



2020-2021

Student Discipline Policies

DISCIPLINE

Behavior Not Covered

1. The school district reserves the right to punish behavior which is subversive to good order and discipline, even though such behavior is not specified in the preceding written orders.
2. The principal or designee shall make a reasonable, good faith effort to notify a student's parent, legal guardian, or custodian listed on student enrollment forms of the occurrence of any of the following events for students under the age of eighteen (18):
 - A. An authorized official of the ORSD makes a report to any law enforcement agency concerning student misconduct, or;
 - B. Grants law enforcement personnel, other than a school resource officer acting in the normal course and scope of his or her assigned duties, access to the student, or;
 - C. Knows that a student has been taken into custody by law enforcement personnel during the school day or while under school supervision.
3. Notification may not be required in some instances involving suspected child maltreatment.

Bullying (4.43)

Definitions

"Attribute" means an actual or perceived personal characteristic including without limitation race, color, religion, ancestry, national origin, socioeconomic status, academic status, disability, gender, gender identity, physical appearance, health condition, or sexual orientation;

"Bullying" means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student against another student or public school employee by a written, verbal, electronic, or physical act that may address an attribute of the other student, public school employee, or person with whom the other student or public school employee is associated and that causes or creates actual or reasonably foreseeable:

- Physical harm to a public school employee or student or damage to the public school employee's or student's property;
- Substantial interference with a student's education or with a public school employee's role in education;
- A hostile educational environment for one (1) or more students or public school employees due to the severity, persistence, or pervasiveness of the act; or
- Substantial disruption of the orderly operation of the school or educational environment;

Examples of "Bullying" include, but are not limited to, a pattern of behavior involving one or more of the following:

1. Cyberbullying;
2. Sarcastic comments "compliments" about another student's personal appearance or actual or perceived attributes,
3. Pointed questions intended to embarrass or humiliate,
4. Mocking, taunting or belittling,
5. Non-verbal threats and/or intimidation such as "fronting" or "chesting" a person,
6. Demeaning humor relating to a student's actual or perceived attributes,
7. Blackmail, extortion, demands for protection money or other involuntary donations or loans,
8. Blocking access to school property or facilities,
9. Deliberate physical contact or injury to person or property,
10. Stealing or hiding books or belongings,
11. Threats of harm to student(s), possessions, or others,
12. Sexual harassment, as governed by policy 4.27, is also a form of bullying, and/or
13. Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct or is homosexual, regardless of whether the student self-identifies as homosexual or transgender (Examples: "Slut", "You are so gay.", "Fag", "Queer").

"Cyberbullying" means any form of communication by electronic act that is sent with the purpose to:

- Harass, intimidate, humiliate, ridicule, defame, or threaten a student, school employee, or person with whom the other student or school employee is associated; or
- Incite violence towards a student, school employee, or person with whom the other student or school employee is associated.

Cyberbullying of School Employees includes, but is not limited to:

- a. Building a fake profile or website of the employee;
- b. Posting or encouraging others to post on the Internet private, personal, or sexual information pertaining to a school employee;
- c. Posting an original or edited image of the school employee on the Internet;
- d. Accessing, altering, or erasing any computer network, computer data program, or computer software, including breaking into a password-protected account or stealing or otherwise accessing passwords of a school employee;
- e. Making repeated, continuing, or sustained electronic communications, including electronic mail or transmission, to a school employee;
- f. Making, or causing to be made, and disseminating an unauthorized copy of data pertaining to a school employee in any form, including without limitation the printed or electronic form of computer data, computer

programs, or computer software residing in, communicated by, or produced by a computer or computer network;

- g. Signing up a school employee for a pornographic Internet site; or
- h. Without authorization of the school employee, signing up a school employee for electronic mailing lists or to receive junk electronic messages and instant messages.

Cyberbullying is prohibited whether or not the cyberbullying originated on school property or with school equipment, if the cyberbullying results in the substantial disruption of the orderly operation of the school or educational environment or is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school and has a high likelihood of succeeding in that purpose.

“Harassment” means a pattern of unwelcome verbal or physical conduct relating to another person’s constitutionally or statutorily protected status that causes, or reasonably should be expected to cause, substantial interference with the other’s performance in the school environment; and

“Substantial disruption” means without limitation that any one or more of the following occur as a result of the bullying:

- Necessary cessation of instruction or educational activities;
- Inability of students or educational staff to focus on learning or function as an educational unit because of a hostile environment;
- Severe or repetitive disciplinary measures are needed in the classroom or during educational activities; or
- Exhibition of other behaviors by students or educational staff that substantially interfere with the learning environment.

Respect for the dignity of others is a cornerstone of civil society. Bullying creates an atmosphere of fear and intimidation, robs a person of his/her dignity, detracts from the safe environment necessary to promote student learning, and will not be tolerated by the Board of Directors. Students who bully another person shall be held accountable for their actions whether they occur on school equipment or property; off school property at a school sponsored or approved function, activity, or event; going to or from school or a school activity in a school vehicle or school bus; or at designated school bus stops.

Students are encouraged to report behavior they consider to be bullying, including a single action which if allowed to continue would constitute bullying, to their teacher or the building principal. The report may be made anonymously. Teachers and other school employees who have witnessed, or are reliably informed

that, a student has been a victim of behavior they consider to be bullying, including a single action which if allowed to continue would constitute bullying, shall report the incident(s) to the building principal, or designee, as soon as possible. Parents or legal guardians may submit written reports of incidents they feel constitute bullying, or if allowed to continue would constitute bullying, to the building principal, or designee.

The person or persons reporting behavior they consider to be bullying shall not be subject to retaliation or reprisal in any form.

A building principal, or designee, who receives a credible report or complaint of bullying shall:

1. As soon as reasonably practicable, but by no later than the end of the school day following the receipt of the credible report of bullying:
 - a. Report to a parent, legal guardian, person having lawful control of a student, or person standing in loco parentis of a student that their student is the victim in a credible report of bullying; and
 - b. Prepare a written report of the alleged incident of bullying;
2. Promptly investigate the credible report or complaint of bullying, which shall be completed by no later than the fifth (5th) school day following the completion of the written report.
3. Notify within five (5) days following the completion of the investigation the parent, legal guardian, person having lawful control of a student, or person standing in loco parentis of a student who was the alleged victim in a credible report of bullying whether the investigation found the credible report or complaint of bullying to be true and the availability of counseling and other intervention services.
4. Notify within five (5) days following the completion of the investigation the parent, legal guardian, person having lawful control of the student, or person acting in loco parentis of the student who is alleged to have been the perpetrator of the incident of bullying:
 - a. That a credible report or complaint of bullying against their student exists;
 - b. Whether the investigation found the credible report or complaint of bullying to be true;
 - c. Whether action was taken against their student upon the conclusion of the investigation of the alleged incident of bullying; and
 - d. Information regarding the reporting of another alleged incident of bullying, including potential consequences of continued incidents of bullying;
5. Make a written record of the investigation, which shall include:
 - a. A detailed description of the alleged incident of bullying, including without limitation a detailed summary of the statements from all material witnesses to the alleged incident of bullying;
 - b. Any action taken as a result of the investigation;

- and
6. Discuss, as appropriate, the availability of counseling and other intervention services with students involved in the incident of bullying.

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion. In determining the appropriate disciplinary action, consideration may be given to other violations of the student handbook which may have simultaneously occurred.¹ In addition to any disciplinary actions, the District shall take appropriate steps to remedy the effects resulting from bullying.

Notice of what constitutes bullying, the District's prohibition against bullying, and the consequences for students who bully shall be conspicuously posted in every classroom, cafeteria, restroom, gymnasium, auditorium, and school bus.² Parents, legal guardians, person having lawful control of a student, persons standing in loco parentis, students, school volunteers, and employees shall be given copies of the notice annually.³

The superintendent shall make a report annually to the Board of Directors on student discipline data, which shall include, without limitation, the number of incidents of bullying reported and the actions taken regarding the reported incidents of bullying.

Copies of this policy shall be available upon request.⁴

Conduct to and from School and Transportation Eligibility (4.19)

The District's Student Code of conduct applies to students while traveling to and from school or to and from a school activity to the same extent as if the students were on school grounds. Appropriate disciplinary actions may be taken against commuting students who violate the District's Student Code of Conduct.

The preceding paragraph also applies to student conduct while on school buses. Students shall be instructed in safe riding practices.¹ The driver of a school bus shall not operate the school bus until every passenger is seated. In addition to other disciplinary measures provided for violations of the District's Student Code of Conduct, the student's bus transportation privileges may be suspended or terminated for violations of the Student Code of Conduct related to bus behavior.

Students are eligible to receive district bus transportation if they meet the following requirements.² The transportation to and from school of students who have lost their bus transportation privileges is the responsibility of the student's parent or guardian.

Corporal Punishment (4.39)

The Ouachita River School Board authorizes the use of corporal punishment to be administered in accordance with this policy by the Superintendent or the superintendent's designated staff members who are required to have a state-issued license as a condition of their employment.¹

Prior to the administration of corporal punishment, the student receiving the corporal punishment shall be given an explanation of the reasons for the punishment and be given an opportunity to refute the charges.

All corporal punishment shall be administered privately, i.e. out of the sight and hearing of other students, shall not be excessive, or administered with malice, and shall be administered in the presence of another school administrator or designee who shall be a licensed staff member employed by the District.

Corporal punishment shall not be used as a form of discipline for a student who is intellectually disabled, non-ambulatory, non-verbal, or autistic.²

Disruption of School (4.20)

1. No student shall by the use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or any other conduct, intentionally cause the disruption of any lawful mission, process, or function of the school, or engage in any such conduct for the purpose of causing disruption or obstruction of any lawful mission, process, or function. Nor shall any student encourage any other student to engage in such activities.

2. Disorderly activities by any student or group of students that adversely affect the school's orderly educational environment shall not be tolerated at any time on school grounds. Teachers may remove from class and send to the principal or principal's designee office a student whose behavior is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to teach the students, the class, or with the ability of the student's classmates to learn. Students who refuse to leave the classroom voluntarily will be escorted from the classroom by the school administration.

Drugs and Alcohol (4.24)

An orderly and safe school environment that is conducive to promoting student achievement requires a student population free from the deleterious effects of alcohol and drugs. Their use is illegal, disruptive to the educational environment, and diminishes the capacity of students to learn and function properly in our schools.

Therefore, no student in the Ouachita River School District shall possess, attempt to possess, consume, use, distribute, sell, buy, attempt to sell, attempt to buy,

give to any person, or be under the influence of any substance as defined in this policy, or what the student represents or believes to be any substance as defined in this policy. This policy applies to any student who: is on or about school property; is in attendance at school or any school sponsored activity; has left the school campus for any reason and returns to the campus; or is on route to or from school or any school sponsored activity.

Prohibited substances shall include, but are not limited to: alcohol, or any alcoholic beverage; inhalants or any ingestible matter that alter a student's ability to act, think, or respond; LSD, or any other hallucinogen; marijuana, cocaine, heroin, or any other narcotic drug; PCP; amphetamines; steroids; "designer drugs"; look-alike drugs; or any controlled substance.

The sale, distribution, or attempted sale or distribution of over-the-counter (OTC) medications, dietary supplement or other perceived health remedy not regulated by the US Food and Drug Administration, or prescription drugs is prohibited. The possession or use of OTC medications, dietary supplement or other perceived health remedy not regulated by the US Food and Drug Administration, or prescription drugs is prohibited except as permitted under Policy 4.35—STUDENT MEDICATIONS.

Equal Enforcement of Regulations: The regulations found within the student handbook apply equally without regard to sex, race, or national origin.

Expulsion (4.31)

The Board of Education may expel a student for a period longer than ten (10) school days for violation of the District's written discipline policies. The Superintendent may make a recommendation of expulsion to the Board of Education for student conduct:

- Deemed to be of such gravity that suspension would be inappropriate;
- Where the student's continued attendance at school would disrupt the orderly learning environment; or
- Would pose an unreasonable danger to the welfare of other students or staff.

Expulsion shall not be used to discipline a student in kindergarten through fifth (5th) grade unless the student's behavior:

- a. Poses a physical risk to himself or herself or to others;
- b. Causes a serious disruption that cannot be addressed through other means; or
- c. Is the act of bringing a firearm on school campus;

The Superintendent or his/her designee shall give written notice to the parents, legal guardians, persons having lawful control of the student, or persons standing

in loco parentis (mailed to the address reflected on the District's records) that he/she will recommend to the Board of Education that the student be expelled for the specified length of time and state the reasons for the recommendation to expel. The notice shall give the date, hour, and place where the Board of Education will consider and dispose of the recommendation.

The hearing shall be conducted not later than ten (10) school days¹ following the date of the notice, except that representatives of the Board and student may agree in writing to a date not conforming to this limitation.

The President of the Board, Board attorney, or other designated Board member shall preside at the hearing. The student may choose to be represented by legal counsel. Both the district administration and School Board also may be represented by legal counsel. The hearing shall be conducted in open session of the Board unless the parent, legal guardian, person having lawful control of the student, person standing in loco parentis, or student if age eighteen (18) or older, requests that the hearing be conducted in executive session. Any action taken by the Board shall be in open session.

