

# Milton Town School District

## Procedure

### F1-P: STUDENT CONDUCT AND DISCIPLINE

#### I. SYSTEM EXPECTATIONS

##### A. Notice Provided to Students and Parents

Notice of behavioral expectations, rules and regulations dealing with student conduct will be distributed to all students and parents by the principals of the elementary, middle, and senior high schools on or before September 15 of each school year. Similar distribution will be made to transfer students at the time of admission.

##### B. Uniformity and Consistency in Administration of Discipline

Principals/administrators and teachers will make every effort to apply the disciplinary measures appropriately and fairly, while exercising judgment with respect to individual circumstances. Repeated offenses will result in increasing levels of disciplinary actions.

##### C. Responsibilities of Students

Students will respect the rights and property of others. They must obey school regulations. It is also their responsibility to behave in ways which promote good school citizenship, school spirit, and pride in the Milton Schools.

##### D. Reporting

A written record will be made of each serious incident of student misconduct for which a student is disciplined. Such records will be retained by the principal or his /her designee for the years the student is in the school. The designation of serious, as it pertains to an incident of student misconduct, will include: A) all incidents that result in an out of school suspension for two or more days; B) incidents of physical aggression resulting in injury to students and/or staff; and, C) incidents determined serious by the building principal or his/her designee. Serious Physical Aggression is defined as the intent to harm a student or staff member and actions taken toward that end.

Parents will be notified in writing and also optionally by phone of all serious incidents of student misconduct for which disciplinary consequences will be administered, and will be given an opportunity to consult with appropriate principals/administrators and/or teachers before discipline is administered, except in cases of emergency. A record of contacts will be maintained by the principal or his/her designee. Principals will report periodically to their faculties on disciplinary trends in the school. The principal or his/her designee will notify the superintendent when a student is suspended from school for two (2) or more days. The superintendent will report quarterly to the Board of School Trustees on the number of suspensions. Incidents of serious physical aggression will be reported promptly by the superintendent to the Board.

In the case of extreme disruption of a classroom learning environment due to serious student misconduct, the parents of students in that class and the Board will be notified that such a disruption occurred and that an inquiry will be made by the administration.

### **E. Academic Dishonesty**

Discipline for misconduct will bear no relation to grades, course credits or graduation, except in case of academic dishonesty or noncompliance with classroom instructional requirements.

### **F. Corporal Punishment**

No member of the school district staff will use or cause to be used on a student corporal punishment (i.e., infliction of physical pain by another; punishment causing or intended to cause bodily pain and suffering). However, any staff member may, within the scope of his/her duties and responsibilities, use and apply reasonable physical restraint for the following purposes:

- a. To quell a disturbance threatening physical injury to others and self;
- b. To seize weapons or other dangerous objects in the possession of a student;
- c. To defend oneself, for purposes of self-defense;
- d. To protect persons or property.

Appropriate physical restraint (a–d above) will not be construed as constituting corporal punishment within the meaning and intent of this policy. When a student has to be physically restrained by a staff member as outlined above, the incident will immediately be reported by the staff member to the supervisor or principal. Reports to parents will be made in accordance with D above.

## **II. RANGE OF RESPONSES TO STUDENT MISCONDUCT**

Any one or combination of the following types of responses may be utilized in the case of student misconduct.

### **A. Education and/or Counseling**

A student will be counseled by school staff members for any offense or infraction. A staff member engaging in counseling action will place emphasis on explaining to the student why a particular type of behavior is damaging to him/her and unacceptable in the school. The consequences of continuation of such conduct and more appropriate types of behavior should be discussed.

### **B. Restitution of Damages**

A student and his/her parent or guardian will be required to make restitution either in kind, in cost, or in labor expended for any piece of property or equipment which the student has vandalized, stolen, or misused, whether it is owned by the school district, by another student, or by any school staff member. A student may be deprived of privileges (including but not limited to, field trips, athletics, sporting events, after school clubs/activities or participation in graduation) until restitution has been made.

### **C. Suspension and/or Deprivation of Privileges**

A student may be suspended from school attendance for a set period of time, or deprived of the privilege of leaving school at normal dismissal time (Administrative Detention) or attending or participating in any school or school-related program or activity.

### **D. Expulsion**

In the instance of severe misconduct, a student may be expelled from attendance in school in accordance with Milton Town School District Policy.

