

4.17 Student Discipline

The Maynard 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, as 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 Maynard 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, or 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 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 minimum penalty for student misconduct will be a verbal warning and the maximum penalty will be expulsion by the Board and/or legal action dependent upon the severity and frequency of the misconduct.

Any student who gives false information or wrongfully accuses another student or staff member may be subject to disciplinary action.

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.

4.18 Prohibited Conduct

A. 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. Consequences for prohibited behavior may range from warnings to expulsion, depending on the severity and frequency of the behavior. Students who are assigned ISS will be required to write two pages for each hour they are in ISS. Any time that is longer than 15 minutes will be one page or longer than 45 minutes will be two pages. If a student is assigned a full day of ISS then they will be expected to complete a 16 page writing assignment, along with all classwork before returning to class. Students assigned Saturday School will be required to write two pages for each hour they are in Saturday School. The writing material for the pages will be at the discretion of the staff member assigned to oversee ISS or Saturday School.

B. Prohibited behaviors include, but shall not be limited to the following:

1. Refusal to Follow School and/or Classroom Rules

Students shall comply with reasonable instructions from administrators, teachers, instructional assistants, school bus drivers or any other authorized school district employee.

Penalty: Warning – suspension

2. Academic Dishonesty

A student will not cheat, copy, or claim another person's work to be their own: nor will a student aid other students in these behaviors.

Penalty: Possible zero for test or assignment – suspension

3. Defiant Behavior: Insubordination

Open defiance or blatant refusal to follow the reasonable directives of any authorized school district employee

Penalty: Warning - suspension

4. Truancy (Skipping School or Class)

A student will not be absent from school without parent or school authorities' prior knowledge and consent. A student who is absent from his classroom or other assigned learning station

without permission from school authorities will be considered as truant. Each truancy will be treated as an unexcused absence. Students found to be truant will not be allowed to make up major tests and assignments.

** The Board of Education does not approve of skip days, and students who participate in skip days will be charged with truancy.

Penalty: Saturday School to expulsion

5. Leaving Campus or Designated Area without Permission

After arrival on the school campus, a student will not leave the campus or designated area without permission from school authorities.

Penalty: Saturday School – expulsion

6. School Bus Rules and Regulations

All students shall conduct themselves in accordance with the conduct code governing student behavior in school and in accordance with school bus regulations when on the bus or at the bus stop area. (See Section 4.19)

7. Gum Chewing

Permission to chew gum will be at each classroom teacher's discretion. Gum and wrappers on campus should be disposed of properly.

8. Smoking, Smokeless Tobacco, Vaping, or Vaping Products

A student may not smoke nor have possession or control of any tobacco product, tobacco-related substances, smoking paraphernalia (matches, lighters, etc.) on school property, including school buses, at any time. A student may not vape for have possession or control of a vaping product on school property, including school buses, at any time.

Penalty: Saturday School– suspension/F.I.N.S. petition

9. Gambling

Students shall not gamble while on school property, school buses or at school sponsored events.

Penalty: Warning – suspension

10. Forgery or Falsification of Information or Failure to Provide Identification

No student shall falsify signatures or information on official school records, refuse to give identification, or give false identification when identity is requested by a staff member.

Penalty: Warning – expulsion

11. Fighting

When students fight, they will be suspended for five (5) days. Alternate punishment may be applied with regard to actual involvement. (i.e.: bystanders who provoke or antagonize those involved).

Penalty: Saturday School – expulsion

12. Profanity, Verbal Harassment, Obscene Gestures

A student will not use (in verbal or written form) profane, violent, vulgar, abusive, insulting, sexual, or disrespectful language at any time. A student will not use physical gestures that convey a connotation of obscene or disrespectful acts, infringe upon the rights of others, or cause or begin an overt and immediate disruption of the educational process.

Penalty: Detention – Suspension

13. Bullying

Students who bully another person shall be held accountable for their actions, whether it occurs on the school grounds; off the school grounds at a school-sponsored function, activity or event; or going to or from school or a school activity in a school vehicle or school bus; or at designated school bus stops. Bullying is any pattern of behavior by a student, or a group of students, that is

intended to harass, intimidate, ridicule, humiliate, or instill fear in another student or group of students. Bullying behavior can be a threat of, or actual physical harm, electronic forms of bullying (Cyber-bullying), verbal abuse, or hazing. Bullying is a series of recurring actions committed over a period of time directed toward one student, or successive, separate actions directed against multiple students.

