

## **Article 8 - Student Rights, Conduct, Rules and Regulations**

### **Section 1 Student Conduct and Discipline Policies:**

The common goal of students, parents, faculty and administration of Sutton Public Schools is to maintain a school atmosphere which is conducive to learning. In order to achieve this, Sutton Public Schools will continue to review and distribute a set of reasonable and fair rules and policies. VIOLATIONS OF SUTTON PUBLIC SCHOOL'S RULES AND POLICIES WILL RESULT IN DISCIPLINARY ACTION. The administration retains the right and privilege to issue penalties for acts of discipline not specifically stated in the Sutton Discipline Plan and to alter any penalties as they consider necessary.

### **Part 1 Forms of School Discipline**

#### Short-Term Suspension:

Students may be excluded by the Principal or his designee from school or any school function for a period of up to five school days (short-term suspension) on the following grounds:

1. Conduct constituting grounds for expulsion as hereinafter set forth; or,
2. Other violations of rules and standards of behavior adopted by the Sutton Public School's Board of Education or the administrative or teaching staff of the school, which occur on or off school grounds, if such conduct interferes with school purposes or there is a nexus between such conduct and school.

The following process will apply to short-term suspensions:

1. The Principal or the Principal's designee shall make a reasonable investigation of the facts and circumstances. In addition, such short-term suspension will be made only after a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
2. Prior to commencement of the short-term suspension, the student will be given oral or written notice of the charges against the student. The student will be advised of what the student is accused of having done, an explanation of the evidence the authorities have, and be afforded an opportunity to explain the student's version of the facts.
3. Within 24 hours or such additional time as is reasonably necessary following the suspension, the Principal or administrator will send a written statement to the student, and the student's parent or guardian, describing the student's conduct, misconduct or violation of the rule or standard and the reasons for the action taken. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with the Principal or administrator ordering the short-term suspension before or at the time the student returns to school. The Principal or administrator shall determine who in addition to the parent or guardian is to attend the conference.

#### Long-Term Suspension:

Students may be excluded by the Principal or the Principal's designee from school or any school function for a period of more than five school days but less than twenty school days on (long-term suspension) the conduct constituting grounds for expulsion as hereinafter set forth. The process for long-term suspension is hereinafter set forth.

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### Expulsion:

1. Meaning of Expulsion. Expulsion shall mean exclusion from attendance in all schools, grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period.
2. Summer Review. Any expulsion that will remain in effect during the first semester of the following school year will be automatically scheduled for review before the beginning of the school year. The review will be conducted by the hearing officer who conducted the initial expulsion hearing, or a hearing officer appointed by the Superintendent in the event no hearing was previously held or the initial hearing officer is no longer available or willing to serve, after the hearing officer has given notice of the review to the student and the student's parent or guardian. This review shall be limited to newly discovered evidence or evidence of changes in the student's circumstances occurring since the original hearing. This review may lead to a recommendation by the hearing officer that the student be readmitted for the upcoming school year. If the school board or board of education or a committee of such board took the final action to expel the student, the student may be readmitted only by action of the board. Otherwise the student may be readmitted by action of the Superintendent.
3. Suspension of Enforcement of an Expulsion: Enforcement of an expulsion action may be suspended (i.e., "stayed") for a period of not more than one full semester in addition to the balance of the semester in which the expulsion takes effect, and as a condition of such suspended action, the student may be assigned to a school, class, or program and to such other consequences which the school district deems appropriate. In lieu of other authorized educational programs to which the student may be assigned, such school, class, or program may be offered as a community-centered classroom and may include experiences for the student as an observer or aide in governmental functions, as an on-the-job trainee, and as a participant in specialized tutorial experiences or individually prescribed educational and counseling programs. Such programs shall include an individualized learning program to enable the student to continue academic work for credit toward graduation. At the conclusion of the designated period: (1) if the student has satisfactorily participated in the school, class, or program to which such student has been assigned the student shall be reinstated and permitted to return to the school of former attendance or to attend other programs offered by the district, and action to expunge the record of the expulsion action may be taken at the discretion of the Superintendent or his or her designee, or (2) if the student's conduct has been unsatisfactory, the expulsion action shall be enforced.

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The determination of whether the students' participation and conduct has been satisfactory or not shall be made by Principal or the Principal's designee.

4. Students Subject to Juvenile or Court Probation. Prior to the readmission to school of any student who is less than nineteen years of age and who is subject to the supervision of a juvenile probation officer or an adult probation officer pursuant to the order of the District Court, County Court, or Juvenile Court, who chooses to meet conditions of probation by attending school, and who has previously been expelled from school, the Principal or the Principal's designee shall meet with the student's probation officer and assist in developing conditions of probation that will provide specific guidelines for behavior and consequences for misbehavior at school (including conduct on school grounds and conduct during an educational function or event off school grounds) as well as educational objectives that must be achieved. If the guidelines, consequences, and objectives provided by the Principal or the Principal's designee are agreed to by the probation officer and the student, and the court permits the student to return to school under the agreed to conditions, the student may be permitted to return to school. The student may with proper consent, upon such return, be evaluated by the school for possible disabilities and may be referred for evaluation for possible placement in a special education program. The student may be expelled or otherwise disciplined for subsequent conduct as provided in Board policy and state statute.

### Other Forms of Student Discipline:

Administrative and teaching personnel may also take actions regarding student behavior, other than removal of students from school, which are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but need not be limited to, counseling of students, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling, psychological evaluation, or psychiatric evaluation upon the written consent of a parent or guardian to such counseling or evaluation. The actions may also include in-school suspensions during the day. When in-school suspensions, after-school assignments, or other disciplinary measures are assigned, the student is responsible for complying with such disciplinary measures and a failure to serve such assigned discipline as directed will serve as grounds for further discipline, up to expulsion from school.

