

**MOUNTAIN VIEW SCHOOL DISTRICT:
STUDENT DISCIPLINE POLICY 2023-2024**

CODE OF CONDUCT

STUDENT DISCIPLINE (Ref. ASBA 4.17)

The Mountain View School District 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.

The District's personnel policy committee shall annually review the student discipline policies, including State and District student discipline data, and may recommend changes in the policies to the Mountain View School District School Board. The Board shall approve any 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, or 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 and 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.

PROHIBITED CONDUCT (Ref. ASBA 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, 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; and
23. Operating a vehicle on school grounds while using a wireless communication device.
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.

CONDUCT TO AND FROM SCHOOL AND TRANSPORTATION ELIGIBILITY

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. 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. 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.

DISRUPTION OF SCHOOL

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.

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.

STUDENT ASSAULT OR BATTERY

A student shall not threaten, physically abuse, or 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 understanding, is calculated to: a) cause a breach of the peace; b) materially and substantially interfere with the operation of the school; 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 student disciplinary measures.

WEAPONS AND DANGEROUS WEAPONS

No student shall possess a weapon, display what appears to be a weapon, or threaten to use a weapon while in school, on or about school property, before or after school, in attendance at school or any school sponsored activity, en 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. Military personnel, such as ROTC cadets, acting in the course of their official duties are exempted.

A weapon is defined as any firearm, knife, razor, ice pick, dirk, box cutter, num-chucks, pepper spray 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. For the purposes of this policy, "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, as defined in this policy, on the student's body or in an area under his/her control. 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 not less than one year. The superintendent shall have the discretion to modify such expulsion recommendation for a student on a case-by-case basis. 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. 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.

TOBACCO, ELECTRONIC NICOTINE DELIVERY SYSTEMS, AND RELATED PRODUCTS

Smoking or use of tobacco or products containing tobacco in any form (including, but not limited to, cigarettes, cigars, chewing tobacco, vaping products, 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.

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-pipes, or under any other name or descriptor.

DRUGS AND ALCOHOL

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 Mountain View 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; is en 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.

Selling, distributing, or attempting to sell or distribute, or using over-the-counter or prescription drugs not in accordance with the recommended dosage is prohibited.

STUDENT DRESS AND GROOMING

The Mountain View School District Board of Education recognizes that dress can be a matter of personal taste and preference. At the same time, the District has a responsibility to promote an environment conducive to student learning. This requires limitations to student dress and grooming that could be disruptive to the educational process because they are immodest, disruptive, unsanitary, and unsafe, could cause property damage, or are offensive to common standards of decency.

A student shall not be disciplined or discriminated against based upon the student's natural, protective, or cultural hairstyle. A student's natural, protective, or cultural hairstyle includes without limitation afros, dreadlocks, twists, locs, braids, cornrow braids, Bantu knots, curls, and hair styled to protect hair texture or for cultural significance.

GANGS AND GANG ACTIVITY

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.

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

1. Wearing or possessing any clothing, bandanas, jewelry, symbol, or other sign associated with membership in, or representative of, any gang;
2. Engaging in any verbal or nonverbal act such as throwing signs, gestures, or handshakes representative of membership in any gang;
3. Recruiting, soliciting, or encouraging any person through duress or intimidation to become or remain a member of any gang; and/or
4. Extorting payment from any individual in return for protection from harm from any gang.

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion.

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.

Bus Transportation

STUDENT TRANSPORTATION:

Be ready when the bus comes to pick you up.

When you get on the bus go immediately to a seat and sit down in a bus seat. Ride facing the front.

Do not move around on the bus while it is in motion; stay seated.

Do not throw things and do not be loud while riding in a school bus.

Talk in a conversational tone only. Never use bad language.

Always pass in front of the bus if you must cross the road.

Do not put your hands and arms outside the windows of the school bus.

Never hit other students

If you notice an unusual incident on the bus, please notify the driver immediately.

Incidents that happen at the bus stop are subject to school disciplinary policies.

Riding the bus is a privilege. If you fail to follow the rules, you may be suspended from riding the bus.

MOUNTAIN VIEW SCHOOL DISTRICT BUS POLICY

The School bus discipline code below classifies unacceptable behavior into two classes with consequences dependent upon grade level. The examples are not exhaustive but illustrative. Additionally, all consequences are dependent upon the severity and frequency of the misbehavior. Your cooperation in obeying all the rules on the bus will make your trip to and from school much more enjoyable.

