

STANDARDS OF CONDUCT CODE REGULATIONS

The maintenance of good discipline is essential to the educational process and is the joint responsibility of the home and school. Therefore, the parent/guardian will be involved in the disciplinary process as early as needed.

Students must adjust their behavior to the standards of the school and not hinder the education of others. Each student has the responsibility to know and abide by the regulations of the school. Unacceptable behavior infringes on the rights of others to learn. Therefore, appropriate discipline must be maintained. Behavior, which tends to conflict with the educational environment or which is antagonistic to the welfare of other students and faculty, will not be accepted.

The following actions include (but are not limited to) consequences which are authorized to be taken in cases where student behavior does not meet the established requirement.

1. Denial of privileges
2. Loss of extra curricular activities
3. Counseling
4. Limited time away from normal school activities to gain composure or modify behavior
5. Student Behavioral Contract
6. Probation
7. Detention
8. In-school Suspension
9. Required attendance when school is not in session
10. Out-of-School Suspension
11. Referral to a licensed substance abuse program and/or mental health professional for evaluation
12. Recommendation for expulsion
13. Referral to Alternative School Program
14. Any action deemed appropriate by the building administrator which may achieve discipline or behavior modification and which does not violate school policies or regulations

COMMUNICATION OF PARENTAL CONCERNS WITH SCHOOL OFFICIALS

The Board of Education, administration and staff encourage parents, guardians, or legal custodians to discuss their children's education with District staff.

Specific concerns should be discussed directly with the child's teacher, counselor, or building administrator, as appropriate. If the matter continues to be a concern, the building principal should be contacted. If the situation is not resolved at the building level, the Superintendent or designee may be contacted.

Parents are encouraged to deal with such concerns within a reasonable time. Your support is necessary and required to allow your child to fully benefit from the school's educational program.

COUNSELING

This is a conference with the teacher and/or building administrator or counselor in which the problem is discussed. During this discussion, the consequences of further misconduct will be explained.

DETENTION

A period of time is set aside each school day so that students may serve their detentions. Refusal to cooperate will result in further disciplinary action. Students must arrive on time, maintain good order and absolute silence and bring suitable schoolwork to do. Sleeping is prohibited. For after school detentions, students must be given 24 hours notice to arrange transportation.

DISTRICT POLICY – EXAMPLES OF VIOLATIONS

The following list outlines examples of violations, however it is not inclusive.

1. Weapons

a. Possession

The act of possessing any weapon or dangerous object. A weapon means a firearm. For the purposes of this policy, the term “firearm” includes any weapon designed to expel a projectile by the action of an explosive or other means, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or any explosive, including incendiary poison gas.

A dangerous object is defined as an item capable of producing harm (inflicting death or injury) to oneself or others (e.g., knife, club, chains, razor-blade, dagger, stiletto, switchblade, mace, pepper spray, brass knuckles, taser).

Possession is defined to include, but is not limited to:

1. space assigned to a student such as lockers or desks
2. on the student’s person or property
3. under the student’s control – accessible or available.

b. Threats with a weapon – The act of using a weapon or dangerous object to threaten another individual with bodily harm.

c. Use of a weapon – The use of a weapon to inflict injury upon another individual.

d. Possession of look alike weapons

e. Use of dangerous objects – The act of using an instrument in an aggressive manner with an intent to cause bodily harm (Legitimate tools related to the educational process such as pens, compasses, etc. will be considered as dangerous objects if used, threatened, or exhibited in a manner meant to do harm)

f. Laser devices

2. Threats and Batteries

- a. Fighting – mutual physical contact battery between two students.
- b. Physical Assault/Battery – Physical assault and/or threats of physical attack to students, teachers, or any other school personnel including, but not limited to, assault and battery.
 1. Assault is defined as the threat to do immediate physical harm to another person with the apparent ability by the aggressor to carry out his/her threat which results in fear/apprehension on the part of the one so threatened.
 2. Battery is a nonprivileged, intentional, offensive touching. In almost all cases where there is battery, there will also be an assault.
- c. Intimidation
- d. Extortion – Forcing another individual to give up money or anything of value by threats of physical harm.