### **Part 2 Student Conduct:**

Students have an opportunity to learn by sharing some of the responsibility for creating a good learning environment. To help maintain a quality instructional environment for all students attending Sutton Public Schools all students are expected to refrain from the following conduct.

### **Grounds for Short-Term Suspension, Long-Term Suspension, Expulsion or Mandatory Reassignment:**

The failure to refrain from the following conduct shall constitute grounds for long-term suspension, expulsion, or mandatory reassignment, subject to the procedural provisions of the Student Discipline Act, Neb. Rev. Stat. § 79-254 through 79-296, when such activity occurs on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or by his or her designee, or at a school-sponsored activity or athletic event:

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1. Use of violence, force, coercion, threat, intimidation, or similar conduct in a manner that constitutes a substantial interference with school purposes;
2. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, or repeated damage or theft involving property;
3. Causing or attempting to cause personal injury to a school employee, to a school volunteer, or to any student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this subdivision;
4. Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student;
5. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon;
6. Engaging in the possession, selling, dispensing, or use of a controlled substance or an imitation controlled substance, as defined in section 28-401, a substance represented to be a controlled substance, or alcoholic liquor as defined in section 53-103 or being under the influence of a controlled substance or alcoholic liquor (note: the term "under the influence" for school purposes has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant);
7. Public indecency;
8. Sexually assaulting or attempting to sexually assault any person. In addition, if a complaint has been filed by a prosecutor in a court of competent jurisdiction alleging that the student has sexually assaulted or attempted to sexually assault any person, including sexual assaults or attempted sexual assaults, the student is subject to suspension, expulsion, or mandatory reassignment regardless of where the conduct took place. For purposes of this subdivision, sexual assault shall mean sexual assault in the first degree and sexual assault in the second degree as defined in sections 28-319 and 28-320, as such sections now provide or may hereafter from time to time be amended;
9. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
10. Truancy or failure to attend assigned classes or assigned activities;
11. Tardiness to school, assigned classes or assigned activities;
12. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, national origin, or religion;
13. Dressing in a manner which is dangerous to the student's health and safety, a danger to the health and safety of others, or which is disruptive, distractive or indecent to the extent that it interferes with the learning and educational process. (Further dress code information is provided in a later section).
14. Willfully violating the behavioral expectations for those students riding Sutton Public Schools buses.

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15. Engaging in any other activity forbidden by the laws of the State of Nebraska which activity constitutes a danger to other students or interferes with school purposes; or
16. A repeated violation of any rules and standards validly established by the Board of Education or school officials if such violations constitute a substantial interference with school purposes.
17. In addition, a student who engages in the following conduct occurs on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or by his or her designee, or at a school-sponsored activity or athletic event shall be expelled for the remainder of the school year in which it took effect if the misconduct occurs during the first semester, and if the expulsion for such conduct takes place during the second semester, the expulsion shall remain in effect for the first semester of the following school year, with the condition that such action may be modified or terminated by the school district during the expulsion period on such terms as the administration may establish:
  - a. The knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student, except if caused by accident, self-defense, or on the reasonable belief that the force used was necessary to protect some other person and the extent of force used was reasonably believed to be necessary, or,
  - b. The knowing and intentional possession, use, or transmission of a dangerous weapon other than a firearm.
18. In addition, a student who is determined to have brought a firearm to school, or to have possessed a firearm at school, shall be expelled from school for a period of not less than one year. The Superintendent may modify such one year expulsion requirement on a case-by-case basis, provided that such modification is in writing. The term "to school" or "at school" means on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or by his or her designee, or at a school-sponsored activity or athletic event.

Bringing a firearm or other dangerous weapon to school for any reason is discouraged; however, a student will not be subject to disciplinary action if the item is brought or possessed under the following conditions:

- a. Prior written permission to bring the firearm or other dangerous weapon to school is obtained from the student's teacher, building administrator and parent.
- b. The purpose of having the firearm or other dangerous weapon in school is for a legitimate educational function.
- c. A plan for its transportation into and from the school, its storage while in the school building and how it will be displayed must be developed with the prior written approval by the teacher and building administrator. Such plan shall require that such item will be in the possession of an adult staff

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member at all times except for such limited time as is necessary to fulfill the educational function.

- d. The firearm or other dangerous weapon shall be in an inoperable condition while it is on school grounds.

### **Special Education - Discipline Actions for Special Education Students**

Additional procedures related to discipline of special education students are provided for in the special education policies.

### **Part 3 Use of Corporal Punishment**

Corporal punishment is not to be used as a form of discipline. Physical force may be used against a student only for the following reasons, and in all events only such force as is reasonably necessary may be used:

1. Protection of the staff member;
2. Protection of other students or property from the student;
3. Removal of the student from a situation that endangers the student, other persons, or property.

### **Part 4 Law Violations**

1. Cases of law violations or suspected law violations by students will be reported to the police and to the student's parents or guardian as soon as possible.
2. When a principal or other school official releases a minor student to a peace officer (e.g., police officer, sheriff, and all other persons with similar authority to make arrests) for the purpose of removing the minor from the school premises, the principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse, in which case the principal or other school official shall provide the peace officer with the address and telephone number of the minor's parents or guardian.
3. In an effort to demonstrate that student behavior is always subject to possible legal sanctions regardless of where the behavior occurs, it is the District's policy to notify the proper legal authorities when a student engages in any of the following behaviors on school grounds or at a school sponsored event:
  - (a) Knowingly possessing illegal drugs or alcohol.
  - (b) Aggravated or felonious assault.
  - (c) Vandalism resulting in significant property damage.
  - (d) Theft of school or personal property of a significant nature.
  - (e) Automobile accident.
  - (f) Any other behavior which significantly threatens the health or safety of

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students or other persons, and such other offenses which are required to be reported by law.

