

# St. James School

## CODE OF CONDUCT

Diocese of Syracuse

### PURPOSE OF THIS CODE

This Code of Conduct defines St. James School's expectations for conduct on property associated with the school and at school functions. It also defines a range of penalties for unacceptable conduct.

Unless otherwise indicated, this Code applies to the conduct of students, employees, parents and visitors committed on property associated with the school, at school functions or that otherwise affects the school's spiritual or educational mission.

### PHILOSOPHY

**St. James School exists to create a Catholic educational community where the pursuit of academic excellence is enlightened and enlivened by faith in the Gospel of Jesus Christ.** The religious and academic goals of the school challenge the students, employees, parents, and visitors to develop: the spiritual dimension of their life, high moral character, self-worth, self-discipline, respect for the dignity and rights of others, service to others, concern for the community and concern for the common good.

### BILL OF STUDENT'S RIGHTS AND RESPONSIBILITIES

#### **A. *Student Rights.***

Regardless of race, sex, color, national origin, all students have the right to:

1. A Catholic spiritual atmosphere that supports the faith journey and academic growth of students.
2. The guidance of understanding teachers, counselors, and other school staff.
3. An education that offers students the opportunity for inquiry and development.
4. Constructive discipline for the development of good character, values, conduct and habits.
5. Reasonable efforts to ensure safeguard personal security while on property associated with the school during school hours or at school functions.
6. An educational climate where the well being of students is of primary concern.
7. An educational staff that provides a positive role model for student development.
8. Guidance in considering a career path or college, as appropriate.
9. Wholesome extracurricular activities, unless such activities are denied the student as set forth below.
10. Consideration as an individual within the educational environment.
11. The opportunity to approach teachers and administrators with reasonable requests and questions concerning education.

#### **B. *Student Responsibilities.***

All students are accountable for their own behavior on parish or school property and at school functions, and have the responsibility to:

1. Take full advantage of the opportunities for spiritual and academic growth provided by the school.
2. Treat others with the dignity and respect they deserve as children of God.
3. Comply with the provisions of this Code while on school property and at school functions.
4. Grow in character and knowledge as they grow in ability.
5. Be honest with themselves and others.
6. Show respect for fellow students, teachers and all school staff.
7. Set a positive example so that others may enjoy and profit from their company.
8. Perform all assignments to the best of their ability.
9. Consider their education as preparation for the future.
10. Obey all school rules and regulations.
11. Respect public, private and school property.

12. Attend school regularly and punctually.
13. Develop high moral standards and the courage to live by them.
14. Strive for mutually respectful relationships with teachers and comply with reasonable requests of teachers and administrators.
15. Develop opinions and values that will make them an asset to the school community.

## DEFINITIONS

### **A. Definitions of Key Words and Terms.**

For purposes of this Code, the following words and phrases shall have the meanings set forth below:

1. **Assault:** The physical abuse, or infliction of personal injury, or unlawful detention of any person and the intentional use of physical force, or the threat thereof, that places, or attempts to place, another person in well-founded fear of personal injury.
2. **Controlled Substance:** A drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations that apply to this Code.
3. **School Function:** Any school-sponsored extra-curricular event or activity.
4. **School Property:** Any place in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary lines of the parish or school complex, or other church owned or controlled property, or in or on a school bus operated by a public school District, providing transportation to the School's students.
5. **Explosive:** An explosive device of a nature or in a quantity that is sufficient to cause injury to the person of the holder thereof or to the person or property of others, including the School.
6. **Illegal Drugs:** A controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional, or those legally possessed or used under any other authority under the Controlled Substances Act or any other federal or New York State law.
7. **Illegal Substances:** Alcohol, and tobacco and look-alike drugs.
8. **In-School Suspension:** The temporary removal of a student from the classroom and the placement of that student in another designated area of the school building where the student will be supervised and will receive substantially equivalent, alternative education. The student may not attend/participate any type of extracurricular activities during the period of the suspension. All conditions for re-entry must be satisfied for the student to be re-admitted to classes.
9. **Out-of-School Suspension:** The temporary removal of a student from the classroom and out of the school building. During this time, the student will receive substantially equivalent, alternative education. The student may not attend/participate any type of extracurricular activities during the period of the suspension. All conditions for re-entry must be satisfied for the student to be re-admitted to classes.
10. **Parent:** The biological, adoptive or foster parent, guardian or person in parental relation to a student.
11. **Suspension:** The disciplinary removal of a student from his or her regular educational program and activities.
12. **Expulsion:** The permanent removal of a student from the school program.
13. **Violent Student:** A student under the age of 21 who (a) commits an act of violence upon a school employee; or (b) commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at a school function; or (c) possesses a weapon while on school property or at a school function; or (d) displays, while on school property or at a school function, what appears to be a weapon; or (e) threatens, while on school property or at a school function, to use a weapon; or (f) knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on property or at a school function; or (g) knowingly and intentionally damages or destroys school property.

14. **Visitor:** Anyone on school property or at a school function who is not a school employee or a student of the school building in which the individual is physically present.

