

# **504.01R1 Student Suspensions, Expulsions, and Grievance Procedures**

Friday, August 11, 2023

## **STUDENT SUSPENSION, EXPULSION, AND GRIEVANCE PROCEDURES**

### **I. Authority of School Board and School Personnel.**

A. Generally. The board of education may authorize the emergency exclusion, shortterm or long-term suspension, expulsion, or mandatory reassignment of any pupil from school for conduct prohibited by the policies and rules of the board of education or standards established pursuant to the Student Discipline Act if such sanction complies with the procedures of the Act.

B. Suspended or Expelled Students. If a student has been suspended or expelled from a public school in any school district in any state or from a private, denominational, or parochial school in any state and the student has not completed the terms of the expulsion, the student shall not be permitted to enroll in the district unless his or her admittance is approved by a majority vote of the total board of education. As a condition of his or her enrollment the board of education may require the student to participate in an alternative education program pursuant to Section IV, Paragraph L-1 of this policy and until the terms of the expulsion are completed.

1. If a student was previously enrolled in this school district, or may have been eligible to be enrolled in this school district, has been expelled from a private, denominational, or parochial school, or expelled while serving as an enrollment option student from the district to another Nebraska school, or has been expelled while attending public school in another state, he or she may not be prohibited from re-enrolling in the district if he or she has met the time limits placed on the expulsion pursuant to the Student Discipline Act. Unless the student is emancipated, he or she must also continue to reside in this school district with his or parents or guardian following his or her expulsion.

C. Consequence of Material Violation of Act. Any action taken by the board of education or by its authorized designees in a material violation of the act shall be considered null, void, and of no effect.

D. When Notice is Effectively Given. Any statement, notice, recommendation, determination, or similar action specified shall be effectively given at the time written evidence thereof shall be delivered personally to or upon receipt of certified or registered mail or upon actual knowledge by a student or his or her parents or guardian.

E. Delegation of Authority. The board of education may authorize the delegation to other school officials of responsibilities directed to the superintendent of schools or building principal.

F. School District Rules and Standards.

1. Board of Education. The board of education shall establish and promulgate rules and standards concerning student conduct which are reasonably necessary to carry out or to prevent interference with carrying out any educational function, if such rules and standards are clear and definite so as to provide clear notice to the student and his or her parents or guardian as to the conduct prescribed, prohibited, or required under the rules and standards. Notwithstanding any other provisions contained in the Student Discipline Act, the board of education may by rule specify a particular action as a sanction for a particular conduct. Any such action must be otherwise authorized by section §79-258, §79-265, or §79-267. Any such rule shall be binding on all students, school officials, board members, and hearing examiners. Expulsion may be specified as a sanction or particular conduct only if the board of education finds that the type of conduct for which expulsion is specified has the potential to seriously affect the health, safety, or welfare of the student, other students, staff members, or any other person or to otherwise seriously interfere with the educational process.

2. School Officials. All rules or regulations established by school officials, other than the board of education, applicable to students shall not conflict with the policies adopted by the board of education. The board of education may change any rule or regulation in accordance with policies which it may from time to time adopt.

3. Distributing and Posting. Rules and regulations which form the basis for discipline shall be distributed to each student and his or her parents or guardian at the

beginning of each school year, or at the time of enrollment if during the school, and shall be posted in conspicuous places in each school during the school year. Changes in rules and regulations shall not take effect until reasonable effort has been made to distribute such changes to each student and his or her parents or guardian.

G. Authorized Actions by Administrators and Teachers. Administrators and teacher personnel may take actions regarding student behavior, other than those specifically provided in the Student Discipline Act, which are reasonable necessary to aid the student, further school purposes, or prevent interference with the educational process.

H. Such actions may include, but not be limited to, counseling of students, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, psychological evaluation, or psychiatric evaluation upon written consent of a parent or guardian for such counseling or evaluation. The actions may also include in-school suspensions. When in-school suspensions, after-school assignments, or other disciplinary measures are assigned, the student is responsible for complying with such disciplinary measures. A failure to serve such assigned discipline as directed will serve as grounds for further discipline, up to expulsion from school.

I. Compliance with other State and Federal Laws. If a student is suspended, expelled or excluded from school or from an educational function pursuant to the Student Discipline Act, such absence from school shall not be deemed a violation on the part of any person under the compulsory school attendance statutes. Any suspension or expulsion under the act shall comply with the requirements of the Special Education Act and the requirements of the federal Individuals with Disabilities Education Act 20 U.S.C. 1401 et seq.

J. Discontinuation of Enrollment. Prior to the suspension or expulsion of any student less than seven years of age the administration shall hold a conference with the student's parents or guardian, explaining the rationale for suspension or expulsion. At that time the parents or guardian shall have a period of three (3) working days to determine if they wish to discontinue the enrollment of the child. During this period of time it shall be the administration's prerogative to determine if it is in the best interest of the school district and or the student to allow the student to continue his or her enrollment or if the student should be excluded from school.

1. If the parents or guardian elect to not discontinue the enrollment of the child the child will be subject at all provisions set forth in this policy.

2. If the parents or guardian elect to discontinue the enrollment of the child his or her enrollment shall be discontinued immediately. The student's record shall indicate that the enrollment was discontinued at the request of the parent or guardian.

K. Additional Powers. The board of education may by rule amplify, supplement, or extend the procedures provided in the Student Discipline Act if such actions are consistent with the act.

## II. Emergency Exclusion

A. Grounds. Any student may be excluded from school in the following circumstances:

1. Disease. If the student has a dangerous communicable disease transmissible through normal school contacts and poses an imminent threat to the health or safety of the school community.

2. Conduct. If the student's conduct presents a clear threat to the physical safety of himself, herself, or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.

B. Duration and Procedures.

1. Generally, any emergency exclusion shall be based upon a clear factual situation warranting it and shall last not longer than is necessary to avoid the dangers described immediately above.

2. Exclusion for Five (5) Days or Less. The same procedures for short-term suspension also apply to emergency exclusion if such exclusion is for five days or less.