\*When appropriate, it shall be the responsibility of the referring administrator to contact the student's parent of the fact that the referral to legal authorities has been or will be made.

### **Additional Student Conduct Rules:**

The following additional student conduct rules are established. Failure to comply with such rules is grounds for disciplinary action, up to and including expulsion, as further specified in these rules. These rules govern student conduct on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or by his or her designee, or at a school-sponsored activity or athletic event.

#### 18. Student Appearance Policy:

Students at Sutton Public Schools are expected to dress in a way that is appropriate for a school setting. Students should not dress in a manner that is dangerous to the health and safety of anyone or interferes with the learning environment or teaching process in our school. Following is a list of examples of attire that will not be considered appropriate, such list is not exclusive and other forms of attire deemed inappropriate by the administration may be deemed inappropriate for the school setting:

- a. Halter-tops and midriffs prohibited.
- b. Tank tops must have 3" straps (No spaghetti straps)
- c. Tops must extend to the top of the pant when standing and seated.
- d. No low cut tops that reveal cleavage are acceptable.
- e. All shorts and/or skirts must be long enough so that the hemline is no more than 9.5" from floor to hemline, measured while student is kneeling on the floor.
- f. Any tattoo must be covered or removed if it is visible and is not permanent. Any tattoo which is a distraction due to its size, location or subject matter content, will not be allowed.
- g. Clothing or jewelry that advertises beer, alcohol, tobacco, or illegal drugs;
- h. No garments that depict or in any way suggest obscenity, vulgarity, are in bad taste, or otherwise disrupt the learning environment will be allowed.
- i. No heavy coats or jackets are to be worn in the building during the school day.
- j. Students in track are not to be dressed in track uniforms during regular classes unless the track meet begins in the morning.
- k. Chains of any type are not permitted.
- l. Belts are to be worn on any pants which are baggy and will slide down without a belt.
- m. Boy's shirts must have sleeves.
- n. Body piercing will only be allowed on the external part of the ear. No other external parts of the body will be pierced.

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- o. Any piercing that creates a health and/or safety hazard is not permitted, this includes tongue piercing.
- p. Bare feet are not allowed.
- q. Head wear including hats, caps, bandannas, and scarves are not to be worn in the building from the time a student enters the building to the dismissal bell in the afternoon.
- r. Holes in clothes should not exceed the limitations of shorts/skirt length or shirt requirements.
- s. Gym clothes are to be worn for PE class/gym, not in any other classes.

Consideration will be made for students who wear special clothing as required by religious beliefs, disability, or to convey a particularized message protected by law. The final decision regarding attire and grooming will be made by the Principal or Superintendent. In the event a student is uncertain as to whether a particular item or method of grooming is consistent with the school's guidelines, the student should contact the Principal for approval, and may also review such additional posting of prohibited items or grooming which may be available in the Principal's office.

Coaches, sponsors or teachers may have additional requirements for students who are in special lab classes, students who are participants in performing groups or students who are representing the school as part of an extracurricular activity program.

1st Offense = Verbal warning - reiterate the rule(s) and the student will be asked to change or adjust the inappropriate action. Each student gets one verbal warning with restating dress code expectations.

On a first offense of the dress code, the student may call home for proper apparel. If clothes cannot be brought to school, the student will be assigned to in-school suspension for the remainder of the day. Students will not be allowed to leave campus to change clothes. Continual violations of the dress code will result in disciplinary actions under the Student Code of Conduct above. Further, in the event the dress code violation is determined to also violate other student conduct rules (e.g., public indecency, insubordination, expression of profanity, and the like), a first offense of the dress code may result in discipline, up to expulsion.

If the student refuses to change into the clothing provided or becomes insubordinate, the student will be excluded from class (es), receiving a 0% for each class the student is absent. This statement applies to all levels of offense.

Written notification will be sent to parents/guardian with each offense (2<sup>nd</sup>-4<sup>th</sup>). If the student reaches beyond the 4<sup>th</sup> offense, a parent conference will be arranged and action deemed appropriate by the administration will be taken.

### Motor Vehicles

Motor vehicles driven by students are to be parked in the designated area. There is to be no reckless driving before or after school. Motor vehicles are not to be driven at any time throughout the school day or student's should not be allowed to "go to their vehicle" without

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permission of the principal and if leaving the property, parent permission is required. Students driving with school permits are reminded that such a permit entitles the student to go directly to and from school by the shortest route. The Sutton Public Schools may refuse any individual the privilege to drive or park on Sutton Public School's property.

Board of Education Policy #5131

Students are to park their vehicles in an orderly fashion on the graveled portion of the south parking lot. Vehicles should not be parked along the curb or in the fire lane. During the time that school is in session, the parking lot is off limits to students unless they have been given permission by the principal. No vehicle will be parked north of the second light pole north of the bus barn. Students are subject to a discipline referral/discipline list if they are not in compliance of the rules.

### School Bus Regulations

These rules have been set for the safety of your student; most of the rules are State and Federal rules that all bus drivers have to follow. Students must be ready about 10 minutes before they are to board the bus when it stops at your stop and they must be dressed for the weather and waiting outside – have students at the end of the driveway and not in the house – as there are others who have to walk and stand outside to wait for the bus.

