs, counterfeit controlled substances, look-a-like substances, drug paraphernalia, inhalants, consumables, near beer or alcoholic beverages or the unauthorized use and/ or distribution of over-the-counter medication. This includes being under the influence or possessing a discernible odor.
17. **Insubordination** – the failure to comply with directions of school personnel or acting in defiance of authority, including intentional interference with the performance of a teacher's duties or failure to identify oneself to school personnel when requested. Also included within is the failure to accept discipline or punishment from appropriate school personnel.
18. **Loitering/ Trespassing**– occupation of, or loitering on, near, or around school property or unauthorized areas without authorization
19. **Repeated Violations** – repeated violations of the code of conduct
20. **Rules** – violation of rules and policies of the classroom, school, and the Revere Board of Education
21. **Sexual Contact** – defined as any touching of an erogenous zone of another or public display of affection.
22. **School Personnel** – harassment, vandalism, physical abuse, theft, or other disruptive or destructive behavior toward school personnel during school and non school time.
23. **Theft** – Confiscate, possess or steal private or public property of the school or another individual.
24. **Tobacco** – use and/ or possession of tobacco products in the school buildings, within sight of the school buildings, on school grounds, or in areas in which school sponsored activities are taking place.
25. **Unauthorized Materials** – publication or distribution of unauthorized material. This includes postings throughout the school and school grounds.
26. **Vandalism** – the destruction or defacing of public or private property.
27. **Weapons** – possession, concealment, use, threat of use, or exhibition of a firearm or other weapon, or look-a-like weapon. A weapon is defined as either an item designed to inflict injury or an item designed for another purpose, then converted to a weapon through its use.

Students found in violation of any section of this code of conduct may be immediately removed from school and recommended to the superintendent for expulsion.

Parents of students suspended out-of-school for ANY length of time must personally return the child to school and meet with the principal/designee and/or guidance personnel before he/she maybe readmitted.

LIABILITY OF PARENTS FOR STUDENT MISCONDUCT

Under Ohio Revised Code 3109.09, parents having custody of a minor under 18 are liable for the student's willful damages to school or private property or the theft of such property. The Board of Education, or any other owner of property, can bring a civil action against the parents to recover compensatory damages up to \$10,000.00 and cost of the suit. Parents also are liable for the student's willful assaults on another person. The injured party may bring civil action against the parents to recover compensatory damages up to \$15,000.00 and cost of the suit.

It is the policy of the Revere Local Schools that educational activity, employment, programs and services are offered without regard to race, color, national origin, sex, religion, handicap or age.

Original document Board adopted March 19, 2002

Revised version Board adopted June 21, 2005

Second revision Board adopted May 16, 2006