During the hearing, the Superintendent, or designee, or representative will present evidence, including the calling of witnesses, who gave rise to the recommendation of expulsion. The student, or his/her representative, may then present evidence including statements from persons with personal knowledge of the events or circumstances relevant to the charges against the student. Formal cross-examination will not be permitted; however, any member of the Board, the Superintendent, or designee, the student, or his/her representative may question anyone making a statement and/or the student. The presiding officer shall decide questions concerning the appropriateness or relevance of any questions asked during the hearing.

Except as permitted by policy 4.22, the Superintendent shall recommend the expulsion of any student for a period of one (1) year for possession of any firearm prohibited on school campus by law. The Superintendent shall, however, have the discretion to modify the expulsion recommendation for a student on a case-by-case basis. Parents, legal guardians, persons having lawful control of a student, or persons standing in loco parentis of a student enrolling from another school after the expiration of an expulsion period for a weapons policy violation shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a weapon on school property.² The parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

The Superintendent and the Board of Education shall

complete the expulsion process of any student that was initiated because the student possessed a firearm or other prohibited weapon on school property regardless of the enrollment status of the student.

The District shall establish programs, measures, or alternative means and methods to continue student engagement and access to education during a student's period of expulsion. The District's program shall include offering an expelled student an opportunity for enrollment in digital learning courses or other alternative educational courses that result in the receipt of academic credit that is at least equal to credit the expelled student may have received from the District if the student had not been expelled.

Gangs and Gang Activity (4.26)

1. The Board is committed to ensuring a safe school environment conducive to promoting a learning environment where students and staff can excel. An orderly environment cannot exist where unlawful acts occur causing fear, intimidation, or physical harm to students or school staff. Gangs and their activities create such an atmosphere and shall not be allowed on school grounds or at school functions.

2. The following actions are prohibited by students on school property or at school functions:

- A. Wearing or possessing any clothing, bandanas, jewelry, symbol, or other sign associated with membership in, or representative of, any gang;
- B. Engaging in any verbal or nonverbal act such as throwing signs, gestures, or handshakes representative of membership in any gang;
- C. Recruiting, soliciting, or encouraging any person through duress or intimidation to become or remain a member of any gang; and/or
- D. Extorting payment from any individual in return for protection from harm from any gang.
- E. Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion.

3. Students arrested for gang related activities occurring off school grounds shall be subject to the same disciplinary actions as if they had occurred on school grounds.

Handicapped Students:

In the establishment of these discipline policies, the ORSD recognizes that in the case of diagnosed handicapped students the provisions of Federal Law 94-142, Ark. Act 102, Ark. Act 504, Ark. Law 6-18-507 and the Individuals with Disabilities Education Act (IDEA) policies will prevail. In those cases, required adjustments in the policies will be made in line with the student's handicapping condition as stated on student's Individualized Educational Program (IEP).

In-School Suspension (I.S.S.)

1. Purpose: The in-school suspension will provide

discipline for disruptive students while allowing them to stay in school. Students in grades K-12th may be assigned to I.S.S. The principal or his/her designee will make the I.S.S. assignment. The student will report to I.S.S. the morning assigned by the principal.

Immediately after the first bell rings, the student must report to I.S.S. The student will report with all of his/her books and essentials for the day's work. The regular classroom teachers will provide to the I.S.S. teacher necessary assignments for the student, appropriate to the length of the stay. Students will be placed in study cubicles.

2. A break will be provided at 10:00 A.M. and 2:00 P.M. for restroom and stretching.

3. Lunch break will be from 11:30-11:50. Students will be marched to and from the cafeteria. The students will sit where assigned by the teacher, and not fraternize with other students. Students may bring their own lunch, but must eat in the lunchroom.

4. Duration -- One to five days, depending upon the degree of the offense and the number of prior offenses.

5. Days in I.S.S. may be extended upon the recommendations of the I.S.S. teacher. Reasons for extended time may include but not limited to:

- A. Disrespect shown to the I.S.S. teacher.
- B. Failure to follow the I.S.S. rules.
- C. Not completing assignments given.
- D. Tardy to I.S.S.

6. Any student assigned to the I.S.S. must complete the days assigned before he/she will be reinstated in regular classes. On the first suspension, a student in grades 7th -12th may have 1 day or half day removed from their suspension for perfect conduct while in I.S.S.

7. For purpose of the attendance policy, days assigned to the I.S.S. will not be computed as absences from class.

8. Failure to comply with rules and regulations of the I.S.S. or failure to comply with directives of the instructor may result in corporal punishment, additional days in I.S.S., out-of-school suspension, recommended expulsion or other punishment deemed appropriate by the principal.

9. Any student having been assigned I.S.S. for a total of 15 days during a single semester may face possible out of school suspension, expulsion, or placement in the Alternative School.

Internet Safety and Electronic Device Use Policy (4.29)

Definition

For the purposes of this policy, "electronic device" means anything that can be used to transmit or capture images, sound, or data.

The District makes electronic device(s) and/or electronic device Internet access available to students, to permit students to perform research and to allow

students to learn how to use electronic device technology. Use of district electronic devices is for educational and/or instructional purposes only. Student use of electronic device(s) shall only be as directed or assigned by staff or teachers; students are advised that they enjoy no expectation of privacy in any aspect of their electronic device use, including email, and that monitoring of student electronic device use is continuous.

No student will be granted Internet access until and unless an Internet and electronic device use agreement, signed by both the student and the parent or legal guardian (if the student is under the age of eighteen [18]) is on file. The current version of the Internet and electronic device use agreement is incorporated by reference into board policy and is considered part of the student handbook.

Technology Protection Measures

The District is dedicated to protecting students from materials on the Internet or world wide web that are inappropriate, obscene, or otherwise harmful to minors¹; therefore, it is the policy of the District to protect each electronic device with Internet filtering software² that is designed to prevent students from accessing such materials. For purposes of this policy, "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

- (A) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- (B) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
- (C) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

Internet Use and Safety

The District is dedicated to ensuring that students are capable of using the Internet in a safe and responsible manner. The District uses technology protection measures to aid in student safety and shall also educate students on appropriate online behavior and Internet use³ including, but not limited to:

- interacting with other individuals on social networking websites and in chat rooms;
- Cyberbullying awareness; and
- Cyberbullying response.

Misuse of Internet

The opportunity to use the District's technology to access the Internet is a privilege and not a right. Students who misuse electronic devices or Internet access in any way will face disciplinary action, as specified in the student handbook⁴ and/or Internet safety and electronic device use agreement. Misuse of the Internet includes:

- The disabling or bypassing of security

procedures, compromising, attempting to compromise, or defeating the district's technology network security or Internet filtering software;

- The altering of data without authorization;
- Disclosing, using, or disseminating passwords, whether the passwords are the student's own or those of another student/faculty/community member, to other students;
- Divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email unless it is a necessary and integral part of the student's academic endeavor. Personally identifying information includes full names, addresses, and phone numbers.
- Using electronic devices for any illegal activity, including electronic device hacking and copyright or intellectual property law violations;
- Using electronic devices to access or create sexually explicit or pornographic text or graphics;
- Using electronic devices to violate any other policy or is contrary to the Internet safety and electronic device use agreement.

Student Electronic Device and Internet use Agreement

(4.29F)

The Ouachita River School District agrees to allow the student identified above ("Student") to use the district's technology to access the Internet under the following terms and conditions which apply whether the access is through a District or student owned electronic device (as used in this Agreement, "electronic device" means anything that can be used to transmit or capture images, sound, or data):

1. **Conditional Privilege:** The Student's use of the district's access to the Internet is a privilege conditioned on the Student's abiding to this agreement. No student may use the district's access to the Internet whether through a District or student owned electronic device unless the Student and his/her parent or guardian have read and signed this agreement.

2. **Acceptable Use:** The Student agrees that he/she will use the District's Internet access for educational purposes only. In using the Internet, the Student agrees to obey all federal laws and regulations and any State laws and rules. The Student also agrees to abide by any Internet use rules instituted at the Student's school or class, whether those rules are written or oral.

3. **Penalties for Improper Use:** If the Student violates this agreement and misuses the Internet, the Student shall be subject to disciplinary action. [**Note: A.C.A. § 6-21-**

107 requires the district to have "...provisions for administration of punishment of students for violations of the policy with stiffer penalties for repeat offenders, and the same shall be incorporated into the district's written student discipline policy." You may choose to tailor your punishments to be appropriate to the school's grade levels.]

4. "Misuse of the District's access to the Internet" includes, but is not limited to, the following:

- a. Using the Internet for other than educational purposes;
- b. Gaining intentional access or maintaining access to materials which are "harmful to minors" as defined by Arkansas law;
- c. Using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
- d. Making unauthorized copies of computer software;
- e. Accessing "chat lines" unless authorized by the instructor for a class activity directly supervised by a staff member;
- f. Using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
- g. Posting anonymous messages on the system;
- h. Using encryption software;
- i. Wasteful use of limited resources provided by the school including paper;
- j. Causing congestion of the network through lengthy downloads of files;
- k. Vandalizing data of another user;
- l. Obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
- m. Gaining or attempting to gain unauthorized access to resources or files;
- n. Identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
- o. Invading the privacy of individuals;
- p. Divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email unless it is a necessary and integral part of the student's academic endeavor. Personally identifying information includes full names, address, and phone number.
- q. Using the network for financial or commercial gain without district permission;
- r. Theft or vandalism of data, equipment, or intellectual property;
- s. Attempting to gain access or gaining access to student records, grades, or files;
- t. Introducing a virus to, or otherwise improperly tampering with the system;
- u. Degrading or disrupting equipment or system performance;
- v. Creating a web page or associating a web page

with the school or school district without proper authorization;

- w. Providing access to the District's Internet Access to unauthorized individuals;
- x. Failing to obey school or classroom Internet use rules;
- y. Taking part in any activity related to Internet use which creates a clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools; or
- z. Installing or downloading software on district computers without prior approval of the technology director or his/her designee.

5. Liability for debts: Students and their cosigners shall be liable for any and all costs (debts) incurred through the student's use of the computers or access to the Internet including penalties for copyright violations.

6. No Expectation of Privacy: The Student and parent/guardian signing below agree that if the Student uses the Internet through the District's access, that the Student waives any right to privacy the Student may have for such use. The Student and the parent/guardian agree that the district may monitor the Student's use of the District's Internet Access and may also examine all system activities the Student participates in, including but not limited to e-mail, voice, and video transmissions, to ensure proper use of the system. The District may share such transmissions with the Student's parents/guardians.

7. No Guarantees: The District will make good faith efforts to protect children from improper or harmful matter which may be on the Internet. At the same time, in signing this agreement, the parent and Student recognize that the District makes no guarantees about preventing improper access to such materials on the part of the Student.

8. Signatures: We, the persons who have signed below, have read this agreement and agree to be bound by the terms and conditions of this agreement.

Laser Pointers (4.28)

Students shall not possess any hand held laser pointer while in school; on or about school property, before or after school; in attendance at school or any school-sponsored activity; in route to or from school or any school-sponsored activity; off the school grounds at any school bus stop or at any school-sponsored activity or event. School personnel shall seize any laser pointer from the student possessing it and report it to the building principal. The student may reclaim it at the close of the school year, or when the student is no longer enrolled in the District.

Prohibited Conduct (4.18)

Students and staff require a safe and orderly learning environment that is conducive to high student achievement. Certain student behaviors are unacceptable in such an environment and are hereby prohibited by the Board. Prohibited behaviors include, but shall not be limited to the following:

1. Disrespect for school employees and failing to comply with their reasonable directions or otherwise demonstrating insubordination;
2. Disruptive behavior that interferes with orderly school operations;
3. Willfully and intentionally assaulting or threatening to assault or physically abusing any student or school employee;
4. Possession of any weapon that can reasonably be considered capable of causing bodily harm to another individual;
5. Possession or use of tobacco in any form on any property owned or leased by any public school;
6. Willfully or intentionally damaging, destroying, or stealing school property;
7. Possession of any paging device, beeper, or similar electronic communication devices on the school campus during normal school hours unless specifically exempted by the administration for health or other compelling reasons;
8. Possession, selling, distributing, or being under the influence of an alcoholic beverage, any illegal drug, unauthorized inhalants, or the inappropriate use or sharing of prescription or over the counter drugs, or other intoxicants, or anything represented to be a drug;
9. Sharing, diverting, transferring, applying to others (such as needles or lancets), or in any way misusing medication or any medical supplies in their possession;
10. Inappropriate public displays of affection;
11. Cheating, copying, or claiming another person's work to be his/her own;
12. Gambling;
13. Inappropriate student dress;
14. Use of vulgar, profane, or obscene language or gestures;
15. Truancy;
16. Excessive tardiness;
17. Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex, sexual orientation, gender identity, or disability;
18. Possess, view, distribute or electronically transmit sexually explicit or vulgar images or representations, whether electronically, on a data storage device, or in hard copy form;
19. Hazing, or aiding in the hazing of another student;
20. Gangs or gang-related activities, including belonging to secret societies of any kind, are forbidden on school property. Gang insignias, clothing, "throwing signs" or other gestures

- associated with gangs are prohibited;
21. Sexual harassment;
22. Bullying;
23. Operating a vehicle on school grounds while using a wireless communication device; and
24. Theft of another individual's personal property.

The Board directs each school in the District to develop implementation regulations for prohibited student conduct consistent with applicable Board policy, State and Federal laws, and judicial decisions.

