



**Mapleton Public Schools**

# **Student Behavior Standards**

Conduct and Discipline Code

***"Guaranteeing Each Child Achieves  
His or Her Dreams"***

**Preschool– 12<sup>th</sup> Grade**

Revised June 2010

# **DISTRICT BELIEFS**

WE BELIEVE THAT:

- It is the nature of all people to learn
- All people are entitled to respect
- All people determine their future by the choices they make
- All people have equal worth
- The greater good is the responsibility of each individual
- Everyone deserves unlimited opportunity to maximize his or her unique abilities
- Learning always leads to opportunity
- Honest communication is the essence of community
- Integrity is the basis of trust
- People thrive in a caring environment
- Success requires constant improvement
- The children of today are the hope of tomorrow
- Growth requires risk
- All people deserve a fair return on their investment of effort, time, and resources

# **DISTRICT MISSION**

The mission of Mapleton Public Schools, a diverse and innovative learning community deeply rooted in its history and passionately committed to the uniqueness and potential of all students, is to guarantee that each student achieves his or her dreams and contributes enthusiastically to his or her community and world, through an educational system characterized by:

- An unyielding commitment to academic excellence;
- An enticing menu of learning opportunities that allows students to pursue their interests and gifts;
- A commitment that no obstacle shall impede a student's success;
- An environment of integrity, encouragement, and caring;
- A comprehensive community working collectively to ensure the success of each child.

# **Mapleton Public Schools**

591 East 80th Avenue  
Denver, Colorado 80229

## **Board of Education**

**Ms. Cindy Croisant**  
**Mr. Craig Emmert**  
**Mr. Victor Domenico**  
**Mrs. Norma Frank**  
**Mr. Ray Garcia**

**Charlotte Ciancio, Superintendent**

Revised June 2010

**Please note that this booklet contains summaries of school district policies and regulations, copies of which are maintained and available for inspection and copying at each school and at the district's central administration building, as well as on the**

**District's website at**

**<http://www.mapleton.us/about/SuperintendentPolicies.cfm>**

**In the event of any conflict or inconsistency between this booklet and the actual policies and regulations, the policies and regulations shall govern.**

Si usted prefiere recibir esta información en español, por favor llame al (303) 853-1000. Alguien le atenderá en español.

August 2010

Dear Parents or Guardians:

Congratulations and welcome to Mapleton Public Schools! By choosing to enroll your child in one of our schools, you have joined a dedicated family that has committed itself to the success of your child.

As our students prepare for a bright and wonderful future, we expect them to demonstrate respect for others while taking responsibility for their own behavior.

Our schools are deliberately organized to foster academic achievement, develop positive character goals, and support students as they give back to their community and world.

The standards and expectations for behavior outlined in this booklet lay the groundwork for safe and successful schools and represent the minimum expectations for Mapleton students. Every school will have additional expectations that define and support the unique culture and climate of each school.

This is an exciting time for Mapleton Public Schools and we welcome your active participation. If you have specific concerns or comments, please contact my office at 303.853.1015.

Sincerely,



Charlotte Ciancio  
Superintendent  
Mapleton Public Schools

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## **Introduction**

Students attending Mapleton Public Schools, like members of any community, have both rights and responsibilities. The purpose of this booklet is to ensure our students and parents understand these rights and responsibilities, as well as the consequences for violating district rules.

The expectations and procedures outlined in this booklet represent minimum standards for behavior and conduct established by the District. Every school will have additional expectations that define and support the unique culture and climate of the school.

Please take time to review and discuss the information contained in this document with your student. You and your son or daughter will then need to sign the page at the back of the booklet that indicates that you have read and discussed the information contained in the booklet. This page should be removed from the booklet and returned to school office within one week of receiving booklet.

## **A Word to Parents**

The success of any school depends, to great degree; on how actively involved parents are with their children's education. There are a variety of ways you can become involved in your child's education, including:

- Talking with your child each day about what they are learning in school
- Participating in homework activities
- Reviewing and discussing grades on school assignments and report cards
- Attending back to school nights and parent teacher conferences
- Participating in school activities and committees

Communicating openly about issues and concerns is another critically important way parents can help us provide the best schools possible. Please help us identify and address problems quickly by letting us know when you have concerns. The best place to start is with the person who is most directly connected to the concern. If the concern involves a teacher or classroom, then the place to start is with a teacher. If the concern involves the school or program, then the best place to start is with the director of the school.

Mapleton staff members are eager to identify and resolve problems, and most often a concern gets resolved quickly once it is brought to the attention of teacher or school director. If a concern is not resolved with a first contact, parents are encouraged to bring the concern to a supervisor for further review. Unresolved concerns about a classroom or teacher should be shared with the school director. Unresolved concerns about a school or its director should be shared with the district's central administrative staff (303-853-1000).

Thank you for being an active partner in your child's education. Working together, we can ensure that all our students achieve their dreams during and beyond their time at Mapleton.

## **Student Responsibilities**

*A "responsibility" is an obligation one has to do what is right.*

### **Protect the right of others to study and learn.**

Students attend school in order to receive an education. No student has the right to interfere with the education of others.

### **Attend school daily unless legally excused.**

Students are expected to attend school each day and to satisfactorily complete makeup work after excused absences.

### **Be on time for classes.**

Students who enter a classroom after a lesson has begun are interfering with the rights of others to learn and study. Punctuality is a habit that leads to success.

### **Obey school rules.**

Rules are designed to allow a school to meet its obligation to educate students. A school cannot achieve this obligation if significant time is taken away from instruction to maintain order.

### **Cooperate with school staff in disciplinary cases.**

There is a difference between "tattling" and telling school personnel about potential problems in the school community. Every community depends upon the willingness of its members to help solve problems.

### **Complete all work assignments and meet deadlines.**

The full responsibility for learning is shared between the student and the school. There can be no effective education when students fail to take the responsibility to do the assigned work.

Everything to be learned cannot be accomplished during the school day. Parents are accountable for seeing that their children make satisfactory progress in school.

## **Respect public property and carefully use and return all materials.**

Schools are a community's commitment to its young people. Abusing school property is wrong. It forces the community, through its citizens, to spend additional money in order to provide the same opportunities for future students.

## **Come to class with necessary books and materials.**

A student should not delay the start of a class by coming to class unprepared to begin work. All students are expected to be organized and prepared. This will support their learning and the learning of others.

## **See that school correspondence to parents reaches home.**

Education requires a partnership between the home and the school. For a partnership to work, everyone must share information. Students have the responsibility to take information home, to be honest, and not to intercept and/or destroy progress reports, attendance information, and report cards.

## **Help make school a safe place.**

You are expected to help make school a safe place. Students shall not bring weapons, drugs or alcohol to school, use gang symbols, wear gang-related clothing or act in a threatening manner. No student shall be permitted to attend or continue to attend any school without meeting legal requirements for immunization against disease unless the student has requested and received a valid exemption as provided by law.

# **Student Rights**

*A "right" is a privilege to which one is justly entitled.*

## **Equal educational opportunity**

Schools must provide all students an opportunity to get an education. This means free admission to the schools for students who are resident within the district and the right to attend school until the age of 21 or graduation from high school, whichever occurs first.

No student shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity based on that student's race, color, religion, national origin, sex, or disability. All students have the right to equal educational opportunity without interference from others.

### **Students with disabilities**

Federal law prohibits exclusion from participation in or denial of the benefits of educational programs on the basis of recognized disabilities. The district will provide to each qualified student, with or without a disability, a free and appropriate public education. The district will not exclude or discriminate against, on the basis of handicap or disability, qualified students with disabilities from participation in nonacademic and extracurricular services and activities.