1. Parents are responsible for their children before the children get on and after they get off the school bus.
2. While waiting at the town bus stops, students should stand 10 feet back from the road and stand in a single-file line to get on the bus. Keep hands to yourself while waiting.
3. Country students should wait at the end of the driveway and be ready to board the bus when it stops.
4. Walk to and from the bus.
5. If students have to cross the road, do so under the driver's direction.
6. Students riding the bus under the authority of the bus driver can and will have seating arrangements if students fail to follow the bus driver's instruction
7. Students must face forward and stay seated at all times. Hands, feet, and heads must remain inside the bus. The aisle must be free of book bags or coolers or any carry on items because of emergency exit procedures.
8. Refrain from throwing things out the window.
9. Students are asked to keep the bus clean with any damages caused, payment will be the responsibility of the guilty party and he/she will not be allowed to ride for the remaining time in the school year.
10. Smoking, alcohol, and profane language is prohibited.
11. No food or pop unless approved by the driver. No sunflower seeds.
12. When crossing the RR track, all conversations by students and sponsors must cease until the bus has crossed the track.
13. Emergency doors are to be used only in an emergency. The driver will give instruction as to which emergency doors to use if there is an emergency.
14. When students are transported in School vans, they must wear seat belts and follow all rules applied on the buses.

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15. Activity trip students must follow the same rules.
16. Students who violate these rules are subject to a discipline referral or denial from riding the bus.
17. School transportation is a privilege, not a right.

### Food and Drink

Gum, breath mints, and cough drops are permitted as long as wrappers are disposed of properly and gum is kept off of school property. Pop, juice and/or food may be allowed in the classrooms during 1<sup>st</sup> period classes only. A teacher has the right to deny this privilege. Teachers that allow this practice are responsible for ensuring that the containers, wrappers, etc. are disposed of properly. Students may bring outside food. Purchasing drinks from school vending machines is required. Outside cans of drinks will be permissible as long as they are unopened. There will be no juice, pop, Gatorade, flavored water, or food allowed during the remainder of the school day in classrooms (except FCS room), lockers, etc. Access to the vending and pop machines will be denied from 8:15AM to 3:30PM. Water in a clear container is acceptable in the classroom with teacher permission.

### Cafeteria Behavior

Each day nutritious hot meals are served in the cafeteria. Students are to deposit money in their individual or family accounts before the first day of school. No students will be allowed to go through the lunch line without first putting money in their account or paying \$2.25 in cash for a meal. Students will not be allowed to charge their lunch. Students must know their account number and if they do not, check in with the high school secretary. Lunch duty supervisors will establish cafeteria rules and communicate those clearly. Sutton Public Schools operates under a closed campus. All secondary students are required to eat lunch at the school in the cafeteria. Federal lunch program regulations require that the pop machine be shut off one half an hour before lunch and remain off until one half hour after lunch. Students bringing their own lunch will abide by the federal regulations on pop.

### Student Activity Fee

All students in grades 7-12 are required to pay a "Student Activity Fee". The cost is \$50.00 per student for each of the first two students in a family and \$25.00 for a third member of the same family in grades 7-12. The maximum any family will pay is \$125.00 for students 7-12. The "Student Activity Fee" will allow all students in grades 7-12 to participate in any sports and activities as well as attend the majority of contests and events scheduled at Sutton Jr/Sr High School during the 2009-2010 school year.

### Student Financial Obligations

All students are to take care of any outstanding bills which exist during the current school year prior to checking into school. Failure to do so will result in the students grades/transcripts withheld until all financial obligations are met. If students fail to meet all financial responsibilities prior to the beginning of the next school year, they will not be allowed to compete in any co-curricular activity or contest until said financial responsibilities are met.

### Book bags/backpacks

No book bags or backpacks will be allowed in the halls or classrooms during the day. They must be stored in the academic or gym locker.

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### Laser Pens/Pointers

Students are prohibited from the use/possession of any laser device in school or at any school sponsored activity. Use or possession of these devices at school sponsored activities will result in confiscation of the laser device and immediate removal from the activity. Laser pointers may be allowed for in class demonstrations or presentations with teacher approval.

### Cheating

Should a student be guilty of cheating as observed by the teacher, the teacher shall collect the paper, mark a zero for the work, and notify the parent and office immediately as to the action taken. The second offense will bring an automatic in-school suspension.

### Media Center Use

Students are welcome to the media center to carry out research or to select reading materials. The following procedures will be followed:

1. Upon arrival in the media center, students shall present their signed planner/pass to the adult in charge.
2. A student must have a pre-signed pass from the media specialist and teacher for whom he/she is doing assignments/research before being allowed to enter the library from study hall.
3. A student may get a pass from any teacher in order to come in to the library to select reading materials to read in their study hall/classroom. Once a selection is made, the student is expected to return to their study hall or class.
4. Any student disrupting others by loud talking or other means will be asked to leave the library immediately.
5. Upon check-out, students shall have the supervising adult/media specialist sign their planner.
6. Any student not engaged in research, reading, or selecting reading material will be asked to leave the library.

### Study Hall Rules

Study Halls provide students with the opportunity to complete homework during the school day which might otherwise have to be completed in the evening. The following guidelines will help ensure that an effective Study Hall is in operation. These rules are not inclusive:

1. Students are not to speak to other students without teacher's permission.
2. A student will not be excused from Study Hall to confer with another teacher unless a planner pass has been secured from that teacher prior to the beginning of study hall.
3. Study Hall teachers will not allow you to pass to the library unless you have a written pass in your planner from the media specialist and teacher for whom assigned work – prior to the time study hall started.
4. Students on the down/discipline list will not be allowed to pass to the library unless it is for the class they are academically ineligible for. Again, the planner must be signed prior to the start of study hall.
5. Students who are on the down/discipline list will not be allowed to leave study hall. Only exception would be honoring a pass to visit the teacher in whose class the student is failing.
6. Students wishing to use the restroom or to get a drink, must go directly to and return from the designated destination.