Search, Seizure, and Interrogations (4.32)

The District respects the rights of its students against arbitrary intrusion of their person and property. At the same time, it is the responsibility of school officials to protect the health, safety, and welfare of all students enrolled in the District in order to promote an environment conducive to student learning. The Superintendent, principals, and their designees have the right to inspect and search school property and equipment. They may also search students and their personal property in which the student has a reasonable expectation of privacy, when there is reasonable and individualized suspicion to believe such student or property contains illegal items or other items in violation of Board policy or dangerous to the school community.¹ School authorities may seize evidence found in the search and disciplinary action may be taken. Evidence found which appears to be in violation of the law shall be reported to the appropriate authority.

School property shall include, but not be limited to, lockers, desks, and parking lots, as well as personal effects left there by students. When possible, prior notice will be given and the student will be allowed to be present along with an adult witness; however, searches may be done at any time with or without notice or the student's consent. A personal search must not be excessively intrusive in light of the age and sex of the student and the nature of the infraction.

The Superintendent, principals, and their designees may request the assistance of law enforcement officials to help conduct searches. Such searches may include the use of specially trained dogs.

A school official of the same sex shall conduct personal searches with an adult witness of the same sex present.

State Law requires that Department of Human Services employees, local law enforcement, or agents of the Crimes Against Children Division of the Division of Arkansas State Police, may interview students without a court order for the purpose of investigating suspected child abuse. In instances where the interviewers deem it necessary, they may exercise a "72-hour hold" without first obtaining a court order. Other questioning of students by non-school personnel shall be granted only

with a court order directing such questioning, with permission of the parents of a student (or the student if above eighteen [18] years of age), or in response to a subpoena or arrest warrant.

If the District makes a report to any law enforcement agency concerning student misconduct or if access to a student is granted to a law enforcement agency due to a court order, the principal or the principal's designee shall make a good faith effort to contact the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis. The principal or the principal's designee shall not attempt to make such contact if presented documentation by the investigator that notification is prohibited because a parent, guardian, person having lawful control of the student, or person standing in loco parentis is named as an alleged offender of the suspected child maltreatment. This exception applies only to interview requests made by a law enforcement officer, an investigator of the Crimes Against Children Division of the Division of Arkansas State Police, or an investigator or employee of the Department of Human Services.

In instances other than those related to cases of suspected child abuse, principals must release a student to either a police officer who presents a subpoena for the student, or a warrant for arrest, or to an agent of state social services or an agent of a court with jurisdiction over a child with a court order signed by a judge. Upon release of the student, the principal or designee shall give the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis notice that the student has been taken into custody by law enforcement personnel or a state's social services agency. If the principal or designee is unable to reach the parent, he or she shall make a reasonable, good faith effort to get a message to the parent to call the principal or designee, and leave both a day and an after-hours telephone number.

Student Assault or Battery (4.21)

A student shall not threaten, physically abuse, attempt to physically abuse, or behave in such a way as to be perceived to threaten bodily harm to any other person (student, school employee, or school visitor). Any gestures; vulgar, abusive, or insulting language; taunting, threatening, harassing, or intimidating remarks by a student toward another person that threatens their well-being is strictly forbidden. This includes, but is not limited to, fighting, racial, ethnic, religious, or sexual slurs.

Furthermore, it is unlawful, during regular school hours, and in a place where a public school employee is required to be in the course of his or her duties, for any person to address a public school employee using language which, in its common acceptance, is calculated

to:

- a. Cause a breach of the peace;
- b. Materially and substantially interfere with the operation of the school; or
- c. Arouse the person to whom it is addressed to anger, to the extent likely to cause imminent retaliation.

Students guilty of such an offense may be subject to legal proceedings in addition to any student disciplinary measures.

Student Discipline (4.17)

The Ouachita River Board of Education has a responsibility to protect the health, safety, and welfare of the District's students and employees. To help maintain a safe environment conducive to high student achievement, the Board establishes policies necessary to regulate student behavior to promote an orderly school environment that is respectful of the rights of others and ensures the uniform enforcement of student discipline. Students are responsible for their conduct that occurs:

- At any time on the school grounds;
- Off school grounds at a school sponsored function, activity, or event; and
- Going to and from school or a school activity.

The District's administrators may also take disciplinary action against a student for off-campus conduct occurring at any time that would have a detrimental impact on school discipline, the educational environment, or the welfare of the students and/or staff. A student who has committed a criminal act while off campus and whose presence on campus could cause a substantial disruption to school or endanger the welfare of other students or staff is subject to disciplinary action up to and including expulsion. Such acts could include, but are not limited to: a felony or an act that would be considered a felony if committed by an adult; an assault or battery; drug law violations; or sexual misconduct of a serious nature. Any disciplinary action pursued by the District shall be in accordance with the student's appropriate due process rights.¹

The District's personnel policy committees shall annually review the District's student discipline policies, including State and District student discipline data, and may recommend changes in the policies to the Ouachita River School Board. The Board has the responsibility of determining whether to approve any recommended changes to student discipline policies.

The District's student discipline policies shall be distributed to each student during the first week of school each year and to new students upon their enrollment. Each student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall sign and return to the school an acknowledgement form documenting that they have received the policies.

The District shall develop and provide programs, measures, or alternative means and methods for continued student engagement and educational access during periods of suspension or expulsion.

The superintendent is authorized to modify the penalties set forth in the District's student discipline policies on a case-by-case basis.

It is required by law that the principal or the person in charge report to the police any incidents the person has personal knowledge of or has received information leading to a reasonable belief that a person has committed or threatened to commit an act of violence or any crime involving a deadly weapon on school property or while under school supervision. If the person making the report is not the Superintendent, that person shall also inform the Superintendent of the incident. Additionally, the principal shall inform any school employee or other person who initially reported the incident that a report has been made to the appropriate law enforcement agency. The Superintendent or designee shall inform the Board of Directors of any such report made to law enforcement.

The superintendent shall make a report annually to the Board of Directors on student discipline data, which shall include, without limitation: the number of incidents of bullying reported and the actions taken regarding the reported incidents of bullying.

Student Sexual Harassment (4.27)

The Ouachita River School District is committed to providing an academic environment that treats all students with respect and dignity. Student achievement is best attained in an atmosphere of equal educational opportunity that is free of discrimination. Sexual harassment is a form of discrimination that undermines the integrity of the educational environment and will not be tolerated.

The District believes the best policy to create an educational environment free from sexual harassment is prevention; therefore, the District shall provide informational materials and training to students, parents/legal guardians/other responsible adults, and employees on sexual harassment. The informational materials and training on sexual harassment shall be age appropriate and, when necessary, provided in a language other than English or in an accessible format. The informational materials and training shall include, but are not limited to:

- the nature of sexual harassment;
- The District's written procedures governing the formal complaint grievance process;¹
- The process for submitting a formal complaint of

- sexual harassment;
- That the district does not tolerate sexual harassment;
- That students can report inappropriate behavior of a sexual nature without fear of adverse consequences;
- The supports that are available to individuals suffering sexual harassment; and
- The potential discipline for perpetrating sexual harassment.

Definitions

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Education program or activity" includes locations, events, or circumstances where the District exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting an investigation of the allegation of sexual harassment.

"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

"Sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee:
 - a. Conditions the provision of an aid, benefit, or service of the District on an individual's participation in sexual conduct;² or
 - b. Uses the rejection of sexual conduct as the basis for academic decisions affecting that individual;²
2. The conduct is:
 - a. Unwelcome; and
 - b. Determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
 - c. Constitutes:
 - d. Sexual assault;
 - e. Dating violence
 - f. Domestic violence; or
 - g. Stalking.

"Supportive measures" means individualized services that are offered to the complainant or the respondent designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party. The supportive measures must be non-disciplinary and non-punitive in nature; offered before or after the filing of a formal complaint or where no formal complaint has been filed; and offered to either party as appropriate, as reasonably available, and without fee or charge. Examples of supportive measures include, but are not limited to:

measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment; counseling; extensions of deadlines or other course-related adjustments; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; changes in work or class locations; leaves of absence; and increased security and monitoring of certain areas of the campus.

Within the educational environment, sexual harassment is prohibited between any of the following: students; employees and students; and non-employees and students.

Actionable sexual harassment is generally established when an individual is exposed to a pattern of objectionable behaviors or when a single, serious act is committed. What is, or is not, sexual harassment will depend upon all of the surrounding circumstances and may occur regardless of the sex(es) of the individuals involved. Depending upon such circumstances, examples of sexual harassment include, but are not limited to:

- Making sexual propositions or pressuring for sexual activities;
- Unwelcome touching;
- Writing graffiti of a sexual nature;
- Displaying or distributing sexually explicit drawings, pictures, or written materials;
- Performing sexual gestures or touching oneself sexually in front of others;
- Telling sexual or crude jokes;
- Spreading rumors related to a person's alleged sexual activities;
- Discussions of sexual experiences;
- Rating other students as to sexual activity or performance;
- Circulating or showing e-mails or Web sites of a sexual nature;
- Intimidation by words, actions, insults, or name calling; and
- Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct or is homosexual, regardless of whether or not the student self-identifies as homosexual or transgender.

Students who believe they have been subjected to sexual harassment, or the parent/legal guardian/other responsible adult of a student who believes their student has been subjected to sexual harassment, are encouraged to bring their concerns to **any** District staff member, including a counselor, teacher, Title IX coordinator, or administrator. If the District staff member who received a report of alleged sexual harassment is not the Title IX Coordinator, then the District staff person shall inform the Title IX Coordinator of the alleged sexual

harassment. As soon as reasonably possible after receiving a report of alleged sexual harassment from another District staff member or after receiving a report directly through any means, the Title IX Coordinator shall contact the complainant to:

- Discuss the availability of supportive measures;
- Consider the complainant's wishes with respect to supportive measures;
- Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
- explain to the complainant the process for filing a formal complaint.

Supportive Measures

The District shall offer supportive measures to both the complainant and respondent that are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party before or after the filing of a formal complaint or where no formal complaint has been filed. The District shall provide the individualized supportive measures to the complainant unless declined in writing by the complainant and shall provide individualized supportive measures that are non-disciplinary and non-punitive to the respondent. A complainant who initially declined the District's offer of supportive measures may request supportive measures at a later time and the District shall provide individualized supportive measures based on the circumstances when the subsequent request is received.

Formal Complaint

A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by email. Upon receipt of a formal complaint, a District shall simultaneously provide the following written notice to the parties who are known:

- Notice of the District's grievance process and a copy of the procedures governing the grievance process;
- Notice of the allegations of sexual harassment including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include:
 - ✚ The identities of the parties involved in the incident, if known;
 - ✚ The conduct allegedly constituting sexual harassment; and
 - ✚ The date and location of the alleged incident, if known;
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
- That the parties may inspect and review evidence relevant to the complaint of sexual harassment; and
- That the District's code of conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the previous notice, the District shall simultaneously provide notice of the additional allegations to the parties whose identities are known.

The District may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the District has consolidated formal complaints so that the grievance process involves more than one complainant or more than one respondent, references to the singular “party”, “complainant”, or “respondent” include the plural, as applicable.

When investigating a formal complaint and throughout the grievance process, a District shall:

- Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the District and not on the parties;
- Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege or access, consider, disclose, or otherwise use a party’s records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional’s or paraprofessional’s capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party unless the District obtains the parent, legal guardian, or other responsible adult of that party’s voluntary, written consent or that party’s voluntary, written consent if the party is over the age of eighteen (18) to do so for the grievance process;
- Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding;
- Provide, to a party whose participation is invited or

expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;

- Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation; this includes evidence:
 - Whether obtained from a party or other source;
 - The District does not intend to rely upon in reaching a determination regarding responsibility; and
 - That is either inculpatory or exculpatory; and
- Create an investigative report that fairly summarizes relevant evidence.

At least ten (10)³ days prior to completion of the investigative report, the District shall send to each party and the party’s advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties shall have at least ten (10)³ days to submit a written response to the evidence. The investigator will consider the written responses prior to completion of the investigative report. All evidence subject to inspection and review shall be available for the parties’ inspection and review at any meeting to give each party equal opportunity to refer to such evidence during the meeting.

After the investigative report is sent to the parties, the decision-maker shall:

- Provide each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness;
- Provide each party with the answers;
- Allow for additional, limited follow-up questions from each party; and
- Provide an explanation to the party proposing the questions any decision to exclude a question as not relevant. Specifically, questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.

Following the completion of the investigation period, the decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, shall issue a written determination regarding responsibility. The written determination shall include—

1. Identification of the allegations potentially constituting sexual harassment;

2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including:
 - a. Any notifications to the parties;
 - b. Interviews with parties and witnesses;
 - c. site visits;
 - d. Methods used to gather other evidence; and
 - e. Hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the District's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
 - a. A determination regarding responsibility;
 - b. Any disciplinary sanctions imposed on the respondent; and
 - c. Whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and
6. The procedures and permissible bases for the complainant and respondent to appeal.

The written determination shall be provided to the parties simultaneously. The determination regarding responsibility shall become final on the earlier of:

- If an appeal is not filed, the day after the period for an appeal to be filed expires; or
- If an appeal is filed, the date the written determination of the result of the appeal is provided to the parties.

The District shall investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy even if proved; did not occur in the District's education program or activity; or did not occur against a person in the United States, then the District shall dismiss the complaint as not meeting the definition of sexual harassment under this policy. A dismissal for these reasons does not preclude action under another provision of the District's code of conduct.