### **Homeless students**

Federal law grants special rights to students and families who are homeless. A student is considered homeless if they:

- Lack a fixed, regular and adequate residence (motels and campgrounds are not considered fixed, regular and adequate).
- Sleep in shelters for people without homes, including domestic violence shelters and shelters for runaway youth;
- Sleep in the home of relative or friends because they lack a fixed, regular and adequate residence;
- Sleep in shelters awaiting foster care, adoption, or other permanent placement; or
- Sleep in a car, tent an abandoned building or other place not ordinarily used as a sleeping accommodation for human beings.

Homeless students and students from homeless families have the right to:

- Go to school, no matter where they live or how long they have lived there;
- Continue in the school they attended before they became homeless or the school they last attended, if that is their choice and is feasible;
- Receive transportation to the school they attended before their family became homeless or the school they last attended, if such transportation is requested;
- Attend a school and participate in school programs with children who are not homeless;
- Enroll in school without giving a permanent address;

- Enroll and attend classes while the school arranges for the transfer of school and immunization records or any other documents require for enrollment;
- Enroll and attend classes in the school of their choice while an enrollment dispute is being resolved;
- Receive the same special programs and services, if needed, as provided to all other children served in these programs;
- Receive transportation to school and to school programs;
- A Waiver of certain school fees and costs.

For more information or to request assistance exercising these rights call (303) 853-1007.

### **Due Process**

Students facing disciplinary action are entitled to fair procedures to determine if they are at fault and, if so, what the appropriate discipline should be. They are entitled to appeal expulsion decisions to the Board of Education.

### **Free expression**

Students are entitled to exercise their free speech rights in the school setting as long as doing so does not disrupt educational or other school-related activities. This includes the right to use specified areas for the posting of notices concerning school activities and the right to express opinions in student publications and non-curricular materials, subject to district policies and regulations.

In no event does a student's right of free expression allow speech which is false, obscene or defamatory, or which presents a clear and present danger of the commission of unlawful acts, the violation of school rules or material and substantial disruption of the orderly operation of the school, or which violates the privacy rights of others.

### **Freedom of assembly**

Students are entitled to hold meetings at times and places and in a manner which does not disrupt classroom instruction, the educational process or the orderly operation of the school. Prior administrative approval is necessary.

### **Grade challenge**

If a student or the student's parent/guardian desires a review of a grade the student received, a request shall be made to the school Director. The district procedure for "grade challenge" will be followed.

## **Reporting of Safety Concerns**

Mapleton prides itself in providing a safe learning environment for students. Parents and students can play a very important role in keeping schools safe by reporting all situations that in any way could be unsafe.

Examples of things that parents and student might report include:

- Potentially dangerous school equipment
- Threats against students or staff
- Fights or assaults
- Bullying
- Gang-related activity
- Harassment
- Suicidal comments by a student
- Weapons
- Drug/Alcohol possession or sale
- School or community vandalism
- School or community crimes
- Child abuse

The fastest and most direct way to report threats to student safety is to tell these concerns to a teacher or school Director. The staff member will investigate the concern immediately and take appropriate action to address the concern.

Parents and students can also report school safety concerns anonymously by calling 1-877-542-SAFE. This safety hotline is toll free and available 24 hours a day, 365 days a year. An operator will document your concern and work with the school to address the situation. The operator will not ask for your name, and the hotline does not use caller ID.

We can keep our schools safe if we all work together as a community. Please help us by promptly reporting any safety concerns.

## **School Choice**

All Mapleton schools are schools of choice. Students residing within Mapleton's District boundaries must choose the Mapleton school they wish to attend. The District will provide students transportation to their school of choice, once they are approved to attend that school, if they live further than the established walking distance from the school. School choice may be limited when one or more schools reach their attendance capacities. Parents are encouraged to contact the Mapleton Welcome Center at 303-853-1780 for more information.

## **Visitors to the Schools**

It is Mapleton's policy to encourage parents and all citizens of the community to visit the schools throughout the year. Parents and citizens shall have reasonable access to observe classes, activities, and functions at the school upon advance notice to, and authorization by, the school administrator's office. Teachers shall avoid conferring with parents during class sessions; parents desiring an individual conference should make an appointment in advance. Visitations by non-enrolled juveniles unaccompanied by adults are prohibited unless approved by the Director. Visitors shall not distribute information to students or staff without prior approval from the superintendent's office.

## **Truancy/Unexcused Absences**

In Colorado, students are required by law to attend school until the age of 17. Unexcused absences involve a student's failure to attend school for all or any part of the day without a legal excuse. Legal excuses as defined by state law and board policy are: (1) illness or injury (2) death of an immediate family member, (3) danger to health from exposure, (4) time required for medical and dental appointments or (5) an absence as approved by the administration of the school.

Academic penalties may be imposed for classes missed by a student without excuse. Suspension and expulsion shall be considered an excused absence for the purpose of the district's attendance policy. Upon request, schools will provide make-up work for credit during periods of suspension or expulsion.

Truancy involves a student's unexcused absence from school without the knowledge of the student's parents or guardian. In cases of truancy, students will not be permitted to make up work missed.

Specific attendance protocols will be communicated to parents and students by individual schools.

## **Student Dress Code**

Mapleton recognizes that responsibility for the dress and appearance of students generally rests with individual students and their parents. Students are expected to dress appropriately for all school activities. The following general standards shall be in effect in school buildings, on school grounds, and at school activities:

1. Dress apparel may not be worn that causes or is likely to cause disruption of the educational process, the classroom environment, or the maintenance of a safe and orderly school.
2. Wearing apparel that interferes with or endangers the student while he or she is participating in classroom activities is prohibited.
3. Clothing, paraphernalia, grooming, jewelry, hair coloring, accessories, or body adornments are prohibited if they contain any advertisement, symbols, words, slogans, patches, or pictures that:
  - Refer to drugs, tobacco, alcohol, or weapons
  - Are of a sexually provocative nature
  - By virtue of color, arrangement, trademark, or other attribute denote membership in or affiliation with any gangs which advocate drug use, violence, or disruptive behavior
  - Are obscene, profane, vulgar, lewd, or legally libelous
  - Threaten the safety or welfare of any person
  - Promote any activity prohibited by the student code of conduct
  - Otherwise disrupt the teaching-learning process.
4. Individual school communities may adopt additional rules for student dress, including uniform requirements.

## **Using Computer Networks and the Internet**

Student use of school computers can provide tremendous support and enrichment for student education and the District's curriculum. Mapleton accordingly supports the use of information technology resources for school-related academic purposes. Such use is, however, a privilege and not a right.

Students are responsible for good behavior when using school computers and the District computer network just as they are responsible for good behavior in classrooms, on school property and at school-sponsored activities.

Student use of school computers, including but not limited to use for accessing the District computer network and the Internet, is for school-related academic purposes only. Network administrators may review student files and communications to maintain system integrity and help ensure that the students are using school computers and the District computer network appropriately. Accordingly, student users should not expect that files stored on District computers and/or the District computer network are private.

The District will make every reasonable effort to ensure that students use the Internet appropriately and responsibly. To this end, the District will provide content filtering applications that control student access to inappropriate material on the Internet. In addition, District administrators, teachers, and other staff shall work together to help students develop the intellectual skills needed to properly evaluate and choose information sources from school computers, the District computer network and the Internet appropriate to the students' age and developmental levels, and to evaluate and use these information technology resources to meet the District's educational goals.