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7. Any student who has checked out of the Study Hall should return prior to the bell. Failure to be in class on time will be tardy. Failure to return to class at the end of the period will result in an unexcused absence (discipline referral).
8. Card playing will not be allowed in study hall.
9. Students are to have sufficient materials to remain busy without having to go to their lockers.
10. Any other rules established by the study hall teacher will apply.

### Detention Rules

Detention administered by the Principal will occur either before school or after school. Arrangements with the Principal will be made prior to the student serving the detention.

Students are required to report to Room 9 as scheduled. If a student misses their assigned detention time, time will double for that detention. If a student misses the double-timed detention, a student is subject to in-school suspension. No food or drink is allowed in detention and students must bring materials to keep them busy as socializing is not permitted. Understand that teacher's or school personnel may assign a detention to a student who is in violation of school rules above and beyond what is assigned by the Principal.

### School dances

Currently, Sutton Senior High holds two dances: Homecoming and Jr/Sr Prom. All dances will be governed by the rules and regulations in the student handbook. Dances will be scheduled with the approval of the principal. Dances will end on or before midnight unless other arrangements are made with the principal. Junior High students will not attend any Senior High dance unless they are signed in as a date of a Senior High student, and have prior approval of the principal. Once a student is admitted to a dance, then leaves the dance, he/she will not be readmitted to the dance. For Prom, the banquet will begin on the scheduled time of 6:30PM with the dance following at 8:00PM. The dance will end at 12:00AM. Prom expenses will be monitored by the Junior Class Sponsors and Principal.

Board of Education Policy #5120

### Attending extracurricular activities

Students are expected to follow the expectations/rules as stated by Administration at each respective building.

19. Harassment and Bullying Policy:

It is the policy of Sutton Public Schools that "bullying" type behavior is not to be permitted. These guidelines are established to respond specifically to bullying behavior. Students and parents are advised that other response measures are also in place and set forth in Article 10 of this handbook for behavior which is discriminatory or harassing on unlawful grounds (e.g., sexual harassment, harassment of students with disabilities, race harassment, etc.).

- (i) Step One: The first time school personnel become aware of a possible harassment or bullying situation, the accused student will be informed that such a complaint has been filed. At that time a warning will be given regarding this kind of behavior. The consequences for this kind of behavior in the future will be clearly outlined for the student. If, in the school's opinion, the first occurrence of harassment behavior is severe, the school may move immediately to any of the four steps in the harassment policy. In other words,

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the policy may or may not be used sequentially. Moreover, at any stage the student may be disciplined under the student code by actions which may include expulsion, in the event the conduct is also a violation of other provisions of the student code.

- (ii) Step Two: The second time school personnel become aware of a harassment incident, the student's parents will be notified. A conference will be requested at that time. If it is determined that the student has harassed another student, consequences will be assigned. A student may stay on the second step as long as school authorities feel the consequences are effectively correcting the harassment behaviors. If it is determined that there is no basis for the

harassment accusation, no consequences will be assigned. If the school determines that a student is intentionally making a false accusation against another student, an appropriate response will be made.

- (iii) Step Three: If the school authorities determine that the student continues to harass another student or the student fails to agree to not harass in the future, the school may assign the student to the Harassment Program level set forth below which the school authorities determine to be appropriate.

- (iv) Step Four: If a student fails to respond positively to the corrective measures of the Harassment Program, the student will be suspended from school for a minimum of five school days, up to expulsion. School authorities will determine the action necessary to insure a safe learning environment for all students.

### Harassment and Bullying Program--Levels:

Purpose: All students have the right to attend Sutton Public Schools free from verbal and physical harassment and bullying. The purpose of the Harassment and Bullying Program is to protect students and staff from those who fail or refuse to comply with school guidelines regarding the treatment of others.

1. Level I: The guidelines for a Level I placement are listed below.
  - a. The length of the assignment will be for a minimum of two weeks.
  - b. The student will report to the office no later than 8:10AM a.m. each morning.
  - c. The student will eat on campus at an assigned table.
  - d. The student will report to an assigned room at the end of the day, and will remain until 3:50 p.m. This will allow all other students to leave the school grounds in safety.
2. Level II: The guidelines for this level are listed below.
  - a. The length of the assignment will be for a minimum of two weeks.

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- b. The student will report to the office no later than 8:10 a.m. the morning.
- c. The student will eat on campus at an assigned table.
- d. The student will report to an assigned room at the end of the day, and remain until 3:50 p.m.
- e. The student will remain in class at the end of each period. The student will be under direct teacher supervision during passing time. The teacher will dismiss the student at the end of the passing period. The student will then have three minutes to get to his/her next class.
- f.

3. Level III: This is a long term assignment. The guidelines are listed below.

- a. All items listed in Level II will be used, except the length of the assignment will be no less than six weeks, and may remain in effect until the end of the school year and continue into the next, if determined to be appropriate.
- b. The length of the assignment will be no less than six weeks, and may remain in effect until the end of the school year.

### 20. Public Displays of Affection:

Public Displays of affection will not be tolerated on school property or at school activities. Such conduct includes: hugging, kissing or any other types of affection that would be considered inappropriate or an undue distraction to others. Students will face the following consequences if this type of behavior occurs.