The District may dismiss the formal complaint or any allegations therein, if at any time during the grievance process:

- The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled at the District; or
- Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon the dismissal of a formal complaint for any reason, the District shall promptly send written notice of the dismissal and reason(s) for the dismissal simultaneously to the parties.

The District may hire an individual or individuals to conduct the investigation or to act as the determination-

maker when necessary.

Appeals

Either party may appeal a determination regarding responsibility or from a dismissal of a formal complaint or any allegations therein, on the following bases:

- a. The existence of a procedural irregularity that affected the outcome of the matter;
- b. Discovery of new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- c. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; or
- d. An appeal of the disciplinary sanctions from the initial determination.⁴

For all appeals, the District shall:

1. Notify the other party in writing when an appeal is filed;
2. Simultaneously Provide all parties a written copy of the District's procedures governing the appeal process;
3. Implement appeal procedures equally for both parties;
4. Ensure that the decision-maker⁵ for the appeal is not the same person as the decision-maker that reached the original determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator;
5. Provide all parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
6. Issue a written decision describing the result of the appeal and the rationale for the result; and
7. Provide the written decision simultaneously to both parties.

Confidentiality

Reports of sexual harassment, both informal reports and formal complaints, will be treated in a confidential manner to the extent possible. Limited disclosure may be provided to:

- individuals who are responsible for handling the District's investigation and determination of responsibility to the extent necessary to complete the District's grievance process;
- Submit a report to the child maltreatment hotline;
- Submit a report to the Professional Licensure Standards Board for reports alleging sexual harassment by an employee towards a student; or
- The extent necessary to provide either party due process during the grievance process.⁵

Except as listed above, the District shall keep confidential the identity of:

- ✚ Any individual who has made a report or complaint of sex discrimination;

- ✚ Any individual who has made a report or filed a formal complaint of sexual harassment;
- ✚ Any complainant;
- ✚ Any individual who has been reported to be the perpetrator of sex discrimination;
- ✚ Any respondent; and
- ✚ Any witness.

Any supportive measures provided to the complainant or respondent shall be kept confidential to the extent that maintaining such confidentiality does not impair the ability of the District to provide the supportive measures.

Emergency removal⁶

The District may remove a respondent from the District's education program or activity on an emergency basis only after the completion of an individualized safety and risk analysis that determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. A removed student will be provided with notice and an opportunity to challenge the removal decision immediately following the removal.

Retaliation Prohibited

Students, or the parents/legal guardians/ other responsible adult of a student, who submit a report or file a formal complaint of sexual harassment,; testified; assisted; or participate or refused to participate in any manner in an investigation, proceeding, or hearing on sexual harassment shall not be subjected to retaliation or reprisal in any form, including threats; intimidation; coercion; discrimination; or charges for code of conduct violations that do not involve sex discrimination or sexual harassment, arise out of the same facts or circumstances as a report or formal complaint of sex discrimination, and are made for the purpose of interfering with any right or privilege under this policy. The District shall take steps to prevent retaliation and shall take immediate action if any form of retaliation occurs regardless of whether the retaliatory acts are by District officials, students, or third parties.

Disciplinary Sanctions

It shall be a violation of this policy for any student to be subjected to, or to subject another person to, sexual harassment. Following the completion of the District's grievance process, any student who is found by the evidence to more likely than not⁷ have engaged in sexual harassment will be subject to disciplinary action up to, and including, expulsion. No disciplinary sanction or other action that is not a supportive measure may be taken against a respondent until the conclusion of the grievance process.

Students who knowingly fabricate allegations of sexual harassment or purposely provide inaccurate facts shall be subject to disciplinary action up to and including expulsion. A determination that the allegations do not rise to the level of sexual harassment alone is not

sufficient to conclude that any party made a false allegation or materially false statement in bad faith.

Records

The District shall maintain the following records for a minimum of seven (7) years:

- Each sexual harassment investigation including:
- Any determination regarding responsibility;
- any disciplinary sanctions imposed on the respondent;
- Any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity;
- Any appeal and the result therefrom;
- All materials used to train Title IX Coordinators, investigators, and decision-makers;
- Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, which must include:
 - The basis for the District's conclusion that its response was not deliberately indifferent; and
 - Document:
 - If supportive measures were provided to the complainant, the supportive measures taken designed to restore or preserve equal access to the District's education program or activity; or
 - If no supportive measures were provided to a complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Suspension from School (4.30)

Students who are not present at school cannot benefit from the educational opportunities the school environment affords. Administrators, therefore, shall strive to find ways to keep students in school as participants in the educational process. There are instances, however, when the needs of the other students or the interests of the orderly learning environment require the removal of a student from school. The Board authorizes school principals or their designees to suspend students for disciplinary reasons for a period of time not to exceed ten (10) school days,¹ including the day upon which the suspension is imposed. The suspension may be in school or out of school.

Students are responsible for their conduct that occurs:

- At any time on the school grounds;
- Off school grounds at a school-sponsored function, activity, or event; and
- Going to and from school or a school activity.

A student may be suspended for behavior including, but not limited to, that:

1. Is in violation of school policies, rules, or regulations;
2. Substantially interferes with the safe and orderly educational environment;
3. School administrators believe will result in the

- substantial interference with the safe and orderly educational environment; and/or
4. Is insubordinate, incorrigible, violent, or involves moral turpitude.

Out-of-school suspension (OSS) shall not be used to discipline a student in kindergarten through fifth (5th) grade unless the student's behavior:

- a. Poses a physical risk to himself or herself or to others;
- b. Causes a serious disruption that cannot be addressed through other means; or
- c. Is the act of bringing a firearm on school campus;

OSS shall not be used to discipline a student for skipping class, excessive absences, or other forms of truancy.

The school principal or designee shall proceed as follows in deciding whether or not to suspend a student:

1. The student shall be given written notice or advised orally of the charges against him/her;
2. If the student denies the charges, he/she shall be given an explanation of the evidence against him/her and be allowed to present his/her version of the facts; and
3. If the principal finds the student guilty of the misconduct, he/she may be suspended.

When possible, notice of the suspension, its duration, and any stipulations for the student's re-admittance to class will be given to the parent(s), legal guardian(s), person(s) with lawful control of the student, person(s) standing in loco parentis, or to the student if age eighteen (18) or older prior to the suspension. Such notice shall be handed to the parent(s), legal guardian(s), person(s) having lawful control of the student, person(s) standing in loco parentis, or to the student if age eighteen (18) or older or mailed to the last address reflected in the records of the school district.

Generally, notice and hearing should precede the student's removal from school, but if prior notice and hearing are not feasible, as where the student's presence endangers persons or property or threatens disruption of the academic process, thus justifying immediate removal from school, the necessary notice and hearing should follow as soon as practicable.

It is the responsibility of a student's parents², legal guardians², person having lawful control of the student, or person standing in loco parentis to provide current contact information to the district, which the school shall use to immediately notify the parent, legal guardian, person having lawful control of a student, or person standing in loco parentis upon the suspension of a student. The notification shall be by one of the following means, listed in order of priority:²

- A primary call number;
 - The contact may be by voice, voice mail, or

text message.

- An email address;
- A regular first class letter to the last known mailing address.

The district shall keep a log of contacts attempted and made to the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis.

The District shall establish programs, measures, or alternative means and methods to continue student engagement and access to education during a student's period of OSS.

During the period of their suspension, students serving OSS are not permitted on campus except to attend a student/parent/administrator conference or when necessary as part of the District's engagement or access to education program.³

During the period of their suspension, students serving in-school suspension shall not attend or participate in any school-sponsored activities during the imposed suspension.³

Suspensions initiated by the principal or his/her designee may be appealed to the Superintendent, but not to the Board.

Suspensions initiated by the Superintendent may be appealed to the Board.

Tobacco, Electronic Nicotine Delivery Systems, And Related Products (4.23)

1. Smoking or use of tobacco or products containing tobacco in any form (including, but not limited to, cigarettes, cigars, chewing tobacco, and snuff) in or on any real property owned or leased by a District school, including school buses owned or leased by the District, is prohibited. Students who violate this policy may be subject to legal proceedings in addition to student disciplinary measures.

2. Students shall not exhibit tobacco-related gear or paraphernalia.

3. Intensive instructional programs shall be implemented to make students fully aware of the hazards associated with the using of tobacco products.

4. Advertising or marketing of tobacco products is prohibited in school buildings, on school property, at school functions, and in all school publications.

5. With the exception of recognized tobacco cessation products, this policy's prohibition includes any tobacco or nicotine delivery system or product. Specifically, the prohibition includes any product that is manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pips, or under any other name or descriptor.

Weapons and Dangerous Instruments (4.22)

Definitions

"Firearm" means any device designed, made, or adapted to expel a projectile by the action of an explosive or any device readily convertible to that use.

"Possession" means having a weapon on the student's body or in an area under the student's control.

"Weapon" means any:

- Firearm;
- Knife;
- Razor;
- Ice pick;
- Dirk;
- Box cutter;
- Nunchucks;
- Pepper spray, mace, or other noxious spray;
- Explosive;
- Taser or other instrument that uses electrical current to cause neuromuscular incapacitation; or
- Any other instrument or substance capable of causing bodily harm.

No student, except for Military personnel (such as ROTC cadets) acting in the course of their official duties or as otherwise expressly permitted by this policy, shall possess a weapon, display what appears to be a weapon, or threaten to use a weapon before or after school while:

- In a school building;
- On or about school property;
- At any school sponsored activity or event;
- On route to or from school or any school sponsored activity; or
- Off the school grounds at any school bus stop.

If a student discovers prior to any questioning or search by any school personnel that he/she has accidentally brought a weapon, other than a firearm, to school on his/her person, in a book bag/purse, or in his/her vehicle on school grounds, and the student informs the principal or a staff person immediately, the student will not be

considered to be in possession of a weapon unless it is a firearm. The weapon shall be confiscated and held in the office until such time as the student's parent/legal guardian shall pick up the weapon from the school's office. Repeated offenses are unacceptable and shall be grounds for disciplinary action against the student as otherwise provided for in this policy.

Except as permitted in this policy, students found to be in possession on the school campus of a firearm shall be recommended for expulsion for a period of one (1) year. The superintendent shall have the discretion to modify such expulsion recommendation for a student on a case-by-case basis.¹

Parents or legal guardians of students expelled under this policy shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property.² Parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to readmitting the student. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a firearm policy violation shall also be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. The parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

The mandatory expulsion requirement for possession of a firearm does not apply to a firearm brought to school for the purpose of participating in activities approved and authorized by the district that include the use of firearms. Such activities may include ROTC programs; hunting safety or military education; or before or after-school hunting or rifle clubs. Firearms brought to school for such purposes shall be brought to the school employee designated to receive such firearms. The designated employee shall store the firearms in a secure location until they are removed for use in the approved activity.

The district shall report any student who brings a firearm to school to the criminal justice system or juvenile delinquency system by notifying local law enforcement.

Who is Responsible for Student Conduct?

- 1.** Freedom is a constitutional right, but it does not mean the absence of reasonable rules and regulations that serve to guide the actions of individuals. Along with freedom comes the responsibility to act in a way that insures that all participants may enjoy the same freedom. To obtain the greatest possible benefit to the students, teachers, administrators, parents, Board of Education and the entire community, it is essential that all work together to insure that they treat all persons equally and with dignity in respect to their rights and responsibilities.
- 2.** Students have the responsibility to pursue their education in the ORSD in a way that shows respect for other students, faculty members, parents and other citizens. Students should be aware that they have a responsibility to cooperate with and help the school staff in the orderly and efficient conduct of the schools by abiding by rules and regulations established by the Board of Education and the school of attendance, and implemented by teachers and school administrators. Each student is responsible for his own conduct at all times.
- 3.** Parents/guardians should carefully read the pages of this Parents/guardians, this attempt to promote good citizenship and success in life may not succeed and the student will be the one to suffer the consequences of struggling through life without benefit of an education.
- 4.** Arkansas Law 6-17-106 states that any person who shall abuse or insult a public school teacher while that teacher is performing normal and regular or assigned school responsibilities shall be guilty of a misdemeanor and upon conviction be liable for a fine of not less than \$100 nor more than \$1,500.
- 5.** According to Arkansas Law 6-18-511, if a teacher removes a student from class twice during any nine (9) week period, for repeatedly interfering with the teacher's ability to teach by being unruly, disruptive, or abusive, the principal or his designee will request a conference be held for the purposes of determining the causes of the problem, and possible solutions.
- 6.** No unauthorized person (non-student) shall purposely enter or remain unlawfully in a school vehicle or on the school premises.
- 7.** Teachers are responsible for the supervision of the behavior of all the students in the school. This includes not only the students who are regularly assigned to the teacher, but all other students with whom the teacher comes in contact. Each teacher is expected to maintain the kind of atmosphere and decorum that will promote the learning process, and to utilize sound techniques that seem appropriate. These techniques include conferences with students and parents, referral to counselors at the school or referral to other supportive service personnel of the District (nurse, attendance caseworkers, educational examiners, and psychologist). When the teacher is unable to assist the student to maintain proper control of his behavior, the student is to be referred to the appropriate administrator in the school.
- 8.** Administrators of each school will disseminate and explain to all students at the beginning of the school year, and will disseminate to each new student upon registration, the rules and regulations currently in effect for that school. In developing rules, the administrator is expected to involve representatives of the teaching staff, the student body and the patrons of the school. The administrator of each school is responsible for conducting continued in service education for all personnel on a regular basis to interpret and implement established policies. Each principal, or the principal's designee, is authorized to assign students to detention, work detail, community service, probation status, and to suspend or recommend the expulsion of students. The principal is expected to inform the parents or guardians of any student whose behavior is in serious conflict with established laws, rules and procedures.
- 9.** The Superintendent is responsible for exercising leadership in establishing all necessary procedures, rules and regulations to make effective the Board of Education policies relating to standards of student behavior.
- 10.** The Board of Education of the ORSD, acting through the Superintendent, holds all school employees responsible for the supervision of the behavior of students while legally under the supervision of the school. The board expects all employees to be concerned with student behavior and when and where unacceptable behavior occurs to take appropriate action.