Violations of the District's Student Computer and Internet Use policy and regulations may result in loss of the privilege to use some or all of the District's information technology resources, discipline (including suspension or expulsion), the institution of legal proceedings against the student, and/or a requirement that the student pay restitution for the cost of damages caused by such violations.

## **Gang Activity**

Mapleton Public Schools desires to keep district schools and students free from the threats and harmful influence of any groups or gangs which advocate drug use, violence or disruptive behavior. The Director of each school or his/her designee will maintain supervision of school premises, school vehicles and school-related activities to deter gang intimidation of students and confrontations between members of different gangs.

The superintendent or designee will establish open lines of communication with local law enforcement authorities so as to share information and provide mutual support for this policy.

The superintendent or designee shall provide in-service training to help staff members identify gangs and gang symbols, recognize early manifestations of disruptive activities and respond appropriately to gang behavior.

Staff members will be informed about conflict management techniques and alerted to intervention measures and community resources, which may help students.

The presence on school premises, in school vehicles and at school-related activities of any manner of conduct or grooming, or any apparel, jewelry, accessory, notebook or other personal property,

which by virtue of its color, arrangement, trademark, communicative effect or any other attribute denotes membership in gangs which advocate drug use, violence or disruptive behavior, is strictly prohibited.

## **Prevention of Bullying**

The Board recognizes the negative impact that bullying has on student health, welfare and safety and on the learning environment at school. Bullying is prohibited on all district property, at district or school-sanctioned activities or events, when students are being transported in vehicles dispatched by the district or one of its schools, and off school property when such conduct has a nexus to school or any district curricular or non-curricular activity or event.

All district employees and students share the responsibility to ensure that bullying does not occur. Toward that end:

- All students who believe they have been victims of bullying in any circumstance shall immediately report it to a district employee at their school.
- All students who witness student bullying in any such circumstance shall immediately report it to a district employee at their school.
- All district employees who witness student bullying in any such circumstance shall immediately take appropriate action to stop the bullying, as prescribed by the district and the school Director, and shall promptly report the bullying to the Director or designee for appropriate action, as appropriate.
- Each school Director or designee shall ensure that all reports involving student bullying in any such circumstance are promptly and thoroughly investigated, and that appropriate action is taken.

In determining the appropriate action to be taken in response to incidents of student bullying, the school Director or designee shall consider existing policies and regulations that address the type of conduct that may be involved in bullying. Discipline for student bullying may include suspension, expulsion and/or classroom removal.

## **Weapons in School**

Possession and/or use of weapons by a student is detrimental to the welfare and safety of students and school personnel within the district. Carrying, bringing, using or possessing a dangerous weapon on

district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity, and off school property when the conduct has a reasonable connection to school or any district curricular or non-curricular event without the authorization of the school or the school district is prohibited.

An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms.

As used in this policy, “dangerous weapon” means:

- a) A firearm, whether loaded or unloaded.
- b) Any pellet, BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air.
- c) A fixed blade knife with a blade that measures longer than three inches in length or a spring loaded knife or a pocket knife with a blade longer than three and one-half inches.
- d) Any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury including but not limited to slingshot, bludgeon, brass or artificial knuckles of any kind.

The school director shall initiate expulsion proceedings for students who carry, bring, use or possess a dangerous weapon in violation of this policy. Unless expulsion is otherwise required by federal law, a student may, but need not be expelled, if as soon as possible upon discovering that he or she is in possession of the dangerous weapon, the student notifies and delivers the weapon to school officials.

In accordance with federal law, expulsion shall be for no less than one full calendar year for a student who is determined to have brought a firearm to school in violation of this policy. The superintendent may modify the length of this federal requirement for expulsion on a case-by-case basis only if such modification is made in writing.

Carrying, using, actively displaying or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm on district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event, and off school property when such conduct has a reasonable connection to school or any district curricular or non-curricular event without the authorization of the school or school district is prohibited. Students

who violate this policy provision may be subject to disciplinary action, including but not limited to suspension and/or expulsion.

A student may seek prior authorization from the school director to carry, bring, use, or possess a firearm facsimile that could reasonably be mistaken for an actual firearm on school property for purposes of a school-related or non-school related activity.

A student's failure to obtain such prior authorization is a violation of this policy provision and may result in disciplinary action including but not limited to suspension and/or expulsion. The school director's decision to deny or permit a student to carry, bring, use or possess a firearm facsimile that could reasonably be mistaken for an actual firearm on school property shall be final.

School administrators shall consider violation of this policy provision on a case-by case basis to determine whether suspension, expulsion, or any other disciplinary action is appropriate based upon the individual facts and circumstances involved.

Extra precautions are important and necessary to provide for student safety. Therefore, the carrying, bringing, using or possessing of any knife, regardless of the length of the blade, other instruments with sharpened blades or edges that might easily be used as a weapon, or any other substance or object, regardless of its intended purpose, used in a manner that may render them dangerous to the user or others, on district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event, and off school property when the conduct has a reasonable connection to school or any district curricular or non-curricular event without express authorization is prohibited. Students who violate this provision shall be referred for appropriate disciplinary proceedings.

The district shall maintain records which describe the circumstances involving expulsions of students who bring weapons to school including the name of the school, the number of students expelled and the types of weapons involved as required by law.

In accordance with applicable law, school personnel shall refer any student who brings a firearm or weapon to school without authorization of the school or the school district to law enforcement.

## **Drug and Alcohol Use by Students**

The District is committed to helping each student achieve a healthy, balanced, alcohol-free and drug-free lifestyle.

The District recognizes that substance abuse is a treatable health problem. Health problems of youth are primarily the responsibility of the home and community, but schools share in that responsibility because substance abuse problems affect student behavior at school and interfere with student learning. The responsibility for student substance abuse prevention and intervention programs is a shared one.

It is strictly prohibited for any student to possess, use, sell, distribute, receive, procure or be under the influence of alcohol or any controlled substance on school property, in a school vehicle or at any school-sponsored or sanctioned activity, or otherwise at any time or place when such conduct interferes with or disrupts school operations or compromises the safety or welfare of students and/or district employees.

Such conduct shall be considered behavior which is detrimental to the welfare, safety and morals of other students or school personnel and behavior which creates a threat of physical harm to the student engaged in such conduct and/or to other students.

For purposes of this policy, "controlled substances" include but are not limited to narcotic drugs, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, any other controlled substances as defined in law, and any prescription or non-prescription drug, medicine, vitamin or other chemical substances not taken in accordance with District policies and regulations on administering medication to students. "Controlled substances" also include substances that are represented by or to the student to be any of the controlled substances described above, or what the students involved believe to be any of the controlled substances described above.

Students violating this policy shall be subject to disciplinary sanctions which may include suspension and/or expulsion from school and referral for prosecution. Expulsion shall be mandatory for sale or distribution of drugs or other controlled substances on school property.

Situations in which a student seeks counseling or information from a professional staff member for the purpose of overcoming a substance abuse problem shall be handled on an individual basis depending upon the nature and particulars of each case. When appropriate, parents/guardians shall be involved, and every effort shall be made to direct the substance abuser to sources of help.

The District, in recognition that drug and alcohol abuse is a community problem, shall actively cooperate with law enforcement, social services, parents/guardians and all other individuals and community organizations committed to reducing the incidents of alcohol and controlled substance abuse by school-aged youths.

Whenever possible in dealing with student drug and alcohol use, school personnel shall provide students and their parents/guardians with information concerning education and rehabilitation programs that are available. Such information provided to students and parents/guardians shall be accompanied by a disclaimer which clarifies that the District assumes no financial responsibility for the expense of such programs, unless District financial responsibility is otherwise required or voluntarily undertaken by the District.

