

#### 4.17—STUDENT DISCIPLINE

The Riverview 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 shall incorporate the District's implementation of positive behavioral supports in accordance with Policy 4.60 in the application of student discipline.

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 Riverview 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.

#### 4.17.®.1 – STUDENT DISCIPLINE POLICIES AND DEFINITIONS

The members of the board of education recognize the importance of establishing discipline policies to set up guidelines that students, parents, teachers, and administration may follow. Discipline in public schools can only be maintained through the cooperative efforts of the community- especially parents, educators, and students. Each has the right to expect a wholesome atmosphere that is conducive to learning. Such a climate can best be created where respect and consideration of the rights of others prevail. It shall be the policy of the Riverview School District to make every attempt to recognize, preserve, and protect the individual rights of all students. Within the framework of such a policy, it is the duty of the board of directors, the administrative staff, and the faculty to prohibit and prevent types of student conduct that are disruptive and destructive to the educational program. Consequently there must be guidelines that govern the conduct and behavior of all who work and learn in the school.

Every faculty member has a direct, personal, and active responsibility to see that the established guidelines and regulations are firmly and consistently enforced throughout the school system. The most important base on which to build an effective discipline program is a fair, realistic, and constructive discipline code that is published and distributed to faculty, students, and parents. The code's purpose is to state clearly and concisely to each member of the school community the minimum standards of conduct that will be required of all students.

**Certified Employee** - An individual employed by the school district who holds a certificate to teach issued by the Arkansas Department of Education which includes, but is not limited to teachers, coaches, counselors, and administrators.

**Dismissal** - Removal of a student from a specific classroom by a certificated employee for that class period only.

**Expulsion** - Prohibition of a student from entering the school or school grounds either until the end of the semester, the end of the current school year, or permanently depending upon the severity of the offense. An exception may be made for a prearranged conference with an administrator. Expulsion will result in the loss of academic credit. Only the board of education will have the power to expel.

**Parent** - The term parent shall include every parent, guardian, or person in parental relation having control or charge of any student in attendance in the school of this district.

Reasonable Force - The minimum amount of force necessary to stop or restrain a student from conducting himself/herself in an unlawful manner or in a manner which could cause injury to an individual.

Suspension (OSS)- Prohibition of a student from entering the school or grounds (except for a prearranged conference with an administrator) for a period of time set by the principal of the school or the superintendent. Suspensions normally will not be longer than ten (10) school days including the day on which the offense occurred unless it is deemed a long-term suspension which must be determined by the board of education only. Suspension does not carry with it loss of credit for the semester; however, make up work will not be allowed.

Any suspension out of school will require contact to be reasonably attempted with the parent/guardian of the student before the student is sent home. Each parent or legal guardian shall provide the school: A primary call number, and if the number changes, the parent or guardian shall notify the school of the new primary call number; an e-mail address if parent or guardian does not have a telephone; or a current mailing address if they do not have an e-mail account. A voicemail may be left if there is no answer from the primary call number. The school shall keep a notification log of contacts attempted and made to the parent or legal guardian.

Detention - Morning, after school, or lunch time detention for one half (1/2) hour or more for such student violations as: tardiness, coming to class repeatedly unprepared; general disruption of the classroom; etc.

Saturday School - Saturday School is an alternative discipline measure that requires students to give a portion of their Saturday to make up for misbehaviour at school. This means of discipline will allow the student to remain in the learning environment during the school day. Saturday School will be 3-4 hours on specified Saturday mornings. Students will be required to be in attendance for the whole duration of their detention.

In-School Suspension/Placement (ISS) - Students assigned to ISS are responsible for having all books and other necessary materials when they report to ISS. Students who do not bring the necessary materials to ISS may be suspended from school and return to ISS to complete their assignments. In order to receive credit for the work completed in ISS, students are responsible for returning the work to the ISS teacher. Students who arrive late or leave early on the day of ISS shall not have the day counted towards their total days of consequence without prior approval from building administration.

Rules for ISS participants.