15. **Weapon:** A firearm as defined in 18 USC § 921 for purposes of the Gun Free Schools Act, and any device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, and any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, BB gun, starter gun, pellet gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, pocket knife with a blade of at least 2½ inches, brass knuckles, sling shot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause serious physical injury or death when used as a weapon.

## **THE ROLES OF OTHERS IN THE SCHOOL COMMUNITY**

### **A. *Teachers and Other Professional Staff.***

The role of the teaching and other professional staff employed by the school is to:

1. Demonstrate, by word and action, respect for the Catholic Identity of the school, law and order and self-discipline.
2. Keep students and parents informed regarding student progress.
3. Express concern and enthusiasm for teaching and learning.
4. Treat students as individuals, with concern and respect.
5. Provide direction and guidance so students can learn to think, reason, and be responsible for their actions.
6. Become knowledgeable of school rules and regulations regarding student conduct, and require that there be observance of the same.
7. Be consistent, fair and firm in dealing with students both in and out of the classroom.
8. Reinforce positive student behavior.
9. Seek appropriate resources to effect positive change in student behavior.
10. Before seeking assistance from the administration for discipline problems, use available resources to bring about positive behavioral changes in the classroom.

### **B. *The Administrative Staff.***

The role of a School Administrator is to:

1. Maintain an environment that is reflective of the religious and academic goals of Catholic Schools in the Diocese of Syracuse.
2. Responsibly exercise the authority assigned by the Bishop, the Pastor, the Superintendent of Schools and Assistant Superintendents.
3. Develop effective schedules and teaching assignments for students and staff.
4. Be consistent, fair, and firm in decisions affecting students, staff and parents.
5. Demonstrate, by word and example, respect for the Catholic Identity of the school, law and order, self-discipline, and sincere concern for all persons under their authority.
6. Participate in the development of rules and regulations and make them known and understood by students, staff and parents.
7. Initiate and maintain open lines of communication with students, staff, parents, parish officials and diocesan representatives.
8. Become involved with students by attending school activities and visiting classrooms.
9. Work with students, teachers, counselors, and parents to establish cooperative techniques for bringing about an effective educational program.

### **C. *Parents of Students.***

The role of the parent of a student is to:

1. Encourage the child to take advantage of the spiritual, academic, and social opportunities provided by the school.
2. Ensure the child attends school punctually and regularly as required by law.
3. To notify the School that the child will not attend school on a particular day no later than the start of school each morning.
4. Know and understand the rules and regulations their child is required to observe at school.
5. Strive to keep their child in good health.
6. Require their child to be clean and dressed consistent with acceptable standards, the school's dress code, and the requirements of this Code.
7. Encourage their child to learn and respect the rights of others.
8. Teach their child, by word and example, respect for the Catholic Identity of the school and for law and authority.
9. Provide guidance for their child to develop socially and morally acceptable standards of conduct and behavior.
10. Become involved in their child's school, with its teachers, programs and activities, and to attend conferences and school functions.
11. Encourage and support their child in completing homework assignments.
12. Recognize that primary responsibility for their child's welfare and development rests with the parent.
13. Satisfy financial obligations to the school

## **VIOLATIONS OF THE CODE OF CONDUCT**

### **A. *Acts of Misconduct Defined.***

The School expects the members of the school community to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of students, employees and other members of the school community, and for the care of school facilities and equipment.

The commission of any of the following acts (as they are defined below) is prohibited on school property and at a school function. Such conduct is punishable by the penalties etc. set forth in Section VII of this Code after compliance with the procedures set forth in Section VIII hereof.

1. **Act of Violence:** To strike, hit, kick, punch, scratch or otherwise physically assault another person; to damage or destroy the personal property of a student, teacher, administrator, other school employee or any person lawfully on school property; or to intentionally damage or destroy school property; or to commit any act that is included within the definition of a violent pupil, as defined herein. Acts of violence include Arson, Assault, Bomb Threats, Fighting, and Possession of an Explosive or a Weapon

2. **Arson:** The intentional destruction or other damage by fire, explosion or smoke to real property or personal property of the school, to personal property of school students or staff, or to personal property of third parties.

3. **Assault:** The physical abuse, or infliction of personal injury, or unlawful detention of any person and the intentional use of physical force, or the threat thereof, that places, or attempts to place, another person in well-founded fear of personal injury.

4. **Bias Harassment:** The act of threatening bodily harm or by repeatedly tormenting another person based on the victim's race, ethnic origin, religion, cultural difference, or disability. Bias harassment may take the form of comments, jokes, name-calling, innuendoes, offensive conversations, perpetuating rumors or gossip, offensive gestures, noises, blocking a victim's path, assault, or any other behavior that is designed to show disrespect to an individual based on cultural, racial, or religious differences or based on a disability.