### **Use of Tobacco by Students**

In order to promote the general health, welfare and well-being of students and staff, smoking, chewing or any other use of any tobacco product and the conspicuous possession of any tobacco product by students while in or on school property, or under the school's jurisdiction during school hours, or while participating in any school-sponsored activity or event, is prohibited.

For purposes of this policy, the following definitions shall apply:

1. "School property" shall mean all property owned, leased, rented or otherwise used by a school, including but not limited to the following:
  - a) All interior portions of any building or other structure used for instruction, administration, support services, maintenance or storage.
  - b) All school grounds over which the district is authorized to exercise dominion and control including areas surrounding any district building, playgrounds, athletic fields, recreation areas and parking areas.
  - c) All vehicles used by the district for transporting students, staff, visitors or other persons.
2. "Tobacco" shall include cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such manner as to be suitable for chewing, smoking or both. "Tobacco" shall include cloves or any other product packaged for smoking.
3. "Use" shall mean lighting, chewing, inhaling or smoking any tobacco product.

Disciplinary measures for the first violation of this policy shall include detention, revocation of privileges and/or exclusion from extracurricular activities. Disciplinary measures for subsequent violations of this policy may include suspension and/or expulsion from school.

## **Harassment of Students**

Mapleton Public Schools is committed to maintaining a learning environment for students that is free from harassment based on an individual's race, color, religion, national origin, sex or disability. All such harassment, by district employees, students and third parties, is strictly prohibited.

Harassment based on race, color, religion, national origin, sex or disability will be regarded as a violation of this policy when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of a student's education; (2) submission to or rejection of such conduct is used as the basis for educational decisions affecting the student; or (3) such conduct has the purpose or effect of adversely affecting a student's ability to participate in or benefit from District program(s), or of creating an intimidating, hostile or offensive educational environment.

Harassment based on race or color can include unwelcome, hostile and offensive verbal, written, or physical conduct based on or directed at the characteristics of a person's race or color, such as nicknames emphasizing stereotypes, racial slurs and negative references to racial customs.

Harassment based on religion can include unwelcome, hostile and offensive verbal, written or physical conduct based on or directed at the characteristics of a person's religion or creed, such as comments regarding surnames, religious tradition or religious clothing, as well as religious slurs and/or graffiti.

Harassment based on national origin can include unwelcome, hostile and offensive verbal, written or physical conduct based on or directed at the characteristics of a person's national origin, such as comments regarding surnames, manner of speaking, customs, language or ethnic slurs.

Harassment based on disability can include unwelcome, hostile and offensive verbal, written or physical conduct based on or directed at the characteristics of a person's disability condition, such as imitating manner of speech or movement; hostile or offensive acts; and/or interference with movement or access to necessary equipment.

Sexual harassment of students by District employees includes sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Sexual harassment of students by other students and third parties includes *unwelcome* sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature.

Sexual harassment may occur whether the harassment is between people of the same or different gender. Sexual harassment can include unwelcome oral, written or physical conduct, directed at or related to a person's gender, such as sexual gossip or personal comments of a sexual nature, sexually suggestive or foul language, sexual jokes, whistling, spreading rumors or lies of a sexual nature about someone, demanding sexual favors, forcing sexual activity by threat of punishment or offer of educational reward, obscene graffiti, display or sending of pornographic pictures or objects, offensive touching, pinching, grabbing, kissing or hugging or restraining someone's movement in a sexual way.

All District employees and students share the responsibility to ensure that harassment does not occur at any District school, on any District property, at any District or school-sanctioned activities or events, when students are being transported in any vehicle dispatched by the District or one of its schools or off school property when such conduct has a nexus to school or any District curricular or non-curricular activity or event. Toward that end:

- All students who believe they have been victims of harassment shall immediately report it to an administrator or teacher at their school. If the harassment is being committed by the Director or another administrator in the building, the report shall be made to the Chief Human Resources Officer.
- All students who witness such harassment shall immediately report it to an administrator or teacher at their school. If the harassment is being committed by the Director or another administrator in the building, the report shall be made to the Chief Human Resources Officer.
- All administrators and teachers who have harassment reported to them shall promptly forward the report(s) to the Director or designee for appropriate action. If the harassment is purportedly being committed by the school Director or another administrator in the building, the report(s) shall be forwarded to the Chief Human Resources Officer.
- All district employees who witness harassment shall take prompt and effective action to stop it, as prescribed by the district and the Director, and shall promptly report the harassment to the Director or designee for effective action. If the harassment is

being committed by the Director or another administrator in the building, the report shall be made to the Chief Human Resources Officer.

- Each school Director or designee (or Chief Human Resources Officer, if necessary or appropriate) shall ensure that all reports of such harassment are promptly and thoroughly investigated, and that effective action is taken.

School officials shall inform all students who have reportedly been harassed of the results of the District's investigation and whether action has been taken with respect to the purported harasser(s).

Any student who engages in harassment of another student based on the other student's race, color, religion, national origin, sex or disability shall be required to attend a meeting with his or her parent(s) or guardian(s) and the Director or designee; be subject to remedial action such as education or counseling; and be subject to disciplinary action up to and including suspension or expulsion. Any District employee who engages in harassment of a student based on the student's race, color, religion, national origin, sex or disability, shall be subject to remedial action such as training, education or counseling; as well as disciplinary action including but not limited to warning, reprimand, transfer, suspension or termination of employment.

Remedial and/or disciplinary actions shall include measures designed to stop the harassment, correct its negative impact on the affected student and ensure that the harassment does not recur. Steps shall also be taken to ensure that victims of and witnesses to harassment are protected from retaliation.

No student shall be subject to adverse treatment in retaliation for any good faith report of harassment under this policy. To the extent possible, all reports of harassment will be kept confidential.

## **Bus Misconduct**

A student's ability to ride a school bus is a privilege, not a right and is dependent upon their good behavior and observance of established policies and regulations. Such policies and regulations are made to ensure a safe, worry-free ride for students to and from school and on field and activity trips.

The following procedure is to ensure consistency of discipline among students transported within the district, and to ensure that consequences are clearly defined.

<b>Incident Report</b>	<b>Staff Responsible</b>	<b>Communication/Consequence</b>
<b>Warning</b>	Bus driver	1. Maintain log of student behavior that requires verbal warning.
<b>Reported First Offense</b>	Bus driver will generate a written report.	1. Written warning to student; copy to be signed by parent and returned to the driver; copy to the Director.
<b>Reported Second Offense</b>	Director (or designee) will be given the bus driver's written report. This information will be used in the consequence section.	1. Student conference. 2. Parent conference. School Director will contact the Director of Transportation with any necessary information collected.
<b>Reported Third Offense</b>	Director or (designee) will be given a written report from the bus driver. This information will be used in the consequence section.	1. Parent conference. 2. 3-day bus suspension. 3. Parent will be told the fourth offense is suspension for the remainder of the school year.
<b>Reported Fourth Offense</b>	Director or (designee) will be given the bus driver's written report. Information will be used in the consequence section.	1. Parent conference. 2. Suspension of bus riding privileges for the remainder of the school year.

Certain offenses when committed on the bus, or at a bus stop, will result in automatic removal from the bus. These offenses include alcohol or drug use, smoking, bullying behavior, aggressive physical contact, or any act that endangers other students or the safety of the bus.