1. Students will report to the principal's office or designated area.
2. A lunch break separate from the regular school break will be scheduled in the cafeteria. Each student will be provided the opportunity to eat. Students may bring their own lunch or eat a meal provided by the lunchroom. The cost of the meal is the normal charge to that student.
3. Students will remain in the center from 7:55 a.m. until 3:10 p.m. except for the lunch period or scheduled bathroom breaks. ***There will be no partial or half days counted toward ISS without prior approval from the principal.***

4. Restroom activities will be limited to the discretion of the supervisor.
5. Students will be responsible for bringing supplies to ISS which will allow them to successfully complete their assignments. Failure to take books/materials for assignments may result in suspension.
6. Students will not be allowed to participate in any extracurricular activities during the period of their in- school suspension assignment.
7. If a student is dismissed from ISS for disciplinary reasons, the student will be suspended from school.
8. Students may not participate in or attend school activities on school property on the assigned ISS or OSS days.

#### 4.39—CORPORAL PUNISHMENT

The Riverview 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 or who are an administrator or teacher employed under a waiver from licensure.

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

Parents who wish to have their students be exempted from corporal punishment should provide written notice to the school administration at the beginning of each school year or at the time of enrollment.

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

#### 4.17.®.2 - AUTHORITY FOR STUDENT DISCIPLINE

Teachers, coaches, counselors, teacher aides, principal, assistant principal, and administrators have the authority to take customary and reasonable measures to maintain proper control and discipline among students in the Riverview Public School System. Such measures may include the use of reasonable force in the exercise of lawful authority to restrain or correct pupils and maintain order. Bus drivers have the authority to use appropriate measures to maintain discipline among students who ride school buses.

School authority begins when the pupil enters the bus, including the bus stop, or if walking, arrives at school, continues until the time the student returns to and including his/her bus stop or

leaves school property. School authority shall extend to all school sponsored activities whether at home or away.

The school will have full authority over all pupils who represent it or accompany representative groups on all athletic trips or any trip in which school personnel are involved. All rules of safety and good conduct are to be observed.

All students in the Riverview School will be treated equally and in accordance with any applicable I.E.P. regulations without regard to sex, race, or handicapping condition.

#### 4.17.®.3 - DISCIPLINARY RECORD

A student and/or the student's parent may question any part of a student's disciplinary record maintained by the school district on the grounds that it is an inaccurate record. The principal will receive any evidence rendered on behalf of the student on the issue and will make such other necessary investigations. If the record is found to be inaccurate, the record will be amended to reflect the findings.

Disciplinary actions will not be entered on the student's permanent record card except for expulsions. Individual records shall be treated as confidential and discussed only with the permission of the student if he/she is an adult or the student's parent if the student is a minor or under court order to public authorities requesting information in the course and scope of their legal duties.

#### 4.17.®.4 – COMPLAINTS AND GRIEVANCES

Any student or parent of the Riverview School District who has reason to believe that he/she has been mistreated or treated unfairly and unjustly by a teacher or school employee **should first discuss the matter with the offending teacher or employee.**

In case the student or parent and the offending party cannot arrive at a satisfactory agreement or understanding, **then the student or parent should register his/her complaint with the principal.**

If a satisfactory solution cannot be worked out with the principal, the student or parent may **then register his/her complaint to the appropriate assistant superintendent.**

If a satisfactory solution cannot be worked out with the assistant superintendent, the student or parent may **then register his/her complaint to the superintendent.**

In cases where school officials cannot remedy a grievance to the satisfaction of the student or parent, the matter may be appealed to the school board of education. Such appeals to the board should be in writing and submitted to the superintendent or board president at least ten (10) days prior to the regular monthly meeting of the board of education.

All persons who present grievances to the board of education shall be assured freedom from restraint, interference, discrimination, and reprisal.

## ® **Forms of Punishment/Corrective Action**

Students who engage in unacceptable behavior will be subject to, **but not limited to**, one or more of the following actions:

- Teacher/student conference
- Teacher/parent conference
- Principal/student conference and verbal reprimand
- Principal/student/parent conference
- Corporal punishment
- Detention
- Saturday School
- In-School Suspension (ISS)
- Restitution
- Loss of privileges
- 1-10 Days Out of School Suspension (OSS)
- Expulsion

Disciplinary consequences may range from a minimum of a verbal warning to a maximum of expulsion. Other actions may be taken in regards to a student's discipline deemed appropriate by the principal or principal's designee.

## ® **Discipline of Students with Disabilities**

The Individuals with Disabilities Education Act (P.L. 94-142, amended) provides students with disabilities special due process rights with regard to disciplinary procedures. All Riverview School District students, regardless of handicapping condition, who engage in misbehavior, are subject to normal school disciplinary rules and procedures so long as such treatment does not abridge the right to free, appropriate public education and as long as the handicapping condition is not the reason for the disciplinary action.