3. Exclusion Over Five (5) Days. If the superintendent of schools or his or her designee determines that the exclusion will extend beyond five (5) days, the following procedural provisions must be used:

a. Hearing/Final Determination. The board of education must adopt a procedure for a hearing to held and a final determination made within ten (10) school days after the initial date of exclusion.

b. Procedural Compliance. The procedure adopted by the board of education must substantially comply with the disciplinary actions which require due process [ie. long-term suspension, expulsion and reassignment] and such provisions shall be modified only to the extent necessary to accomplish the hearing and determination within this shorter time period.

### III. Short-term Suspension.

A. Definition. "Short-term suspension" means the exclusion of a student from attendance at school or any school function within the system for a period not to exceed five (5) school days.

B. Initiated by the building principal or principal's designee. The building principal or designee may deny any student the right to attend school or to take part in any school function for a period of up to five (5) days.

#### C. Grounds for Short-term Suspension.

1. Conduct constituting grounds for expulsion as set for in the Student Discipline Act.

2. Any other violation of rules and regulations of behavior adopted under the act.

3. Other violations of rules and standards of behavior adopted by the Board of Education or the administrative or teaching staff of the school, which occur on or off school grounds, if such conduct interferes with school purposes or there is a nexus between such conduct and school.

4. Any other violation of rules and regulations of behavior listed as grounds for long term suspension, expulsion, or mandatory reassignment.

D. Investigation. Short-term suspension shall be made only after the building principal or principal's designee has made an investigation of the alleged conduct or violation and has determined that such suspension is necessary:

1. To help any student.

2. To further school purposes.

3. To prevent an interference with school purposes.

E. Notice of Charges. Before such short-term suspension shall take effect, the student shall be given oral or written notice of:

1. The charges against him or her.

2. An explanation of the evidence the authorities have.

3. An opportunity for the student to present his or her version.

F. Written Statement. Within twenty-four hours or such additional time as is reasonably necessary following such suspension, the building principal or principal's designee shall send a written statement to the student and his or her parents or guardian describing:

1. The student's conduct, misconduct, or violation of the policy, rule, or regulation.

2. The reasons for the action taken.

G. Building Principal-Parent Conference. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with the Principal or administrator ordering the short-term suspension before or at the time the student returns to school. The Principal or administrator shall determine who in addition to the parent or guardian is to attend the conference. A student who on a short-term suspension shall not be permitted to be on school grounds without the express permission of the Principal.

H. Make-up School Work. Any students receiving short-term suspension may be given an opportunity to complete any class work, including, but not limited to, examinations missed during the period of suspension.

1. School officials shall develop and adopt guidelines stating the criteria school officials will use in determining whether, and to what extent, such opportunity for completion will be granted to suspended students.

2. The guidelines must be provided to the student and parents or guardian at the time of suspension.

#### IV. Long-Term Suspension, Expulsion, Mandatory Reassignment.

##### A. Definitions.

1. Long-term Suspension. "Long-term suspension" means the exclusion of a student from attendance in Banner County School District No. 1 and any school function for a period exceeding five (5) school days but less than twenty (20) school days. A student who on a long-term suspension shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends a long-term suspension. The notice will include a description of the procedures for long-term suspension; the procedures will be those set forth in the Student Discipline Act.

##### 2. Expulsion.

a. "Expulsion" means exclusion from attendance in all schools, grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period. A student who has been expelled shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends an expulsion. The notice will include a description of the procedures for expulsion; the procedures will be those set forth in the Student Discipline Act.

b. Suspensions Pending Hearing. When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if no hearing is requested or, if a hearing is requested, the date the hearing examiner makes the report of his or her findings and a recommendation of the action to be

taken to the superintendent, if the principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers.

c. Summer Review. Any expulsion that will remain in effect during the first semester of the following school year will be automatically scheduled for review before the beginning of the school year in accordance with law.

d. Alternative Education: Students who are expelled may be provided an alternative education program that will enable the student to continue academic work for credit toward graduation.

e. Suspension of Enforcement of an Expulsion: Enforcement of an expulsion action may be suspended (i.e., “stayed”) for a period of not more than one full semester in addition to the balance of the semester in which the expulsion takes effect. As a condition of such suspended action, the student and parents will be required to sign a discipline agreement.

f. Students Subject to Juvenile or Court Probation. Prior to the readmission to school of any student who is less than nineteen years of age and who is subject to the supervision of a juvenile probation officer or an adult probation officer pursuant to the order of the District Court, County Court, or Juvenile Court, who chooses to meet conditions of probation by attending school, and who has previously been expelled from school, the Principal or the Principal’s designee shall meet with the student’s probation officer and assist in developing conditions of probation that will provide specific guidelines for behavior and consequences for misbehavior at school (including conduct on school grounds and conduct during an educational function or event off school grounds) as well as educational objectives that must be achieved. If the guidelines, consequences, and objectives provided by the Principal or the Principal’s designee are agreed to by the probation officer and the student, and the court permits the student to return to school under the agreed to conditions, the student may be permitted to return to school. The student may with proper consent, upon such return, be evaluated by the school for possible disabilities and may be referred for evaluation for possible placement in a special education program. The student may be expelled or otherwise disciplined for subsequent conduct as provided in Board policy and state statute.



3. Mandatory Reassignment. "Mandatory reassignment" means the involuntary transfer of a student to another school in connection with any disciplinary action.

B. Grounds. The following student conduct shall constitute grounds for long-term suspension, expulsion, or mandatory reassignment, subject to the procedural provisions of the Act, when such activity occurs: (i) on school grounds, (ii) in a vehicle owned, leased, or contracted by the school district being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or by his or her designee, or (iii) at a school-sponsored activity or athletic event.

1. Disobedience, Disrespect. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.

2. Violence, Force, etc. Use of violence, force, coercion, threat, intimidation, or similar conduct in a manner that constitutes a substantial interference with school purposes or making any communication that reasonable recipient would interpret as a serious expression of an intent to harm or cause injury to another.

3. Damage or Theft of Property. Willfully causing or attempting to cause substantial damage to property, stating stealing, or attempting to steal property of substantial value, or repeated damage or theft involving property or setting or attempting to set a fire of any magnitude.

4. Causing Personal Injury. Causing or attempting to cause personal injury to any person, including any school employee, to a school volunteer, or to any student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this subdivision.

