

SIoux CITY COMMUNITY SCHOOL DISTRICT

STUDENT CODE

THE STUDENT CODE establishes rules governing the conduct of all district students to maintain a disciplined, scholarly atmosphere, to promote learning, to maximize educational benefits for all students, and to permit the orderly and efficient operation of the district.

A. SCOPE

The Student Code shall apply to each enrolled student, in addition to and separately from, any consequences administered by the criminal justice system:

- (1) while on district premises,
- (2) while in district-owned or operated vehicles, or in vehicles chartered in connection with any district-sponsored activity,
- (3) while engaged as a participant or spectator in district-sponsored activities, at home or away, or
- (4) while away from district grounds if such conduct would directly affect the good order, efficiency, management, and welfare of the district.

The Student Code shall apply to students with Individual Educational Plans in accordance with the Individuals with Disabilities Education Act.

B. VIOLATIONS

A student shall be in violation of this Student Code when a student:

1. Commits a Crime

“Crime” is defined as any offense in violation of the criminal laws of the United States or the State of Iowa, specifically inclusive of the Iowa Criminal Code. A student does not have to be convicted of a crime before the District can discipline such student pursuant to this Code.

2. Uses or Possesses Alcohol/Tobacco

No person shall possess or consume alcohol, or possess or use tobacco or tobacco products, or be intoxicated, while on school property or while attending or participating in a school related activity.

3. Possesses a weapon

In addition to any weapon offenses proscribed by criminal law, it shall be a Student Code violation for any student to possess *any* weapon. "Weapon" includes any firearm, knife, club, numchuck, star, bomb, explosive, incendiary, or poison gas, grenade, mine, stun gun, any other device which fires or can fire a projectile by the explosion of a propellant charge and/or is designed to or intended to incapacitate, threaten, or inflict bodily injury.

A student who possesses a "firearm", as defined by 18 U.S.C. §921, shall be expelled for a period of not less than one year. The Superintendent may modify expulsion requirements on a case by case basis.

A student receiving special education services who brings a dangerous weapon to school or school sponsored activity shall be treated in accordance with the Individuals With Disabilities Education Act and the Gun-Free Schools Act of 1994.

4. Possesses a Look-alike Weapon

In addition to any look-alike weapon offenses proscribed by criminal law, it shall be a Student Code violation for any student to possess *any* look-alike weapon "Look-alike weapon" includes any item which resembles or appears to be a weapon, including, but not limited to, squirt guns, water rifles or pistols, slingshots, toy guns, and toy grenades.

5. Engages in Disorderly Conduct

No person shall engage in conduct which causes a substantial disruption to the educational environment, interferes with the rights of others, or presents a threat to the health, safety, or well being of others. Such conduct includes, but is not limited to, disruptive or violent behavior, vulgar, abusive, or intimidating language, epithets or gestures.

6. Engages in Harassment or Bullying

Students shall not violate the Anti-Harassment/Bullying Policy of the Sioux City Community School District.

7. Departs Closed Campus/Loiters in Parking Lots

No student, other than Central Campus students, shall leave their assigned attendance center until the completion of their regularly scheduled school day, unless granted permission by the building principal or designee. Students shall not loiter in school parking lots or on school property.

8. Misuses Cell Phones/Electronic Devices/School Computers

Students may possess cell phones; however, they shall not be turned on in class. School personnel retain the discretion and authority to determine that cell phones should be turned off at any other time, or impose any other restrictions, as appropriate, if they determine that cell phones will be disruptive to the educational environment. No student shall use a beeper, pager, two-way radio, laser light, MP3 player, or other electronic device, without the express permission of school personnel.

Failure to follow instructions from school personnel regarding cell phones or electronic devices shall be a violation of this Student Code. Cell phones and electronic devices may be confiscated by school personnel and at the earliest reasonable opportunity shall be placed in the school office for safe-keeping until arrangements can be made for the return of the item. Neither the District, nor any employee thereof, shall be responsible for the loss of any cell phone or electronic device confiscated pursuant to this provision.

It shall be a violation of this code for students to use school provided computers or networks in any manner prohibited by the school or District.

9. Fails to comply with the following appearance requirements

Students are expected to be dressed and groomed appropriately for the educational environment. The following are prohibited:

- (a) Any style of dress, article of clothing, hairstyle, make-up, or other body adornment, which substantially or materially interferes with or disrupts the maintenance of a learning atmosphere, specifically including that which is obscene, vulgar or otherwise appeals to the prurient interest, or is suggestive of alcohol, tobacco, drugs, or promotes any other conduct prohibited by this Code.
- (b) A lack of footwear appropriate to the activity or season.
- (c) Any article of clothing, jewelry or other accessory that is a hazard to safety, including chains and spikes.
- (d) Any hat or cap, unless necessary for a specific class or activity, and then only during that class or activity.
- (e) Gang related apparel, hairstyles, jewelry, monikers, trademarks, symbols or any other item which school officials determine applies affiliation or empathy with any group or gang which advocates violence, bigotry, hate, drug use, or other criminal or disruptive behavior. A list of items that are considered to be gang related will be available in each school office and will be subject to change at the discretion of school officials.