If parents do not agree with a decision concerning bus misconduct at any level, they may appeal to the following individuals, but must do so in the order listed: (1) School Director, (2) Director of Transportation, (3) Chief Operations Officer, and (4) Superintendent.

## **Rules and Consequences for Violations**

*Violations of rules, which are known and understood, must be followed by consequences, which are known and understood.*

The following student behaviors are prohibited and may result in discipline for students who engage in the behaviors while in school buildings, on school grounds, in school vehicles, at a school-sponsored activity, or off school property when the behaviors have some

connection with school or affect school operations. Depending on the seriousness of the behavior, the student's past disciplinary history and other relevant factors, discipline may include counseling of the student by one or more staff members, school/parent conferences, in-school detention, classroom suspension, out-of-school suspension and/or expulsion. As noted, expulsion is mandatory for certain behaviors.

When the student's behavior also involves a suspected violation of the criminal law, law enforcement authorities may also be contacted.

1. Continued willful disobedience or open and persistent defiance of proper authority including, but not limited to, repeated violations of district policy and/or regulations, and repeated instances of misconduct, no single occurrence of which might otherwise constitute a ground for suspension or expulsion.
2. Repeated interference with a school's ability to provide educational opportunities to other students.
3. Repeated disruptive conduct resulting in the student being declared a habitually disruptive student, for which expulsion shall be mandatory.
  - a. "Habitually disruptive student" means a student who has been suspended three times during the course of the school year or calendar year for causing a material and substantial disruption in the classroom, on school grounds, on school vehicles or at school activities or events, because of behavior that was initiated, willful and overt on the part of the student.
    - i. The student and the student's parent, legal guardian or legal custodian must be notified in writing of each suspension counted toward declaring the student as habitually disruptive, and must be notified in writing and by telephone or other means of the definition of "habitually disruptive student" and the mandatory expulsion of such students.
    - ii. A remedial discipline plan may be developed for the student after the student's first or second suspension for causing a material and substantial disruption, as set forth above. Any such remedial discipline plan shall address the student's disruptive behavior, his or her educational needs, and the goal of keeping the student in school.
4. Willful destruction or defacing of school property.
5. Behavior on or off school property which is detrimental to the welfare or safety of other students or of school personnel, including behavior which creates a threat of physical harm to the student or to other students.

6. Incidents of assault upon, disorderly conduct toward, harassment of, the making of a knowingly false allegation of child abuse against, or any criminal act directed toward a school teacher or school employee, or instances of damage occurring on the premises to the personal property of a school teacher or school employee, for which a minimum of a three day suspension shall be mandatory.
7. Serious violations in a school building or in or on school property, for which suspension or expulsion shall be mandatory.
8. Carrying, bringing, using or possessing a dangerous weapon without the authorization of the school or the school district. The school director shall initiate expulsion proceedings for students who carry, bring, use or possess a dangerous weapon in violation of this policy, subject to these provisions:
  - a) "Dangerous weapon" means: a firearm, whether loaded or unloaded; any pellet, BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air; a fixed blade knife with a blade that measures longer than three inches in length or a spring loaded knife or a pocket knife with a blade longer than three and one-half inches, or any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury including but not limited to slingshot, bludgeon, brass or artificial knuckles of any kind.
  - b) Carrying, using, actively displaying or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm is also prohibited and subject to disciplinary action.
  - c) Carrying, bringing, using or possessing any knife, regardless of the length of the blade, other instruments with sharpened blades or edges that might easily be used as a weapon, or any other substance or object, regardless of its intended purpose, used in a manner that may render them dangerous to the user or others, without express authorization, is also prohibited and subject to disciplinary action.
  - d) Unless expulsion is otherwise required by federal law, a student may, but need not be expelled, if:
    - I. as soon as possible upon discovering that he or she is in possession of the dangerous weapon, the student notifies and delivers the weapon to school officials; or
    - II. the school director has granted prior authorization for a student participating in an extracurricular activity or team to possess a firearm or firearm facsimile.

9. Expulsion shall be mandatory for the distribution, trade, exchange, or sale of a drug or controlled substance in a school building or in or on school property.
10. Expulsion shall be mandatory for the commission of an act which if committed by an adult would be robbery or first or second degree assault.
11. Hazing, which shall be deemed to include any activity by which a person recklessly endangers the health or safety of, or causes a risk of bodily injury to, an individual for purposes of initiation or admission into, or affiliation with, any student organization.
12. Willful destruction or defacing of personal property belonging to students or staff members.
13. Stealing or attempting to steal school property or personal property belonging to students or staff.
14. Smoking, chewing or any other use of any tobacco product, or the conspicuous possession of any tobacco product, while in or on school property, under the school's jurisdiction during school hours, or while participating in any school-sponsored activity or event.
15. Possession, use, sale, distribution, receiving, procuring or being under the influence of alcohol or any controlled substance on school property, in a school vehicle or at any school-sponsored or sanctioned activity, or otherwise at any time or place when such conduct interferes with or disrupts school operations or compromises the safety or welfare of students and/or district employees.
16. Lying or giving false information, either orally or in writing, to a school official.
17. Scholastic dishonesty, including but not limited to cheating on a test, plagiarism, or unauthorized collaboration with another person in preparing written work.
18. Directing profanity, vulgar language or obscene gestures toward other students, school personnel or school visitors.
19. Harassment or discriminatory behavior directed toward any student or staff member based on race, color, religion, national origin, sex or disability.
20. Threats of serious bodily injury or death to one or more District employees or students; threats to damage or destroy District property or the property of one or more District employees or students; and/or threats to disrupt school or District operations.
21. Violation of any District policy or regulation, or any rule instituted at any school building governing student conduct.

# **Suspension and Expulsion Procedures**

## **Suspension Procedures**

The following procedures shall be followed in any suspension.

1. A student may be suspended from school by a Director or designee for a period of up to five school days; however, the Director may extend suspension for an additional 5 school days if the conduct giving rise to disciplinary action involves a serious violation or mandatory grounds for expulsion as set forth in paragraphs 7-10 of the Rules and Consequences for Violations section above.
2. The Superintendent may extend a suspension for up to ten additional school days, and another ten school days if necessary in order to present the issue of expulsion to the next meeting of the Board of Education. In no event shall the suspension exceed a total of 25 continuous school days.
3. As an alternative to suspension, the suspending authority may, acting in his or her discretion, allow the student to remain in school if the student's parent, guardian or legal custodian, attends school with the student for a specified period of time. If a parent, guardian or legal custodian does not agree, or fails to attend school with the student, the suspending authority shall suspend the student in accordance with this policy. This alternative shall not be considered if expulsion proceedings are to be initiated or if the conduct-giving rise to disciplinary action involved a threat to the welfare or safety of other students or school personnel.
4. Notice. The Director, the designee, or the superintendent shall give the student and his/her legal guardian notice whenever a suspension is employed. Initial notice may be oral; written notice must follow (see #11, page 24).
5. Contents of Notice. The notice shall contain the following:
  - a) A statement of the factual basis for the allegation.
  - b) A statement of the policy or regulation which the student is alleged to have violated.
  - c) The time and place set for hearing the matter (which, for suspensions of ten days or less, may be at the time and place notice is given).