Special education students will be excluded from school only in emergencies and only for the duration of the emergency. In no case will a special education student be excluded for more than ten days in any school year, unless alternative educational programming is made available.

## ® **Due Process**

Every student is entitled to due process and has the right to be immediately informed of alleged violations of standards of behavior as established by board policy and/or school regulations. When disciplinary actions may result in the suspension or expulsion of a student, parents or guardians will be notified.

The principal of any school, or his/her designee, may suspend any student from school for a period not to exceed ten (10) days. The 14th Amendment of the Constitution of the United States assures individuals the protection of due process.

The proper procedure for students/parents to resolve a grievance will be outlined in the grievance policy.

## 4.18—PROHIBITED CONDUCT

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. The consequences of any discipline will range from a verbal warning to a maximum of suspension/expulsion from school. Prohibited behaviors include, but shall not be limited to the following:

### **RULE 1 DISREGARD OF DIRECTIONS OR COMMANDS/INSUBORDINATION (Infraction Code 14)**

A student shall comply with reasonable directions or commands of teachers, student teachers, substitute teachers, teacher aides, administrative personnel, school bus drivers, school security officers, and other authorized personnel.

1. Student/Principal Conference/Warning; and/or
2. Loss of privileges; and/or
3. Detention; and/or
4. Corporal Punishment; and/or
5. 1-4 day suspension OR ISS; and/or
6. 5-10 day suspension; and/or
7. Recommendation for Expulsion

### **RULE 2 DISRUPTIONS AND INTERFERENCE WITH SCHOOL (Infraction Code 17)**

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.

In addition, no student shall:

- Occupy any school building or properties with intent to deprive others of its use or where the effect thereof is to deprive others of its use.

- Block the doorway or corridor of any school building or property so as to deprive others of access thereto.
- Prevent or attempt to prevent the convening or continued functioning of any school class activity or lawful meeting or assembly on the school campus.
- Prevent students from attending a class or school activity.
- Continuously and intentionally make noise or act in any other manner so as to interfere with the teacher's ability to conduct classes or any other school activities.
- In any manner by the use of violence, force, noise, coercion, threat, intimidation, harassment, fear, passive resistance, or any other conduct intentionally cause the disruption of any lawful process or function of the school or engage in any such conduct for the purpose of causing the disruption or obstruction of any lawful process or function.
- Refuse to identify himself/herself on request of any teacher, substitute teacher, administrator, or other school employee.
- Block normal pedestrian or vehicular traffic on the school campus or adjacent grounds unless under the direction of a school official.
- Encourage other students to violate any rules or school board policy.
  1. Student/Principal Conference/Warning; and/or
  2. Loss of privileges; and/or
  3. Detention; and/or
  4. Corporal Punishment; and/or
  5. 1-4 day suspension OR ISS; and/or
  6. 5-10 day suspension; and/or
  7. Recommendation for Expulsion

**RULE 3A THREAT OF PHYSICAL ABUSE/ASSAULT OF ANOTHER STUDENT**  
(Infraction Code 25)

A student will not harass, threaten or attempt to cause injury or physical harm to another student, nor will a student strike or beat another student, nor direct verbal abuse toward another person.  
(Act 207 of 1997, Act 706 of 1997)

1. 1-4 day suspension OR ISS; and/or
2. 5-10 day suspension; and/or
3. Recommendation for expulsion

**RULE 3B FIGHTING/ENCOURAGEMENT TO FIGHT/FILMING FIGHT** (Infraction Code 19)

Students are to make every effort possible to avoid fighting. Any student found to be encouraging a fight is subject to the consequences of fighting. Any student found to be filming a fight is subject to the same consequences of encouraging a fight.

Evidence of an unwilling participant is as follows:

1. Attempts to walk away; AND
2. Does not engage in verbal exchange; AND
3. Verbally expresses an intent to avoid the conflict.

1. 5 Day suspension



2. 7 Day suspension
3. 9 Day suspension; and/or
4. Recommendation for expulsion

Cases of battery may result in more extreme disciplinary action and referral to law enforcement officials.

### **RULE 3C PHYSICAL ABUSE/ASSAULT OF ANY STUDENT OR SCHOOL EMPLOYEE** (Infraction Codes 05, 06)

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. A student who commits assault or battery upon any member of the faculty or staff of Riverview School District will be recommended for expulsion, and will be reported to legal authorities. (Arkansas Law 6-17-106, Act 706 of 1997)

1. Suspension not to exceed ten (10) days; and/or
2. Recommendation for expulsion.

### **RULE 4 WEAPONS AND DANGEROUS INSTRUMENTS** (Infraction Codes 07, 08, 09, 10, 11)

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.