5. Extortion, Threats. Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student or making a threat which causes or may be expected to cause a disruption to school operations.

6. Weapons. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon or that has the appearance of a weapon or bringing or possessing any explosive device, including fireworks.

7. Controlled substances, Imitations, Alcohol. Engaging in selling, using, possessing or dispensing of alcohol, tobacco, narcotics, drugs, controlled substance, or an inhalant; being under the influence of any of the above; possession of drug paraphernalia, or the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401 of the Nebraska statutes, or material represented to be alcohol, narcotics, drugs, a controlled substance or inhalant. Use of a controlled substance in the manner prescribed for the student by the student's physician is not a violation. The term "under the influence" has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol or illegal substances on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant.

8. Public Indecency, Sexual Conduct. Public indecency or sexual conduct.

9. Sexual Assault. Sexually assaulting or attempting to sexually assault any person. This conduct may result in an expulsion regardless of the time or location of the offense if a complaint alleging such conduct is filed in a court of competent jurisdiction.

10. Bullying. Engaging in bullying, which includes any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or a school employee's designee, or at school-sponsored activities or school-sponsored athletic events.

11. Other Activities. Engaging in any other activity forbidden by the laws of the State of Nebraska which constitutes a danger to other students or interferes with school purposes. This conduct may result in an expulsion regardless of the time or location of the offense if the conduct creates or had the potential to create a substantial interference with school purposes, such as the use of the telephone or internet off-school grounds to threaten.

12. Violating Rules and Regulations. A repeated violation of any rules and regulations if such violations constitute a substantial interference with school purposes.

13. Truancy. Truancy or failure to attend assigned classes or assigned activities; or tardiness to school, assigned classes or assigned activities.

14. Profane or Abusive Language and Gestures. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, disability, national origin, or religion.

15. Appearance. Dressing or grooming in a manner which is dangerous to the student's health and safety or a danger to the health and safety of others or repeated violations of the student dress and grooming standards; dressing, grooming, or engaging in speech that is lewd or indecent, vulgar or plainly offensive; dressing, grooming, or engaging in speech that school officials reasonably conclude will materially and substantially disrupt the work and discipline of the school; dressing, grooming, or engaging in speech that a reasonable observer would interpret as advocating illegal drug use.

16. Behavior on Buses. Willfully violating the behavioral expectations for riding school buses or vehicles.

17. Bodily Injury, Weapons. A student who engages in the following conduct shall be expelled for the remainder of the school year in which it took effect if the misconduct occurs during the first semester, and if the expulsion for such conduct takes place during the second semester, the expulsion shall remain in effect for the first semester of the following school year, with the condition that such action may be modified or terminated by the school district during the expulsion period on such terms as the administration may establish:

a. The knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student, except if caused by accident, self-defense, or on the reasonable belief that the force used was necessary to protect some other person and the extent of force used was reasonably believed to be necessary, or

b. The knowing and intentional possession, use, or transmission of a dangerous weapon other than a firearm.

18. Knowingly and intentionally possessing, using, or transmitting a firearm on school grounds, in a school-owned or utilized vehicle, or during an educational function or event off school grounds, or at a school-sponsored activity or athletic event. This conduct shall result in an expulsion for one calendar year. "Firearm"

means a firearm as defined in 18 U.S.C. 921, as that statute existed on January 1, 1995. That statute includes the following statement: "The term 'firearm' means (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device." The Superintendent may modify such one year expulsion requirement on a caseby-case basis, provided that such modification is in writing. Bringing a firearm or other dangerous weapon to school for any reason is discouraged; however, a student will not be subject to disciplinary action if the item is brought or possessed under the following conditions:

- a. Prior written permission to bring the firearm or other dangerous weapon to school is obtained from the student's teacher, building administrator and parent.
- b. The purpose of having the firearm or other dangerous weapon in school is for a legitimate educational function.
- c. A plan for its transportation into and from the school, its storage while in the school building and how it will be displayed must be developed with the prior written approval by the teacher and building administrator. Such plan shall require that such item will be in the possession of an adult staff member at all times except for such limited time as is necessary to fulfill the educational function.
- d. The firearm or other dangerous weapon shall be in an inoperable condition while it is on school grounds.

C. General Procedures. If the building principal makes a decision to discipline a student by long-term suspension, expulsion, or mandatory reassignment, the following procedures shall be followed.

1. Notice of Charges. Before such long-term suspension, expulsion, or mandatory reassignment shall take effect, the student shall be given oral or written notice of:

- a. The charges against him or her.
- b. An explanation of the evidence the authorities have.
- c. An opportunity for the student to present his or her version.

2. Written Charge and Summary of Evidence.

a. File with Superintendent. On the date of the decision, a written charge and a summary of the evidence supporting such charge shall be filed with the superintendent.

b. Send Written Notice. School officials shall, within two (2) school days of the decision, send a written notice by registered or certified mail to the student and his or her parents or guardian informing them of the rights established under the Student Discipline Act.

3. Written Notice. The written notice must include the following.

a. Violation and Summary of Evidence. The rule or standard of conduct allegedly violated and the acts of the student alleged to constitute a cause for long-term suspension, expulsion, or mandatory reassignment, including a summary of the evidence to be presented against the student.

b. Recommended Penalty. The penalty, if any, which the building principal has recommended in the charge and any other penalty to which the student may be subject.

c. Right to Hearing. A statement that, before long-term suspension, expulsion, or mandatory reassignment for disciplinary purposes can be invoked, the student shall have a right to a hearing, upon request, on the specified charges.

d. Hearing Procedures. A description of the hearing procedures provided by the act, along with procedures for appealing any decision rendered at the hearing.

e. Examine Evidence and Witnesses. A statement that the building principal, legal counsel for the school district, the student, the student's parents, or the student's representative or guardian shall have the right to: 1) Examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct.

2) Know the identity of the witnesses to appear at the hearing and the substance of their testimony.

f. Request for Hearing Form. A form on which the student, the student's parents, or the student's guardian may request a hearing. The form is to be signed by such parties and delivered to the building principal or superintendent of schools in person or by registered or certified mail as prescribed in Nebraska Statutes §79-271 and

§79-272.