- a. 1st Offense: Student will be confronted and directed to cease.
- b. 2nd Offense: Student will be confronted, directed to cease, and parents will be notified.
- c. 3rd Offense: Students will be suspended from school for a minimum of 1 day, and parents and student will need to meet with Administrator (s) and counselor.
- d. If this type of behavior continues, the student could face long-term suspension or expulsion.

### 21. Specific Rule Items:

The following conduct may result in disciplinary action which, if there are repeated violations, may result in discipline actions up to expulsion.

- a. Students are not given locker passes, restroom passes or telephone passes to leave a classroom or study hall unless special circumstances arise or it is the first 5 minutes of class or the last 5 minutes of class.
- b. Students in the hallway during class time must have a pass/planner with them.
- c. Students are expected to bring all books and necessary materials to class. This includes study halls.
- d. Assignments for all classes are due as assigned by the teacher.

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- e. Classes are ended by the teacher. Students are not to begin to pack up or leave the class until the dismissal bell has rung or the teacher has dismissed the class.
- f. Students are to be in their seats and ready for class on the tardy bell.
- g. Special classes such as Industrial Technology, Art, P.E., and computers courses will have other safety or clean-up rules that will be explained to you by that teacher which must be followed.
- h. Students are not to bring items to school that are not required for educational purposes as they may be taken from your locker and will not be allowed in the classroom. These items are classified as "nuisance items" and include, but are not limited to: a) personal stereos, b) cell phones, c) beepers, and d) laser pointers.
- i. Snow handling is prohibited.

### 22. Network, E-Mail, Internet and Other Computer Use Rules:

#### (a) General Rules:

- (i) The network is provided to staff and students to conduct research and communicate with others. Access to network services is given to staff and students who have agreed to act in a responsible manner. Parental permission is required for student use. Access for all staff and students is a privilege and not a right.
- (ii) Individual users of the district network are responsible for their behavior, actions, problems, and communications involving and over the network. Users will comply with district rules and will honor the agreements they have signed. Beyond clarification of such rules, the district is not responsible for restricting, monitoring, editing, or controlling the information, equipment or communications of individuals utilizing the network or the end product or result of such utilization.
- (iii) Network storage areas shall be treated like school lockers for students. Network administrators may review files, information, equipment, messages and communications of staff and students to maintain system integrity and insure that users are using the network system responsibly. Users should not expect that files or any information stored or otherwise used or retained on the network, district servers, or in computers, will be private. No reasonable expectation of privacy shall exist in relation to network use.
- (iv) Users should not expect, and the district does not warrant, any information or products obtained from the network, that files or information stored, obtained or used on the network will be private, and use of the network waives and relinquishes all such privacy rights, interests or claims to confidentiality the user may have under state or federal law.
- (v) The district will not be liable for, and does not warrant in any way, purchases made by any user over the network. Users shall not make purchases of goods and/or services via the district's network.

#### (b) Policy and Rules for Acceptable Use of Computers and the Network: The following policy and rules for acceptable use of computers and the network, including

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Internet, shall apply to all district administrators, faculty, staff and students. The term "Users", as contained herein, shall apply to all such individuals. The Superintendent, or the Superintendent's designee, is hereby delegated all authority and is the ultimate person in charge of the district network and technology resources or equipment, and the same shall also be under the direct supervision of the site or building administrator where located, sometimes herein called "network administrators."

- (i) Users shall not erase, remake, or make unusable anyone else's computer, information, files, programs or disks. In addition to any other disciplinary action or legal action that may occur, any user violating this rule shall be liable for any and all damages to the computer, information, files, programs or disks.
- (ii) Users shall not let other persons use their name, account, log-on password, or files for any reason (except for authorized staff members).
- (iii) Users shall not use or try to discover another user's account or password.
- (iv) Users shall not use the computers or network for non-instructional or non-administrative purposes (e.g., games or activities for personal profit). Playing games on school computers is denied between the hours of 8:00AM and 4:00PM any day of the week.
- (v) Chat rooms are restricted.
- (vi) Users shall not use the computer for unlawful purposes, such as illegal copying or installation of unauthorized software.
- (vii) Users shall not copy, change, or transfer any software or documentation provided by teachers, or other students without permission from the network administrators.
- (viii) Users shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code, software or information designed to self-replicate, damage, or otherwise hinder the performance of the network or any computer's memory, file system, or software. Such software is often called a bug, virus, worm, Trojan horse, or similar name.
- (ix) Users shall not use the computer to annoy or harass others with language, images, or threats. Users shall not access, accept, create or send any obscene, vulgar, lewd, tasteless, or objectionable messages, information, language, or images.
- (x) Users shall not damage the network or equipment, damage information belonging to others, misuse network resources, or allow others to misuse network resources. In addition to any other disciplinary action or legal action that may occur, any user violating this or any other rule shall be liable for any and all damages to the computer, network, information, files, programs or disks.
- (xi) Users shall not tamper with computers, networks, printers, or other associated equipment except as directed by the teacher or network administrator.
- (xii) Users shall not take technology equipment (hardware or software) from the school grounds or remove such from computer work areas without written permission of the network administrator.