CLASS I OFFENSE

1. Eating or drinking on the bus without the bus driver's permission.
2. Out of seat or in the aisle while the bus is in motion.
3. Turned around in a seat.
4. Horseplay, yelling out the bus window, loud noise.
5. Possession of unacceptable material, objects or obscene gestures.
6. Rudeness, improper language.
7. Unauthorized transportation.
8. No Blankets or Pillows without prior approval

CONSEQUENCES CLASS I GRADES K-6

- 1ST Offense: Warning/School Discipline
2nd Offense: 1-3 day bus suspension
3rd Offense: 4-7 day bus suspension
4th Offense: 8-10 bus suspension
5th Offense: Bus suspension for remainder of school year.

CONSEQUENCES CLASS I GRADES 7-12

- 1st Offense: Warning or 3 day bus suspension
2nd Offense: 5-7 day bus suspension
3rd Offense: 10 day bus suspension
4th Offense: Bus suspension for remainder of school year

CLASS II OFFENSE

1. Profanity, verbal abuse and harassment (directed at driver or student).
2. Body parts out of the window (head, hands, legs, etc...).
3. Throwing/shooting any objects (paper, pencil, paper clips, etc). This applies to throwing things inside or outside of the bus.
4. Physical Aggression.
5. Destruction of bus/vandalism (suspension until restitution is made) min. 3 day suspension.
6. Loading or unloading buses improperly or tampering with any portion of the bus.
7. Lighting of matches, fireworks or any flammables.
8. Riding of any bus after being suspended from bus privileges.
9. **Fighting of any kind, treated as a Class II 3rd and 4th offense.**
10. Other offenses as reported by the driver.
11. Failure to follow driver direction/insubordination.

***Possession/use of tobacco, inhalants or vaping devices, controlled substance or firearm:**

ZERO TOLERANCE: Bus suspension for the remainder of the school year.

CONSEQUENCES: Class II Grades K-6	CONSEQUENCES: Class II Grades 7-12
1 st Offense: 3-5 day bus suspension. 2 nd Offense: 5-7 day bus suspension. 3 rd Offense: 8-10 bus suspension. 4 th Offense: Bus suspension for remainder of school year. (Subject to Principal's discretion)	1 st Offense: 3-5 day bus suspension. 2 nd Offense: 7-10 day bus suspension. 3 rd Offense: Bus suspension for the remainder of the school year. (Subject to Principal's discretion)
If a parent/guardian consistently does not pick up a student, MVSD Resource Officers, local law enforcement, or DHS may be contacted.	

STUDENT DISCIPLINE

Class I Infractions

- Use of profanity, obscene or vulgar language
- Disorderly, abnormal or irrational behavior or behavior that in any way disrupts or interferes with the learning process or the ability for other students access to the class or activity
- Public display of affection
- Possession of laser devices on school grounds
- Gambling in any form
- Failure to bring proper materials to class (books, pencils, paper, technology items- Chromebook & Charger, etc.)
- Any infraction which the school principal or his designee considers serious enough to warrant disciplinary actions
- Away from assigned area
- 3rd unexcused tardy
- Use of electronic devices or other unauthorized smart devices (**Electronic devices must remain in off position during school hours with the exception of the 30 minute lunch break. Students may use phones during lunch. When the first bell rings, signaling the end of lunch break, phones must be turned off. Phones must remain OFF unless allowed by the classroom teacher for instructional purposes.**) When a student has their phone taken during the day due to this infraction, a parent will have to come to the office to pick up the phone at the end of the day.
- Violation of dress code (see list below)
 - Items with vulgar, objectionable or provocative words, symbols or pictures (This includes any advertisement or representations of anything illegal for a minor)
 - Any clothing ensemble that would expose the midriff, underwear, buttocks, or chest
 - Skirts or shorts must be at or below the fingertips of the student (fringing or other see through material does not count toward length)
 - Shorts, jeans, or skirts that do not fit snugly at the waist (no underwear should be seen above the waistband)
 - Hats, caps or any other type of head covering: Hoodies must be removed in the school building or on bus transportation.
 - Loose tops
 - See through clothing or backless without tank underneath
 - Pajamas or House Shoes
 - Sunglasses
 - No shirts with straps that are less than 2 inches in width
 - No undergarment should be seen at any time (State mandate)
 - Clothing with holes should not be above the fingertip measurement
- Failure to attend detention
- Lying to a teacher or administrator
- Failure to follow the student driving policy
- No use of blankets during the school day
- No more than 1 (one) student at a time in the bathroom stalls