#### **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.

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.

1. Any student found in violation of this policy shall be suspended from the school immediately with a recommendation for expulsion and be reported to legal authorities.

#### **RULE 5 TOBACCO, ELECTRONIC NICOTINE DELIVERY SYSTEMS, AND RELATED PRODUCTS (Infraction Code 03)**

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.

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. (Arkansas Law 6-21-609, 20-27-702, 20-27-703, Act 1108 of 1997).

1. 3 days ISS; and/or
2. 5 days ISS, and/or
3. 3 day suspension; and/or
4. 5 day suspension; and/or
5. 9 day suspension; and/or
6. Recommendation for expulsion

#### **RULE 6 DAMAGE, DESTRUCTION, OR THEFT OF SCHOOL AND PERSONAL PROPERTY (Infraction Codes 13, 24)**

A student shall not cause or attempt to cause damage to personal or school property or steal or attempt to steal personal or school property. Riverview Schools will recover damages from the student destroying school property. Parents of minor students under the age of 18 will be liable for damage or theft caused by said minor.

1. Restitution; and/or
2. ISS not to exceed ten (10) days and payment for damages
3. Suspension not to exceed ten (10) days and payment for damages.
4. Recommendation for expulsion and payment for damages.

#### **RULE 7 POSSESSION AND USE OF CELL PHONES AND OTHER ELECTRONIC DEVICES (Infraction Codes 20, 27)**

For Computer and Internet Usage Policy, Please see the Student Technology Handbook.

Students are responsible for conducting themselves in a manner that respects the rights of others. Possession and use of any electronic device, whether district or student owned, that interferes with a positive, orderly classroom environment does not respect the rights of others and is expressly forbidden.

To protect the security of state originated tests that are administered as part of the Arkansas standardized testing schedule, no electronic device as defined in this policy shall be accessible by a student at any time during test administration unless specifically permitted by a student's IEP or individual health plan,. This means that when a student is taking any standardized assessment, the student shall not have his/her electronic device in his/her possession unless specifically exempted by the administration for health or other compelling reasons. Any student violating this provision shall be subject to this policy's disciplinary provisions.

As used in this policy, “electronic devices” means anything that can be used to transmit or capture images, sound, or data. Misuse of electronic devices includes, but is not limited to:

1. Using electronic devices during class time in any manner other than specifically permitted by the classroom instructor;
2. Permitting any audible sound to come from the device when not being used for reason #1 above;
3. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, or wrongfully obtaining test copies or scores;
4. Using the device to take photographs in locker rooms or bathrooms;
5. Creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person.
6. Any use of a device that disrupts the environment of the school.
7. Any use of a cell phone while driving on school property.

Use of an electronic device is permitted to the extent it is approved in a student’s individualized education program (IEP) or it is needed in an emergency that threatens the safety of students, staff, or other individuals.

Before and after normal school hours, possession of electronic devices is permitted on the school campus. The use of such devices at school sponsored functions outside the regular school day is permitted to the extent and within the limitations allowed by the event or activity the student is attending.

The student and/or the student’s parents or guardians expressly assume any risk associated with students owning or possessing electronic devices. Students misusing electronic devices shall have them confiscated. Confiscated devices may be picked up at the school’s administration office by the student’s parents or guardians. **Students have no right of privacy as to the content contained on any electronic devices that have been confiscated.**

**Students in Grades 7-8:** Cell phones and other electronic devices are to be turned off during the school day except during lunch and with explicit permission from the classroom teacher or principal. *Any cell phones confiscated at school must be picked up by a parent/guardian in the office.*

Students who use personal cell-phones for non-school purposes, except as permitted by the district's Internet/computer use policy, shall be subject to discipline.

1. Student/principal conference/warning/confiscation of electronic device for school day; and/or
2. Confiscation of electronic device requiring a parent/guardian to retrieve from office; and/or
3. Loss privileges; and/or

## **RULE 8 NARCOTICS, ALCOHOLIC BEVERAGES, AND DRUGS**

(Infraction Codes 01, 02)

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 Riverview 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.**

1. Any student found in violation of this drug policy shall be suspended from the school immediately with a recommendation for expulsion and may be reported to legal authorities.

