

Policy 5135: Student Conduct / Suspension and Expulsion

Student Conduct

This policy has been accepted by the Cozad Community Schools to enhance and promote the best possible learning environment for all students. This policy is enforceable whenever school is in session, during school sponsored activities and whenever school property is involved.

1. Each student is expected to attend school on time and regularly, to obey reasonable directives and requests of teachers, to observe good hygiene and be courteous to students and school personnel.
2. In the school or any school sponsored activity, students will be expected to conform to reasonable standards of speech and conduct, to refrain from violating the rights of others, defame the reputation of the school and not to engage in conduct that deprives other students of an orderly, safe environment conducive to learning.
3. It shall further be the policy of the Cozad Community Schools to comply with the Student Discipline Act of 1994, the Drug Free School Act, various statutes and other local ordinances. Cozad Community Schools shall ensure that students receive fair treatment consistent with their constitutional right to due process and fundamental fairness within the context of an orderly and effective educational process, prior to being subject to emergency exclusions, short term or long term suspensions, expulsions, or mandatory reassignments. Such disciplinary action, therefore, will be made in accordance with the following procedures.
- 4.

Suspension / Expulsion

The following types of student conduct shall constitute grounds for detention, short-term, long-term suspension (in or out of school), and expulsion or mandatory reassignment, when such activity occurs on school grounds or during a school sponsored event off school grounds.

The building principal shall be responsible for the enforcement of these policies. The following examples are intended to be only a partial listing of those actions in which an individual could be subject to discipline. Disciplinary action can occur for behavior not listed below.

1. Causing or attempting to cause injury and/or sexual assault, attempting sexual assault, or sexual harassment of any person.
2. Willfully causing or attempting to cause damage to property, stealing or attempting to steal property, or repeated damage or theft involving property.
3. Engaging in the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-801, of the Nebraska Statutes or material represented to be alcoholic beverages, narcotics, drugs, controlled substances or inhalant or being under the influence of any of the above : or possession of drug paraphernalia. See Policy 5135.2 for further information.

4. Failure to attend and/or repeated tardiness to assigned classes or assigned activities.
5. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon.
6. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
7. Use of violence, force, threat, intimidation, or similar conduct in a manner that constitutes a substantial interference with school purposes or to obtain money or anything of value from a student or school employee.
8. The use of language, written or oral, or conduct, including gestures, which are profane or abusive to students or staff members. Profanity or abusive language 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, national origin, or religion.
9. Public indecency as defined in Nebraska Statutes, except that subdivision shall apply only to students at least twelve years old.
10. Repeated violation of any of the rules adopted by the School District of the School.
11. Engaging in any unlawful activity as determined by the United States or the State of Nebraska.
12. Dressing in a manner wherein such dress is dangerous to students health and safety or to the health and safety of others or is disruptive, gang related or indecent to the extent that it interferes with the learning and educational process. This shall include alcohol/drug or tobacco advertising.

In addition, a student may be suspended (short-term or long term), expelled, or mandatory reassigned for sexual assault or attempted sexual assault of any person regardless of the time or location of the offense if a complaint alleging such conduct is filed in a court of competent jurisdiction.

Cozad Public Schools will follow the practice of communicating to parents any major discipline infractions on the part of students. The discipline notice will describe the offense and explain the action taken by the administration. Hearing procedures and rights of appeal notice are available in the office of the counselor or principal. In the case of major infractions, notification of the right of appeal and hearing procedures will be forwarded to the student and parents/guardian with the notice of rule violation.

Updated 12/8/98 Review 3.15.2010

Supplement to Policy 5135

Supplemental to these procedures, a special education student must be provided with additional procedures. A determination should be made of whether the student is actually guilty of the misconduct. A staffing team should determine whether the student's behavior is caused by the student's disability and whether, the conduct is the result of inappropriate placement. Discussions and conclusions of this meeting should be recorded.

If the special education student's conduct is not caused by the disability, the student may be expelled or suspended for a long term period following written notice to the parent and pursuant to the school district's expulsion hearing procedures. If the misconduct is caused by the disability and a change in placement is recommended, the change must be made pursuant to the placement procedures used by the school district.

Adopted 2-10-03

Approved 3-10-03

Review 3.15.2010

Supplement to Policy 5135: Probation of Students

Any student who has been involved in an infraction of school rules may be placed on behavioral probation by the school principal or principal's designee in addition to, or in lieu of, other disciplinary action. Probation will be for a definite time period during which critical examination and evaluation of the student's progress should take place.

During the probation period, the student may be denied the participation in or attendance at all extracurricular activities. At the close of the probationary period, the individual case will be reviewed and the student may regain all privileges.

If the student is further involved in an infraction of school rules during the probationary period, the student will be suspended or denied certain extracurricular privileges under the stipulations set forth in the probationary agreement.

The parent will be notified by the principal or principal's designee that the student is being placed on behavioral probation, including the length of the period, the terms of the probation, and the possibility of suspension if the student is found in further violation of school rules during probation.

The student may be placed on probation to an administrator, teacher, or counselor, with the selection of administrator, teacher or counselor to be by mutual consent of the student and the staff member involved. If consent cannot be reached, the student will be placed on probation to a school administrator appointed by the principal.

The student will be removed from probation if, at the completion of the probationary period, satisfactory adjustment has been made as agreed upon by the student, the staff member overseeing the student during probation, and the school's administrative staff.