4. Suspension until Hearing. When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent of school the student may be suspended by the principal until: (i) the date the disciplinary action takes effect if no hearing is requested; (ii) if a hearing is requested, the date the hearing examiner makes the report of his or her findings and a recommendation of the action to be submitted to the superintendent of schools, or (iii) if the building principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of:

- a. Interference with an educational function or school purpose.
- b. A personal injury to the student himself or herself, other students, school employees, or school volunteers.

5. Discussions Prior to Hearing. Nothing in the Student Discipline Act shall preclude the student, parent, guardian, or representative from discussing and settling the matter with appropriate school personnel prior to the hearing stage.

D. Procedures if Hearing is not Requested. If a hearing is not requested by the student or the student's parents or guardian within five (5) school days following receipt of the written notice, the punishment recommended in the charge by the building principal or his or her designee will automatically go into effect upon the fifth (5th) school day following receipt of the written notice by the student or his or her parents or guardian as required above under Nebraska Statute §79-268.

E. Procedures if a Hearing is Requested.

1. Request for a Hearing. A hearing must be requested within five (5) school days after receipt of the written notice.

a. Request for Hearing Beyond Five (5) Days. If a hearing is requested more than five (5) school days but not more than thirty (30) calendar days following the actual receipt of the written notice, the hearing shall be held but the imposed punishment shall continue in effect pending final determination.

2. Appointment and Qualifications of the Hearing Examiner. If a hearing is requested the superintendent of schools must appoint a hearing examiner.

a. Qualifications. The hearing examiner can be a person designated by the school district's superintendent of schools, school board, or counsel, if such person:

1. Has not brought the charges against the student.
2. Is not a witness at the hearing.
3. Has no involvement in the charge.

b. General Duties.

1) Impartiality - In addition to other duties, it is the duty of the hearing examiner to remain impartial throughout all deliberations.

2) Availability - The hearing examiner must be available, prior to any hearing held pursuant to the act, to answer any questions the building principal, the student, or the student's parents or guardian may have regarding the nature and conduct of the hearing.

3. Notice of Time and Place for Hearing. Within two (2) days after being appointed, the hearing examiner must give written notice to the building principal, the student and the student's parents or guardian of the time and place for the hearing. (i) The hearing shall be scheduled within a period of five (5) school days after it is requested, but such time may be changed by the hearing examiner for good cause. (ii) No hearing shall be held in less than two (2) school days' notice to the building principal, the student, and the student's parents or guardian, except with the consent of all parties.

4. Right to Examine Records and Statement. The building principal or legal counsel for the school district, the student and the student's parents or guardian, or representative shall have the right to examine the records and written statements referred to in the Student Discipline Act and the statement of any witness in the possession of the board of education at a reasonable time prior to the hearing.

F. Hearing Procedures.

1. Required Attendance at the Hearing. (i) Hearing examiner. (ii) Student. (iii) Student's parents or guardian. (iv) Student's representative (who may be an attorney) if any. (v) Legal counsel for the board of education, if the hearing examiner or the superintendent of schools deems it advisable.

## 2. Legal Counsel for the Board of Education.

a. Capacity. The board of education, acting through the superintendent of schools, may request legal counsel to be present either: (i) for the purpose of acting as the designee of the building principal, or (ii) for the purpose of advising the hearing examiner in the conduct of the hearing.

b. Designee of the Principal. Any legal counsel who acts as the designee of the building principal in presenting the school's case against the student shall not: (i) advise the hearing examiner on the conduct of the hearing, (ii) later advise administrators or school board members on the conduct of any appeal.

c. Advising Hearing Examiner. Legal counsel may give advice on technical and procedural aspects of the school district's presentation and may advise the hearing examiner and the board of education so long as the legal counsel does not act as the building principal's designee in presenting the school district's case.

## 3. Witnesses.

a. When Present. Witnesses shall be present only when they are giving information at the hearing.

b. Witness Testimony. The student, the student's parents or guardian, or representative, the building principal or the hearing examiner may ask witnesses to testify at the hearing.

c. Oath. Such testimony shall be under oath, and the hearing examiner shall be authorized to administer the oath.

d. Attendance of Witnesses. The hearing examiner shall make reasonable effort to assist the student, or the student's parents, guardian, or representative in obtaining the attendance of witnesses.

e. Cross-examination. The student, the student's parents, guardian, or representative, the building principal, or the hearing examiner shall have the right to question any witness giving information at the hearing.

f. Immunity. Any person giving evidence by written statement or in person at a hearing shall be given the same immunity from liability as a person testifying in a court case.



4. Student Testimony. The student may speak in his or her own self defense and may be questioned on his or her testimony but he or she may choose not to testify and, in such case, shall not be threatened with punishment nor be later punished for refusal to testify.

5. Individuals may be Excluded from Hearing.

a. Student. The student may be excluded at the discretion of the hearing examiner at times when the student's psychological evaluation or emotional problems are being discussed.

b. Any Other Person. The hearing examiner may exclude anyone from the hearing when his or her actions substantially disrupt an orderly hearing.

6. Evidence on Student's Conduct and Records.

a. Statements about Conduct and Records. The building principal shall present to the hearing examiner statements, in affidavit form, of any person having information about the student's conduct and the student's records but not unless such statements and records have been made available to the student or the student's parents, guardian, or representative prior to the hearing.

b. Explanation of Records. The information contained in such records shall be explained and interpreted, prior to or at the hearing, to the student, parents or guardian, or representative, upon request, by appropriate school personnel.

7. Rules of Evidence. In conducting the hearing, the hearing examiner shall not be bound by the rules of evidence or any other courtroom procedure.

8. Recorded at District's Expense. The proceedings of the hearing shall be recorded at the expense of the school district.

9. Joint Hearings.

a. When Conducted. A joint hearing may be conducted when: (i) More than one student is charged with violating the same policy, administrative regulation, or rule and acted in concert. (ii) The facts are substantially the same for all such students.

b. Discretion of Hearing Examiner. A joint hearing may be conducted if the hearing examiner believes that: (i) A joint hearing is not likely to result in confusion. (ii) No

student shall have his or her interests substantially prejudiced by a single hearing.

c. Order for Separate Hearing. If during the conduct of the hearing, the hearing examiner finds that a student's interest will be substantially prejudiced by a joint hearing or that the hearing is resulting in confusion, the hearing examiner may order a separate hearing for any student.