5. **Bomb Threat:** The intentional false claim that an explosive device is located on school property or at a school function.
6. **Cheating:** The act of giving or receiving (or conspiring to give or receive) answers to class assignment (includes copying computer material) or test answers from another source.
7. **Chronic Violation of School Rules:** The accumulation of any combination of detentions and suspensions that equals 10 or more in a semester.
8. **Destruction of Property:** The destruction, defacing or other impairment of school property or property belonging to other persons.
9. **Disorderly Conduct:** Conduct that obstructs or disrupts a teaching, research, administrative or disciplinary procedure or any other authorized School activity. Disorderly Conduct includes, but is not limited to, running in hallways; making unreasonable noise; using language or gestures that are profane, lewd, vulgar or abusive; the willful interference with the free flow of vehicular or pedestrian traffic; or engaging in any willful act that disrupts the normal operation of the school community.
10. **Disruptive Conduct:** Conduct by a student under the age of 21 that is substantially disruptive of the educational process or substantially interferes with the teacher's authority in the classroom or other educational setting. Disruptive Conduct includes, but is not limited to, the failure to comply with the lawful directions of teachers, school administrators or other school employees, and speech or gesture which, by virtue of its content and/or circumstances, is likely to disrupt the conduct or classes of other school activities or to undermine the maintenance of discipline within the school setting. Disruptive Conduct also includes being late for school or class; being unprepared for class; and committing other conduct that detracts from the delivery of the school's educational program.
11. **Dress Code Violation:** The appearance of a student at school in clothing other than that specified in the school's dress code without permission.
12. **Drug or Alcohol Violation:** The possession, use or sale of an Illegal Drug or Illegal Substance, or the act of being under the influence of drugs without appropriate authorization (includes substances controlled by law, marijuana, medications or other drugs or substances which stimulate or are purported by the student to be any of the above). Insubordination while under investigation for a drug violation will also be considered a drug violation.
13. **Extortion:** Any intentional action which reasonably instills fear in another individual that the actor or another person will cause injury to the persons or property of that individual or another person for the purpose of obtaining money or property from that individual.
14. **False Alarm:** The intentional or grossly negligent activation of a fire alarm when no threat of fire exists, or the initiation, instigation or communication to the school, or any of its employees of any other claim of fire or threat thereof when none exists.
15. **Fighting:** Combative physical contact or other violent encounters between two of more persons.
16. **Forgery:** The involvement in the imitation or fabrication of another's signature or written work.
17. **Harassment:** The act of threatening bodily harm, verbally harassing or repeatedly tormenting another person and any other behavior that is intended to or has the reasonable effect of annoying, intimidating or causing fear in another. Harassment may take the form of comments, name-calling, jokes, stalking, perpetuating rumors or gossip, offensive gestures, offensive remarks, physical abuse, or any other behavior that is designed to annoy, intimidate, or cause fear.
18. **Insubordination:** The refusal or failure to comply with any school rule, regulation or policy (including those relating to attendance), or the failure to comply with a reasonable request from school personnel or representatives authorized to make such a request. Insubordination, as it relates to students, includes, but is not limited to, the failure to comply with the lawful directives of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect toward such individual;

lateness for, missing or leaving school without permission; and skipping detention. Insubordination, as it relates to non-students, includes, but is not limited to, the violation of regulations governing the use of school property, and the failure to comply with the lawful directions of school employees or law enforcement officers acting in performance of their duties.

19. **Littering:** The general distribution or dissemination of printed, written, recorded or other materials without the prior approval of the building principal. The granting of approval or the refusal to grant the same shall be determined pursuant to administrative guidelines for the distribution and dissemination of materials on school property

20. **Loitering:** Remaining in an area after the bell when assigned to a particular classroom at that time. Loitering also includes congregating in the halls to impede traffic, or standing next to the building.

21. **Other Misconduct:** The act of soliciting, commanding, aiding or otherwise abetting any person to commit any act or conduct that is proscribed by this Code, and the commission or omission of any act which is in violation of any Federal or State law or any school rule or regulation, including the School's Safety Plans.

22. **Plagiarism:** The unauthorized use of another's material that is represented as one's own work.

23. **Possession of an Explosive:** The use, actual or constructive possession, or the sale of an Explosive.

24. **Possession of a Weapon:** The use, actual or constructive possession, or the sale of a Weapon.

25. **Reckless Endangerment:** The commission of any act that has the likely potential to cause bodily harm to another individual or oneself.

26. **Repeatedly Disruptive Conduct:** Misconduct that results in the student being sent from the classroom by teacher(s) on five or more occasions during a semester.

27. **Sexual Harassment:** Any act or conduct that involves or effects the harassment of another based upon that person's gender, including, but not limited to, inappropriate comments, jokes, name calling, innuendoes, sexually offensive conversations, perpetuating or performing the unwelcome touching of another person's clothes or person, whistling or other noises understood to be an unwelcome comment regarding another person's gender, blocking a victim's path, assault, or any other behavior that is intended to or has the reasonable effect of being offensive based on a person's gender.

28. **Tardy:** Students are tardy when they are not in their seats when the bell rings. Tardy to homeroom means arriving to homeroom after the bell, but before the attendance has been sent to the main office.

29. **Theft:** The unlawful use, taking possession of, or control over, property belonging to the school or another.