**Students who are found in possession of narcotics, alcohol, and/or drugs will be suspended for 10 days and recommended for expulsion for the remainder of the semester or the equivalent of one semester.**

**Students who are under the influence of narcotics, alcohol, and/or drugs at school will be suspended for 10 days and recommended for expulsion for the remainder of the semester plus up to one additional semester or the equivalent of up to two semesters.**

**Students who are distributing narcotics, alcohol, and/or drugs at school will be suspended for 10 days and recommended for expulsion for the remainder of the semester plus up to one additional semester or the equivalent of up to two semesters.**

#### **RULE 9 PRESCRIPTION DRUGS (Infraction Code 01)**

Sharing, selling, distributing, or attempting to sell or distribute, or using over-the-counter or prescription drugs not in accordance with the recommended dosage or school policy is prohibited. (Act 509 of 1971 and 1108 of 1997) No student should be in possession of prescription or over-the-counter drugs. Parents may file the proper documentation to leave medication in the office through the principal and school nurse.

1. Any student found in violation of this policy shall be suspended from the school immediately with a recommendation for expulsion and be reported to legal authorities.

**Students who are found in possession of narcotics, alcohol, and/or drugs will be suspended for 10 days and recommended for expulsion for the remainder of the semester or the equivalent of one semester.**

**Students who are under the influence of narcotics, alcohol, and/or drugs at school will be suspended for 10 days and recommended for expulsion for the remainder of the semester plus up to one additional semester or the equivalent of up to two semesters.**

**Students who are distributing narcotics, alcohol, and/or drugs at school will be suspended for 10 days and recommended for expulsion for the remainder of the semester plus up to one additional semester or the equivalent of up to two semesters.**

#### **RULE 10 PUBLIC DISPLAY OF AFFECTION (Infraction Codes 17, 23)**

Public display of affection of any kind is inappropriate behavior at school or at any school-sponsored activity or event. Public display of affection includes hugging, kissing, and touching in a sensual or sexual manner for the purpose of sensual or sexual pleasure. Students may “hold hands” without violating this policy. Failure to comply with reasonable expectations of school staff will lead to disciplinary action.

1. Conference with principal/warning; and/or
2. Detention; and/or
3. Loss of Privileges; and/or
4. Corporal Punishment; and/or

5. 1-3 Day Suspension OR ISS; and/or
6. 4-5 Day Suspension OR ISS

### **RULE 11 CHEATING/PLAGIARISM (ACADEMIC DISHONESTY) (Infraction Code 17)**

A student shall not cheat on tests, homework, or projects, or aid other students in cheating. Plagiarism is also cheating. Plagiarism and cheating apply to texts published in print or online, to manuscripts, and/or to the work of other students. Both are considered “wrongful acts” and will be responded to with zero on work and in-school or out of school suspensions with repeated offenses. *Teachers are encouraged to request a parent conference via phone, internet/email, or in person for all acts of Academic Dishonesty.*

1. Zero on work/conference with principal; and/or
2. Zero on work/parent conference; and/or
3. Zero on work/1-3 days ISS; and/or
4. Zero on work/4-5 days ISS; and/or
5. Zero on work/1-3-day suspension

### **RULE 12 GAMBLING (Infraction Code 17)**

Gambling in any form is not permitted on school property at any time. When in question, the administration will have the authority to determine whether or not gambling has occurred.

1. Principal/parent/student conference; and/or
2. 1-3 day suspension, ISS, or corporal punishment; and/or
3. Suspension not to exceed 10 days; and/or
4. Recommendation for expulsion

### **RULE 13 STUDENT DRESS CODE (Infraction Code 17)**

The Riverview 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. Student dress, grooming, and appearance should be the responsibility of the individual and his/her parents/guardians under the following guidelines:

- Dress and grooming should be clean and in keeping with health and sanitary practices.
- Students may not wear clothing or hairstyles that can be hazardous to them in their educational activities such as shop, lab work, physical education, etc.
- Dress and grooming should not interrupt or disrupt the educational process.
- A student shall not wear or use emblems, insignias, badges, or other symbols which cause interruption, disruption, and interference with the operation of the school.
- No student shall wear clothing that advertises, promotes, or symbolizes drugs, alcohol, or tobacco in any form.