Student Discipline Guidelines: K-2nd

1. The teachers of the ORSD are professionals. They are in charge of the campus as well as their classroom. They are allowed to make decisions based on their professional knowledge on all aspects of their duties. If a teacher observes a violation of school rules by any student under the jurisdiction of the school, the teacher's word will be final and action will be taken on that observation according to the student disciplinary policies. The teacher will not be superseded unless the situation warrants and deemed necessary by the administration. Parents may be called in on discipline behavior according to the discretion of the administration.
2. A student may be punished, suspended, or expelled for immorality, refractory conduct, insubordination, infectious disease, or other conduct that would tend to impair the discipline of the school or harm the other pupils, regardless of whether a specific prohibition of the conduct is contained in this student handbook.
3. In disciplining students, the teacher and/or administration may use, but is not limited to, the following list:
 - A. Verbal or Written Warning
 - B. Time-Out
 - C. Constructive Writing
 - D. Detention (Noon and After School)
 - E. Principal's Office Detention/ISS
 - F. Saturday School
 - G. Corporal Punishment
 - H. Out-of-School Suspension (OSS) for an age-appropriate amount of time
 - I. Expulsion
4. In disciplining students in grades K-12th, principals will use the punishment suggested as a guideline. Principals have the authority to alter the punishment.

Activation of Fire Alarm by Student/Bomb Threat

The student may be punished as follows:

1. Consequences: Suspension, expulsion, and/or criminal charges may be filed for turning in a false alarm.
2. LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Alcohol or Illegal Drugs:

A student shall not use or possess alcohol or other illegal drugs (illegal, prescription or over-the-counter) while at school or any school function. If a student is found violating this rule, the student may be punished as follows:

1st Offense: Parent/Teacher/Administrator conference and an age appropriate

2nd Offense: Ten (10) days out-of-school suspension.

3rd Offense: Recommend expulsion.

Level of severity will be considered before punishment is administered.

LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Behavior Not Covered:

The ORSD reserves the right to punish behavior which is subversive to good order and discipline even though such behavior is not specified in the preceding written orders as deemed appropriate by school officials.

Bullying (4.43): (see pg. 54)

A student shall not bully others while in school, on school property, in school vehicles, on school buses, at designated school bus stops, at school sponsored activities, or at school sanctioned events.

1st Offense: Warning by teacher and/or principal/notification to parents, and/or time-out, recess detention, and/or community service.

2nd Offense: Corporal Punishment or principal's office detention/ISS.

3rd Offense: Age-appropriate out-of-school suspension.

4th Offense: Recommend expulsion.

Bus Violation:

All students will be assigned a seat. The student will stay in his/her seat all the way to school and all the way home and on all school activities. Bus drivers may change or reassign a seat for disciplinary reasons. Students will not be allowed to stand except for loading and unloading. All other school rules apply while riding on the bus. For any action that may distract the bus driver, the student may be punished as follows:

1st Offense: Warning and/or Time-out/notification to parents (unless incident is severe)/ISS.

2nd Offense: Corporal punishment and notification to parents.

3rd Offense: Three (3) days suspension of bus riding privileges.

4th Offense: Indefinite loss of riding privileges.

Cheating (Academic Dishonesty):

A student will not cheat on tests or classroom assignments, nor will a student aid other students in cheating on said work. The student may be punished as follows:

1st Offense: Student receives zero on work and parent notification.

2nd Offense: Student receives zero on work and shall conference with Teacher/Parent/Student/Administrator.

Computer Use Violations:

A student shall follow the Student Electronic Device and Internet Use Agreement. Students who violate the signed agreement may be punished as follows:

1st Offense: warning, detention, suspension, computer use rights suspended

2nd Offense: 3 days ISS & limit computer rights for up to 30 days

3rd Offense: 3 days OSS & limit computer rights indefinitely

Destruction of School Property:

No student shall destroy or damage any property of another or that belonging to the school district. The parent/guardian shall be responsible for all damages to property caused by his/her child. The student may be punished as follows:

1. ACCIDENTAL...Consequences: Pay for the damages and notify parents.

2. INTENTIONAL

1st Offense: Corporal Punishment and notification to parents with damage retribution expected.

2nd Offense: Age-appropriate suspension.

3rd Offense: Recommended expulsion.

LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Disorderly Conduct:

A student's behavior shall not impair the discipline of the school or harm others, regardless of whether a specific prohibition of the conduct is contained in this handbook. The student may be punished as follows:

1st Offense: Corporal punishment, One (1) days ISS, or OSS

2nd Offense: Three (3) days ISS

3rd Offense: Three (3) days OSS

4th Offense: Recommend expulsion

LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED

Disrespectful:

Students will not show disrespect for faculty or staff members by shouting or yelling at, threatening, or any other action that can be considered disrespectful. The student may be punished as follows:

1st Offense: Warning by teacher and/or principal/notification to parents, Time-out, recess detention, and/or community service.

2nd Offense: Corporal Punishment or principal's office detention/ISS.

3rd Offense: Age-appropriate out-of-school suspension.

4th Offense: Recommend expulsion.

Distribution of Illegal Drugs:

No student shall destroy or damage any property of another or that belonging to the school district. The parent/guardian shall be responsible for all damages to property caused by his/her child. The student may be punished as follows:

1. Ten (10) days out-of-school suspension and recommended expulsion.
2. LAW ENFORCEMENT AUTHORITIES WILL BE CONTACTED.

Dress Code (4.25):

The school board recognizes that among those rights retained by the people under our constitutional form of government is the freedom to govern one's personal appearance. When, however, dress and grooming disrupt the learning process for the individual student, other students, or the learning climate of the school, it becomes a matter subject to disciplinary action. Student dress, grooming and appearance should be the responsibility of the individual and his and her parents under the following guidelines:

1. Dress and grooming should be clean and in keeping with health and sanitary practices.
2. Students may not wear clothing or hairstyles that can be hazardous to them in their educational activities.
3. Dress and grooming should not disrupt the educational process.
4. A student shall not wear clothing imprinted with profanity or language "mentioning" drugs, alcohol, sex, violence, tobacco, or any saying that could be disruptive to a good learning situation.
5. No sleepwear shall be worn to school except for special events approved by the principal.
6. Students in Grades K thru 2nd can wear regular shorts to school.
7. Sleeveless shirts shall not sag under the arm.
8. All clothing will be worn so as not to expose undergarments.
9. Headgear may be worn in the classroom at the teacher's discretion.
10. Teachers are to enforce these rules strictly at all times. All violators are to be sent to the office with a signed dress code violation form. Cases in question will be decided by administration. Violations will be handled in the following manner:

1st Offense: The student will be given a warning and required to change clothes. The time out of class will be unexcused and a Parent/Teacher/Administrator conference.

2nd Offense: The student will be considered insubordinate and may be given an age appropriate In-School Suspension.

Equal Enforcement of Regulations: The regulations found within the student handbook apply equally without regard to sex, race, or national origin.

Fighting:

When students fight, it may be difficult to determine who is at fault. When a cooling off period is needed, both students may be immediately suspended until an effort to determine fault is made. If a student is found to have initiated the fight, he may or may not be suspended. Alternate punishment may be applied with regard to actual involvement. The student may be punished as follows:

1st Offense: Warning by teacher and/or principal/notification to parents, and/or time-out, recess detention, and/or community service.

2nd Offense: Corporal Punishment or principal's office detention/ISS.

3rd Offense: Age-appropriate out-of-school suspension.

4th Offense: Recommend expulsion.

Severity of fight will be considered before the punishment is administered.

LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Fireworks:

A student shall not use or possess fireworks while at school or at any school function. The student may be punished as follows:

1st Offense: Warning from principal and notification to parents and/or parent conference.

2nd Offense: Age-appropriate suspension and parent's conference.

3rd Offense: Recommend expulsion.

Gambling:

A student shall not gamble while on school property, school buses or at school-sponsored events. The student may be punished as follows:

- 1st Offense:** Warning from principal and notification to parents.
- 2nd Offense:** Age-appropriate suspension and parent conference.
LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Gang Activity:

Any gang related activity as outlined in 4.18 and 4.26 shall result in punishment up to expulsion.

General Conduct, Classroom Misbehavior. And Violation of Classroom Rules:

- 1.** A student will be in class on time and have the materials needed for that class. This means the proper textbook, paper, pencil, and other items designated by the teacher.
- 2.** A student shall not disrupt a class by making unnecessary noise, talking without permission, keeping other students from doing assigned class work, refusing to do assigned class work, sleeping, refusing to keep his/her head up off the desk top, refusing to pay proper attention to the teacher, eating food, or any action that will distract from a learning atmosphere in the classroom. The student may be punished as follows:
 - 1st offense:** A warning from the teacher and/or notification to parents.
 - 2nd offense:** Corporal punishment / detention /ISS/ time-out
 - 3rd offense:** Age-appropriate suspension and conference with parents. More than three (3) offenses will result in additional corporal punishment, out-of-school suspension, or recommend expulsion.

Handicapped Students: In the establishment of these discipline policies, the ORSD recognizes that in the case of diagnosed handicapped students the provisions of Federal Law 94-142, Ark. Act 102, Ark. Act 504, Ark. Law 6-18-507 and the Individuals with Disabilities Education Act (IDEA) policies will prevail. In those cases, required adjustments in the policies will be made in line with the student's handicapping condition as stated on student's Individualized Educational Program (IEP).

Horseplay and Disruption in the hall:

The student may be punished as follows:

- 1st Offense:** Warning from teacher.
- 2nd Offense:** Time out or recess detention.
- 3rd Offense:** Corporal punishment, principal's office detention/ISS and parent notification.

Immoral Conduct/Unlawful Sexual Contact: Students shall not touch other students in a sexually offensive manner. The student may be punished as follows:

- 1st Offense:** Immediate Teacher / Parent / Administrator / Counselor Conference or child sent home until such time said conference can take place.
- 2nd Offense:** 10 day out-of-school suspension.
- 3rd Offense:** Recommend Expulsion.

If deemed necessary by the principal, expulsion could be recommended on first offense.

Inappropriate Contact between Children:

The student may be punished as follows:

- 1st Offense:** Warning and parents notified.
- 2nd Offense:** Time out and counseling as needed.
- 3rd Offense:** Parent conference before student may return to school. Severe violations may result in days of out-of-school suspension, or recommend expulsion.

Indecent Exposure:

Students shall not expose their sex organs and/or any private body parts in a public place or in public view or under circumstances knowing the conduct is likely to cause affront or alarm. The student may be punished as follows:

- 1st Offense:** Immediate Teacher / Parent / Administrator / Counselor Conference or child sent

home until such time said conference can take place.

2nd Offense: Age-appropriate suspension.

3rd Offense: Recommend Expulsion.

If deemed necessary by the principal, expulsion could be recommended on first offense.

Insubordination (Disobeying): A student will not disregard a direction or command from a faculty or staff member. If a student is observed violating a direction or command (insubordinate), the student may be punished as follows:

1st Offense: Warning by teacher and/or principal/notification to parents, and/or time-out, recess detention, and/or community service.

2nd Offense: Corporal Punishment or principal's office detention/ISS.

3rd Offense: Age-appropriate out-of-school suspension.

4th Offense: Recommend expulsion.

Littering:

Throwing objects or items that will clutter the campus or the ground or other areas rather than in a designated trash receptacle is considered littering. The student may be punished as follows:

1st Offense: Required to pick up debris on campus for one recess.

2nd Offense: Corporal Punishment or principal's office detention/ISS.

Lying to Faculty/Staff Members:

Lying to members of the faculty/staff will not be tolerated. In the event a student is being questioned concerning his/her involvement in a situation meriting disciplinary action, the student will receive additional disciplinary action for lying. Lying is considered a separate offense. The student may be punished as follows:

1st Offense: Warning by teacher and/or principal/notification to parents.

2nd Offense: Time-out, recess detention, and/or community service.

3rd Offense: Corporal Punishment or principal's office detention/ISS.

4th Offense: Age-appropriate out-of-school suspension.

Non-Educational Items Brought to School by Students:

Students may not bring items to school such as toys, radios, Walkman, video games, remote control cars, sports equipment, trading cards, pagers, walkie-talkie, etc. that are deemed non-educational and distract from the learning environment. The student may be punished as follows:

1st Offense: Items confiscated and kept until the end of the day and returned to student to be taken home and not brought back to school.

2nd Offense: Items confiscated and returned only to parent at parent conference.

3rd Offense: Items confiscated and returned to parent at the end of the semester.