### **E. Referral**

A student may be referred by a teacher, parent, or administrator, among others, to the Education Support Team, an appropriate public or private social agency, or a health care provider for evaluation, intervention, counseling, treatment, or therapy. It is understood that all staff members have the responsibility to immediately report instances of student misconduct or serious problems being experienced by students. The cooperation of the student and his/her parents or guardians in outside referral services may be required by the school district as a condition for continuation in school with full privileges.

## **III. TYPICAL PROGRESSION OF RESPONSES TO STUDENT MISCONDUCT**

The primary mission of the district is educational and the goal is to help students to develop the skills, knowledge and capacity to meet social and behavioral expectations. Any response to student misconduct must include a review of the behavioral expectations, a consideration of the impact that the misconduct had on self, others and/or the learning environment and if necessary, a plan of action to decrease the likelihood of future similar misconduct. As appropriate, school staff, social workers, consultants, parents and/or guardians will be involved in the development and monitoring of the resulting plan of action.

Once an incident of student misconduct has been processed in accordance with the policy and it has been determined that disciplinary action is warranted, a typical progression of disciplinary actions (1, 2, 3, 4) taken in response to the student misconduct is listed below:

- (1) = Loss of recess or other privilege, before/after school detention.
- (2) = A one to three school day suspension will be imposed on the student(s) involved.
- (3) = A three to ten school day suspension will be imposed on the student(s) involved.
- (4) = Long term suspension/expulsion.

Age appropriate consequences will be applied at each school. In addition, students in earlier grades (K-2) require responses that consider their developmental age and abilities. Disciplinary action for students having or suspected of having a disability will be in accordance with MTSD Policy F1: Student Conduct and Discipline, Administrative Responsibilities, Section 3. Each case will be judged by its own merits, and the circumstances surrounding each will be considered when handled by the specific grade level administrator. As a result, the typical progression (1, 2, 3, 4) of disciplinary responses may or may not be followed depending on the developmental age and abilities of the student, and the seriousness and frequency of the misconduct.

Listed below are examples of misconduct for which school staff will take disciplinary or corrective action.

### **1. Offenses against students, teachers or other school personnel**

**a)** Physical Aggression such as striking, fighting, kicking, pushing, shoving, tripping, throwing objects with a disregard for the safety of others, etc.; (1, 2, 3, 4)

**b)** Serious Physical Aggression which is defined as the intent to harm a student or staff member and actions taken toward that end.

- Serious Physical Aggression directed toward another student (whether in school, on the bus or at any school-sponsored activity):

1<sup>st</sup> incident – 3 day suspension

2<sup>nd</sup> incident – 3-5 day suspension

3<sup>rd</sup> incident – 3-5 day suspension

If the additional incidents of Serious Physical Aggression directed toward another student occur within 30 days of the previous incident then the following will apply:

2<sup>nd</sup> incident – 5 day suspension

3<sup>rd</sup> incident – 10 day suspension

Extreme cases may result in a decision to impose long-term suspension or expulsion.

- Serious Physical Aggression directed toward a District employee, student teacher or volunteer:

1<sup>st</sup> incident – 5 day suspension

2<sup>nd</sup> incident – 5-10 day suspension

3<sup>rd</sup> incident – long-term suspension or expulsion

If the additional incidents of Serious Physical Aggression directed toward a District employee, student teacher or volunteer occur within 30 days of the previous incident then the following will apply:

2<sup>nd</sup> incident – 10 day suspension

3<sup>rd</sup> incident – long-term suspension or expulsion

Extreme cases may result in an earlier decision to impose long-term suspension or expulsion.

**c)** Theft or attempted theft of property or equipment of other students or school staff; (1, 2, 3, \*)

**d)** Inciting others to fight, threaten, or harm; (1, 2, 3)

**e)** Driving dangerously on school grounds; (1, 2)

**f)** Creating disorder in classes, hallways, assemblies; (1, 2)

**g)** Sexual offenses such as inappropriate touching, whether consensual or not; verbal abuse, inappropriate sexual expressions; electronic dissemination of indecent material to another person (also known as “sexting”, see 13 VSA § 2802b); (2, 3, 4)

**h)** Violating codes of conduct of organized school groups (i.e. athletic code, honor society code, etc.); (1, 2, 3)

**i)** Bringing to or using in school dangerous weapons such as knives, guns, chains, explosives; (Refer to MTSD Policy F21: Weapons)

**j)** Running in school or otherwise acting so as to endanger the safety of other students or staff; (1, 2)

**k)** Bullying, harassment, hazing, intimidating, threatening with harm, or otherwise creating fear on the part of other students or school staff; (2, 3, 4); (See also MTSD Policy F106: Bullying Prevention and MTSD Policy F20: Harassment of Students)

**l)** Use of foul, abusive, derogatory or demeaning language (racial discrimination) to other students or school staff; (1, 2)

**m)** Procuring another student's money or possessions by use of threats or fear; (2, 3, 4, \*)

**n)** Insubordination; disregarding or defying the authority of school staff or their instructions or directions; (2, 3)

**o)** Bus Misconduct – Disregarding instructions of school bus drivers, distracting drivers, or interfering with the safe operation of school buses, whether from inside the bus or out. Incidents of bus misconduct will result in suspension of bus riding privileges.

