

# **506.01 Student Activity Code of Conduct**

Friday, August 11, 2023

## **STUDENT ACTIVITY CODE OF CONDUCT**

Definitions. Co-curricular and extra-curricular activities shall include those activities that fall outside of the regular classroom instruction but which are activities or programs sponsored by the school district. Examples of co-curricular activities shall be, but not limited to, such organizations as FFA, FBLA, foreign language club, vocal and instrumental music programs, or science club which may be extensions of classes being taken by students. Examples of extra-curricular activity shall be any sport activity authorized by the Nebraska School Activities Association, school plays, intramural activities, or other activity sponsored by the school but not directly associated to a class.

Possession. Possession shall mean having any substance in one's custody or control. Actual possession occurs when the item is in the actual physical custody of the person charged with possession. Constructive possession occurs when there is no actual physical possession, but there is dominion and control over the substance. (Example: The student is in a vehicle or on the premises where he or she knows that alcohol, anabolic steroids, or drug products exist and /or are being used or consumed by fellow students or other unauthorized individuals.)

Rationale. The board of education recognizes the opportunities for educational and social development for students participating in school-sponsored activities. As students participate in these activities they must remember that they are not only representing themselves, but also their school and their community in all of their actions. In many instances the majority of the students in these activities will participate at a level at which they will be proud of their actions and achievements, as will their fellow students, parents and guardians, district patrons, their sponsors, and the opponents with whom they are competing. Unlike students taking required course, co-curricular and extra-curricular activities are voluntary activities. Therefore, by choosing to participate in an activity the student is agreeing to abide by the standards or rules established by the sponsor and the members of the

organization or activity.

#### I. Preamble:

A student who engages in any prohibited conduct or fails to abide by any requirement of this policy regarding student conduct, shall be subject to appropriate corrective action which can range from an oral warning to expulsion. No system of rules can provide for every situation, and the School District may prohibit and discipline other offenses not specifically listed that interfere with the education, safety, welfare, or morals of students, employees, or volunteers. The School will try to apply discipline that is progressive in most situations. However, the disciplinary action applied in any particular case will depend upon the specific circumstances, and the School reserves the right to apply whatever disciplinary action is appropriate in each case. The appropriate level of discipline requires professional judgment and should be based on an individualized evaluation of the conduct and the student involved. The factors that may be considered include, but are not limited to the following:

- A. The potential for harm;
- B. The student's prior disciplinary record; or lack of any prior offense;
- C. Discipline imposed on others in similar situations;
- D. Maintaining an appropriate educational environment;
- E. Other relevant factors or circumstances; and
- F. For students with disabilities the determination as to whether disciplinary action or another consequence is the appropriate corrective action must be consistent with state and federal law.

Statement of Non-Discrimination: This policy will be enforced without regard to race, ethnicity, national origin, religion, sex or gender, sexual orientation, disability, or geographical residence of the student.

#### II. Enforcement Period of Code of Conduct.

This policy shall be in effect for all school district activities from the time school officially begins each fall until the activity ceases. It shall be in effect if the Nebraska

School Activities Association or the superintendent of schools authorizes an activity to commence practice before classes officially begin in the fall or after classes end in the spring. This policy shall be in effect for any summer activity that may be sponsored by the school district or authorized by the board of education. This policy shall be in effect during times such as weekends, vacation times, or holidays that may occur during the time school officially starts in the fall and ends in the spring. This policy applies to conduct on school grounds, at school activities on and off school grounds, on school buses, and at school bus stops. This policy applies to acts that:

- A. Begin on school grounds and end off school grounds; or
- B. Begin off school grounds and continue on school ground; or
- C. Pose a likelihood of disruption of education at the school; or
- D. Occur when the student is on the way to or leaving school or any School related activity.

(Note: It is possible that a student would be expected to observe the conditions of this policy for the entire school year even though he or she may not participate or begin participating in an activity until later in the school year.)

This policy shall not cover the months between calendar school years, unless the student's violation occurs at any summer activity that may be sponsored by the school district or authorized by the board of education.

If a student violates any portion of this policy at a time that his or her suspension or expulsion from an activity would normally cover a greater time period than what may remain in the school year, the administration reserves the right to continue the suspension or expulsion into the next year.