30. **Threatening the Well Being of Another Person:** The act of making a threat of any kind that has at its end the harm to another person.

31. **Tobacco Violations:** The act of possessing, smoking or chewing tobacco or tobacco products anywhere on school grounds. The use of tobacco is not allowed any where on school grounds by law.

32. **Traffic Violation:** The operation of a motor vehicle on school property at a speed in excess of fifteen (15) miles per hour, or the operation of snowmobiles, motorbikes, go-carts, motor scooters, and other similar vehicles propelled by gasoline, diesel oil, fossil fuel or electric powered engines on school property. The only motor vehicles allowed to be operated on school property are those automobiles, buses and trucks that are (a) licensed by the Department of Motor Vehicles, (b) insured in compliance with the mandatory provisions of the Vehicle & Traffic Law, and (c) lawfully operated on the school's driveways, parking fields or other portions of school property for the purpose of attending school activities or conducting business or performing services for the school.

33. **Trespassing:** The entry upon or use of school property without proper authorization in situations where said property is restricted in entry or use.

34. **Truancy:** The act of being illegally absent from school without the knowledge and consent of a parent/guardian, or failing to attend school when expected to be in school, or leaving school without the permission of the administration, or failing to attend classes in consecutive periods.

35. **Violation of the Technology Policy:** The act of using computer technology in a manner that is not consistent with the Technology Policy that is included in this handbook.

36. **Vandalism:** The willful destruction of the real or personal property of the school or another person. (In addition to suspension, restitution in the form of money or work will be expected).

**B. *The School's Dress Code.***

The school employees and students shall be appropriately groomed and dressed while on school property and at school functions. Teachers and all other school employees should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting. Also, visitors are to be appropriately attired while on school property and at school functions.

Each building principal shall inform all students and their parents of the student dress code at the beginning of the school year, and of any revisions to the dress code made during the school year

**C. *Conduct on School Buses.***

When riding on a school bus maintained by a public school district, the student is responsible to comply with all of the rules and regulations established by the public school district providing such transportation. In addition, the school may impose a penalty on a student after receiving a report of misbehavior from a representative of the public school district's transportation department

When riding vehicles owned or rented by the school all of the provisions of the school's discipline policy and code of conduct shall apply.

**D. *Visitors.***

The School encourages parents to visit the school and classrooms. However, since schools are a place of work and learning, certain limits must be set for such visits. For these reasons, the following rules apply to visitors to the schools:

1. The building principal has authority over all persons in the building and on the school grounds.
2. All visitors to the school must report to the principal's office upon arrival at the school to sign the visitors register and be issued a visitors identification badge. The identification badge must be worn at all times while in the school or on school grounds, and returned to the principal's office before leaving the building. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
3. Parents who wish to observe a classroom while school is in session are required to arrange such visits in advance with the school's administrator and classroom teacher(s), so that class disruption is kept to a minimum.
4. Teachers should not be expected to take class time to discuss individual matters with visitors.
5. All visitors are required to abide by the rules for conduct on school property contained in this Code.

**E. *Misconduct Committed Off School Property.***

Students, staff and visitors may be disciplined for misconduct that is not committed on school property or at a school function if such misconduct in the professional opinion and sole discretion of the school administration (1) is a violation of civil or criminal law involving moral turpitude; (2) would reflect or discredit the reputation of St. X's School; (3) threatens the health, safety or welfare of a student, teacher

or other member of the school staff; (4) is contrary to the moral, religious, or orthodox principles of the Roman Catholic Church or the philosophy, policies, goals, and commitments of St. James Middle School; or (5) is likely to interfere with a positive educational environment.

At its sole discretion the administration may impose any penalty within the range of penalties outlined by the violator's respective group including expulsion, termination and ejection.

**F. *Misconduct Not Specifically Defined.***

The definitions of misconduct set forth in Section VI of this Code are not meant to be all-inclusive. Thus, any conduct not defined in this Code that violates any federal or New York State statute, or any rule, regulation or established practice of the school, shall be punishable by penalty to be imposed at the discretion of the appropriate school personnel.

**G. *School Building Rules***

The principal of each school building has the authority to establish standards of conduct and rules for local matters, school building activities and the granting or withholding of student privileges. These standards and rules may include procedures for homeroom; student assemblies; emergency drills; study halls; use of the cafeteria; conduct in the building hallways; use of student lockers; student ID's and student passes; school parking privileges; book bags and backpacks in the building; bicycles, skateboards, roller blades and similar means of transportation; the use of electronic devices and laser pointers; and other local matters related to discipline and order in the building.

**PENALTIES FOR VIOLATIONS OF THE CODE OF CONDUCT**

Students, employees and visitors who violate this Code will be subject to disciplinary action as the facts may warrant, including any of the penalties listed below:

**A. *Range of Potential Responses.***

**1. *Scope***

The penalties described in this section are the range of penalties that may be imposed upon any student who is determined to have committed any act of misconduct specified in Section VI of this Code.