10. Uses prohibited language

Students shall not use, express, display or distribute, verbally or in writing, language, symbols or any form of communication that:

- a. is obscene, lewd, vulgar, indecent, or offensive;
- b. is libelous or slanderous;
- c. encourages students to commit unlawful acts, violate school regulations, constitutes an invasion of the rights of others, or causes the material and substantial disruption of the orderly operation of the school.

11. Disobeys classroom/school rules

Classroom and/or school rules include written rules, teacher and or administrative instructions, and the general educational prohibition against all forms of cheating.

C. PROCEDURE FOR CODE VIOLATIONS

If a student chooses to violate the Student Code, the district may utilize the following procedure to impose upon the student the consequences listed in Part D of the Code. Four levels of district personnel may be charged with determining consequences for Code violations:

1. the student's classroom staff (Level I)
2. the building administrator(s) of the student's attendance center (Level II)
3. an Intermediate Hearing (Level III)
4. the Board of Education and/or the Superintendent (Level IV)

Violations of Paragraphs B(1)(Crimes), B2(Alcohol/Tobacco), B(3)(Weapons), B(4)(Look-alike Weapons),and B(7) (Closed Campus/Parking Lot) shall be referred directly to Level II. District personnel may initially administer all other violations at either Level I or Level II, as deemed appropriate.

In determining appropriate consequences, personnel at all four levels may consider the student's total record, and the totality of the circumstances of the specific code violation.

LEVEL I - CLASSROOM

Most Student Code violations may and should be handled by the classroom teacher and support staff through problem solving techniques, proactive interventions, and parent involvement. The teacher may impose any of the Level I consequences listed in the Code.

In cases where these efforts have been tried and failed, the violation is significant, or the violation is one requiring a Level II referral, the student will be referred to the

building administrator's office. Documentation should be kept by the teacher of the violation(s) justifying the referral and of any history pertinent to the referral, such as dates and details of parent/guardian contacts and previously failed intervention efforts, and should include the child's name, date, sex, grade, race and the teacher's name.

The student shall have three school days from the date of any Level I decision to appeal to the building administrator of the student's attendance center.

LEVEL II BUILDING ADMINISTRATOR(S)

In the event of an appeal from a level I decision, the building administrator, or his/her designee (the Administrator") shall review the Level I documentation and decision, hear and consider any additional statements or evidence presented by or on behalf of the student and the teacher, if any, and shall, within a reasonable amount of time, issue a decision affirming, canceling or modifying the consequences imposed. The Administrator shall have sole discretion whether to stay imposition of any Level I consequence imposed pending the outcome of his/her decision.

In the event of a direct Level II referral, the Administrator may investigate and document the alleged violation and may dismiss the referral, may impose any of the Level I or Level II consequences listed in this Code, and/or may refer the student to Level III with a recommendation for a Level III consequence listed in this Code (ex. temporary out-of-school suspension with recommendation for Level III consequence).

The student shall have three school days from the date of any Level II decision affirming, modifying or imposing only Level I or Level II consequences to appeal, in writing, to the Director of Secondary Education for middle or high school students, or to the Director of Elementary Education for elementary school students, or their designees (the "Education Director"). The Education Director shall review the Level II documentation and decision, hear and consider any additional statements or evidence presented by or on behalf of the student or the building administrator, if any, and shall, within a reasonable amount of time, issue a decision affirming, canceling or modifying the consequences imposed. The Education Director shall have sole discretion whether to stay imposition of any Level II consequence imposed pending the outcome of his/her decision.

The student shall have three school days from the date of the Education Director's decision to appeal, in writing, to the Superintendent, or his/her designee (the "Superintendent"), who will review the Education Director's documentation and decision, hear or consider any additional statements or evidence of the student or the Education Director, if any, and shall, within a reasonable time, issue a decision affirming, canceling or modifying the consequences imposed. The Superintendent shall have sole discretion to stay the imposition of any enforcement step, pending the outcome of his/her decision.

Any appeal from the Superintendent's decision or the decision of his or her designee, must be made to the Board of Education (Level IV), in writing, within five days of the decision.

LEVEL III INTERMEDIATE HEARING

Upon referral for a Level III consequence (the hearing for which shall also consider any Level I or II consequences also imposed upon that student), a full, fair and impartial hearing will be conducted by the Superintendent-appointed Hearing Officer(s) governed by due process procedures. If the student is unable to pay the costs of an attorney, he/she may contact Legal Services for assistance. The Hearing Officer(s) will review the Administrator's documentation, Level I or II decision, if any, and Level III recommendation, hear or consider any additional statements or evidence of the student or the Administrator, if any, and shall, within a reasonable time, issue a decision affirming, canceling, modifying or imposing any of the consequences permitted under this Code. The Hearing Officer(s) shall have sole discretion to stay the imposition of any enforcement step, pending the outcome of his/her decision. Legal Counsel for the School Board shall be present at any proceeding that occurs at this level.