Penalty: Warning - expulsion

14. Hitting in the Groin

Students will not hit or mimic hitting other students in the groin area.

Penalty: Saturday School – FINS Petition/Sheriff's Office Contacted

15. Student Dress and Grooming

Students that fail to follow the dress code will be sent home to change, and the instructional time missed will be unexcused. If they are unable to change clothes, they will be placed in I.S.S. for the remainder of the day. Repeated offenses will result in additional consequences.

A. Shorts and shirts shall be 6" above the knee or longer. No athletic shorts with pipping that is shorter on the sides.

B. No clothing allowed that exposes underwear, buttocks, or the breast of a female student.

C. Students in grades 4-12 who are found to be wearing shorts or skirts too short, may forfeit their privilege to wear shorts and/or skirts for the remainder of the school year.

D. Caps/Hats may be worn as long as they are not a disruption.

E. Hoodies may be worn as long as the student is able to be identified easily.

F. Clothing that displays messages or illustrations of a profane or crude nature, or advertisements for drugs, alcohol, or any illegal substance shall not be allowed.

G. Pants cannot have holes in inappropriate areas, even with clothing underneath. Any pants with holes in them six inches above the knees cannot be worn unless there are leggings on underneath them.

H. Pajamas are not allowed without permission.

I. All shirts and blouses must have sleeves (grades 7-12; this *does not* include Maynard Elementary students).

J. All students must wear shoes; house shoes are not allowed.

K. Blouses and shirts must be long enough to keep the midriff, back and stomach covered on a consistent basis.

Penalty: Warning – suspension

NOTE: The dress code is in effect for the regular school day. For students who ride a bus, this includes time being transported to or from school on the school bus.

16. Violation of Parking and Driving Regulations

A student using any type of vehicle (bicycle, motorcycle, automobile, truck) as a means of transportation to and from school will not violate the rules and regulations set forth by the principal of the school. Students with a valid driver's license may drive cars and trucks to school and these vehicles must be parked in the assigned area on the campus and be registered with the school. Students are prohibited from sitting in parked vehicles during school hours.

Penalty: Warning/loss of parking privilege – suspension

17. Public Display of Affection

Public display of affection includes, but is not limited to, kissing, hugging, and inappropriate touching. Public display of affection is inappropriate school behavior. Failure to comply with reasonable expectations of school staff will lead to disciplinary action.

Penalty: Warning – expulsion

18. Loitering by Suspended or Expelled Student

No suspended or expelled student shall linger on school grounds or within 100 feet of the school without permission of the school administrator, nor shall they go on school district property for any purpose while serving suspension/expulsion. The parent may be notified and student may be referred to legal authorities.

Penalty: Warning – expulsion

19. Loitering on an Unassigned Campus

No student from another campus is allowed on another school's campus during school hours without permission of school officials.

Penalty: Warning – expulsion

20. Possessing, Using, or Being Under the Influence of Alcohol

Students shall not possess, use, or be under the influence of alcohol at school or school-related activities. Students breaking this rule for the first time will be suspended for ten (10) days and placed on probation. If the student breaks the rule a second time, he will immediately be recommended for expulsion. The student will be reported to legal authorities.

Penalty: Suspension – expulsion

21. Possessing, Using, or Being Under the Influence of Illegal Drugs

Students shall not possess, use, or be under the influence of illegal drugs at school or school-related activities. Students breaking this rule for the first time will be suspended for ten (10) days and placed on probation. Upon returning to school, the student will not be able to participate in extracurricular activities or park on campus for an additional eleven (11) days, for a total of twenty-one (21) days. If the student breaks the rule a second time, he will immediately be recommended for expulsion. The student will be reported to legal authorities.

Penalty: Suspension – expulsion

22. Possessing or Using Drug Paraphernalia

Students may not possess, use, or transmit any objects which could reasonably be considered drug paraphernalia (pipes, clips, papers).

Penalty: Suspension – expulsion

23. Sharing of Medications and Supplies

Students may not share, divert, transfer, apply to others (such as needles or lancets), or in any way misuse medication or any medical supplies in their possession.

Penalty: Warning – expulsion

24. Possession of Fireworks

No student shall possess, use, or threaten to use any fireworks.