6. Informal hearing. Any student suspended for ten days or less shall be given an opportunity to explain his or her position regarding an incident constituting grounds for discipline. An informal hearing, however, does not generally include representation by counsel, the ability to confront and cross-examine witnesses or to call witnesses to verify the student's version of the incident. However, the administrator conducting the informal hearing may, acting within his or her discretion, allow the student to present witnesses and may call persons who witnessed the alleged improper conduct to present evidence in the presence of the student. As a minimum, the student must be given an explanation of the evidence against him or her.
7. Review. Any student suspended for more than ten days shall be given the opportunity to request a review of the suspension before the superintendent or designee. The decision of the superintendent or designee shall be final.
8. Timing. Notice and an informal hearing should precede removal of the student from school unless immediate removal is necessary as provided in paragraph 9 below. There need be no delay between the time notice is given and the time of the hearing. Once a determination has been made to suspend a student, the student shall be required to leave the school building and the school grounds immediately upon arrangements being made for a transfer of custody in accordance with paragraph 10 below.
9. Notice and an informal hearing need not be given prior to removal from school where a student's presence constitutes a continuing danger to the student himself or herself, other persons or property, or a continuing threat of disrupting the academic process. In such cases, notice of the student of the alleged misconduct and an informal hearing shall follow as soon as practicable after the student's removal from school. Any student who poses a threat of physical harm to himself or herself or to other persons shall be removed from school immediately upon arrangements being made for a transfer of custody in accordance with paragraph 10 below.

The Director or designee shall immediately remove a student with a disability from a situation in which he or she poses a threat of physical harm to himself or herself or to other persons. The student shall be suspended or placed in an appropriate alternative setting, in accordance with relevant policy and procedures.

10. Transfer of Custody. No student of minor age shall be released from the custody of school personnel, except in the case of a transfer to law enforcement authorities, until arrangements have been made for a transfer of custody with a parent, guardian, legal custodian, or parent's designee. In accordance with state law, law enforcement authorities may be involved in the removal of students from school where there are reasonable grounds to believe that the student has committed an act which would be a felony, misdemeanor or municipal ordinance violation if committed by an adult. If transfer is made to law enforcement authorities, the student's parents, guardian, or legal custodian shall be notified as soon as practicable.

11. Communication with Parents, Guardian or Legal Custodian. Following a suspension, the Director or designee shall immediately attempt to notify the student's parents, guardian, or legal custodian of the action by telephone. In addition, a letter stating the length of suspension, reasons for the action, and time and place for the parents, guardian, or legal custodian to meet to review the suspension, shall be mailed or delivered to the student's parents, guardian, or legal custodian within three school days following a suspension or as soon thereafter as practicable.

12. Readmittance. No student shall be readmitted to school until a meeting has taken place between the Director or designee and the student's parents, guardian or legal custodian to review the suspension, or until, in the discretion of the Director or designee, a parent, guardian or legal custodian of the suspended student has substantially agreed to review the suspension with the Director or designee. If the Director or designee cannot contact the parent, guardian or legal custodian of such student or if a parent, guardian or legal custodian repeatedly fails to appear for scheduled meetings, the suspending authority may readmit such student.

The purpose of the readmittance conference shall be to address whether there is a need to develop a remedial discipline plan for the student in an effort to prevent further disciplinary action.

13. Students with Disabilities. Students with disabilities are subject to suspension in the same manner as students without disabilities, except that such students are subject to the special considerations and procedures outlined in Regulation JKD/JKE-R.

## **Expulsion Procedures**

In the event that the District contemplates action expelling any student, the following procedures shall be followed:

1. **Notice.** The superintendent shall cause written notice of a contemplated expulsion to be delivered to the student and his or her parents, guardian or legal custodian. Such delivery may be by United States mail or by personal delivery. If mailed, delivery shall be deemed to be completed at such time as the notice is deposited in the United States mail addressed to the last known address of the student or his or her parents, guardian or legal custodian.

2. **Contents of Notice.** The notice shall contain the following:

- a. A statement of the rule or regulation which the student is alleged to have violated.
- b. A statement that a hearing on the question of expulsion will be held within the period of suspension applicable to the student if requested by the student or his or her parents, guardian or legal custodian.
- c. A statement of the date, time and place of the hearing in the event one is requested.
- d. A statement that the student may be present at the hearing and hear all information against him or her; that the student will have an opportunity to present such information as is relevant; and that the student may be accompanied and represented by his or her parents, guardian or legal custodian and an attorney.
- e. A statement that failure to request a hearing within five school days or failure to participate in such a hearing constitutes a waiver of further rights in the matter.
- f. A statement of the effective date and duration of the contemplated expulsion

4. **Hearing.** The hearing shall be conducted by the superintendent or his or her designee. If requested by the student; his or her parents, guardian or legal custodian; or attorney, such individuals in the employ of the district who have pertinent information shall be requested to attend the hearing to the extent necessary to provide such information. Testimony and information shall be presented under oath. However, technical rules of evidence shall not be applicable and the hearing officer may consider and give appropriate weight to such information or evidence he or she deems appropriate.

The student or his or her representative may cross-examine witnesses against him or her. A sufficient record of the proceedings shall be kept so as to enable a transcript to be prepared in the event of an appeal.

5. **Superintendent's Decision.** The superintendent shall render a written decision within five school days following the hearing. The superintendent shall report each case acted upon at the next meeting of the Board of Education, briefly describing the circumstances and the reasons for his or her action.

6. **Appeal to the Board.** Within five school days after the decision of the superintendent, the student may appeal an expulsion of ten days or more to the Board. The Board shall review the decision on the record. No additional testimony or evidence shall be presented unless it was not reasonably discoverable at the time of the hearing; however, the Board may permit oral argument. The Board may retire to executive session to review and discuss the evidence, but the final decision shall be made in public session.

7. **Students with Disabilities.** Students with disabilities are subject to expulsion in the same manner as students without disabilities, except that such students are subject to the special considerations and procedures outlined in Regulation JKD/JKE-R.

8. **Parental Responsibility for School Attendance.** If a student who is at least six, but not yet seventeen years old is expelled, the parents, guardian or legal custodian of the student are responsible under state law for ensuring compliance with Colorado's compulsory attendance laws during the period of expulsion. The District will provide educational services to expelled students when requested.

9. **Readmittance.** No student shall be readmitted to school until a meeting has taken place between the Director or designee and the student's parents, guardian or legal custodian to review the expulsion, or until, in the discretion of the Director or designee, a parent, guardian or legal custodian of the expelled student has substantially agreed to review the expulsion with the Director or designee.

If the Director or designee cannot contact the parent, guardian or legal custodian of such student or if a parent, guardian or legal custodian repeatedly fails to appear for scheduled meetings, the Director may readmit such student.

10. In accordance with state law, any student expelled on grounds set forth in paragraphs 5-10 of the Rules and Consequences for Violations section above and who is convicted, adjudicated a juvenile delinquent, receives a deferred judgment or is placed in a diversion program as a result of committing the offense for which the student was expelled (except with respect to crimes against property), shall not be enrolled or reenrolled in the same school in which the victim of the offense or member of the victim's immediate family is enrolled or employed. If there is only one school within the district in which the expelled student can enroll, the district may design a schedule for the expelled student that, to the extent possible, avoids contact between the expelled student and the victim or member of the victim's immediate family.

## **Classroom Suspension Procedures**

The following policy and procedures shall apply with respect to any classroom suspension.

1. A teacher may remove a student from the teacher's classroom for one day for causing a material and substantial disruption in the classroom through behavior that is initiated, willful and overt on the part of the student. Prior to any such removal, the teacher shall provide the student with the same level of due process to which the student would be entitled for suspensions from school of ten days or less.
2. The teacher initiating a one-day classroom suspension shall provide the Director or designee with assignments and other course work to be completed by the student during the period of suspension, and shall contact the parent or legal guardian of the student as soon as possible after removal to request his or her attendance at a conference regarding the classroom suspension.
3. The teacher may develop a behavior plan approved by the Director after a student's first one-day classroom suspension during any grading term (quarter, trimester or semester) and shall develop a behavior plan approved by the Director after a student's second one-day classroom suspension during any grading term.