Any appeal from the Hearing Officer's decision must be made to the Board of Education (Level IV), in writing, within five days of the decision.

LEVEL IV BOARD OF EDUCATION HEARING

Appeals from Level II and III will be conducted by a hearing panel of the Board of Education, governed by such reasonable due process procedure it believes appropriate under the circumstances. The Hearing Panel of the Board of Education may recommend to the Board of Directors affirming, canceling, modifying or imposing any of the consequences permitted under this Code.

D. CONSEQUENCES FOR CODE VIOLATIONS

The purpose of consequences is to modify student behavior, through positive and supportive actions whenever possible. While consequences are most effective when the parent or guardian of the student is supportive of those measures, they are essential even without parent/guardian support. Consequences may include any reasonable discipline, duties, behavior modification, or combination thereof that does not violate school policies or regulations. Consequences administered at each level may include any and all consequences listed in any lower level. Examples of consequences include, without limitation:

LEVEL I CONSEQUENCES

1. Verbal reprimand
2. Conference with student
3. Problem solving, using students within the classroom

4. Utilizing other staff members as resources within the building
5. Specific instruction classes by the teacher to change or modify behavior
6. Parent contact and cooperative agreement on action
7. Contract developed between the student, teacher, parents, school administrator, and school counselor to establish rules and consequences for classroom behavior. May include:
 - a. Before or after school with prior parent permission for make-up work
 - b. Behavior Modification Plan_– specifies student’s problems in an organized manner and includes a list of actions to be taken
8. STAT (Student-Teacher Assistance Team) referral.
9. Warn the student that if the same or similar violation occurs again within the same school year, the student may be subject to further discipline. Any such warning will remain in effect for the school year in which it is received
10. Temporary removal from class sends the student to the office of the building administrator for a period of time not to exceed one (1) day. The building administrator shall review with the student and the classroom teacher readmission to class or any further consequences
11. Denial of special privileges like films, field trips, parties
12. Conflict Resolution – School officials and trained conflict managers review with the student the code violation(s) and the loss of privileges
13. Counselor/Nurse Referral – to help change a student’s behavior.

LEVEL II CONSEQUENCES

Probation - Imposes conditional attendance for a specified length of time during a trial period. Breach of the specific conditions of probation may result in more severe consequences. Terms and conditions of probation will be provided in writing to the student and/or parent. This probation is intended to be separate from and in addition to any probation that may be imposed by any criminal justice system.

Permanent Removal from class - Bars the student from a specific class for the remainder of the semester.

In-School suspension – Temporarily isolates a student from one or more classes while under proper administrative supervision.

Temporary Out of School Suspension_–Suspends student out of school for up to ten (10) days. A temporarily out of school suspended student shall be given the opportunity to make up work and receive credit on the same basis as other absentees. Suspended days will be counted as absences. The initiative to make up the work must be made by the student. The building administrator shall attempt to hold a conference as soon as practicable with the parent(s) or guardian(s) to discuss the reasons for the suspension.

Detention/Extended School Day – the Administrator schedules a student to remain after school, or come to school early, or be in detention during school recess or

lunch period. (Notification will be given twenty-four hours prior to the detention time unless parent/guardian contact is made that same day and the student's transportation needs are resolved).

Extended School Week – the Administrator schedules make up time on a day or days when regular school is not in session to complete classroom work missed for discipline reasons.

Extended School Year – the Administrator schedules make up time after the end of the regular school year ends for time missed from the classroom for discipline reasons.

Building or District Service – Administrator assigns job tasks at the building or district level appropriate for the code violation. A school employee must supervise tasks.

Student Assistance Program – The student may be required to work with other students and/or staff to help the student to develop positive self-esteem while providing service to others.

Mentor – A person who has a specific student assigned to him or her for help and guidance in changing the behavior.

Referral to Community/Social Agency – Those agencies supported by state or private funds which provide referral services with substance use/abuse problems, and behavioral problems or other special needs.

Community Service – Student is required to work without compensation in lieu of further disciplinary action.

Referral to Truancy Officer – For conference with, and consideration by, the truancy officer of mediation and/or prosecution of students and/or parents/guardians for violations of the District truancy policy.

Referral to Police Liaison Officer for conference or prosecution.

LEVEL III AND IV CONSEQUENCES

Extended Out of School Suspension –Suspends student out of school in excess of ten (10) days. An extended out of school suspended student shall be given the opportunity to make up work and receive credit on the same basis as other absentees. Suspended days will be counted as absences. The initiative to make up the work must be made by the student. The building administrator shall attempt to hold a conference as soon as practicable with the parent(s) or guardian(s) to discuss the reasons for the suspension.

Expulsion/Referral for Expulsion – permanently removes the student from the district.