3. Arson/Chemical Devices

- a. Attempted Arson - Attempting or intentionally starting a fire or other combustible item (such as a smoke bomb) without permission and supervision of an adult staff member.
- b. Arson (includes: possessing, lighting or setting off fireworks or chemical devices)
- c. False Fire Alarms
- d. Bomb Threats
- e. False 911 call or text
- f. Chemical devices (i.e. pepper spray, mace)
- g. Combustibles (includes matches, lighters, firecracker, gasoline, lighter fluid)

4. Drug/Alcohol/Controlled Substances Violations

- a. Possession/Storing
- b. Use
- c. Under the influence in school or at school functions
- d. Sale/Supply/Distribution
- e. Possession of look-alike drugs

5. Thefts

- a. Robbery
 - b. Larceny
 - c. Possession of Stolen Property
 - d. Burglary
6. Property Damage Violations – Willful damage (attempted or actual) to property. Defacing, destroying or otherwise injuring any school district property or the malicious destruction of any other person’s real or personal property. Students who have attained the age of majority (eighteen) or the parent, guardian, or legal custodian/guardian of minor students may be assessed the cost for damages to school property resulting from negligent acts. Also, they may be required to reimburse the District for the replacement costs of lost equipment or materials furnished by the school.
7. Tobacco/Nicotine Violations
- a. Possession/Storing
 - b. Use
 - c. Possession of look-alike tobacco/nicotine products (example e-cigarettes and vapor pens)
8. Defiance/Insubordination or Noncompliance – Acts of defiance or failure to follow reasonable requests of school personnel of such serious proportion that the orderly operation of a class or the school is threatened.
- a. Willful Disobedience/Defiance – Willful disobedience and/or continued disrespect for school personnel, rules, and regulations.
 - b. Gang Affiliation Display – Visible signs representing an unauthorized group (i.e. cults, gangs.) This may include, but is not limited to, the display of symbols, signals, signs, hand signs, bandannas, or tattoos or the wearing of “colors.”
 - c. Technology Violation – Personal electronic devices are prohibited in high school classrooms/academic settings unless directed by a staff member. Personal electronic devices may be used in unstructured, non-academic situations (i.e.: commons and hallways) unless their use becomes disruptive, disobedient or defiant. At the Elementary and Middle School levels, use of all electronic devices is prohibited. Personal electronic devices include but are not limited to two-way radios, cameras, cell phones (including phones with cameras), video recorders, hand held game systems, and other communication devices. The use of all photographic devices of any kind is not allowed in restrooms or locker rooms. Use of photographic devices in other areas can only occur with approval of the building administrator. Social Media sharing of inappropriate content (pictures, video, disparaging language, etc.) is prohibited.

- d. Insubordination
 - e. Defiance
 - f. Repetitious infractions
 - g. Persistent disobedience
9. Harassment
- a. Racial (Display of overt bigotry or intolerance, including the use of derogatory names either verbally or in writing)
 - b. Sexual
 - c. Profanity (language and gestures used either verbally or in writing)
 - d. Bullying
10. Dress code Violation–Failure to wear approved dress code attire.
11. Gambling – The act of playing any game of chance or skill for money or something of material value.
12. Vehicle Violations
- a. Careless or reckless driving on school property or on streets abutting school property
 - b. Inappropriate parking
13. Inappropriate Personal Behavior
- a. Molesting
 - b. Indecent exposure
 - c. Inappropriate display of affection
14. Attendance Violations (see 509.0, 509.0-R *Attendance*)
- a. Unexcused absences
 - b. Tardies
 - c. Attendance concerns
15. Lying/Cheating/Plagiarism
16. Other

- a. Sharing lockers
- b. Excessive displays of affection
- c. Refusal to serve detentions
- d. Being in unauthorized areas
- e. Leaving classroom, school or grounds without permission
- f. Loud or boisterous conduct
- g. Falsifying signatures
- h. Misuse of permits or passes
- i. Loitering
- j. Littering
- k. Running in hall
- l. Cafeteria misconduct
- m. Verbal abuse of students or staff
- n. Refusal to identify self
- o. Inciting others to break school rules
- p. Refusal to bring materials
- q. Book bags/Stringbags/Backpacks: Elementary and Middle School students are not allowed to carry bags during the school day. High School students are allowed to carry during the school day.
- r. Abusive Language/Inappropriate Language/Profanity/Verbal Argument
- s. Inappropriate Location/Out of Bounds Area-(includes leaving building without permission, hiding in building)

18. Bus Rule Violation

CONSEQUENCES

Upon verification of any violation of the Student Conduct Code, the building administrator or designee may take any authorized action. The District utilizes a progressive discipline approach in which the consequences increase upon subsequent violations of like offenses. Student suspension shall proceed as set forth in the Administrative Regulation.