The behavior plan shall indicate that the third incident during a grading period of material and substantial disruption in the classroom through behavior that is initiated, willful and overt on the part of the student after classroom suspensions for the first two incidents will result in the student's removal from the classroom for the remainder of the grading term. The teacher shall provide a copy of the behavior plan, as well as a copy of each revision thereto, to the student and the parent or legal guardian of the student.

4. For any student removed from the classroom for the remainder of a grading term as provided in paragraph 3 above, the teacher responsible for the removal shall provide the Director or designee with a lesson plan, assignments, other course work, quizzes and exams for the remainder of the grading term so as to allow the student to complete and receive credit for the course.
5. Classroom suspensions shall not count as suspensions for purposes of declaring a student as "habitually disruptive."
6. A teacher's ability to impose classroom suspensions shall be subject to governing law and the district's policies and regulations concerning suspension/expulsion of students with disabilities.

## **Crimes of Violence and Unlawful Sexual Behavior**

Whenever the district is notified that a student at least 12 years of age but under 18 years of age has been charged in juvenile court with an offense that would constitute a crime of violence or unlawful sexual behavior if committed by an adult or has been charged in district court with a crime of violence or unlawful sexual behavior, the Board of Education or its designee shall determine whether the student has exhibited behavior that is detrimental to the safety, welfare and morals of the other students or personnel at school, and whether educating the student at school may disrupt the learning environment, provide a negative example for other students, or create a dangerous and unsafe environment for students, teachers and other school personnel.

If it is determined that the student should not be educated at school, the district may institute procedures to suspend or expel the student. Alternatively, the district may delay consideration of the student's suspension or expulsion pending the outcome of the juvenile court or district court proceedings, during which time the district shall provide the student with an appropriate alternate education program. The time that a student spends in an alternate education program shall not be considered a period of suspension or expulsion.

As used in this policy, a "crime of violence" means any of the following crimes as defined by law committed, conspired to be committed or attempted to be committed by a student in connection with which the student used or possessed and threatened the use of a deadly weapon, or caused serious bodily injury or death to any other person except another participant: (1) any crime against an at-risk adult or at-risk juvenile; (2) murder; (3) first or second degree assault; (4) kidnapping; (5) sexual assault; (6) aggravated robbery; (7) first degree arson; (8) first degree burglary; (9) escape; or (10) criminal extortion. "Crime of violence" also means any felony unlawful sexual offense in which the student caused bodily injury to the victim or in which the student used threats, intimidation or force against the victim.

As used in this policy, "unlawful sexual behavior" means any of the following offenses, as defined by law, or criminal attempt, conspiracy, or solicitation to commit any of the following offenses: (1) first, second, or third degree sexual assault; (2) sexual assault on a child; (3) sexual assault on a child by one in a position of trust; (4) enticement of a child; (5) incest or aggravated incest; (6) trafficking in children; (7) sexual exploitation of children; (8) procurement of a child for sexual exploitation; (9) indecent exposure; (10) soliciting for child prostitution; (11) pandering of a child; (12) procurement of a child; (13) keeping a place of child prostitution; (14) pimping of a child; (15) inducement of child prostitution; or (16) patronizing a prostituted child.

## **Corporal Punishment/Reasonable Restraint**

No corporal punishment shall be allowed in the district.

### **Reasonable Restraint**

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the school district. To the extent that their actions comply with state law and Board policy governing physical restraint of students, employees shall have the full support of the Board of Education in their efforts to maintain a safe environment.

There are times when it becomes necessary for staff to use reasonable restraint to protect a student from harming himself/herself or to protect others from harm.

Reasonable restraint is defined as involuntary immobilization of the student's opportunity for movement by staff member(s) through direct contact.

Persons employed by the district may, within the scope of their employment, including involvement in extracurricular activities, use and apply such amount of force for such period of time as is reasonable and necessary to accomplish the following purposes:

1. To quell a disturbance threatening serious, probable and imminent bodily harm to self or others;
2. To obtain possession of weapons or other dangerous objects which are within the control of a student who poses a serious, probable and imminent threat of bodily harm to self or others; and/or
3. For protection against serious, probable and imminent threat of harm to self and others, or destruction of property which could lead to harm to the student or others.

An act of physical force or restraint by a teacher or other employee against a student shall not be considered child abuse if the act was performed in good faith and in compliance with this policy. Such acts shall not be construed to constitute corporal punishment.

Within a reasonable time after a teacher or other employee uses reasonable restraint with a student, the teacher or other employee shall report the incident to the Director or designee. The Director or designee shall notify the parent(s) or guardian of the incident and shall determine what additional action, if any, to take. If the restraint lasted five minutes or longer, a written report shall be prepared within one day of the incident, shall be transmitted to the parent(s) or guardian of the affected student within 36 hours of the incident, and a copy shall be placed in the student's discipline and/or other appropriate file.

In the case of disabled students, any restraint used beyond the three specific situations listed above shall be identified on the student's Individual Education Program (IEP) as part of the student's behavior plan.

Teachers and other employees who may use restraint against a student for five minutes or more at a time shall be provided training which includes a continuum of prevention techniques; environmental management; a continuum of de-escalation techniques; nationally recognized physical management and restraint, including but not limited to techniques that allow restraint in an upright or sitting position; methods to explain the use of restraint to the student who is being restrained and to the student's family; and appropriate documentation and notification procedures.

## **Searches**

### **Student Searches**

Mapleton Public Schools seeks to maintain a climate in its schools which is conducive to learning and protective of the safety and welfare of staff and students. To achieve this goal, it may be necessary for school personnel to search the person and/or property of students and to seize any items possessed or used in violation of law or district policy or regulations, or deemed injurious or detrimental to the safety and welfare of students and staff.

Searches of students may be conducted by school officials who have reasonable grounds for suspecting that the search will turn up evidence that the student has violated either the law or district policy or regulations. When reasonable grounds for a search exist, school personnel may search the student and/or the student's property while on school premises or during a school activity under the

circumstances outlined in this regulation, and may seize any illegal, unauthorized or contraband materials.

Any search of a student conducted by a school official shall not be any more intrusive than necessary, considering the age and sex of the student and nature of the suspected infraction. The parent or guardian of any student searched shall be notified of the search as soon as reasonably possible.

Whenever possible, the student shall be informed of the reason(s) for conducting the search and the student's permission to perform the search shall be requested. However, a student's failure or refusal to give such permission shall in no way be construed as prohibiting or limiting the district's ability to conduct any search based on reasonable suspicion as described in this regulation. A student's failure to cooperate with school officials conducting a search shall be considered grounds for disciplinary action.

### **School Property Searches**

School lockers, desks and other storage areas are school property and remain at all times under the control of the school. All such school property provided for student use shall be subject to inspection and search at any time.

Students shall assume full responsibility for the security of their school lockers, desks and other storage areas in the manner approved by the administration. Students shall be responsible for whatever is contained in desks, lockers and other storage areas assigned to them by the school.

The Director or designee may search a school desk, locker or any other storage area and its contents without reasonable suspicion to verify and help ensure compliance with governing law and with district policy and regulations. Whenever possible, another person shall be available to witness the search.

### **Parking Lot Searches**

The privilege of any student being allowed to bring a motor vehicle onto school premises is conditional on consent by the student driver to allow search of the vehicle when there is reasonable suspicion that the search will yield evidence of contraband.