### III. Suspension and Expulsion from Activities.

Student conduct which could result in short term suspension, long term suspension, or expulsion from an activity shall include, but may not be limited to any of the following student conduct. Should a student's actions violate other school district policies, the student could also be subject to the suspension or expulsion from school. (See policy 504.01)

- A. Failure to maintain academic standing as set forth in Policy 611.05, Grading System, Eligibility, and Progress Reports and the scholastic guidelines set forth by the Nebraska School Activities Association.
- B. Unsportsmanlike conduct displayed toward his or her fellow student(s), school district personnel, game or activity officials, opposing players or personnel, or other individuals.
- C. A repeated violation of any school rule, regulation, or school board policy, if such violation constitutes substantial interference with school purposes and may be deemed to interfere with the success of the activity.
- D. Any violation of the constitution, by-laws, or Approved Rulings of the Nebraska School Activity Association.
- E. Engaging and selling, using, possessing or dispensing of a 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 control substance as defined in Section 28-401 of Nebraska statutes, or material represented to be alcohol, narcotics, drugs, a controlled substance o inhalant. 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.
- F. The constructive possession, even though there may be no actual physical possession, but there is dominion and control over the substance such as knowing the alcohol, tobacco, narcotics, drugs, control substance, or an inhalant are available and/or are being used by individuals not authorized to have or use the products. Students shall have the responsibility to remove themselves from that situation. (Example: The student is in a vehicle or on the premises where he or she knows that alcohol, anabolic steroids, or drug products exist and/or are being used or consumed by fellow students or other unauthorized individuals.)
- G. Any activity which will embarrass or disgrace the district, his or her fellow activity participants, or the students.
- H. Violation of any other school policy or rules.

I. Students suspended or expelled from school will not be permitted to participate in student activities while serving out such suspension or expulsion. Students assigned detention by teachers and/or administration must report the detention to their coach or activity sponsor(s). The coach, sponsor(s) and Activity Director will determine any additional action to be taken according to the activity rules given to students at the beginning of the year.

A. Short Term Suspension: Suspension for four contests (or activities), or four weeks. The penalty will be carried over to the next co-curricular or extra curricular activity if the violation occurs at the end of a season. Students will not be allowed to attend school activities during the suspension.

B. Long Term Suspension: Suspension for five to eight contests or activities, or five to eight weeks. The penalty will be carried over to the next co-curricular or extra curricular activity if the violation occurs at the end of a season. Students will not be allowed to attend or participate in any school activities during the suspension.

C. Expulsion: Removal from all activities and the student will not be allowed to participate in any further activities for one calendar year.

Note: Although suspended from participation in an athletic contest, a student may be allowed to attend a contest as a spectator upon approval of the administration. The same would not be accepted for attendance at a school dance where attendance would be considered as participation. The extent of what defines attendance or participation for a particular activity will be at the discretion of the coaches, sponsor(s), Activities Director and Administration in applying this policy.

Exceptions.

Exceptions may be made to the length of suspension or expulsion under the following conditions:

1. If the student reports his or her offense (alcohol, tobacco, or drug offense) to a school official within twenty-four hours of the infraction and submits to and completes an accredited treatment program.
2. The school district may require the student to obtain help for a substance abuse or mental problem, through school and/or community agencies. If substance abuse or mental/counseling help is required, it will be at the student's expense; the school

will not be responsible for the costs of such services. In no instance shall participation in a community-approved assistance program excuse a student from subsequent compliance with this regulation. However, successful utilization of such an opportunity by the student may allow the student to have eligibility reinstated in the activity, after a minimum ineligibility period, pending recommendation of the school eligibility board.

#### IV. Due Process:

Every student has a right to due process. Discipline should be progressive, consistent, and reasonable. Before any disciplinary action is taken, a student will be given “due process”, which is an opportunity to the following procedures.

A. In the case of minor infractions as determined by coaches, sponsor(s), Activity Director and administration the student will have the right to:

1. Find out the alleged violation and the evidence supporting the alleged violation;
2. Present the student’s side of the story.

B. For suspensions or expulsions the following procedures shall be followed:

1. Notice of Charges. Before such suspensions or expulsions, 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 Statement. Within twenty-four hours or such additional time as is reasonably necessary following such suspension, the building principal shall send a written statement to the student and his or her parents or guardians describing the following:

- a) The student's conduct, misconduct, or violation of the policy, rule, or regulation.
- b) The reasons for the action taken.

3. Building Principal-Parent/Guardian Conference. The building principal shall make a reasonable effort to hold a conference with the parents or guardians before the

student is suspended or expelled from the activity. The purpose of the conference shall be to explain why the student is to be suspended or expelled from the activity and advise them as to what may be expected of the student and parents or guardians during the suspension or expulsion to justify the reinstatement of the student at the end of the suspension or expulsion.

4. The school district will afford the student and his or her parents or guardians the right to challenge the decisions made by the principal and activities director. If the student and his/her parents or guardians wish to appeal the decision of the activities director and principal, they may do so in writing to the superintendant within five (5) school days of being notified of such suspension or expulsion of an activity. The decision of the superintendant will terminate the appeal procedure.

5. During the time items B 1-4 are being carried out the student shall not participate in any co-curricular or extra-curricular events. Whether the student will be allowed to continue to practice shall be at the discretion of the sponsor and the building principal and will be governed by the severity of the reasons for the suspension or expulsion.