- Profane, suggestive, vulgar, or obscene language or reference to this type of language displayed on any clothing will not be allowed.
- Students shall not wear clothing which promotes violence of any kind.
- Students will not be permitted to wear transparent clothing, mesh shirts, half shirts, muscle shirts, halters, strapless blouses, spaghetti straps, cold-shoulder shirts, off-the-shoulder shirts, low cut revealing blouses, unbuttoned shirts, unfastened pants, pajama pants, sagging pants, clothing that displays bare midriffs, mini-skirts, tight yoga pants, blankets, any spandex material not covered, or unbuckled belts.
- Students will not be allowed to wear caps, hats, or other head dressing during school hours (7:30-3:30).
- Dress code will be in effect during regular school hours and during all hours of extracurricular activities.
- No pants with holes above the knees.
- No sagging of the pants will be allowed.
- No piercings will be allowed that can pose a risk to the health of the student or disrupt the educational process of the school.
- Students are prohibited from wearing, while on the school grounds during the school day and at school-sponsored events, clothing that exposes underwear, buttocks, or the breasts.
- Students will not wear any dresses, skirts, pants, shorts, or jeans that are shorter than three (3) inches above the knee. All shorts or skirts will be worn in good taste. If a dress, skirt, or shorts are in question on acceptable length, other factors, such as exposure while sitting, may be taken into account. No sheer, lace, or other see-through fabric may be used to meet the minimum requirements for length. Also, leggings, jeggings, and similar articles may not be used to meet the minimum requirement for length.
- This prohibition does not apply; however, to an approved costume or uniform worn by a student while participating in a school-sponsored activity or event.
- **The principal or designee will have the final authority to determine if clothing is appropriate for school wear. Students in violation will be required to change immediately or may be sent to ISS until a change of clothes can be brought to the student. A student cannot return to class in present violation of the dress code.**

**RULE 14 PROFANITY/VULGARITY/PORNOGRAPHY/OBSCENE MATERIAL/EXPOSURE** (Infraction Code 17, 23)

A student shall not use abusive, vulgar, profane, or obscene language or gestures at school or at any school-sponsored event or activity, or on school property, not have in his/her possession any pornographic or obscene material, included that displayed, stored, or sent/received on laptops, tablets, phones, and other electronic devices.

A student shall not expose any part of his/her personal body in the presence of any student, school employee, or any other individual. Any form of immoral behavior will not be tolerated, including mutual sexual behavior such as fondling, intercourse, and other sexual activities.

No student shall involve or attempt to involve another student in any act of moral turpitude.

1. Corporal punishment, Detention, or Loss of Privileges; and/or



2. 1-3 day suspension/parent conference OR ISS; and/or
3. 4-5 day suspension; and/or
4. Suspension not to exceed 10 days; and/or
5. Recommendation for expulsion

**RULE 15 OUT OF ASSIGNED AREA** (Infraction Codes 04, 17)

Any student that is absent without the knowledge and approval of the parents and the school will be considered in violation of school policy. Any student who leaves school without checking out through the principal's office will be considered in violation of school policy. Any student who is not in an assigned area or classroom without proper permission from the office and/or assigned classroom teacher may be considered in violation of school policy. There will be a clear distinction in consequences between being Out of Area on campus and off campus. The student will be subject to the following disciplinary action:

Out of Area/Leaving Campus Without Permission	Out of Area/ Out of Assigned Area on Campus
1st Offense: 3 Days OSS 2nd Offense: 5 Days OSS 3rd Offense or More: 6-9 Days OSS and/or recommendation for expulsion	1st Offense: 3 Days ISS 2nd Offense: 5 Days ISS 3rd Offense or More: OSS not to exceed 10 days

4. Reporting to legal authorities/Suspension not to exceed 10 days

**RULE 16 EXCESSIVE TARDINESS**-(Infraction Codes 04, 17)

Definition of a Tardy: Any student not in their assigned classroom with required materials upon the tardy bell or specified class time *or who is absent from any assigned classroom for less than ten minutes*. Any student who arrives at school after 7:50 am by the school clock may be counted tardy and must register first in the office.

5+ (per class)	Lunch Detention and/or Corporal Punishment
8+ (per class)	Morning Detention and/or Saturday School

**RULE 17 STUDENT HARASSMENT (SEXUAL AND PROTECTED STATUSES)**  
(Infraction Codes 22, 26)

The Riverview 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;
- 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; or
  - b. Uses the rejection of sexual conduct as the basis for academic decisions affecting that individual;
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) 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) 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.

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-maker 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.

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 removal**

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 not 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.