1<sup>st</sup> incident – Warning regarding safety rules

2<sup>nd</sup> incident – 3 day loss of bus riding privileges

3<sup>rd</sup> incident – 5-10 day loss of bus riding privileges

If the additional incidents of bus misconduct occur within 30 days of the previous incident then the following will apply:

2<sup>nd</sup> incident – 5 day loss of bus riding privileges

3<sup>rd</sup> incident – 10 day loss of bus riding privileges

In extreme cases, a student may lose bus privileges for periods up to and including the remainder of the school year.

\* = In addition to the listed responses, restitution for damages may be required.

## **2. Offenses Against Property and/or the School**

**a)** Unauthorized entry into school buildings or vehicles; (2, 3)

**b)** Vandalizing, destroying, damaging, defacing school buildings, grounds, or school owned property or equipment, including vehicles owned by the district or used for school purposes; (2, 3, 4, \*)

**c)** Stealing the property or equipment of the district; (2, 3, \*)

**d)** Misusing the property or equipment of the district; (1, 2)

**e)** Vandalizing, destroying, damaging, defacing the personal property of students or staff including automobiles, books, locker contents, clothing, etc.; (2, 3, 4, \*)

**f)** Unauthorized occupancy, takeover, or misuse of any school facility or equipment intended for shared student use, such as lavatories, hallways, classrooms, offices, sidewalks; (2, 3, 4)

**g)** Violation of any school rule, regulation, or procedure established by principals; (1, 2, 3)

**h)** Being in unauthorized place in the school or on the school grounds; (1, 2, 3)

**i)** Falsifying the names of parents or school staff on passes, excuses, other official school documents; (1, 2)

**j)** Arson, setting fire to school buildings or equipment and material in the school; (3, 4, \*)

**k)** Sounding or causing to be sounded or sent false alarms, bomb scares, other false or misleading messages to the school or community safety agencies; (2, 3, 4, \*)

**l)** Bringing to school or exploding in the school or on school grounds firecrackers or other explosive devices; (3, 4, \*)

\* = In addition to the listed responses, restitution for damages may be required.

## **3. Offenses of the Student Against Himself/Herself (Self-Deprivation of Education Benefits)**

**a)** Truancy from school; (1, 2)

- b) Tardiness to school or to classes; (1)
- c) Cutting class; (1, 2)
- d) Leaving school grounds without authorization during the school day; (1, 2)
- e) Unauthorized or inappropriate dress such as to endanger one's own safety or health or create disruption, distraction, disorder in the school; (1)
- f) Lying about any matter, jeopardizing one's reputation for honesty and integrity; (1, 2)
- g) Gambling; (2, 3)

When a student has been suspended out of school, his/her return to school will include a parent/guardian conference. The sequential order of these conferences will be as follows:

- a. **First Suspension** – the conference will include the principal/assistant principal and parent.
- b. **Second Suspension** – the conference will include the principal/assistant principal and parent.
- c. **Third Suspension** – the conference will include the superintendent, principal/assistant principal, parent and counselor.
- d. **Fourth Suspension** – the conference will include the superintendent, principal/assistant principal, parent, and student and may take place before the Board of Education if disciplinary actions such as long-term suspension or expulsion are recommended by the superintendent.

#### **IV. SUBSTANCE ABUSE OFFENSES**

The Milton Board of Education prohibits the unlawful possession, use, or distribution of illicit drugs, tobacco products, and alcohol on school premises or as part of any school activities. Disciplinary responses for any student found to be under the influence or in possession of illegal drugs, tobacco products, or alcohol on school grounds or at a school event will be in accordance with MTSD Policy F7: Student Alcohol and Drugs and its related procedures.

*Date Warned: 10/14/13*

*Date Adopted: 10/28/13*

*Legal Reference(s):*

*Cross Reference: Student Conduct and Discipline (F1), Student Alcohol and Drugs (F7), Transportation (F9), Harassment of Students (F20), Weapons (F21), Hazing (F24), Student Attendance (F25)*