**2. *Corrective Actions***

School authorities may use a range of possible responses to misconduct committed by a student. In some circumstances, a primary response may be to discuss the student's conduct with the parents in an attempt to correct such inappropriate behaviors or it may require the implementation of any or all of the following corrective actions:

- (a) **Parent Conference:** The student's parent or guardian will be contacted for a conference. The conference will include the student, his/her parent or guardian, school personnel and others whose participation is deemed appropriate by the School.
- (b) **Disciplinary Probation:** School authorities will place students on probation in addition to imposing a penalty for the misconduct. If the student complies with the specific terms of the probation no additional disciplinary action will be imposed. The probation agreement will further provide that, if the terms of the probation are violated, additional disciplinary action will be taken.
- (c) **Special Disciplinary Probation:** The student and school authorities may agree that the student will be placed on special disciplinary probation with no other penalty imposed for the misconduct, provided that the student complies with the specific terms of the probation. The probation agreement may further provide that, if the



terms of the probation are violated, the student may be disciplined for the original act of misconduct after an informal conference with parents.

- (d) **Counseling:** Students may be referred for counseling in appropriate cases.
- (e) **Court Intervention:** Court assistance in the form of a PINS (Person In Need of Supervision) petition.

### 3. Range of Penalties

Students who violate this student discipline code will be subject to appropriate disciplinary action including, but not limited to, one or more of the following:

- (a) Verbal Warning
- (b) Parent Notification
- (c) Written Warning Signed by Parents
- (d) Parent/Teacher Conference
- (e) Parent/Teacher/Administrator Conference
- (f) Counseling
- (g) Special Probation
- (h) Special Disciplinary Probation
- (i) Detention
- (j) Suspension from athletic, social, or extracurricular activities
- (k) In-school Suspension: The principal may suspend a student from attendance at class. The parent or guardian will be notified of such suspension by telephone and/or letter. The student may not attend school activities during the period of the suspension. All conditions for re-entry must be satisfied before the student is readmitted.
- (l) Out-of-school Suspension: The principal may suspend a student from attendance at class. The parent or guardian will be notified of such suspension by telephone and/or letter. The student may not attend school activities during the period of the suspension.
- (m) Expulsion: The school removes the student from enrollment in the school. The academic records of the student will be sent to the student's respective public school district unless the school is advised in writing to send them to another educational institution.

In addition, the principal may invoke the following when in his or her discretion they are warranted:

- (a) **Principal's Disciplinary Conference:** A disciplinary conference may be scheduled before the principal, or his or her designee at the discretion of the principal. At this time the student and his or her parents will have an opportunity to discuss the alleged infractions and respond. In addition, at the Disciplinary Conference the student and his or her parent will have the opportunity to provide the Principal with any other information they feel will help the Principal evaluate the allegations or the student's behavior. At the conclusion of such hearing, the Principal may take whatever action is deemed appropriate, including but not limited to, indefinite suspension from school or expulsion. Attorneys shall not be present at this conference.
- (b) **Delegation of Responsibility to Conduct the Disciplinary Conference:** The Superintendent, principal or delegate may further delegate the responsibility to conduct the Disciplinary Conference to a school official or to a group such as a School Disciplinary Board. In these cases, the delegate or the School Discipline

Board will follow all of the procedure outlined above for the Disciplinary Conference and submit a written recommendation to school officials. The school official will then review the recommendation and render a written decision. The student and parents will be provided copies of this decision and the recommendation on which it was based.

- (c) **Personal Liability:** The school may pursue, on behalf of itself or an employee, all available rights and remedies to recover from the student and/or parents of the student for damages to personal property.
- (d) **Police Notification:** In cases involving criminal conduct, School authorities may refer the matter to appropriate law enforcement authorities.

**4. Academic Sanctions**

In addition to other penalties provided herein, the principal may deny credit for work done and may also deny the right to make-up an assignment or test for Cheating, Leaving a Final Examination Without Permission, Plagiarism and other misconduct that is related to academic performance.

**5. Progressive Discipline**

Depending upon the nature of the violation, student discipline is progressive i.e., except in cases of very serious violations, a student’s first violation will generally merit a lighter penalty than subsequent violations. The individual determining the penalty should take into account all other relevant factors in arriving at an appropriate penalty. In the event of a minor infraction every effort will be made to impose progressive discipline. In the event of a serious infraction the penalties listed below will be imposed by the administration upon a finding that the student has committed the conduct specified herein. However, the school expressly reserves the right to impose any penalty within the range set forth above for the violation of any school rule when, under the particular circumstances involved, a different penalty is justified in the judgment of the school administration.

Depending upon the nature of the violation, the possible penalties listed in Section VII below may be imposed either alone or in combination.