Refusal by the student, student's parent or guardian, or the owner of the vehicle to allow such a search at the time a request to search the vehicle is made shall be cause for termination, without a hearing of the privilege of bringing the vehicle onto school premises. Routine patrolling of student parking lots and inspection of the outside of motor vehicles therein shall be permitted at all times.

# **Student Records**

## **Access to Records**

A parent or guardian shall be able to inspect and review the student's education records. If a student is 18 years of age or older, the student may inspect his or her own records. Such student 18 years old or older shall be known as an "eligible student."

The school Director shall provide such personnel as are necessary to give explanations and interpretations of the student records when requested by parents or the eligible student.

1. A request to see the file must be submitted on an official district form by the parent, guardian or student to the Director of the school attended by the student, or in some instances, to the supervisor of student records.
2. The Director, upon receiving the request, will set a date and time for inspection and review of the records.
3. The parent/student shall examine the file in the presence of the Director or another person permitted by policy and designated by the superintendent.

The record itself shall not be taken from the school building. However, upon request, one copy of the records shall be provided within a reasonable time to the parent or eligible student upon payment of copying charges.

## **Requests to Amend Education Records**

Parents or eligible students who believe that information contained in the education records of a student is inaccurate or misleading or violates the privacy or other rights of the student may request that the district amend the records. The request of the school Director to amend a student's records must be made in writing within 10 school days of the date the records were first examined.

If the parent/student challenges any part of the record, the Director (or in the case of psychological test data, the Director of student services) should review the part of the record being challenged and may by mutual agreement with the person making the challenge destroy, delete or add the information in question.

If the Director denies the request to amend, the parent may make a written appeal to the superintendent. This appeal must be answered within 10 school days by the superintendent in writing.

If the first two steps have not resulted in a formal change, then the parent or eligible student may request a formal hearing. A request for a formal hearing must be made in writing and addressed to the superintendent of schools. The response to the request must be mailed within 10 school days.

### **Disclosure Without Written Consent**

The school district will disclose personally identifiable information from the student records without written consent of the parent or eligible student only to:

1. Other school officials within the school system who have legitimate educational interest in it. For the purposes of this policy, "legitimate educational interest" is interpreted as meaning the interest of any certificated or classified employee charged with the responsibility for providing education programs and/or services to the individual student.
2. Officials of another school or school system in which the student seeks or intends to enroll.
3. Authorities named in the Family Educational Rights and Privacy Act and accompanying federal regulations. These include: Comptroller General of the United States, Secretary of Education, Director of the National Institute of Education, Assistant Secretary of Education, State Educational authorities, and authorities investigating or providing emergency service involving the health and safety of students.
4. State and local officials who are required to get specific information pursuant to state law as provided under the Family Educational Rights and Privacy Act.
5. Anyone offering financial aid to students.
6. Accrediting institutions.
7. Testing and research organizations as long as confidentiality is maintained and such organizations are required to destroy records after they no longer are needed.
8. Anyone if required by a court order or subpoena. The school shall make a reasonable effort to inform the parent or eligible student prior to complying with the subpoena or court order.

The school district may disclose group scholastic achievement data from which the individual cannot be identified without written consent of the parent or eligible student.

## **Disclosure of Directory Information**

The school district may disclose Directory information without written consent of the parent or eligible student. The parent or eligible student has the right to refuse to permit the designation of any or all of the categories of information provided such refusal is received in writing in the office of the Director of the school where the student is in attendance no later than September 7 or the following Monday if September 7 is a Saturday or Sunday.

Directory information which may be released includes the student's name; e-mail address; photograph; date and place of birth; major fields of study; grade level; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance; degrees, honors and awards received; the most recent previous educational agency or institution attended by the student; and other similar information. Unless otherwise legally required, student telephone numbers and addresses will not be disclosed pursuant to this section.

In all cases in which a student is enrolled in the Colorado Medicaid program, the district shall release Directory information consisting of the student's name, date of birth and gender to Health Care Policy and Financing (Colorado's Medicaid agency) to verify Medicaid eligibility of students. Once eligibility is verified, the district shall submit information necessary to complete Medicaid reimbursement claims to HCPF. If a parent or eligible student does not want Directory information released, or does not want the district to bill Medicaid for school health services, a refusal form must be signed no later than September 7 or the following Monday if September 7 is a Saturday or Sunday.

Names, addresses and home telephone numbers of secondary school students will be released to military recruiting officers within 90 days of the request unless the student submits a written request that such information not be released. Reasonable and customary actual expenses directly incurred by the district in furnishing this information will be paid by the requesting service.

## **Release of Information to Other Schools/Agencies**

1. Information from records may be released to officials of other school systems in which the student intends to enroll on the condition that parents/student are notified, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record as previously described.

2. In cases where a student has applied for financial aid, records may be made available to an educational institution or a governmental agency or organization offering such aid in accordance with the procedure above.

### **Requesting Records from Other Districts/Schools**

When a student transfers to this school district from another district, the school Administrator of the receiving school will ask the parent (or student if the student is of age) to sign the authorization form. This form will be completed by the school Administrator and forwarded to the school of previous attendance.

### **Waivers**

A parent or eligible student may waive any or all of his rights protected by this policy. A waiver shall not be valid unless in writing and signed by the parent or eligible student. The district does not require a waiver but may request a waiver. Any waiver under this provision may be revoked at any time in writing.

## **Student Surveys**

Absent written parental consent, students shall not be required to submit to a survey, analysis or evaluation related to curriculum or other school activities that reveals information regarding the student's or student's parent's/guardian's:

1. Political affiliations;
2. Mental or psychological problems potentially embarrassing to the student or the student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating and demeaning behavior;
5. Critical appraisals of other individuals with whom the student has a close family relationship;
6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians and ministers; and/or
7. Income (other than as required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

School personnel responsible for administering any such survey, analysis or evaluation shall give written notice at least two weeks in advance to the student's parent/guardian. The notice shall offer to provide the following written information to the parent/guardian upon request:

1. Records or information that may be examined and required in the survey, analysis or evaluation;
2. The means by which the records or information shall be examined, reviewed or disseminated;
3. The means by which the information is to be obtained;
4. The purposes for which the records or information are needed;
5. The entities or persons, regardless of affiliation, who will have access to the information; and
6. A method by which the parent/guardian can grant or deny permission to access or examine the records or information.

A student 18 years old or older is eligible to consent to revealing such information without parental consent. The district shall inform parents/guardians and eligible students of their rights under this policy.

Nothing in this policy shall:

1. Prevent a student who is working under the supervision of a journalism teacher or sponsor from preparing or participating in a survey, analysis or evaluation without obtaining consent, as long as such participation is not otherwise prohibited by law;
2. Be construed to prevent a district employee from reporting known or suspected child abuse or neglect as required by state law; and/or
3. Be construed to limit the ability of a health professional that is acting as an agent of the district to evaluate an individual child.



# Mapleton Public Schools

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Student Last Name

First Name

Grade Level

I have read the Conduct and Discipline Code and discussed it with my son/daughter.

Date: \_\_\_\_\_

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Parent/Guardian's Signature

I have read the Conduct and Discipline Code and have discussed it with my parent/guardian.

Date: \_\_\_\_\_

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Student's Signature

**Please return this page to the school office  
within one week of receiving the booklet.**

**For School Use Only**

Received on: \_\_\_\_\_

By: \_\_\_\_\_

Signature







**Mapleton Public Schools**