Penalty: Saturday School – expulsion

25. False Emergency Alarm/Calling 911

A student shall not circulate a story of a fire, bombing, bomb threat, or other catastrophe when that student knows the story to be untrue. If injury results to any person as a result of the false alarm, the student will be reported to law enforcement agencies (see Rule 39).

Penalty: Saturday School – expulsion

26. Simple Assault or Simple Terroristic Threat

A student shall not engage in conduct which creates a substantial risk of physical injury to another student or threaten another student, making that student fear imminent physical harm.

Penalty: Saturday School – expulsion

Note: Threats conveyed with a weapon or with the use of a weapon shall be reported to the police immediately by the administrator. Also threats to cause death or serious physical injury or threats to cause physical injury to teachers or employees are a “D” Felony.

27. Disorderly Conduct

No student shall engage in inappropriate behavior that substantially disrupts or interferes with, or is likely to disrupt or interfere with, any school function, activity or school program. Such behavior includes, but is not limited to, fighting, threats, excessive noise, abusive language, obscene gestures, exposing private parts, or disrupting lawful assembly of persons.

Penalty: Warning – expulsion

28. Misdemeanor Battery – Minor Physical Injury

A student will not threaten or attempt to cause injury or physical harm to another student, nor will a student strike or beat another student.

Penalty: Warning – expulsion

29. Sexual Indecency

Students shall not commit sexual indecency on school property, in school vehicles, or on school related trips. Sexual indecency is defined in

A.C.A. §5-14-101 and A.C.A. §5-14-111. Copies of these laws are available upon request.

Penalty: Saturday School – expulsion

30. Indecent Exposure

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

Penalty: Saturday School – expulsion

Note: Exposing private parts is disorderly conduct. (See Rule 26)

31. Criminal Mischief/Vandalism – Relatively Minor Damage

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

Penalty: Saturday School– expulsion

32(a). Sexual Harassment

Sexual harassment is unwanted verbal, written, or physical behavior of a sexual nature. Such behavior is illegal if it creates an environment that is hostile or intimidating. Typical examples of sexual harassment include sexually oriented gestures, jokes, or remarks that are unwelcome; repeated and unwanted sexual advances; touching or other unwelcome bodily contact; physical intimidation and mockery or scorn based on perceived sexual orientation, gender identity. Or disability.

Penalty: Saturday School – suspension

32(b). Possession of Sexually-oriented Materials

Students may not 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.

Penalty: Warning – expulsion

33. Misdemeanor Theft

Students shall not take or possess property that does not belong to them. The parent/student will be responsible for restitution.

Penalty: Saturday School– expulsion

34. Extortion / Bribery

No student will obtain or attempt to obtain something of value from another person either by physical force or by threat (illegal acts).

Penalty: Saturday School – expulsion

35. Membership in Fraternities, Sororities, Secret Clubs, Gang Activities or Associations

The Board is authorized to suspend or expel any student of the District who joins or promises to join or who solicits other persons to join or pledge to become a member of a public school fraternity, sorority, secret society or gang activity or association or to wear or display any insignia of such fraternity, sorority, secret society or gang activity or association while in and attending District schools. Gangs which initiate, advocate, or promote activities which threaten the safety or well-being of persons or property on school grounds or school-sponsored activity or which disrupt the school environment and/or school activity, are harmful to the education process. The use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory or manner of grooming which, by virtue of its color, arrangement, trademark, symbol, or any other attribute which indicates or implies membership or affiliation with such a group, presents a clear and present danger. This is contrary to the school environment and creates an atmosphere where unlawful acts or violations of school regulations may occur.

Penalty: Saturday School – expulsion

36. Unauthorized Accessing or Attempting to Access Computer Files

A student shall not modify or erase software without authorization, introduce any viral agent, access another individual's electronic documents, or create, reproduce, or distribute documents containing vulgar language or obscene materials on any school computer, printer, copier, or other equipment. A student may lose use of network resources.

Penalty: Saturday School – expulsion

37. Persistent Disregard for School or Classroom Rules

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

Penalty: Parent conference – expulsion

38. Possession or Use of Prohibited Weapon

No student shall possess, use, or threaten to use any weapon upon any school property, in or upon any school bus, at designated bus stops, or at school-related events. Students will not possess objects or devices of no reasonable use at school and which may cause physical injury.