**B. Penalties for Specific Violations.**

School authorities upon a finding that a student has committed the specific conduct specified herein may impose the following range of penalties:

<u>Conduct</u>	<u>Penalty Range</u>	<u>First Occurrence</u>	<u>Repeated Occurrence</u>
Act of Violence <sup>2</sup>	Minimum Maximum	Verbal Reprimand Expulsion	Suspension Expulsion
Arson <sup>1</sup>	Minimum Maximum	Suspension Expulsion	Suspension Expulsion
Assault <sup>2</sup>	Minimum Maximum	Parent Notification Expulsion	Suspension Expulsion
Bias Harassment	Minimum Maximum	Parent Notification Suspension	Parent Conference Expulsion
Bomb Threat <sup>1</sup>	Minimum Maximum	Suspension Expulsion	Suspension Expulsion
Cheating	Minimum Maximum	Detention Suspension with parent conference	Suspension with parent conference Expulsion
Chronic Violation Of School Rules <sup>5</sup>	Minimum Maximum	Parent Administrator Conference Expulsion	Suspension Expulsion

Destruction of Property <sup>2</sup>	Minimum Maximum	Detention and liability for damages Suspension and liability for damages	Suspension and liability for damages Expulsion and liability for damages
<b><u>Conduct</u></b>	<b><u>Penalty Range</u></b>	<b><u>First Occurrence</u></b>	<b><u>Repeated Occurrence</u></b>
Disorderly Conduct	Minimum Maximum	Verbal warning Suspension	Detention Expulsion
Disruptive Conduct	Minimum Maximum	Verbal warning Suspension	Detention Expulsion
Dress Code Violations	Minimum Maximum	Verbal Warning Detention	Parent Notification Suspension
Drug or Alcohol Violation <sup>3</sup>	Minimum Maximum	Suspension Expulsion	Expulsion Expulsion
Extortion <sup>2</sup>	Minimum Maximum	Suspension Expulsion	Expulsion
False Alarm <sup>1</sup>	Minimum Maximum	Suspension Expulsion	Expulsion
Fighting	Minimum Maximum	Detention Expulsion	Expulsion
Forgery	Minimum Maximum	Detention - Parents Notified Suspension	Suspension Expulsion
Harassment	Minimum Maximum	Verbal Warning Suspension	Written Warning Signed by Parent Expulsion
Insubordination	Minimum Maximum	Verbal Warning Suspension	Detention Expulsion
Littering	Minimum Maximum	Verbal Warning Detention	Detention Suspension
Loitering	Minimum Maximum	Verbal Warning Detention	Detention Suspension
Other Misconduct	Minimum Maximum	Verbal Warning Suspension	Detention Expulsion
Parking Violations <sup>4</sup>	Minimum Maximum	Parent Notification Suspension	Detention Expulsion
Plagiarism	Minimum Maximum	Parent Notification Suspension	Parent Conference Expulsion
Possession of An Explosive <sup>1</sup>	Minimum Maximum	Suspension Expulsion	Expulsion
Possession of A Weapon <sup>1</sup>	Minimum Maximum	Suspension Expulsion	Expulsion
Reckless Endangerment	Minimum Maximum	Suspension Expulsion	Expulsion
Repeatedly Disruptive Conduct	Minimum Maximum	Suspension Expulsion	Parent Notification Expulsion
Sexual Harassment	Minimum Maximum	Verbal Warning Expulsion	Suspension Expulsion
Tardy	Minimum Maximum	Verbal Warning Detention	Parent Notification Suspension

Threat to Well Being	Minimum Maximum	Suspension with Evaluation Expulsion	Suspension with Evaluation Expulsion
Theft	Minimum Maximum	Parent Conference - Suspension	Suspension Expulsion
Tobacco Violation	Minimum Maximum	Detention Suspension	Suspension Expulsion
Traffic Violation <sup>4</sup>	Minimum Maximum	Parent Notification Suspension	Written Warning Signed by Parents Expulsion
<b><u>Conduct</u></b>	<b><u>Penalty Range</u></b>	<b><u>First Occurrence</u></b>	<b><u>Repeated Occurrence</u></b>
Trespassing	Minimum Maximum	Parent Notification Suspension	Parent Conference Expulsion
Truancy	Minimum Maximum	Written Warning Signed by Parents Suspension	Suspension Expulsion
Vandalism	Minimum Expulsion	Detention – Liability for Loss Expulsion	Suspension – Liability for Loss
Violation of Technology Policy <sup>2</sup>	Minimum Minimum	Verbal Reprimand Expulsion	

Notations

- 1 The school will notify police.
- 2 The school may notify police.
- 3 Stipulations of the Diocesan Drug and Alcohol Policy will be followed in addition to discipline procedure.
- 4 In addition loss of driving privileges may result.
- 5 The student will be suspended until he or she is evaluated by a mental health professional to determine that the student his not a threat to himself or herself or to anyone else. The parents will be required to sign a release of information permitting school officials to speak to the evaluator before and after he or she has evaluated the student.

**C. Minimum Penalties for Students.**

**1. Students who Bring a Weapon to School**

The minimum period of suspension from school for any student found guilty of bringing a weapon onto School property will be at least five days. A Discipline Conference with the Diocesan Superintendent or a delegate will be required using the procedure set forth above.

**2. Students Who Commit Other Violent Acts**

The minimum period of suspension from school for any student who is found to have committed a violent act, other than bringing a weapon on to school property or to a school event shall be two days.