Obscene Materials:

A student shall not have in his/her possession or distribute obscene materials while at school. Obscene by definition: being anything that is sexually oriented, immoral, or lewd. The student may be punished as follows:

1st Offense: Warning by teacher and/or principal and parent notification.

2nd Offense: Time-out, recess detention, and/or community service.

3rd Offense: Corporal Punishment or principal's office detention/ISS.

4th Offense: Age-appropriate out-of-school suspension.

5th Offense: Recommend expulsion.

Other Dangerous Items:

Students will not bring to school or have in their possession items such as lighters, b-bs, laser pointers, rubber bands, sling shots or blow guns, water guns, and any other items that can be used to aggravate or harass another person. The student may be punished as follows: Items will be confiscated and kept in the office until a parent can obtain them.

1st Offense: Items confiscated and parent notification.

2nd Offense: Items confiscated and corporal punishment or principal's office detention/ISS.

3rd Offense: Items confiscated and age-appropriate suspension.

Other Non-Educational Items Brought to School by Students--Cellular (Cell) Phones.

Cell phones will be allowed at school under the following guidelines:

1. They may be used before school begins and after school ends.
2. During all class time including time between classes, cell phones must be put away out of sight and turned off. Use of cell phones during class may constitute cheating.
3. If cell phones are visible, activates (rings), or are used during non-test class time, the following punishment may be used:
 - 1st **Offense:** Cell phone is confiscated and returned to the student at the end of the day and a letter to the parents or guardians explaining the incident and subsequent offenses.
 - 2nd **Offense:** Cell phone is confiscated and returned to the parent.
 - 3rd **Offense:** Cell phone is confiscated and returned to the parent; ISS may be assigned.
 - 4th **Offense:** Cell phone is confiscated and returned to the parent and corporal punishment or suspension. Cell phone privilege at school shall be revoked for this student.
4. Cell phones are strictly prohibited during any testing. If cell phones activate (rings) while they are "put away," punishment will follow 5.51, 3, a – d. If cell phones are visible or are used during test class time, the following punishment shall be used:
 - A. Cell phone is confiscated and returned to the parent or guardian.
 - B. Cell phone privilege at school shall be revoked for this student.
 - C. Student may be suspended.

Possession or Use of Prohibited Weapon:

1. A student shall not possess, handle, or transmit a knife of any size or description. Other items prohibited may include, but not limited to, the following: razor, ice pick, explosive, pistol, shotgun, rifle, pellet gun, or any other object that reasonably can be considered a weapon, or dangerous instrument or any contraband materials.
2. Guns will be considered as a dangerous weapon, whether assembled or unassembled. Pursuant to Ark. Law 6-18-507, any student bringing weapons to school will be expelled for a period of not less than one year for possession of any firearm or other weapon prohibited upon school campus by law; however, the superintendent shall have discretion to modify such expulsion requirements for a student on a case-by-case basis.
3. Depending upon the severity of the offense and the intent of the action, the student may be punished as follows:
 - A. Disciplinary conference, corporal punishment, ISS, OSS, or expulsion.
 - B. LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Sexual Harassment:

Sexual harassment as outlined in policy 4.27 shall result in punishment up to expulsion.

Stealing/Theft:

A student shall not take or have in their possession any item or article that rightfully belongs to another person. The student may be punished as follows: Consequences: Property returned in the same condition or payment of the item(s) stolen and/or:

- 1st **Offense:** Warning by teacher and/or principal/notification to parents.
- 2nd **Offense:** Time-out, recess detention, and/or community service.
- 3rd **Offense:** Corporal Punishment or principal's office detention/ISS.
- 4th **Offense:** Age-appropriate out-of-school suspension and parent conference.
- 5th **Offense:** Recommend expulsion.
LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Student Assault or Battery/Terroristic Threatening: (4.21) (see pg. 62)

A student shall not threaten harm or make physical contact with another student. The student will be subject to disciplinary action up to and including expulsion.

Truancy:

1. Students absent from class without permission whether on or off campus. A student leaving campus without signing out is also considered truant.
2. A student shall not be absent from school without parent or school authorities' prior knowledge and consent. After arrival on campus, a student absent from his classroom or other assigned learning station without permission from school authorities will be considered as truant.
3. Each truancy will be treated as an unexcused absence. Students found to be truant will not be allowed to make up tests and assignments.
4. The student may be punished as follows: Parents will be notified and the day will be considered as an unexcused absence. Severity may result in parent conference, out of school suspension, or possible expulsion.

Unacceptable Language:

A student shall not use profanity, obscene gestures, and/or vulgar language at any time for any reason. The student may be punished as follows:

- 1st **Offense:** Warning by teacher and/or principal and parent notification.
- 2nd **Offense:** Time-out, recess detention, and/or community service.
- 3rd **Offense:** Corporal Punishment or principal's office detention/ISS.
- 4th **Offense:** Age-appropriate out-of-school suspension.
- 5th **Offense:** Recommend expulsion.

Unexcused Tardiness:

Students will arrive at class on time. All students tardy to class must have an excuse before being admitted to any classroom. For any unexcused tardy, the student may be punished as follows:

1. Students who arrive after the 8:00 bell will be considered tardy.

Use/possession of Tobacco Products including e-cigarettes:

(Products can be returned to parents only and may be obtained in the office.) The student may be punished as follows:

- 1st **Offense:** Warning from principal and parents must attend a conference before the student will be allowed to return to school.
- 2nd **Offense:** Age-appropriate suspension and parent conference.

Student Discipline Guidelines: 3rd-6th

1. A student may be punished, suspended, or expelled for immorality, refractory conduct, insubordination, infectious disease, or other conduct that would tend to impair the discipline of the school or harm the other pupils, regardless of whether a specific prohibition of the conduct is contained in this student handbook.
2. In disciplining students, the teacher and/or administration may use, but is not limited to, the following list:
 - A. Verbal or Written Warning
 - B. Time-Out
 - C. Constructive Writing
 - D. Detention (Noon and After School)
 - E. In-School-Suspension (ISS)
 - F. Saturday School
 - G. Corporal Punishment
 - H. Out-of-School Suspension (OSS) for an age-appropriate amount of time
 - I. Expulsion

Activation of Fire Alarm by Student/Bomb Threat:

The student may be punished as follows:

1. Consequences: Suspension, expulsion, and/or criminal charges may be filed for turning in a false alarm.
2. LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED

Alcohol or Illegal Drugs:

A student shall not use or possess alcohol or other illegal drugs (illegal, prescription or over-the-counter) while at school or any school function. If a student is found violating this rule, the student may be punished as follows:

1st Offense: 10 days out-of-school suspension/parent conference.

2nd Offense: Recommend Expulsion.

LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Behavior Not Covered:

The ORSD reserves the right to punish behavior which is subversive to good order and discipline even though such behavior is not specified in the preceding written orders as deemed appropriate by school officials.

Bullying (4.43) (see pg.54):

A student shall not bully others while in school, on school property, in school vehicles, on school buses, at designated school bus stops, at school sponsored activities, or at school sanctioned events.

1st Offense: Corporal punishment or 1 day of ISS/notification to parents.

2nd Offense: 2 days of ISS.

3rd Offense: 4 days of ISS.

4th Offense: 3 days of out-of-school suspension.

5th Offense: Recommend expulsion.

Academic Dishonesty:

A student will not cheat on tests or classroom assignments, nor will a student aid other students in cheating on said work. The student may be punished as follows:

1st Offense: Student receives zero on work and parent notification.

2nd Offense: 2 days ISS, student receives zero on work and parent notification.

3rd Offense: 5 days ISS, student receives zero on work and

Teacher / Parent / Student / Administrator Conference.

Bus Violation:

All students will be assigned a seat. The student will stay in his/her seat all the way to school and all the way home and on all school activities. Bus drivers may change or reassign a seat for disciplinary reasons. Students will not be allowed to stand except for loading and unloading. All other school rules apply while riding on the bus. For any action that may distract the bus driver, the student may be punished as follows:

1st Offense: Corporal punishment or 1 day ISS and parent notification.

2nd Offense: 2 days of ISS.

3rd Offense: 5 days of suspension of bus riding privileges.

4th Offense: Indefinite loss of riding privileges.

Computer Use Violations:

A student shall follow the Student Electronic Device and Internet Use Agreement. Students who violate the signed agreement may be punished as follows:

1st Offense: warning, detention, suspension, limit computer rights

2nd Offense: 3 days ISS & limit computer rights for up to 30 days

3rd Offense: 3 days OSS & limit computer rights indefinitely

Destruction of School Property:

No student shall destroy or damage any property of another or that belonging to the school district. The parent/guardian shall be responsible for all damages to property caused by his/her child. The student may be punished as follows:

1. ACCIDENTAL...Consequences: Pay for the damages and notify parents.

2. INTENTIONAL

1st Offense: Corporal Punishment or 1 day ISS and notification to parents with damage retribution expected.

2nd Offense: 3 days of out-of-school suspension.

3rd Offense: Recommended Expulsion.

LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Disorderly Conduct:

A student's behavior shall not impair the discipline of the school or harm others, regardless of whether a specific prohibition of the conduct is contained in this handbook. The student may be punished as follows:

1st Offense: Corporal punishment, One (1) days ISS, or OSS

2nd Offense: Three (3) days ISS

3rd Offense: Three (3) days OSS

4th Offense: Recommend expulsion

LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Disrespect to Faculty or Staff Members:

Students will not show disrespect for faculty or staff members by shouting or yelling at, threatening, or any other action that can be considered disrespectful. The student may be punished as follows:

1st Offense: Warning, corporal punishment or 1 day ISS and parent notification.

2nd Offense: 2 days of ISS and parent conference.

3rd Offense: 3 days of out-of-school suspension.

4th Offense: Recommend expulsion.

Severity may result in additional days of ISS, automatic suspension, or expulsion.

Distribution of Illegal Drugs:

No student shall destroy or damage any property of another or that belonging to the school district. The parent/guardian shall be responsible for all damages to property caused by his/her child. The student may be punished as follows:

1. Ten (10) days out-of-school suspension and recommended expulsion.

2. LAW ENFORCEMENT AUTHORITIES WILL BE CONTACTED.

Dress Code (4.25):

The school board recognizes that among those rights retained by the people under our constitutional form of government is the freedom to govern one's personal appearance. When, however, dress and grooming disrupt the learning process for the individual student, other students, or the learning climate of the school, it becomes a matter subject to disciplinary action. Student dress, grooming and appearance should be the responsibility of the individual and his and her parents under the following guidelines:

1. Dress and grooming should be clean and in keeping with health and sanitary practices.

2. Students may not wear clothing or hairstyles that can be hazardous to them in their educational activities such as shop, lab work, physical education, art or on-the-job training.

3. Dress and grooming should not disrupt the educational process. All students shall wear clothing that covers the midriff.

4. A student shall not wear clothing imprinted with profanity or language "mentioning" drugs, alcohol, sex, violence, tobacco, or any saying that could be disruptive to a good learning situation.

5. No sleepwear shall be worn to school except for special events approved by the principal.

6. No "Yoga pants," tights, or other thin, form-fitting pants shall be worn without being covered by dress, skirt, or shorts that meet current code.

7. Shorts, skirts, dresses, and holes in clothing are to reach at least to the tip of the middle finger of the student while standing with their hands to their sides. (No spandex shorts or cut-offs.)

8. Sleeveless shirts shall not sag under the arm.

9. All clothing will be worn so as not to expose undergarments.

10. Blouses or shirts with thin or "Spaghetti" straps shall not be worn unless an opaque blouse or shirt is worn over or under the shirt at all times.

11. Headgear may be worn in the classroom at the teacher's discretion.

12. Teachers are to enforce these rules strictly at all times. All violators are to be sent to the office with a signed dress code violation form. Cases in question will be decided by administration. Violations will be handled in the following manner:

1st Offense: The student will be given a warning and required to change clothes. The time out of

class will be unexcused. A letter to notify parents of the violation will be sent home.

2nd Offense: The student will be considered insubordinate and may be given Corporal punishment, three (3) days ISS, or OSS.

3rd Offense: Five (5) days ISS.

4th Offense: Five (5) days OSS.

5th Offense: Recommend expulsion.

Equal Enforcement of Regulations:

The regulations found within this handbook apply equally without regard to sex, race, or national origin.

Fighting:

When students fight, it may be difficult to determine who is at fault. When a cooling off period is needed, both students may be immediately suspended until an effort to determine fault is made. If a student is found to have initiated the fight, he may or may not be suspended. Alternate punishment may be applied with regard to actual involvement. The student may be punished as follows:

1st Offense: Corporal punishment or 1 day of I.S.S./notification to parents.

2nd Offense: 2 days of ISS.

3rd Offense: 4 days of ISS.

4th Offense: 3 days of out-of-school suspension.

5th Offense: Recommend expulsion.

Severity of fight will be considered before the punishment is administered.

LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Fireworks:

A student shall not use or possess fireworks while at school or at any school function. The student may be punished as follows:

1st Offense: Corporal punishment or 1 day ISS/notification to parents.

2nd Offense: 2 days ISS.

3rd Offense: 3 days of out-of-school suspension and parent conference.

4th Offense: Recommend Expulsion.

Gambling:

A student shall not gamble while on school property, school buses or at school-sponsored events. The student may be punished as follows:

1st Offense: Corporal punishment or 1 day ISS and notification to parents.