G. After the hearing, a report shall be made by the hearing examiner.

1. Contents of the report: (i) The hearing examiner's findings. (ii) A recommendation of the action to be taken. (iii) The reasons for the particular action recommended in terms of both the student and the board of education.

2. Range of Recommendations. The recommendation by the hearing examiner may range from no action, through the entire field of counseling, to long-term suspension, or expulsion. The board of education of Banner County School District No. 1 has chosen to participate in an alternative educational program. An expelled student will be provided an opportunity to continue a program that will lead to meeting the school district's graduation requirements by taking high school level correspondence courses through the University of Nebraska School extension division. (Refer to Paragraph IV-L.)

3. Review by the Superintendent of Schools. A review shall be made of the hearing examiner's report by the superintendent of schools, who may change, revoke, or impose the sanction recommended by the hearing examiner but shall not impose a sanction more severe than the recommendation by the hearing examiner.

4. All Decisions Based on Evidence. The findings and recommendations of the hearing examiner, the determination by the superintendent of schools, and any determination on appeal to the governing body, shall be made solely on the basis of the evidence presented at the hearing or, in addition, on any evidence presented on appeal.

H. Final Disposition.

1. Written Notice. Written notice of the findings and recommendations of the hearing officer and the determination of the superintendent of schools shall be made by certified or registered mail or by personal delivery to the student or the student's parents or guardian.

2. Immediate Effect upon Receipt. Upon receipt of such written notice by the student, parents, or guardian, the determination of the superintendent of schools shall take immediate effect.

I. Duration of Expulsion. The maximum duration of an expulsion is determined by the nature of the offense.

1. Firearm Offense. The expulsion of a student for the knowing and intentional possession, use, or transmission of a firearm, as defined by 18 U.S.C. 921, shall be for a period as provided by the school district policy adopted pursuant to Nebraska Statute §79-263. Refer to Policy 1350, Firearms and Destructive Devices.

a. Exceptions: The firearm offense shall not apply to: (i) The issuance of firearms to or possession of firearms by members of the Reserve Officers Training Corps when training. (ii) Firearms which may lawfully be possessed by the person receiving instruction under the immediate supervision of an adult instructor who may lawfully possess firearms.

b. Policy.

1)Calendar Year. Banner County School District No. 1 shall adopt a policy requiring the expulsion from school for a period of not less than one calendar year of any student who is determined to have knowingly and intentionally possessed, used, or transmitted a firearm:

a) on school grounds,

b) in a vehicle owned, leased, or contracted by the school district being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or his or designee, or

c) at a school-sponsored activity or athletic event.

2) Firearm Definition. For the purpose of this offense, the federal definition of 'firearm' as provided by 18 U.S.C. 921, will apply.

3) Modification. The policy shall authorize the superintendent of school or the board of education to modify the expulsion requirement on an individual basis if allowed by state or federal statutes.

c. Report to Nebraska Department of Education. Banner County School District No. 1 shall provide annually to the Nebraska Department of Education: (i) An assurance that the school district has in effect the above required policy; and (ii) A description of the circumstances surrounding any expulsion under the policy required by subsection (1) of this section including: (a) The name of the school; (b) the number of students expelled from school; and (c) The types of weapons concerned.

## 2. Use of Force and Personal Injury Offenses

a. Offense Defined. (i) The knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student except in cases of self-defense as outlined in §79-267(3); or (ii) The knowing and intentional possession, use, or transmission of a dangerous weapon, other than a firearm.

b. Self-defense Exception. Personal injury caused by accident, selfdefense, or other action undertaken on the reasonable belief that it was necessary to protect some other person.

c. Sanction. The duration of the expulsion for the offense outlined above shall be: (i) Offense in First Semester - If the misconduct occurs during the first semester, then the expulsion will last for a period not to exceed the remainder of the school year in which it took effect. (ii) Offense in Second Semester- If the expulsion takes place during the second semester; the expulsion shall remain in effect for summer school and may remain in effect the first semester of the following school year.

d. Modification. Such action may be modified or terminated by the school district at any time during the expulsion period.

## 3. All Other Expulsions.

a. Duration of Expulsion. Except for the expulsion offenses listed above, the expulsion of a student shall be for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred: (i) within ten (10) school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (ii) within ten (10) school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year subject to the provisions of Nebraska Statute §79-283(5).

b. Modification. Such action may be modified or terminated by the school district at any time during the expulsion period.

J. Automatic Review. Any expulsion that will remain in effect during the first semester of the following school year shall be automatically scheduled for review before the beginning of the school year.

1. Conducted by Hearing Examiner. The review shall be conducted by the hearing examiner after the hearing examiner has given notice of the review to the student and the student's parents or guardian.

2. Limited Review. This review shall be limited to newly discovered evidence or evidence of changes in the student's circumstances occurring since the original hearing.

3. Determination. The review may lead to a recommendation by the hearing examiner that the student be readmitted for the upcoming school year. If the board of education or a committee of such board took the final action to expel the student, the student may be readmitted only by action of the board of education. Otherwise the student may be readmitted by action of the superintendent of schools.

K. Suspension of Enforcement of Expulsion. The school district may suspend the enforcement of such expulsion unless the expulsion was required by Nebraska Statute §79-283(4) [ie., firearm offense]. The suspension may be for a period not to exceed the length of the expulsion.

1. Condition. As a condition of such suspended action, the school district may require participation in a plan pursuant to Nebraska Statute §79-266(2).

2. Conclusion of Suspension Period. At the conclusion of such suspension period, the school district shall: (i) reinstate the student who has satisfactorily participated in a plan pursuant to Nebraska Statute §79-266(2) and permit the student to return to the school of former attendance or attend other programs offered by the school district; or (ii) if the student's conduct has been unsatisfactory, enforce the remainder of the expulsion action.

3. Expungement of Record. If the student is reinstated, the school district may also take action to expunge the record of the expulsion action.

L. The district will provide an alternative education program for any student or students expelled from the district. (Note: This plan shall conform with the requirements set forth by Nebraska Statute §79-266 and Nebraska Department of Education, Rule 17.)