**3. Students who are Repeatedly Disruptive**

The minimum period of suspension from school for any student who engages in conduct that results in the student being sent out of from the classroom on five or more occasions during a semester, shall be one day.

**4. Reports by Teachers**

All staff members must immediately report and refer a violent student to the principal or the Superintendent for a violation of this Code. All recommendations and referrals shall be made in writing, unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases, a written report is to be prepared as soon as possible by the staff member making the referral.

**D. For Misconduct at a School**

The Principal shall be responsible for enforcing the conduct required by this Code at school functions, and may designate other school employees or agents to take action consistent with this Code.

When an individual is committing prohibited conduct that, in the judgment of the Principal or his or her designee, does not pose any immediate threat of injury to persons or property, the individual shall be informed that the conduct is prohibited and asked to stop such conduct. The school official shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the individual shall be immediately removed from school property or the school function. Students and staff who violate this Code while at a school function shall be subject to immediate ejection from the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person. The school may initiate disciplinary action against any student or staff member, as appropriate. The school may also pursue civil and/or criminal sanctions against any person violating this Code.

**E. For School Employees.**

Any person who, while on school property or at a school function, wrongfully refuses a valid request or command to desist in any conduct prohibited by this Code shall be ejected from the premises. Persons other than students found this Code of Conduct shall be subject to criminal and/or civil penalties as provided by law. In addition, teachers are also subject to the stipulations of their contract and Personnel Policies Handbook. Support Staff are subject to the stipulations of their Personnel Policies Handbook as well.

**F. For Visitors.**

Any unauthorized person on school property will be reported to the school principal. Unauthorized persons will be asked to leave, and the police may be called if the situation warrants.

The authorization of visitors who violate this Code, to remain on school property or at the School Function, shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection and to criminal and/or civil penalties as provided by law.

## **DISCIPLINE PROCEDURES**

**A. For Students.**

The amount of due process a student is to be afforded before a penalty may be imposed depends on the severity of the penalty. In all cases, the school employee authorized to impose the penalty must inform the student of the misconduct that he or she is alleged to have committed, and must conduct an informal investigation the facts surrounding the alleged misconduct. All students must be given an opportunity to present their version of the facts to the school personnel imposing the penalty. Additional process shall be afforded as follows:

**1. For Detentions**

Teachers, principals and the Superintendent may use after school detention as a penalty for student misconduct.

**2. For Suspensions from Athletics or Extra-curricular Activities**

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a Disciplinary Conference. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the school official imposing the suspension to discuss the conduct and the penalty involved.

**3. For Short-Term In-school Suspensions and Out of School Suspensions**

School authorities must balance the need of individual students to attend school and the need to maintain order in the classroom to establish an environment for all students that is conducive to learning. As such, principals or the Diocesan Superintendent have the authority to place students who would otherwise be suspended from school as the result of a Code violation in "in-school suspension or out-of-school suspension."

A student subjected to a short-term in-school or out of school suspension is not entitled to a Disciplinary Conference. However, the student and the student's parent will be provided with a reasonable opportunity for

an informal conference with the school official imposing the in-school suspension to discuss the conduct and the penalty.

Any conditions for re-entry to school stipulated in the suspension must be satisfied before the student is readmitted to the school.

#### **4. Long-term Suspensions**

When the Superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to Discipline Conference at which the students and parents will be informed of the charge against the students, as well a report of the evidence given by those persons and circumstances investigated. The student and his parent will have an opportunity to respond to the charges, the evidence, request that additional witnesses or circumstances be investigated, and provide the school official with any other information the student or parent believes will help him or her understand the behavior render a decision. Attorneys are not present at this conference.

#### **5. For Expulsions**

Permanent suspension is reserved for extraordinary circumstances. When the Superintendent, building principal, or delegate determines that an expulsion might be warranted, he or she shall give reasonable notice to the student and the student's parents of the Discipline Conference at which the students and parents will be informed of the charge against the students, as well a report of the evidence given by those persons and circumstances investigated. At that time, the student and his or her parent will have an opportunity to respond to the charges, the evidence, request that additional witnesses be interviewed or circumstances be investigated and provide the school official with any other information the student or parent believes will help him or her understand the behavior render a decision. Attorneys are not present at this conference.

##### **B. Waivers of Disciplinary Conference**

A student and parent may voluntarily and knowingly waive his or her right to a Disciplinary Conference. In this regard, the parents of the student will be required to sign a form documenting a request for a waiver.

##### **C. School Employees.**

Administrators, teachers and support staff members are subject to the provisions the Code as well as the provisions of their respective *Personnel Policies Handbook* and contracts and *Faculty Handbook*, if any.

Any school employee, whose conduct on school property or at a school function disrupts academic or other school activities while on school property, at school functions or at any other times violates or threatens the welfare of the person or property of others or acts in a manner contrary to the Catholic Identity of the school shall be subject to suspension and to further disciplinary action, including termination, as the facts may warrant in accordance with any legal rights to which they may be entitled.

##### **D. For Visitors**

The following procedures shall apply procedurally to violations of this Code by non-students:

1. The Principal has the authority to enforce these rules and regulations. The Principal may designate such person, or persons, as he or she deems necessary, for the enforcement of these rules and regulations.