Penalty: Saturday School – expulsion

39. Terroristic Threatening - Threats of Serious Physical Injury or Property Damage - Threats to Teachers/Staff

Students shall not, with the purpose of terrorizing another person, threaten to cause death or serious physical injury or substantial property damage to another person or threaten physical injury to teachers or school employees.

Penalty: Suspension – expulsion

40. False Bomb / Fire Alarm Threat

A student shall not activate a fire alarm or cause an evacuation.

Penalty: Suspension – expulsion

41. Assault / Battery

A student shall not willfully assault, threaten to assault, or physically abuse any student or school employee.

Penalty: Suspension – expulsion

42. Sexual Abuse or Rape

Students shall not engage in sexual conduct with another person by forcible compulsion or engage in sexual contact with another person who is incapable of consent because he/she is physically/mentally helpless; nor shall students engage in sexual intercourse or deviant sexual activity with another person by forcible compulsion or with another person who is incapable of consent because he/she is physically/mentally helpless.

Penalty: Suspension – expulsion

43. Robbery

Students shall not take property belonging to another person or the school by force, threat of forces, or with the use of a deadly weapon.

Penalty: Suspension - expulsion

44. Felony Theft – Personal Property

Students shall not take the property of another person or be in possession of property belonging to another without that person's permission. If a student steals or is in possession of property belonging to another person worth \$500 or more, that student has committed a more serious crime.

Penalty: Restitution and suspension – expulsion

45. Felony Theft – School Property

A student shall not take possession of property that belongs to the school without permission. If a student takes or is in possession of school property worth \$500 or more without permission, parents must make restitution.

Penalty: Restitution and suspension – expulsion

46. Selling, Attempting to Sell/Distribute or Purchase Drugs/Alcohol

A student who sells or attempts to sell, distribute, or purchase illegal drugs (or any substance he claims to be a controlled substance) or alcohol, shall be reported to legal authorities.

Penalty: Suspension – expulsion

Note: Sentences for sale of controlled substances within 1,000 feet of public or private schools shall be enhanced by two (2) years and a fine of no less than \$1000 (A.C.A. §5-64-401). Prohibited substances shall include any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or other controlled substance or beverage containing alcohol or intoxicant of any kind. Students of Maynard School District should be aware that school district officials have access to a registered drug dog. The dog, while gentle, has been specially trained to locate marijuana, alcohol, and other illegal drugs. Periodic, unannounced visits to all District schools and school-sponsored activities will be made by the dog and its handler. Lockers, automobiles, and other areas of the building will be searched. Students will be held responsible for any prohibited items found in their lockers, automobiles, or belongings at school. Should prohibited items be found, the violators will be disciplined under District policies and may be prosecuted under applicable laws.

47. Criminal Mischief / Vandalism – Major Damage

No student shall purposely and without legal justification destroy or damage any property of another or that belonging to the school district. The parent/guardian shall be responsible for all damages to property caused by the student.

Penalty: Restitution and suspension – expulsion

48. Arson

No student shall deliberately burn or attempt to burn school property

Penalty: Suspension – expulsion

49. Possession or Use of Firearm, Weapon or Facsimile Weapon

No student shall possess, use, threaten to use, or otherwise be involved with any firearm/handgun, weapon, facsimile weapon, or any other instrument that is capable of inflicting physical injury or death. Weapons prohibited by law upon any school-related event include, but are not limited to: any firearm/handgun (whether loaded or unloaded), knife (*Knives are NOT allowed on campus; those with blades three inches (3”) or longer are considered weapons. See Section 4.22), razor, ice pick, dirk, brass or metal knuckle, martial arts implement, box cutter, BB gun, pellet gun, pump gun, blackjack, sword, spear in a cane, Billie club, sap, rifle, shotgun, machine gun, bomb, grenade, booby trap, explosive device, or any other implement designed, made, or adapted for the purpose of inflicting physical injury or death.

Penalty: Reported to legal authorities and suspension – expulsion

50. Operating a vehicle on school grounds while using a wireless communication device.

Penalty: Reported to legal authorities

51. Energy drinks are highly discouraged at the High School level and are not allowed on campus for kindergarten through sixth grade.

52. Behavior Not Covered

Maynard School District reserves the right to pursue disciplinary or legal action for behavior which is subversive to good order and discipline in the schools even though such behavior is not specified in written rules.