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- (c) Etiquette and Rules for Use of Computers and the Network: All users of computers and the network are expected to abide by the generally accepted rules of network etiquette. Informal rules of behavior have evolved for the use of and communication on the network, Internet and other on-line services. Breaches can result in harsh criticism by others. These rules of behavior include (but are not limited to) the following:
- (i) Be polite. Do not become abusive in your messages to others.
  - (ii) Use appropriate language. Do not swear, use vulgarities or any other inappropriate language, message, information or images.
  - (iii) Do not reveal your personal account, address or phone numbers, or that of other students or colleagues.
  - (iv) E-mail is for educational purposes only. Note that electronic mail (e-mail) is specifically not guaranteed to be private. People who operate the system do have access to mail. Messages relating to or in support of illegal activities may be reported to the authorities. Messages which violate the rules will result in disciplinary action.
  - (v) All communications and information accessible via the network should be assumed to be private property of others.
  - (vi) Do not place unlawful information on any network system.
  - (vii) Keep paragraphs and messages short and to the point. Focus on one subject per message.
  - (viii) Include your signature at the bottom of e-mail messages. Your signature footer should include your name, position, affiliation, and network or Internet address.
  - (ix) Other rules may be established by the network administrators or teachers from time to time.
- (d) Penalties for Violation of Rules: All of the policies, rules, and procedures for acceptable use of computers and the network are intended to make the computers and the network more reliable for users. They are also intended to minimize the burden of administrating the networks so that more time can be spent on education and enhancing services. Use of the computer and access to telecommunications resources is a privilege and not a right. Violation of the policies, rules, and procedures concerning the use of computers and the network may result in disciplinary action up to, and including, loss of access, suspension and/or expulsion of students from school and loss of access, suspension, termination, non-renewal or cancellation of the contract of administrators, teachers, or other school employees.
- (e) Staff, Student and Parent Agreements: Students and parents may be required to sign a computer and network use agreement as a condition of the student being permitted to use such equipment.

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### **Part 3 Reporting Student Law Violations:**

- (1) Cases of law violations or suspected law violations by students will be reported to the police and to the student's parents or guardian as soon as possible.
- (2) When a Principal or other school official releases a minor student to a peace officer (e.g., police officer, sheriff, and all other persons with similar authority to make arrests) for the purpose of removing the minor from the school premises, the Principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse, in which case the Principal or other school official shall provide the peace officer with the address and telephone number of the minor's parents or guardian.
- (3) In an effort to demonstrate that student behavior is always subject to possible legal sanctions regardless of where the behavior occurs it shall be the policy of the Sutton Public Schools to notify the proper legal authorities when a student engages in any of the following behaviors on school grounds or at a school sponsored event:
  - (a) Knowingly possessing illegal drugs or alcohol.
  - (b) Assault.
  - (c) Vandalism resulting in significant property damage.
  - (d) Theft of school or personal property of a significant nature.
  - (e) Automobile accident.
  - (f) Any other behavior which significantly threatens the health or safety of students, staff or other persons or which is required by law to be reported.

### **Part 4 Due Process Procedure**

Procedures for Long-Term Suspension, Expulsion or Mandatory Reassignment: The following procedures shall be followed with regard to any long-term suspension, expulsion or mandatory reassignment.

1. The Principal shall prepare a written summary of the alleged violation and the evidence supporting the alleged violation with the Superintendent or his or her designee.
2. If the Principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers, and a notice of intent to discipline the student by long-term suspension, expulsion, or mandatory reassignment is filed with the Superintendent or his or her designee, the student may be suspended by the Principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if no hearing is requested or, if a hearing is requested, the date the hearing examiner makes the report of his or her findings and a recommendation of the action to be taken to the Superintendent.

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3. The Principal or his or her designee shall serve by registered or certified mail or by personal service the student and the student's parents or guardian with a written notice within two school days of the date of the decision to recommend long-term suspension or expulsion. Said notice shall include the following
  - (a) The rule or standard of conduct allegedly violated and the acts of the student alleged to constitute a cause for long-term suspension or expulsion including a summary of the evidence to be presented against the student as submitted by the Principal.
  - (b) The penalties to which the student may be subjected and the penalty which the Principal, or his or her designee has recommended in the charge.
  - (c) A statement explaining the student's right to a hearing upon request on the specified charges.
  - (d) A description of the hearing procedures provided by these policies along with procedures for appealing any decision rendered at the hearing.
  - (e) A statement that the administrative representative, legal counsel for school, the student, the student's parents, or the student's representative or guardian shall have the right to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct, and the right to know the identity of the witnesses to appear at the hearing and the substance of their testimony.
  - (f) A form or a request for hearing to be signed by such parties and delivered to the Principal or his or her designee in person or by registered or certified mail.
4. Nothing in this policy shall preclude the student, student's parents, guardian or representative from discussing and settling the matter with appropriate school personnel prior to the hearing stage.
5. In the event that the Principal has not received a request for hearing within five school days following receipt of the written notice, the punishment recommended in the charge by the Principal, or his or her designee shall automatically go into effect.
6. If a hearing is requested more than five school days following the actual receipt of the written notice, but not more than thirty calendar days after actual receipt, the student shall be entitled to a hearing but the punishment imposed may continue in effect pending final determination.
7. If a request for hearing is not received within thirty calendar days following the mailing or delivery of the written notice, the student shall not be entitled to a hearing.
8. In the event that a hearing is required to be provided, the Superintendent shall appoint a hearing officer.

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### Hearing Procedure:

1. Hearing Officer. The hearing officer shall be any person designated by the Superintendent. The hearing officer shall be an individual who has had no involvement in the charge, will not be a witness at the hearing and who has not brought the charges against the student. It shall be the duty of the hearing officer to remain impartial throughout all deliberations. The hearing officer shall be available prior to any hearing held pursuant to this policy to answer any questions the administrative representative, the student, the student's parents, or guardian, may have regarding the nature and conduct of the hearing.
2. Administrative Representative. The Principal may appoint an administrative representative to present the facts and evidence. Such administrative representative may be an attorney or may be represented by an attorney, but any such attorney shall not advise the hearing officer or parties who may review the proceedings as their counsel.
  2. Notice of Hearing. If a hearing is requested within five school days of receipt of the notice, the hearing officer shall, within two school days after being appointed, give written notice to the administrative representative, and the student, the student's parents or guardian of the time and place for the hearing. The hearing shall be scheduled within a period of five school days after it is requested.