2. The Principal may initiate and/or receive charges of any alleged violation of these rules and regulations and cause all investigations to be made.

3. The Principal may request all lawful assistance to secure, remove, eject or otherwise prevent persons from adversely affecting public order or from materially disrupting normal school processes.

4. Enforcement of these rules and regulations against persons other than the students shall be as provided by law.

## **APPEALS FROM IMPOSITION OF DISCIPLINE FOR STUDENTS**

### ***A. Appeals to the Assistant Superintendent for the Region of the Diocese.***

Appeals from all decisions of the Principal relative to this Code shall be taken to the Assistant Superintendent of Catholic Schools for the respective Region of the Diocese. All appeals shall be made in writing and shall set forth the decision appealed from and the grounds for the appeal. The written appeal shall arrive no later than ten (10) business days from the date of the decision that is the subject of said appeal, unless they can show extraordinary circumstances precluding them from doing so. The Assistant Superintendent for the Region or a delegate will review the case and render a written decision.

### ***B. Appeals to the Superintendent of Schools.***

Final decisions of the Assistant Superintendent for that Region of the diocese may be appealed by parents to the Diocesan Superintendent of Schools shall arrive 10 days of the decision, unless they can show extraordinary circumstances precluding them from doing so. The Diocesan Superintendent will review the case and render a written decision. This decision is binding.

## **REFERRAL TO AUTHORITIES**

### ***A. To Law Enforcement.***

The building principal must immediately notify the Diocesan Superintendent of those Code violations that constitute a crime and substantially affect the order or security of a school. The Superintendent or delegate is to inform the appropriate local law enforcement agency as soon as practical, but in no event later than the close of business on the day the Diocesan Superintendent or delegate learns of the violation. The notification may be made by telephone, followed by a letter mailed on the same day. The notification must identify the student(s) and explain the conduct that violated the Code and constituted a crime.

The school will immediately confiscate any weapons, alcohol or illegal substances possessed by a student and will notify the parent of the student involved of the incident. Appropriate disciplinary action will be taken, up to and including expulsion and referral for criminal prosecution.

### ***B. To Human Services Agencies.***

The Superintendent, principal, or delegate may make a referral of a student discipline case to an appropriate human service agency whenever, in his or her judgment, the same is warranted. The Superintendent or delegate may receive and consider the recommendations of the student's principal, teachers, counselor, school psychologist and other pupil services personnel familiar with the student in deciding whether to make such a referral and, if so, to which agency. The parent of the student shall be informed of the referral.

## **ALTERNATIVE EDUCATION PROGRAMS**

The following educational programs shall be utilized as appropriate to meet the individual needs of students:

### ***A. For Suspended Students.***

When a student of any age is suspended for violation of this code, the school will take immediate steps to attempt to provide the student with adequate alternative instruction.

## **IN-SERVICE EDUCATIONAL PROGRAMS**

### ***A. Suggested Programs.***

The School will provide in-service education programs for all school staff members to ensure the effective implementation of this Code. The Principal may solicit the recommendations of the school staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

The following are suggested programs that may be utilized for in-service education for all staff members to ensure effective implementation of this Code:

1. School Oriented Programs developed at the building level.
2. Superintendent's Workshop days.

3. Building faculty meetings.
4. Assertive Discipline Programs and films presented at the building.

## INTERPRETATION

### **A. *Calculating Time Limits.***

When any period of time for an act to be done under this Code ends on a Saturday, Sunday or a public holiday, such act may be done on the next succeeding business day and, if the period ends at a specified hour, such act may be done at or before the same hour of such next succeeding business day.

### **B. *“Time Out” Techniques.***

Nothing in this Code abridges the customary right and responsibility of a teacher to manage student behavior in the classroom. Short-term, time-honored classroom management techniques such as “time out” in an elementary classroom or in an administrator’s office are not considered removals from class. This, however, should not become a substitute for good classroom management.

### **C. *Authority to Suspend.***

Nothing in this Code abridges the customary right or responsibility of a principal to suspend a student when, in the judgment of the principal, the student’s conduct warrants the same.

### **D. *Inconsistent Provisions.***

To the extent that any provision of this Code regarding student behavior conflicts with any school rule, regulation or policy, the provisions of this Code shall be controlling.

To the extent that any provision of this Code regarding professional staff behavior conflicts with any school rule, regulation or policy, the provisions of this the individual’s respective *Personnel Policies Handbook*, *Faculty Handbook* and contract shall be controlling.

To the extent that any provision of this Code regarding support staff behavior conflicts with any school rule, regulation or policy, the provisions of this the individual’s respective *Personnel Policies Handbook* shall be controlling.

### **E. *Not Exclusive.***

These rules and regulations and the penalties imposed hereunder shall not be deemed exclusive, nor as a limitation, waiver, or extinguishment of the school's right to utilize other available legal remedies against persons who violate this Code. The school may take additional or other legal action, as it deems appropriate or necessary to maintain public order.