The District may discipline a student even though the same act may be punished in any other way outside of school.

SPECIAL NEEDS STUDENTS

In general, the Standards of Conduct Code regulation for all students shall apply to students with special education needs following the same guidelines as outlined in this regulation. When a student's Individualized Education Program (IEP) includes a behavioral intervention plan, the components of the behavioral intervention plan shall take precedence over the Standards of Conduct as outlined in this regulation. Procedures for the suspension of students with special education needs shall follow regulation 504.4-R2 *Suspension of Special Education Students* and 504.5-R2 *Expulsion of Special Needs Students*.

REPORT TO THE BOARD

1. The administrator of each school shall report each incident involving Examples 1, 3c, and 3d to the Executive Director of Student & At-Risk Services. Such report shall include the circumstances relating to the incident, any action taken and reasons therefore, and must contain a recommendation for or against expulsion (see Administrative Regulation 504.5-R *Expulsion*). If the building administrator or his/her designee recommends expulsion or if the Executive Director of Student & At-Risk Services so decides, the matter shall be brought to the Board of Education in accordance with the expulsion procedure.
2. Any incident involving a firearm shall result in a recommendation for expulsion for the current semester and for the following semester in its entirety. The Superintendent shall have the authority to recommend the expulsion requirement be modified on a case-by-case basis.
3. All incidents involving a violation of Examples 1 and 3a-d, but where expulsion is not recommended by either the building administrator or the Executive Director of Student & At-Risk Services, shall be submitted in a brief summary form with names and school name deleted. This summary shall be submitted to the Board of Education at its next meeting. At said time, the Board of Education shall, without additional information and based solely upon the said summary, determine whether to hold an expulsion hearing as provided in Administrative Regulation 504.5-R *Expulsion*.

CONSEQUENCES

1. Upon verification of any violation of the Student Conduct Code, the building administrator or his/her designee may take any authorized action.
2. Student suspensions shall proceed as set forth in Administrative Regulation 504.4-R.
3. The District may discipline a student even though the same act may also be punished in any other way outside of school.

STUDENT RIGHTS (DUE PROCESS)

1. Each student will be afforded due process commensurate with the maximum possible consequences.

2. If suspension or expulsion are being considered, each student shall have a full, fair and impartial hearing as set forth in Administrative Regulation 504.4-R and 504.5-R.
3. Students identified as special education students* shall receive all due process considerations required under Federal and State legislation as set forth in Administrative Regulations 504.4-R2 and 504.5-R2.
4. If the student or his/her family are unable to pay the costs of an attorney, they may contact Legal Services for assistance.
5. The Waterloo Community School District has a Grievance Procedure, which provides students and parents a means of questioning the interpretation, application, or possible violation of policies and/or regulations of the District.

*As defined by Code of Iowa.

Legal Ref: Goss v. Lopez, 419 U.S. 565 (1975).
Brands v. Sheldon Community School District, 671 F. Supp. 627 (N.D. Iowa 1987).
Sims v. Colfax Comm. School Dist., 307 F. Supp. 485 (Iowa 1970).
Bunger v. Iowa High School Athletic Assn., 197 N.W.2d 555 (Iowa 1972).
Board of Directors of Ind. School Dist. of Waterloo v. Green, 259 Iowa 1260, 147 N.W.2d 854 (1967).
Iowa Code §§ 279.8; 282.3, 282.4, 282.5; 708.1.
281. I.A.C. 12.3(6)

Cross Ref.: 503.3 Student Grievance Policy
504.21 Academic Honesty
504.4-R1 Suspension
504.4-R2 Suspension of Special Education Students
504.5-R1 Expulsion
504.5-R2 Expulsion of Special Needs Students

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