Any student found in violation of any part of this policy shall be subject to the following disciplinary actions:

1. Conference/warning with parent(s) and student; and/or
2. Detention/Loss of privileges; and/or
3. Corporal punishment; and/or
4. In-School Suspension; and/or
5. Suspension not to exceed 10 days; and/or
6. Expulsion from school

**RULE 18 HAZING** (Infraction Codes 15, 22)

Hazing, as defined by law, is forbidden in connection with initiation into, or affiliation with, any club, group, student organization, extracurricular activity, or sport program.

1. Any student caught violating this rule shall be subject to suspension not to exceed 10 days and/or recommendation for expulsion as well as being reported to legal authorities.

**RULE 19 GANGS, FRATERNITIES, SORORITIES, OR SECRET CLUBS**

(Infraction Codes 12)

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.

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Gangs or gang-related activities are forbidden on school property. Gang insignias, clothing, “throw signs”, or other gestures and apparel associated with gangs are prohibited.

A public school fraternity, sorority, or other secret organization or society means any type of organization or society which fosters undemocratic practices and seeks to perpetuate itself by taking in additional members from the pupils enrolled in that school or local school system on the basis of the decision of its membership rather than upon the free choice of any pupil in the school who is qualified by the rules of the school to fill the special aims of the organization or society.

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.

The following disciplinary actions shall apply to any student found in violation of this policy:

1. Conference with parent/warning; and/or up to four (4) day suspension; and/or
2. Parent/administrator conference- five (5) to ten (10) day suspension; and/or
3. Recommendation for expulsion

## **RULE 20 BULLYING/CYBERBULLYING**

(Infraction Codes 18, 21)

### **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 (5<sup>th</sup>) 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. 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. 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.

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.

Any student found in violation of any part of this policy shall be subject to the following disciplinary actions:

1. Conference/warning with parent(s) and student; and/or
2. Detention/Loss of privileges; and/or
3. Corporal punishment; and/or
4. Suspension not to exceed 10 days; and/or
5. Expulsion from school

## **RULE 21 DISORDERLY CONDUCT, HORSEPLAYING, ROUGH-HOUSING, AND WRESTLING** (Infraction Codes 15, 17)

A student shall not engage in behavior, which produces situations in which instruction or activities of other students are adversely affected including but not limited to disorderly conduct, horse playing, rough-housing, and wrestling.

1. Detention/Loss of privileges; and/or

2. Corporal punishment/ISS; and/or
3. Suspension not to exceed 10 days; and/or
4. Recommendation for expulsion

**RULE 22 DISRESPECT TO SCHOOL EMPLOYEES** (Infraction 17)

A student shall not behave in a disrespectful manner to any school employee via behavior, speech, gestures, etc.

1. Detention/Loss of Privileges; and/or
2. Corporal punishment/ISS; and/or
3. Suspension not to exceed 10 days; and/or
4. Recommendation for expulsion

**RULE 23 BOMB THREATS/EXPLOSIVES** (Infraction Codes 16, 25)

A student who calls in a bomb threat and/or other threat to the health and safety of students and employees will be referred to the legal authorities, suspended from school, and will be recommended for expulsion. (Act 567 of 2001)

**RULE 24 PERSISTENT DISREGARD FOR SCHOOL RULES** (Infraction Codes 17)

A student who persists in acts of misconduct after the school has made and documented continued efforts to secure his/her adherence to established rules will be recommended for expulsion. Efforts toward behavior modification will be made prior to recommendation of expulsion except when the student has committed an offense so serious in nature that immediate expulsion is necessary.

Any student found in violation of any part of this policy shall be subject to the following disciplinary actions:

1. Conference/warning with parent(s) and student; and/or
2. Loss of privileges; and/or
3. Corporal punishment; and/or
4. ISS or Suspension not to exceed 10 days; and/or
5. Expulsion from school

**RULE 25 DISREGARD OF CLOSED CAMPUS REGULATION** (Infraction Codes 15, 17)

A student shall not be permitted to leave campus during the school day without prior approval. Parents may check students in and out through the principal's office. Students leaving the campus for any reason without being approved by the principal will be subject to discipline measures as found in the truancy policy.

Any person not currently enrolled in the Riverview School or employed by the school district must obtain permission from the principal before visiting or bringing items to any student or teacher on campus during the school day. Anyone violating this policy will be turned over to the city authorities and prosecuted under Act 75 of 1971. The act makes it a misdemeanor to loiter on or near a public or private school and prescribes a minimum fine of \$50.00 and maximum of \$250.00.