No hearing shall be held upon less than two school days' actual notice to the administrative representative, and the student, the student's parents, or guardian, except with the consent of all of the parties.

4. Continuance. Upon written request of the student or the student's parents or guardian, the hearing officer shall have the discretionary authority to continue from time to time the hearing. In addition, the hearing officer may continue the hearing upon any good cause.
5. Access to Records. The administrative representative, the student, the student's parent or guardian and the legal counsel of the student shall have the right to examine the records and affidavits and the statements of any witnesses in the possession of the Sutton Public Schools Board of Education at any reasonable time prior to the hearing.
5. Hearing Procedure. The hearing shall be attended by the hearing officer, the student, the student's parents, or guardian, the student's representative if any, and the administrative representative. Witnesses shall be present only when they are giving information at the hearing or with the consent of both parties. The student may be excluded at the discretion of the hearing officer at times when the student's psychological evaluation or emotional problems are being discussed. The student or the student's parents or guardian or both may be represented by legal counsel. The hearing examiner may exclude anyone from the hearing when his/her actions substantially disrupt an orderly hearing. The formal rules of evidence shall not apply at the hearing. The administrative representative shall present to

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- the hearing officer statements, in affidavit form, of any person having information about the student's conduct and the student's records, but not unless such statements and records have been made available to the student, the student's parents, guardian or representative prior to the hearing. The information contained in such records shall be explained and interpreted prior to or at the hearing to the student, parents or guardian, or representative at their request, by appropriate school personnel.
6. The student, the student's parents, guardian, or representative, the administrative representative or the hearing officer may ask witnesses to testify at the hearing. Such testimony shall be under oath and the hearing officer shall be authorized to administer the oath. The student, parent, guardian, or representative, administrative representative, or the hearing officer shall have the right to question any witness giving information at the hearing, the student may testify in his/her own defense in which case he/she shall be subject to cross-examination nor will any conclusion be drawn there from. Any person giving evidence by written statement or in person at a hearing shall be given the same immunity from liability as a person testifying in a court case. A single hearing may be conducted for more than one student if in the discretion of the hearing examiner a single hearing is not likely to result in confusion or prejudice to the interest of any of the students involved. If during the conduct of such a hearing, the hearing examiner concludes that any of such student's interests will be substantially prejudiced by a group hearing, or that confusion is resulting, the hearing examiner may order a separate hearing for each or any of said students.
  7. Availability of Witnesses. The hearing officer will have the authority to subpoena any witnesses to the hearing and shall make reasonable efforts to assist in obtaining the attendance of any witnesses requested by the student, student's parents or guardian or their legal representative.
  8. Record. The proceedings of the hearing shall be recorded at the expense of the school district.
  9. Findings. Within a reasonable time after the conclusion of the hearing, the hearing officer shall prepare and submit to the Superintendent of schools his/her written findings and recommendation as to disposition. This report shall explain, in terms of the needs of both the student and the school board, the reasons for the particular action recommended. Such recommendation may range from no action, through the entire field of counseling, to long-term suspension, expulsion, or mandatory reassignment.
  10. Review by Superintendent. The Superintendent of schools shall review the findings and recommendations of the hearing officer and in his/her discretion may also review any of the facts and evidence presented at the hearing and based upon such report and the facts shall determine the sanctions to be imposed. However, the Superintendent may not impose a more severe sanction than that imposed by the hearing officer.

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11. Notice of Determination. Written notice of the findings and recommendations of the hearing officer and the determination of the Superintendent of schools shall be made by certified registered mail or by personal delivery to the student, the student's parents or guardian. Upon receipt of such written notice by the student and/or parents and guardian, the determination of the Superintendent shall take immediate effect.
12. Appeal to Board. The student, student's parents or guardian may, within seven school days following the receipt of the Superintendent's decision, submit to the Superintendent of schools a written request for a hearing before the Board of Education.
13. Review by Board of Education. Upon receipt of the request for review of the Superintendent's determination, the Board of Education or committees of not less than three members shall, within ten school days, hold a hearing on the matter. Such hearing shall be made on the record except that the board may admit new or additional evidence to avoid substantial threat of unfairness. Such new evidence shall be recorded. The Board of Education or committee thereof may withdraw to deliberate privately upon the record and new evidence. Any such deliberation shall be held in the presence only of board members in attendance at the appeal proceeding, but may be held in the presence of legal counsel who has not previously acted as the administrative representative in presenting the school's case before the hearing officer. If any questions arise during such deliberations which require additional evidence, the Board of Education or committee thereof may require the hearing to receive such evidence, subject to the right of all parties to be present.

A record of any such new or additional evidence shall be made and shall be considered as a part of the record and based upon the evidence presented at the hearing before the hearing officer, and such new or additional evidence, the Board of Education or the committee shall make a final disposition of the matter. The board may alter the Superintendent's disposition of the case if it finds his/her decision to be too severe, but it may not impose a more severe sanction. A designated method of giving notice by the Board of Education or committee thereof, if required, for any Board review shall be by posting on the schoolhouse door.

14. Final Decision of Board of Education. The final decision of board shall be delivered to the student and parents or legal guardian of the student by personally delivering the same or by mailing the same by certified or registered mail.