2nd Offense: 3 days of out-of-school suspension.

3rd Offense: Recommend Expulsion.

LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Gang Activity:

Any gang related activity as outlined in section 4.26 shall result in punishment up to expulsion.

General Conduct, Classroom Misbehavior, and Violation of Classroom Rules:

A student will be in class on time and have the materials needed for that class.

1. This means the proper textbook, paper, pencil, and other items designated by the teacher.
2. A student shall not disrupt a class by making unnecessary noise, talking without permission, keeping other students from doing assigned class work, refusing to do assigned class work, sleeping, refusing to keep his/her head up off the desk top, refusing to pay proper attention to the teacher, eating food, or any action that will distract from a learning atmosphere in the classroom. The student may be punished as follows:

1st offense: Warning/conference, corporal punishment, detention, or ISS.

2nd offense: Corporal punishment, detention, or ISS.

3rd offense: Three (3) days ISS or OSS.

More than three (3) offenses will result in additional corporal punishment, ISS, out-of-school suspension, or recommend expulsion.

Handicapped Students:

In the establishment of these discipline policies, the ORSD recognizes that in the case of diagnosed handicapped students the provisions of Federal Law 94-142, Ark. Act 102, Ark. Act 504, Ark. Law 6-18-507 and the Individuals with Disabilities Education Act (IDEA) policies will prevail. In those cases, required adjustments in the policies will be made in line with the student's handicapping condition as stated on student's Individualized Educational Program (IEP).

Horseplay or Disruption in the Hall:

The student may be punished as follows:

- 1st Offense:** Warning from teacher.
- 2nd Offense:** Corporal punishment or 1 day of ISS/parent notification.
- 3rd Offense:** 2 days of ISS.
- 4th Offense:** 3 days of out-of-school suspension and conference with parent.
- 5th Offense:** Recommend Expulsion.

Immoral Conduct/Unlawful Sexual Contact: Students shall not touch other students in a sexually offensive manner. The student may be punished as follows:

- 1st Offense:** Immediate Teacher / Parent / Administrator / Counselor Conference or child sent home until such time said conference can take place.
 - 2nd Offense:** 10 days of out-of-school suspension.
 - 3rd Offense:** Recommend Expulsion.
- If deemed necessary by the principal expulsion could be recommended on first offense.

Inappropriate Contact Between Children:

The student may be punished as follows:

- 1st Offense:** Warning, corporal punishment or 1 day ISS and referral to school counselor/parent conference.
 - 2nd Offense:** 2 days of ISS and parent conference before student may return to school.
 - 3rd Offense:** 3 days of out-of-school suspension.
 - 4th Offense:** Recommend Expulsion.
- Severe violations may result in immediate days of out-of-school suspension, or recommend expulsion.

Indecent Exposure:

Students shall not expose their sex organs and/or any private body parts in a public place or in public view or under circumstances knowing the conduct is likely to cause affront or alarm.

The student may be punished as follows:

- 1st Offense:** Immediate Teacher / Parent / Administrator / Counselor Conference or child sent home until such time said conference can take place.
 - 2nd Offense:** 10 days out-of-school suspension.
 - 3rd Offense:** Recommend Expulsion.
- If deemed necessary by the principal, expulsion could be recommended on first offense.

Insubordination (Disobeying): A student will not disregard a direction or command from a faculty or staff member. If a student is observed violating a direction or command (insubordinate), the student may be punished as follows:

- 1st Offense:** Warning by teacher and/or principal/notification to parents.
- 2nd Offense:** Corporal punishment or 1 day ISS and parent notification.
- 3rd Offense:** 2 days of ISS and parent conference.
- 4th Offense:** 3 days of out-of-school suspension.
- 5th Offense:** Recommend expulsion.

Littering:

Throwing objects, or items that will clutter the campus or the ground or other areas rather than in a designated trash receptacle is considered littering. The student may be punished as follows:

- 1st Offense:** Required to pick up debris on campus at noon recess.
2nd Offense: Corporal Punishment or 1 day of ISS.

Lying To Faculty/Staff Members:

Lying to members of the faculty/staff will not be tolerated. In the event a student is being questioned concerning his/her involvement in a situation meriting disciplinary action, the student will receive additional disciplinary action for lying. Lying is considered a separate offense. The student may be punished as follows:

- 1st Offense:** Warning by teacher and/or principal & notification to parents.
2nd Offense: Corporal punishment or 1 day of ISS.
3rd Offense: 2 days ISS.
4th Offense: 3 days of out-of-school suspension.

Non-Educational Items Brought to School by Students:

Students may not bring items to school such as toys, radios, walk-man, video games, remote control cars, sports equipment, trading cards, pagers, walkie-talkie, etc. that are deemed non-educational and distract from the learning environment. The student may be punished as follows:

- 1st Offense:** Items confiscated and kept until the end of the day and returned to student to be taken home and not brought back to school.
2nd Offense: Items confiscated and returned only to parent at parent conference.
3rd Offense: Items confiscated and returned to parent at the end of the semester.

Obscene Materials:

A student shall not have in his/her possession or distribute obscene materials while at school. Obscene by definition: being anything that is sexually oriented, immoral, or lewd. The student may be punished as follows:

- 1st Offense:** Corporal punishment or 1 day ISS/parent conference.
2nd Offense: 2 days ISS and parent conference.
3rd Offense: 3 days of out-of-school suspension and parent conference.
4th Offense: Recommend Expulsion.

Other Dangerous Items:

Students will not bring to school or have in their possession items such as lighters, b-b's, laser pointers, rubber bands, sling shots or blow guns, water guns, and any other items that can be used to aggravate or harass another person. Items will be confiscated and kept in the office until a parent can obtain them. The student may be punished as follows:

- 1st Offense:** Items confiscated, corporal punishment or 1 day ISS and parent notification.
2nd Offense: Items confiscated and 2 days ISS.
3rd Offense: Items confiscated and 3 days of out-of-school suspension.
4th Offense: Recommend Expulsion.

Other Non-Educational Items Brought to School by Students--Cellular (Cell) Phones:

Cell phones will be allowed at school under the following guidelines:

1. They may be used before 7:45a.m, and after 3:10 p.m.
2. During all class time including time between classes, cell phones must be put away out of sight and turned off. Use of cell phones during class may constitute cheating.
3. If cell phones are visible, activates (rings), or are used during non-test class time, the following punishment may be used:
1st Offense: Cell phone is confiscated and returned to the student after the last bell and a letter to the parents or guardians explaining the incident and subsequent offenses.
2nd Offense: Cell phone is confiscated and returned to the parent and 1 day of ISS.
3rd Offense: Cell phone is confiscated and returned to the parent and 3 days of ISS and privilege revoked.
4. **Cell phones are strictly prohibited during any testing, including State Testing.** If cell phones activate (rings) while they are "put away," punishment will follow. If cell phones are visible or used during test or class time, the following punishment shall be used:

- A. Cell phone is confiscated and returned to the parent or guardian and...
- B. Cell phone privilege at school shall be revoked for this student. Student may be suspended.

Possession or use of Prohibited Weapon:

Depending upon the severity of the offense and the intent of the action, the student may be punished as follows:

1. Disciplinary conference, corporal punishment, ISS, OSS, or expulsion.
2. LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Possession or Use of Tobacco Products including e-cigarettes:

(Products can be returned to parents only and may be obtained in the office.) The student may be punished as follows:

- 1st **Offense:** Corporal punishment or 1 day ISS/parent notification.
- 2nd **Offense:** 3 days of ISS.
- 3rd **Offense:** 5 days of out-of-school suspension.
- 4th **Offense:** Out of school suspension or Recommend Expulsion.

Public Display of Affection:

The student may be punished as follows:

- 1st **Offense:** Warning.
- 2nd **Offense:** One (1) day I.S.S. and parent conference.
- 3rd **Offense:** Three (3) days I.S.S. and parent conference.

Severe violations may result in additional days of I.S.S., out-of-school suspension, or recommended expulsion.

Sexual Harassment:

Sexual harassment as outlined in policy 4.27 shall result in punishment up to expulsion.

Stealing/Theft:

A student shall not take or have in their possession any item or article that rightfully belongs to another person. The student may be punished as follows: Property returned in the same condition or payment of the item(s) stolen and/or:

- 1st **Offense:** Corporal punishment or 1 day ISS/notification to parents.
- 2nd **Offense:** 2 days ISS.
- 3rd **Offense:** 3 days of out-of-school suspension and parent conference.
- 4th **Offense:** Recommend Expulsion.

LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Student Assault or Battery/Terroristic Threatening: (4.21) (see pg. 62)

A student shall not threaten harm or make physical contact with another student. The student will be subject to disciplinary action up to and including expulsion.

Truancy:

Students absent from class without permission whether on or off campus. A student leaving campus without signing out is also considered truant. The student may be punished as follows:

- 1st **offense:** Warning/conference, corporal punishment, detention, or ISS.
- 2nd **offense:** Corporal punishment, detention, or ISS.
- 3rd **offense:** Three (3) days ISS.

More than three (3) offenses will result in additional corporal punishment, ISS, or recommend expulsion.

Unacceptable Language:

A student shall not use profanity, obscene gestures, and/or vulgar language at any time for any reason. The student may be punished as follows:

- 1st **Offense:** Warning by teacher and/or principal and parent notification.

- 2nd Offense:** Corporal punishment or 1 day ISS and parent contacted.
- 3rd Offense:** 2 days ISS and parent conference.
- 4th Offense:** 3 days of out-of-school suspension.
- 5th Offense:** Recommend Expulsion.

Unexcused Tardies:

Students will arrive at class on time. All students tardy to class must have an excuse before being admitted to any classroom.

- 1. Students who arrive after the first bell will be considered as tardy.
- 2. Students who leave before the last bell will be considered as not completing the school day and will be counted like a tardy.

Any unexcused tardy, the student may be punished as follows:

- 1st Offense:** Warning
- 2nd Offense:** Warning
- 3rd Offense:** Referral/ Parents Notified
- 4th Offense:** ISS or Corporal Punishment
- 5th Offense:** ISS or Corporal Punishment
- 6th and Additional Offenses:** ISS, Corporal Punishment, After School Detention or Saturday Detention

Student Discipline Guidelines: 7th - 12th

- 1. A student may be punished, suspended, or expelled for immorality, refractory conduct, insubordination, infectious disease, or other conduct that would tend to impair the discipline of the school or harm the other pupils, regardless of whether a specific prohibition of the conduct is contained in this student handbook.
- 2. In disciplining students, the teacher and/or administration may use, but is not limited to, the following list:
 - A. Verbal or Written Warning
 - B. Time-Out
 - C. Constructive Writing
 - D. Detention (Noon and After School)
 - E. In-School-Suspension (ISS)
 - F. Saturday School
 - G. Corporal Punishment
 - H. Out-of-School Suspension (OSS) for an age-appropriate amount of time
 - I. Expulsion

Academic Dishonesty:

A student will not cheat on tests or classroom assignments, nor will a student aid other students in cheating on said work. The student may be punished as follows:

- 1st Offense:** Student receives zero on work and parent notification.
- 2nd Offense:** 3 days ISS, student receives zero on work and parent notification.
- 3rd Offense:** 5 days ISS, student receives zero on work and

Teacher/Parent/Student/Administrator Conference.

Activation of Fire Alarm by Student/Bomb Threat:

The student may be punished as follows:

- 1. Consequences: Suspension, expulsion, and/or criminal charges may be filed for turning in a false alarm.
- 2. LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED

Alcohol or Illegal Drugs:

A student shall not use or possess alcohol or other illegal drugs (illegal, prescription or over-the-counter) while at school or any school function. If a student is found violating this rule, the student may be punished as follows:

- 1st Offense:** Ten (10) days out-of-school suspension.

2nd Offense: Recommend expulsion.
LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Behavior Not Covered:

The ORSD reserves the right to punish behavior which is subversive to good order and discipline even though such behavior is not specified in the preceding written orders as deemed appropriate by school officials.

Bullying (4.43) (see pg.54):

A student shall not bully others while in school, on school property, in school vehicles, on school buses, at designated school bus stops, at school sponsored activities, or at school sanctioned events. Any person or persons who file a complaint will not be subject to retaliation or reprisal in any form.

The student may be punished as follows:

- 1st Offense:** 3 days of ISS.
- 2nd Offense:** 5 days OSS.
- 3rd Offense:** 10 days OSS / recommend expulsion.

Bus Violation:

All students will be assigned a seat. The student will stay in his/her seat all the way to school and all the way home and on all school activities. Bus drivers may change or reassign a seat for disciplinary reasons. Students will not be allowed to stand except for loading and unloading. All other school rules apply while riding on the bus. Any action that may distract the bus driver, the student may be punished as follows:

- 1st Offense:** Corporal punishment and/or three (3) days ISS and/or loss of riding privilege.
- 2nd Offense:** Five (5) days off the bus and three (3) days ISS.
- 3rd Offense:** Three (3) days OSS and indefinite loss of riding privilege as determined by principal.