The school day consists of that period of time when the students arrive on campus in the morning and before the last bell in the afternoon.

#### **RULE 26 BEHAVIOR NOT COVERED ABOVE (Infraction Codes 15, 17)**

Riverview Schools reserve the right to pursue disciplinary or legal action for behavior which is subversive to good order and discipline in the school even though such behavior is not specified in the preceding written rules.

Any student found in violation of any part of this policy shall be subject to the following disciplinary actions:

1. Conference/warning with parent(s) and student; and/or
2. Detention/Loss of privileges; and/or
3. Corporal punishment; and/or
4. ISS or Suspension not to exceed 10 days; and/or
5. Expulsion from school

**ADMINISTRATORS MAY ALTER THE SEVERITY OF PUNISHMENT BASED ON CIRCUMSTANCES AND OTHER CONDITIONS. CONTINUAL VIOLATION OF ANY SCHOOL RULE WILL RESULT IN PROGRESSIVELY MORE SEVERE PUNISHMENT. ONE WARNING WILL BE GIVEN (IF APPROPRIATE) AND OTHER PUNISHMENTS WILL FOLLOW WHEN DIFFERENT RULES ARE BROKEN.**

#### **4.18.®.11 – FOOD OR DRINK IN THE HALLWAYS AND CLASSROOMS**

Capped, bottled water is permissible in hallways and classrooms. **Students will be allowed food and drink in the classrooms before 7:50.** For all other forms of food and drink, students should seek prior approval from the classroom teacher, principal, or designee.

#### **4.19—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. 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.

Students are eligible to receive district bus transportation if they reside in the district.

**® BUS DISCIPLINE POLICY**

The 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.

<b>Class I Offense</b>
<ol style="list-style-type: none"> <li>1. Eating or drinking on bus without the bus driver’s permission</li> <li>2. Out of seat or in aisle while bus is in motion</li> <li>3. Turned around in seat</li> <li>4. Horseplay, yelling out bus window, loud noise</li> <li>5. Possession of unacceptable material, objects, or obscene gestures</li> <li>6. Rudeness, improper language</li> <li>7. Unauthorized transportation</li> </ol>

<b>Consequences Class I Grades K-6</b>	<b>Consequences Class I Grades 7-12</b>
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	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

<b>Class II Offense</b>
<ol style="list-style-type: none"> <li>1. Profanity, verbal abuse, and harassment (directed at students <u>or</u> drivers)</li> <li>2. Body parts out of a window (head, hands, legs, etc.)</li> <li>3. Throwing/shooting of any objects (paper, pencils, paper clips, etc.)</li> <li>4. Physical Aggression</li> <li>5. Destruction of school property/Vandalism (suspended until restitution is made); minimum 3 day bus suspension</li> <li>6. Loading or unloading buses improperly or tampering with any portion of bus</li> <li>7. Lighting of matches, fireworks, or any flammable object or substance</li> <li>8. Riding of any bus after being suspended from bus privileges (including all activities and field trips)</li> <li>9. Fighting (of any kind) treated as Class II 3rd and 4th Offence</li> <li>10. Other offences as reported by driver or principal</li> <li>11. Failure to follow driver direction/insubordination</li> <li>12. Any offence committed on any bus outside regular transportation to and from school (shuttles, activity, field trip) will carry a minimum disciplinary action of a Class II 1st Offence.</li> </ol>

**\*Use of tobacco, inhalants, or any other controlled substance, or firearm: ZERO TOLERANCE- Bus Suspension for remainder of school year**

<b>Consequences Class II Grades K-6</b>	<b>Consequences Class II Grades 7-12</b>
1st Offence: 3-5 day bus suspension 2nd Offence: 5-7 day bus suspension 3rd Offence: 8-10 day bus suspension 4th Offence: Bus Suspension for remainder of school year	1st Offence: 3-5 day bus suspension 2nd Offence: 7-10 day bus suspension 3rd Offence: Bus Suspension for remainder of school year

Procedures for reporting passenger misconduct:

1. The bus driver will report misconduct occurring on the school bus or school bus stop to the appropriate personnel.
2. A School Bus Conduct Report will be completed and submitted to the appropriate school principal for action.
3. The principal or designee will retain copies of the signed report. In some cases, students may report passenger misconduct. If so, the student should report the misconduct to his/her Bus Driver/Teacher/Principal.