1. Alternative Education Program. A conference shall be called by the building principal. The purpose this conference will be to advise the student and his or her parents or guardian of an educational program whereby the expelled student can continue with a program that will allow the individual to work toward meeting the school district's graduation requirements. The expelled student will be provided the opportunity to enroll in high school level correspondence courses provided by the University of Nebraska High School Extension Division.

a. The Plan. School officials shall determine:

1) The course or courses to be taken and the sequence for these courses. The student will take one course at a time and will not enroll in another course until he or she has successfully completed the previous course.

2) The certificated person or persons assigned to oversee the student progress and testing of the student.

3) The method and frequency of reporting student progress in the correspondence course.

4) The school district will bear the cost of the tuition fee and textbooks required.

b. If the student fails to meet any conditions of the learning program, the school district may, without further obligation, terminate the program after a due process hearing, as required in statutory provisions for suspension and expulsion of students, unless otherwise waived by the parents or guardian of the student.

M. Appeal.

1. Case Record.

a. Contents of Record. The record in a case under the Student Discipline Act shall consist of: (i) the charge, (ii) the notice, (iii) the evidence presented, (iv) the hearing examiner's findings and recommendations, and (v) the action of the superintendent of schools.

1) Record for Appeal. With respect to any appeal to a court or any subsequent appeal, the record shall consist, in addition to the above items, of any additional evidence taken and any additional action taken in the case.

2. Request for Appeal The student or the student's parents or guardian may, within seven (7) school days following receipt of the superintendent of schools' written notice of determination appeal the determination to the board of education by written request which shall be filed with the secretary of the board of education or with the superintendent of schools.

3. Appeal Hearing.

a. When. A hearing shall be held before the board of education within a period of ten (10) school days after it is requested, and such time for a hearing may be changed by mutual agreement of the student and the superintendent of schools.

b. Deliberating Body. The hearing may be held before a committee of the board of education of not less than three members.

c. Admissible Evidence. Such appeal may be on the record, except that new evidence may be admitted to avoid a substantial threat of unfairness and such new evidence shall be recorded at the expense of the school district.

d. Deliberation. After examining the record and taking new evidence, if any, the board of education or the designated committee may withdraw to deliberate privately upon such record and new evidence. (i) Any such deliberation shall be held in the presence only of the board members in attendance at the appeal proceeding but may be held in the presence of legal counsel who has not previously acted as the designee of the building principal in presenting the school's case before the hearing examiner. (ii) If any questions arise during such deliberations which require additional evidence, the deliberating body may reopen the hearing to receive such evidence, subject to the rights of all parties to be present.

e. Action on Appeal. The deliberating body may alter the superintendent of schools' disposition of the case if it finds the decision to be too severe but may not impose a more severe sanction.

f. Dispatch of Final Action. The final action of the deliberating body shall be evidenced by personally delivering or mailing by certified mail a copy of the

deliberating body's decision to the student and his or her parents or guardian.

N. Judicial Review. Any person aggrieved by a final decision in a contested case under this Act, whether such decision is affirmative or negative in form, shall be entitled to judicial review. Nothing in the Act shall be deemed to prevent resort to other means of review, redress, or relief provided by law. Aggrieved persons desiring to resort to judicial review should refer to Nebraska Statute §79-289 for procedures.

#### 1. Stay of Enforcement.

a. When. The filing of the petition for judicial review or the service of summons upon the board of education shall not stay enforcement of a decision, but the board of education may stay enforcement, or the court may order a stay after notice of such board of application therefore and upon such terms as it deems proper.

#### V. Duty to Report Criminal Violations.

A. Notify Law Enforcement Authorities. The superintendent of schools or his/her designee shall notify as soon as possible the appropriate law enforcement authorities of the county or city in which the school is located of any act of the student described in this policy which the superintendent of schools knows or suspects is a violation of the Nebraska Criminal Code.

B. Immunity. The superintendent of schools or his/her designee, or any other school employee reporting an alleged violation of the Nebraska Criminal Code shall not be civilly or criminally liable as a result of any report authorized by this policy unless:

1. Such report was false and the person making such report knew or should have known it was false.
2. The report was made with negligent disregard for the truth or falsity of the report.

#### VI. Removal of a Minor From School Premises.

A. Duties of the School Officials. When the superintendent of schools or any other school official releases a minor student to a peace officer, as defined herein, for the purpose of removing the minor from the school premises, the superintendent of schools or other school official shall take immediate steps to notify the parents, guardian, or responsible relative of the minor regarding:



1. The release of the minor to the officer.

2. The place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse, in which case the superintendent of schools or other school official shall provide the peace officer with the address and telephone number of the minor's parents or guardian.

B. Duties Owed by Peace Officer in Suspected Child Abuse Cases. The peace officer shall take immediate steps to notify the parent, guardian, or responsible relative of the minor that.

1. The minor is in custody.

2. The place where he or she is being held, except:

- a. Endangerment by Disclosure. If the peace officer has a reasonable belief that the minor would be endangered by disclosure of the place where the minor is being held or that the disclosure would cause the custody of the minor to be disturbed, the peace officer may refuse to disclose the place where the minor is being held for a period not to exceed twenty-four hours.

- b. Medical Treatment. The peace officer shall inform the parents, guardian, or responsible relative whether the child requires and is receiving medical or other treatment.

- c. Court Review. The Juvenile court shall review any decision not to disclose the place where the minor is being held at a subsequent detention hearing.

3. Peace Officer Defined. "Peace officer" shall include sheriffs, coroners, jailers, marshals, police officers, state highway patrol officers, members of the National Guard on active service by direction of the Governor during periods of emergency, and all other persons with similar authority to make arrests.

VII. Student Conduct Expectations. Students are not to engage in conduct which causes or which creates a reasonable likelihood that it will cause a substantial disruption in or material interference with any school function, activity or purpose or interfere with the health, safety, well being or rights of other students, staff or visitors.