Computer Use Violations:

A student shall follow the Student Electronic Device and Internet Use Agreement. Students who violate the signed agreement may be punished as follows:

- 1st Offense:** warning, detention, suspension, limit computer rights
- 2nd Offense:** 3 days ISS & limit computer rights for up to 30 days
- 3rd Offense:** 3 days OSS & limit computer rights indefinitely

Destruction of School Property:

No student shall destroy or damage any property of another or that belonging to the school district. The parent/guardian shall be responsible for all damages to property caused by his/her child. The student may be punished as follows:

1. ACCIDENTAL...Consequences: Pay for the damages and notify parents.
 2. INTENTIONAL
 - 1st offense:** Three (3) days ISS and parents of the students will be required to pay for repair or replacement of property damaged.
 - 2nd Offense:** Five (5) days out-of-school suspension and parents of the students will be required to pay for repair or replacement of property damaged.
 - 3rd Offense:** Ten (10) days out-of-school suspension and parents of the students will be required to pay for repair or replacement of property damaged.
- LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Disorderly Conduct:

A student's behavior shall not impair the discipline of the school or harm others, regardless of whether a specific prohibition of the conduct is contained in this handbook. The student may be punished as follows:

- 1st Offense:** Corporal punishment, three (3) days ISS, or OSS
- 2nd Offense:** Five (5) days ISS
- 3rd Offense:** Five (5) days OSS
- 4th Offense:** Recommend expulsion

LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED

Disrespect to Faculty or Staff Members:

Students will not show disrespect for faculty or staff members by shouting or yelling at, threatening, or any other action that can be considered disrespectful. The student may be punished as follows:

1st Offense: Corporal punishment, three (3) days ISS, or OSS.

2nd Offense: Five (5) days ISS.

3rd Offense: Five (5) days OSS.

4th Offense: Recommend expulsion.

Severity may result in additional days of ISS, automatic suspension, or expulsion.

Distribution of Illegal Drugs:

A student shall not distribute illegal drugs.

The student may be punished as follows:

1. Ten (10) days out-of-school suspension and recommended expulsion.

LAW ENFORCEMENT AUTHORITIES WILL BE CONTACTED.

Dress Code (4.25):

The school board recognizes that among those rights retained by the people under our constitutional form of government is the freedom to govern one's personal appearance. When, however, dress and grooming disrupt the learning process for the individual student, other students, or the learning climate of the school, it becomes a matter subject to disciplinary action. Student dress, grooming and appearance should be the responsibility of the individual and his and her parents under the following guidelines:

- 1.** Dress and grooming should be clean and in keeping with health and sanitary practices.
- 2.** Students may not wear clothing or hairstyles that can be hazardous to them in their educational activities such as shop, lab work, physical education, art or on-the-job training.
- 3.** Dress and grooming should not disrupt the educational process.
- 4.** A student shall not wear clothing imprinted with profanity or language "mentioning" drugs, alcohol, sex, violence, tobacco, or any saying that could be disruptive to a good learning situation.
- 5.** No sleepwear shall be worn to school except for special events approved by the principal.
- 6.** No "Yoga pants," tights, or other thin, form-fitting pants shall be worn without being covered by dress, skirt, or shorts that meet current code.
- 7.** Shorts, skirts, dresses, and holes in clothing are to reach at least to the tip of the middle finger of the student while standing with their hands to their sides.
- 8.** Sleeveless shirts shall not sag under the arm.
- 9.** All clothing will be worn so as not to expose undergarments, midriffs, buttocks, or breasts.
- 10.** Headgear may be worn in the classroom at the teacher's discretion.
- 11.** Teachers are to enforce these rules strictly at all times. All violators are to be sent to the office with a signed dress code violation form. Cases in question will be decided by administration. Violations will be handled in the following manner:

1st Offense: The student will be given a warning and required to change clothes. The time out of class will be unexcused. A letter to notify parents of the violation will be sent home.

2nd Offense: The student will be considered insubordinate and may be given Corporal punishment, three (3) days ISS, or OSS.

3rd Offense: Five (5) days ISS.

4th Offense: Five (5) days OSS.

5th Offense: Recommend expulsion.

Driving Vehicles:

A student that is a licensed driver, will drive carefully, park in designated area, and get out of the vehicle until the school day is over unless accompanied by a staff or faculty member. Violators may be punished as follows:

1st Offense: Parent conference required before student is allowed to drive again on campus and/or loss of driving privilege.

2nd Offense: Three (3) days ISS and loss of driving on campus for length of time determined by the principal.

3rd Offense: Three (3) days out-of-school suspension and loss of driving privilege for the

remainder of the school year.

Severe cases may result in any combination of the following: immediate and permanent loss of driving privilege, additional days of ISS or OSS.

Fighting:

When students fight, it may be difficult to determine who is at fault. When a cooling off period is needed, both students may be immediately suspended until an effort to determine fault is made. If a student is found to have initiated the fight, he may or may not be suspended. Alternate punishment may be applied with regard to actual involvement. The student may be punished as follows:

1st Offense: ISS, corporal punishment, or OSS.

2nd Offense: Three (3) days OSS.

3rd Offense: Five (5) days OSS.

4th Offense: Recommend expulsion.

LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Severity of fight will be considered before the punishment is administered.

Fireworks:

A student shall not use or possess fireworks while at school or at any school function. The student may be punished as follows:

1st Offense: Possession - Five (5) days ISS; Use - Five (5) days OSS.

2nd Offense: Possession - Five (5) days OSS; Use - Ten (10) days OSS.

3rd Offense: Recommend expulsion.

Gambling:

A student shall not participate in any activity which may be termed gambling or wagering where the stakes are money or are any other object(s) of value. The student may be punished as follows:

1st Offense: ISS, corporal punishment, or OSS.

2nd Offense: Three (3) days out-of-school suspension.

3rd Offense: Ten (10) days out-of-school suspension.

LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Gang Activity:

Any gang related activity as outlined in section 4.26 shall result in punishment up to expulsion.

General Conduct, Classroom Misbehavior, and Violation of Classroom Rules:

A student will be in class on time and have the materials needed for that class.

1. This means the proper textbook, paper, pencil, and other items designated by the teacher.
2. A student shall not disrupt a class by making unnecessary noise, talking without permission, keeping other students from doing assigned class work, refusing to do assigned class work, sleeping, refusing to keep his/her head up off the desk top, refusing to pay proper attention to the teacher, eating food, or any action that will distract from a learning atmosphere in the classroom. The student may be punished as follows:

1st offense: Warning/conference, corporal punishment, detention, or ISS.

2nd offense: Corporal punishment, detention, or ISS.

3rd offense: Three (3) days ISS or OSS.

More than three (3) offenses will result in additional corporal punishment, ISS, out-of-school suspension, or recommend expulsion.

Horseplay or Disruption in the Hall:

The student may be punished as follows:

1st Offense: Warning and/or corporal punishment

2nd Offense: Three (3) days I.S.S.

3rd Offense: Five (5) days I.S.S.

4th Offense: Three days out-of-school suspension.

Immoral Conduct/Unlawful Sexual Conduct:

The student may be punished as follows:

1st Offense: Ten (10) days suspension.

2nd Offense: Recommend Expulsion.

If deemed necessary by the principal expulsion could be recommended on first offense.

Insubordination (Disobeying): A student will not disregard a direction or command from a faculty or staff member. If a student is observed violating a direction or command (insubordinate), the student may be punished as follows:

1st Offense: Corporal punishment, three (3) days ISS, or OSS.

2nd Offense: Five (5) days ISS.

3rd Offense: Five (5) days OSS.

4th Offense: Recommend expulsion.

Littering:

Throwing objects, or items that will clutter the campus or the ground or other areas rather than in a designated trash receptacle is considered littering. The student may be punished as follows:

1st Offense: Required to pick up debris on campus for one noon period (after eating lunch).

2nd Offense: Corporal punishment.

Lockers:

Students should keep lockers provided by the school locked at all times. Students are responsible for lost or stolen articles in their lockers.

1. Students keep their lockers secured at all times and not give friends their combination.
2. Don't try to hide or conceal anything in your locker that you wouldn't want your parents to find at home or anything that violates school policy.
3. Lockers will be assigned to the students by the school. Students are not to change lockers without permission from the principal's office.

Lying to Faculty/Staff Members:

Lying to members of the faculty/staff will not be tolerated. In the event a student is being questioned concerning his/her involvement in a situation meriting disciplinary action, the student will receive additional disciplinary action for lying. Lying is considered a separate offense. The student may be punished as follows: Disciplinary conference, corporal punishment, ISS, or out-of-school suspension.

Non-Educational Items Brought to School by Students:

Students may not bring items to school such as toys, radios, Walkman, video games, remote control cars, sports equipment, trading cards, pagers, walkie-talkie, etc. that are deemed non educational and distract from the learning environment. The student may be punished as follows:

1st Offense: Items confiscated and kept until the end of the day and returned to student to be taken home and not brought back to school.

2nd Offense: Items confiscated and returned only to parent at parent conference

3rd Offense: Items confiscated and returned to parent at the end of the semester

Obscene Materials:

A student shall not have in his/her possession or distribute obscene materials while at school. The student may be punished as follows:

1st Offense: Three (3) days I.S.S. and/or corporal punishment.

2nd Offense: Three (3) days out-of-school suspension.

3rd Offense: Ten (10) days out-of-school suspension.

Other Dangerous Items:

Students will not bring to school or have in their possession items such as lighters, b-b's, rubber bands, sling shots or blow guns, water guns, laser pointers, and any other items that can be used to aggravate or harass another person. The student may be punished as follows:

1st Offense: Items confiscated and corporal punishment.

2nd Offense: Items confiscated and three (3) days I.S.S.

3rd Offense: Five (5) days I.S.S.

4th Offense: Five (5) days out-of-school suspension.

Other Non-Educational Items Brought to School by Students--Cellular (Cell) Phones:

Cell phones will be allowed at school under the following guidelines:

1. They may be used before first bell, between classes, at lunch, and after the last bell.
2. Cell phones may be used for academic work at the teacher's discretion.
3. During all class time including time between classes, cell phones must be put away out of sight and turned off. Use of cell phones during class may constitute cheating.
4. If cell phones are visible, activates (rings), or are used during non-test class time, the following punishment may be used:
 - 1st Offense:** Cell phone is confiscated and returned to the parent.
 - 2nd Offense:** Cell phone is confiscated and returned to the parent and 1 day of ISS.
 - 3rd Offense:** Cell phone is confiscated and returned to the parent and 3 days of ISS and privilege revoked.
5. **Cell phones are strictly prohibited during any testing, including State Testing.** If cell phones activate (rings) while they are "put away," punishment will follow. If cell phones are visible or used during test class time, the following punishment shall be used:
 - A. Cell phone is confiscated and returned to the parent or guardian and...
 - B. Cell phone privilege at school shall be revoked for this student. Student may be suspended.

Possession or Use of Prohibited Weapon:

1. Depending upon the severity of the offense and the intent of the action, the student may be punished as follows: Disciplinary conference, corporal punishment, ISS, OSS, or expulsion.
2. LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Possession (Or Use) Of Tobacco Products including e-cigarettes:

The student may be punished as follows:

- 1st Offense:** Corporal punishment, three (3) days ISS, or three (3) days OSS.
- 2nd Offense:** Five (5) days ISS or 3 days OSS.
- 3rd Offense:** Ten (10) days OSS.

Public Display of Affection:

The student may be punished as follows:

- 1st Offense:** Warning.
- 2nd Offense:** One (1) day I.S.S. and parent conference.
- 3rd Offense:** Three (3) days I.S.S. and parent conference.

Severe violations may result in additional days of I.S.S., out-of-school suspension, or recommended expulsion.

Sexual Harassment (4.27):

Sexual harassment as outlined on section 4.27 shall result in punishment up to expulsion.

Stealing/Theft:

A student shall not take or have in their possession any item or article that rightfully belongs to another person. The student may be punished as follows: Consequences: Property returned in the same condition or payment of the item(s) stolen and/or...

- 1st Offense:** Corporal punishment and/or five (5) days ISS.
 - 2nd Offense:** Five (5) days OSS.
 - 3rd Offense:** Recommend expulsion.
- LAW ENFORCEMENT AUTHORITIES MAY BE NOTIFIED.

Student Assault or Battery/Terroristic Threatening: (4.21) (see pg. 62)

A student shall not threaten harm or make physical contact with another student. The student will be subject to disciplinary action up to and including expulsion.

Truancy:

Students absent from class without permission whether on or off campus. A student leaving campus without signing out is also considered truant. The student may be punished as follows:

- 1st Offense:** Three (3) days ISS and parent notification.
- 2nd Offense:** Five (5) days ISS and parent notification.
- 3rd Offense:** Five (5) days ISS and suspension.
- 4th Offense:** Recommend expulsion.

Unacceptable Language:

A student shall not use profanity, obscene gestures, and or vulgar language at any time for any reason. The student may be punished as follows:

- 1st Offense:** Corporal punishment.
- 2nd Offense:** Three (3) days I.S.S.
- 3rd Offense:** Three (3) days out-of-school suspension

Unexcused Tardies:

Students will arrive at class on time. All students tardy to class must have an excuse before being admitted to any classroom.

1. Students who arrive after the first bell will be considered as tardy.
2. Students who leave before the last bell will be considered as not completing the school day and will be counted like a tardy.

Any unexcused tardy, the student may be punished as follows:

- 1st Offense:** Warning
- 2nd Offense:** Referral/Parent Notified
- 3rd Offense:** Detention or ISS or Corporal Punishment
- 4th Offense and Additional Offenses:** ISS or Corporal Punishment, After School Detention or Saturday Detention