The following consequences will be taken in regard to Class I Infractions (Subject to Principal's Discretion)

Office Referral	Disciplinary Action
1	Warning
2	3 Days Lunch Detention
3	Corporal Punishment or ½ Day In- School Suspension
4	Corporal Punishment or 1 Day In- School Suspension
5	In-School Suspension- 3 Days
6	In-School Suspension- 5 Days
7	In-School Suspension- 9 Days
8	Out of School Suspension- 9 Days with possible recommendation of Expulsion

Class II Infractions

- Fighting—all parties participating in the fight, including bystanders who are urging them on, will be subject to disciplinary action and possible criminal charges. Depending on the actions of the students involved, the principal or supervising staff may classify the fight as a Class III Infraction. (Refer to Class III Infractions, #3). (Note: MVSD Officer may issue a citation.)
- Second failure to follow the student driving policy
- Any act of disrespect toward school personnel or fellow students
- Insubordination to teachers or other school personnel
- Forging, falsifying, altering, or illegally possessing school forms or using forged notes or excuses
- Committing an act of defiance, either in language or action, against a teacher or employee of the school District
- Academic dishonesty (Consequences depending on individual circumstances may include other disciplinary action(s) including loss of credit.)
- Being in any parking lot during school hours without proper authorization
- Bullying or threatening in any way of another person (**Refer to Bullying Information on Page 68**)
Note: MVSD Officer will issue a citation.
- Changing the settings on school computers or other school electronics
- Improper use of technology

The following consequences will be taken in regard to Class II Infractions (Subject to Principal's discretion)

Office Referral	Disciplinary Action
1	Corporal Punishment or 5 Days Lunch Detention
2	Corporal Punishment or 1 In-School Suspension
3	In-School Suspension- 3 Days
4	In-School Suspension- 5 Days
5	In-School Suspension- 9 Days
6	Out of School Suspension with possible recommendation of Expulsion

(Note: Students who misbehave while assigned to In-School Suspension will be sent home.)

Class III Infractions

1. The use or possession of tobacco products, e-cigarettes, vaporizers, or any type of incendiary device during school. Students who use tobacco based products may be required to complete a one- hour online course for tobacco cessation, Healthy Futures.

Note: MVSD Officer will Issue a citation.

2. Theft, destruction, defacement, or vandalization of school or other person's property (students will also pay the damage and may face criminal charges) Note: MVSD Officer will issue a citation.

3. Immoral or sexual behavior or sexual harassment in any form (**Administration reserves right to elevate to Class IV offense**)

Note: MVSD Officer may issue a citation

4. Truancy (This includes leaving campus without proper authorization.)

5. Tampering with fire-fighting equipment or emergency alarm systems (Act 567)

6. Transmission of and/or recording of any media electronically from school or school related activities without approval from administration noting areas of discretion where a level of privacy is expected such as bathroom, locker room, etc.

The following consequences will be taken in regard to Class III Infractions (Subject to Principal's discretion)

Disciplinary Action
Corporal Punishment or 5 Days Lunch Detention
Corporal Punishment or 1 In-School Suspension
In-School Suspension- 3 Days
In-School Suspension- 5 Days

Class IV Infractions

1. Possession of fireworks
2. An attempt to cause physical injury, threaten, or behave in such a way that could cause physical injury to a school employee or student may result in the filing of criminal charges (Act 706), as well as other school disciplinary procedures.
3. Flagrant insubordination (persistent disregard for school rules or employee directives)
4. Loitering by suspended students
5. Repeated disruptions to the Educational and Learning Environment
6. Purposeful misuse of computers or other technology in order to cause destruction or impede usage

The following consequences will be taken in regard to Class Infractions IV (Subject to Principal's discretion)

Mandatory suspension (9 days) and may be recommended for expulsion.

Any students who are suspended on two occasions during the same school year may be recommended for expulsion.

Any student being suspended during the school year shall not attend any school activity during the term of the suspension.

Class V Infractions

- Possession, use, sale, delivery, or transmission of a drug or a look-alike and/or alcoholic beverages. Other actions construed as disruptive by the principal or his designee. Principal's discretion may apply when deemed appropriate.
- Possession of a weapon such as a knife, razor, ice pick, explosive, rifle, shotgun, pellet gun, pepper spray or any other object or substance that reasonably can be considered a weapon or dangerous instrument result in criminal charges.

The following consequences will be taken in regard to Class V Infractions (Subject to Principal's discretion)

Mandatory suspension (9 days) and may be recommended for expulsion.