A. Student Appearance: Students are expected to dress in a way that is appropriate for the school setting. Students should not dress in a manner that is dangerous to the health and safety of anyone or interferes with the learning environment or teaching process in our school. Following is a list of examples of attire that will not be considered appropriate, such list is not exclusive and other forms of attire deemed inappropriate by the administration may be deemed inappropriate for the school setting:

1. Clothing that shows an inappropriate amount of bare skin or underwear (midriffs, spaghetti straps, sagging pants) or clothing that is too tight, revealing or baggy, or tops and bottoms that do not overlap or any material that is sheer or lightweight enough to be seen through, or otherwise of an appropriate size and fit so as to be revealing or drag on the ground.
2. Clothing or jewelry that advertises or promotes beer, alcohol, tobacco, or illegal drugs.
3. Clothing or jewelry that could be used as a weapon (chains, spiked apparel) or that would encourage "horse-play" or that would damage property (e.g. cleats).
4. Head wear including hats, caps, bandannas, and scarves (this applies to both boys and girls).
5. Clothing or jewelry which exhibits nudity, makes sexual references or carries lewd, indecent, or vulgar double meanings.
6. Clothing or jewelry that is gang related.

Consideration will be made for students who wear special clothing as required by religious beliefs, disability, or to convey a particularized message protected by law. The final decision regarding attire and grooming will be made by the Principal or Superintendent. In the event a student is uncertain as to whether a particular item or method of grooming is consistent with the school's guidelines, the student should contact the Principal for approval, and may also review such additional posting of prohibited items or grooming which may be available in the Principal's office.

Coaches, sponsors or teachers may have additional requirements for students who are in special lab classes, students who are participants in performing groups or students who are representing the school as part of an extracurricular activity

program.

On a first offense of the dress code, the student may change clothing or call home for proper apparel. If clothes cannot be brought to school, the student will be assigned to in-school suspension for the remainder of the day. Students will not be allowed to leave campus to change clothes. Continual violations of the dress code will result in more stringent disciplinary actions, up to expulsion. Further, in the event the dress code violation is determined to also violate other student conduct rules (e.g., public indecency, insubordination, expression of profanity, and the like), a first offense of the dress code may result in more stringent discipline, up to expulsion.

## B. Academic Integrity.

1. Policy Statement: Students are expected to abide by the standards of academic integrity established by their teachers and school administration. Standards of academic integrity are established in order for students to learn as much as possible from instruction, for students to be given grades which accurately reflect the student's level of learning and progress, to provide a level playing field for all students, and to develop appropriate values. Cheating and plagiarism violate the standards of academic integrity. Sanctions will be imposed against students who engage in such conduct.

2. Definitions: The following definitions provide a guide to the standards of academic integrity:

a. "Cheating" means intentionally misrepresenting the source, nature, or other conditions of academic work so as to accrue undeserved credit, or to cooperate with someone else in such misrepresentation. Such misrepresentations may, but need not necessarily, involve the work of others. Cheating includes, but is not limited to:

1) Tests (includes tests, quizzes and other examinations or academic performances):

a) Advance Information: Obtaining, reviewing or sharing copies of tests or information about a test before these are distributed for student use by the instructor. For example, a student engages in cheating if, after having taken a test, the student informs other students in a later section of the questions that appear on the test.

b) Use of Unauthorized Materials: Using notes, textbooks, preprogrammed formulae in calculators, or other unauthorized material, devices or information while taking a test except as expressly permitted. For example, except for “open book” tests, a student engages in cheating if the student looks at personal notes or the textbook during the test.

c) Use of Other Student Answers: Copying or looking at another student’s answers or work, or sharing answers or work with another student, when taking a test, except as expressly permitted. For example, a student engages in cheating if the student looks at another student’s paper during a test. A student also engages in cheating if the student tells another student answers during a test or while exiting the testing room, or knowingly allows another student to look at the student’s answers on the test paper.

d) Use of Other Student to Take Test. Having another person take one's place for a test, or taking a test for another student, without the specific knowledge and permission of the instructor.

e) Misrepresenting Need to Delay Test. Presenting false or incomplete information in order to postpone or avoid the taking of a test. For example, a student engages in cheating if the student misses class on the day of a test, claiming to be sick, when the student’s real reason for missing class was because the student was not prepared for the test.

2) Papers (includes papers, essays, lab projects, and other similar academic work):

a) Use of Another’s Paper: Copying another student’s paper, using a paper from an essay writing service, or allowing another student to copy a paper, without the specific knowledge and permission of the instructor.

b) Re-use of One’s Own Papers: Using a substantial portion of a piece of work previously submitted for another course or program to meet the requirements of the present course or program without notifying the instructor to whom the work is presented.

c) Assistance from Others: Having another person assist with the paper to such an extent that the work does not truly reflect the student’s work. For example, a student engages in cheating if the student has a draft essay reviewed by the student’s parent or sibling, and the essay is substantially re-written by the student’s

parent or sibling. Assistance from home is encouraged, but the work must remain the student's.

d) Failure to Contribute to Group Projects. Accepting credit for a group project in which the student failed to contribute a fair share of the work.

e) Misrepresenting Need to Delay Paper. Presenting false or incomplete information in order to postpone or avoid turning in a paper when due. For example, a student engages in cheating if the student misses class on the day a paper is due, claiming to be sick, when the student's real reason for missing class was because the student had not finished the paper.

3) Alteration of Assigned Grades. Any unauthorized alteration of assigned grades by a student in the teacher's grade book or the school records is a serious form of cheating.

b. "Plagiarism" means to take and present as one's own a material portion of the ideas or words of another or to present as one's own an idea or work derived from an existing source without full and proper credit to the source of the ideas, words, or works. Plagiarism includes, but is not limited to:

1) Failure to Credit Sources: Copying work (words, sentences, and paragraphs or illustrations or models) directly from the work of another without proper credit. Academic work frequently involves use of outside sources. To avoid plagiarism, the student must either place the work in quotations or give a citation to the outside source.

2) Falsely Presenting Work as One's Own: Presenting work prepared by another in final or draft form as one's own without citing the source, such as the use of purchased research papers or use of another student's paper.

c. "Contributing" to academic integrity violations means to participate in or assist another in cheating or plagiarism. It includes but is not limited to allowing another student to look at your test answers, to copy your papers or lab projects, and to fail to report a known act of cheating or plagiarism to the instructor or administration.

3. Sanctions: The following sanctions will occur when a student engages in cheating, plagiarism, or contributing to an academic integrity offense:

- a. Academic Sanction. The instructor will refuse to accept the student's work in which the academic integrity offense took place, and require the student to complete a test or project in place of the work within such time and under such conditions as the instructor may determine appropriate. In the event the student completes the replacement test or project at a level meeting minimum performance standards, the instructor will assign a grade which the instructor determines to be appropriate for the work.
- b. Report to Parents and Administration. The instructor may notify the Principal of the offense and the instructor will notify the student's parents or guardian.
- c. Student Discipline Sanctions. Academic integrity offenses are a violation of school rules. The Principal may recommend sanctions in addition to those assigned by the instructor, up to and including suspension or expulsion. Such additional sanctions will be given strong consideration where a student has engaged in serious or repeated academic integrity offenses or other rule violations, and where the academic sanction is otherwise not a sufficient remedy, such as for offenses involving altering assigned grades or contributing to academic integrity violations.

### C. Electronic Devices

1. Philosophy and Purpose. The District strongly discourages students from bringing and/or using electronic devices at school. The use of electronic devices can be disruptive to the educational process. These items are frequently lost or stolen. In order to maintain a secure and orderly learning environment, and to promote respect and courtesy regarding the use of electronic devices, the District hereby establishes the following rules and regulations governing student use of electronic devices, and procedures to address student misuse of electronic devices.

2. Definitions. "Electronic devices," include, but are not limited to, cell phones, Mp3 players, iPods, personal digital assistants (PDAs), compact disc players, portable game consoles, cameras, digital scanners, lap top computers, and other electronic or battery powered instruments which transmit voice, text, or data from one person to another.

3. Possession and Use of Electronic Devices. Students are not permitted to use any electronic devices during class time or during passing time except as otherwise provided by this policy. Cell phone usage is strictly prohibited during any class period; including voice usage, digital imaging, or text messaging. Administrators

have the discretion to permit student use of electronic devices on school grounds in the event the administration determines use is appropriate.

#### 4. Violations

a. Students shall not use electronic devices at any time or place for: (a) activities which disrupt the educational environment; (b) illegal activities in violation of state or federal laws or regulations; (c) unethical activities, such as cheating on assignments or tests; (d) immoral or pornographic activities; (e) activities in violation of Board or school policies and procedures relating to student conduct and harassment; or (f) activities which invade the privacy of others. Such student misuses will be dealt with as serious school violations, and immediate and appropriate disciplinary action will be imposed, including, but not limited to, suspension and expulsion from school.

b. Electronic devices used in violation of this policy may be confiscated by school personnel and returned to the student or parent/guardian at an appropriate time. If an electronic device is confiscated, the electronic device shall be taken to the school's main office to be identified, placed in a secure area, and returned to the student and/or the student's parent/guardian in a consistent and orderly way.

c. First Violation: Depending upon the nature of the violation and the imposition of other appropriate disciplinary action, consequences at a minimum may include a relinquishment of the electronic device to the school administration and a conference between the student and school principal or principal's designee. The electronic device shall remain in the possession of the school administration until such time as the student personally comes to the school's main office and retrieves the electronic device.

d. Second Violation: Depending upon the nature of the violation and the imposition of other appropriate disciplinary action, consequences at a minimum may include a relinquishment of the electronic device to the school administration and a conference between the student and his/her parent/guardian and the school principal or assistant principal. The electronic device shall remain in the possession of the school administration until such time as the student's parent/guardian personally comes to the school's main office and retrieves the electronic device.

e. Third Violation: Depending upon the nature of the violation and the imposition of other appropriate disciplinary action, consequences at a minimum may include a

relinquishment of the electronic device to the school administration, a conference between the student and his/her parent/guardian and the school principal or assistant principal, and suspension of the student from school. The electronic device shall remain in the possession of the school administration until such time as the student's parent/guardian personally comes to the school's main office and retrieves the electronic device. Additionally the student an in-school suspension of between one and five days in the office.

f. Subsequent Violations: Students who are repeat offenders of this policy shall be subject to the imposition of any appropriate disciplinary action, which may include suspension and expulsion from school.

5. Responsibility for Electronic Devices. Students or their parents/guardians are expected to claim a confiscated electronic device within ten (10) days of the date it was relinquished. The school shall not be responsible, financially or otherwise, for any unclaimed electronic devices. By bringing such devices to school, students and parents authorize the school to dispose of unclaimed devices at the end of each semester. The District is not responsible for the security and safekeeping of students' electronic devices and is not financially responsible for any damage, destruction, or loss of electronic devices.

D. Inappropriate Public Displays of Affection (IPDA): Students are not to engage in inappropriate public displays of affection on school property or at school activities. Such conduct includes, but is not limited to; kissing, touching, fondling or other displays of affection that would be reasonably considered to be embarrassing or a distraction to others. Students will face the following consequences for IPDA: Student will be confronted and directed to cease. If the behavior is persistent, parents will be notified. Additionally, the student may be suspended from school for a minimum of 1 day, and parents and student will need to meet with Administrator(s) and/or counselor. If this type of behavior continues, or if the IPDA is lewd or constitutes sexual conduct, the student could face longterm suspension or expulsion.

E. Specific Rule Items: The following conduct may result in disciplinary action which, in the repeated violations, may result in discipline up to expulsion:

1. Students in the hallway during class time must have a pass with them.
2. Lunches are not to be eaten in the hallways.



3. The pop machine is closed during lunch and limited during school hours.
4. Students are expected to bring all books and necessary materials to class. This includes study halls.
5. Assignments for all classes are due as assigned by the teacher.
6. Students are not to operate the mini-blinds or the windows.
7. Classes are ended by the teacher. Students are not to begin to pack up or leave the class until the dismissal bell has rung or the teacher has dismissed the class.
8. Students are to be in their seats and ready for class on the tardy bell.
9. Special classes such as Industrial Technology, Art, P.E., and computers courses will have other safety or clean-up rules that will be explained to students by that teacher which must be followed.
10. Students are not to bring “nuisance items” to school. A nuisance item is something that is not required for educational purposes and which would cause a distraction to the student or others.
11. Snow handling is prohibited.
12. Students are to demonstrate safe and appropriate behavior while in school buses and in school vehicles.