



## STUDENT DISCIPLINE POLICY

### **Suspension, Expulsion, Exclusion, ORC 3313.66, 3313.661, 3313.662.**

A sound educational program can be carried out with good discipline. The atmosphere at The Academy for Urban Scholars must be such that the teacher can teach and the student can learn. The school and each classroom will be organized and managed to ensure a safe and orderly environment for students and school personnel where effective teaching and learning can occur.

The Academy for Urban Scholars uses progressive discipline and works to keep all students in class and learning. Our primary concern is each individual child. However, it must be known that **students are prohibited from engaging in behaviors endangering the safety of others, infringing upon the rights of others or interfering with the school program and educational process.** Whenever such behavior occurs, appropriate disciplinary actions will be taken.

When disciplinary actions are warranted, The Academy for Urban Scholars Administration will strive to maintain a constructive approach that focuses on positive changes in behavior and minimizes any interruption of the education process.

Any student conduct that would constitute criminal conduct under the Ohio Revised Code is also a violation of the Code of Conduct. The rules also apply to any form of student misconduct directed at a district official or employee or the property of a district official or employee, at any place, at any time.

### **District Zero Tolerance Policy**

Ohio law required the school board of each city, exempted village and local school districts, to adopt not later than July 1, 1998, a policy of "Zero Tolerance" for violent, disruptive and/or inappropriate behavior, including excessive truancy and to establish strategies ranging from prevention to intervention to address the behavior.

### **13.1 STUDENT CODE OF CONDUCT**

The Academy for Urban Scholars School District, in an effort to promote an improved learning environment, unfettered by disruptive student conduct, has adopted a code of district policies and procedures dealing with student behavior. This comprehensive Code of Student Conduct is developed for the encouragement of knowledge, creativity, tolerance, understanding and protection of all learners. Proper discipline is fundamental to a sound educational environment and is essential for safe and orderly schools. It is intended that this Code of Student Conduct give direction for proper student behavior in the classrooms, halls, and grounds of the school system during school hours and during any extracurricular or school-sponsored event on or off campus. This Code of Student Conduct is to establish behavior standards for students, delineate specific violations of school rules, and outline appropriate responses to student misbehavior. Acts of gross misconduct, flagrant discourtesy, abusive or vile



language, acts of violence and/or deliberate insubordination are not to be tolerated and should be referred immediately to the administration or Administration. Procedures for emergency removal, suspension, expulsion, and permanent exclusion are included. The authority of the Ohio Department of Education to regulate matters of student behavior is identified in various portions of the *Revised Code* of the State of Ohio as indicated.

### **Off Campus Conduct**

Conduct that occurs off The Academy for Urban Scholars grounds and/or at non-school related activities may be the subject of discipline by the school administrator if the conduct has a relation to the school and has a direct effect on the general welfare of the school

## **13.2 STUDENT DISCIPLINARY PROCEDURES**

### **13.2(A) Disciplinary Write-Ups**

Where applicable, before the teacher completes a The Academy for Urban Scholars Disciplinary Form on a student, they will have given that student three chances to comply with school policy. When a student chooses not to comply with school policy, a teacher will submit a The Academy for Urban Scholars Disciplinary Form to the office of the School Director outlining the time, date, and infractions of the offending student. It is the responsibility of the School Director or their designee to investigate all disciplinary matters and to assess demerits if found necessary.

## **13.3 DISCIPLINARY DEMERIT (POINT) SYSTEM)**

In conjunction with The Academy for Urban Scholars School District Code of Conduct, The Academy for Urban Scholars Disciplinary Demerit System is primarily a demerit system categorized by five (5) types of code of conduct violations. **Types I-IV Violations are assessed a predetermined amount of demerits.** **Type V Violations** are not assessed demerits and will be addressed later in this section.

### **13.3(A) Point Deduction**

Students begin each year with 100 points. Demerits subtract from this 100 point total, with various interventions at certain point levels. A discipline report outlining the number of demerits a student has received shall be provided at the time of every nine week report card to parent(s)/legal guardian(s).

### **13.3(B) Point Recovery**

The Academy for Urban Scholars School District's Code of Conduct also allows for students to earn back points through various ways (community service, exemplary acts of integrity, assigned research projects, etc.) All students who wish to earn back points must set up an appointment with their parents and the building administrator to discuss the details of the project and how many points will be awarded for its completion. A student may earn back no more than twenty (20) points during the school year. The building administrator has the right to refuse points being awarded back to any student when their judgment deems necessary.



### 13.4 VIOLATIONS OF THE CODE OF CONDUCT

Student code of conduct violations are categorized by types. **Type I Violations** are considered to be the least serious with **Type V Violations** being the most serious. **Type V Violations** will be discussed later in this section.

#### 13.4(A) Type I Violations

Type I Violations are assigned two (2) demerits. All violations, demerits, and consequences will be assessed to the student by the School Director.

- **Classroom/School Disruption**— A student shall not disrupt or obstruct the educational process during any curricular or extra curricular activity. Be aware that the school administration shall be authorized to assign disciplinary action to any student who causes or participates in any disturbance or any disruption of any school class, program or activity. The school administrator, concerned and other school personnel shall make every effort to protect the personal safety of students and adults and the safety of The Academy for Urban Scholars property during any period of student unrest when the orderly operation of the school is disrupted. The school administrator shall make every effort to return the school to an order operation as soon as possible after disruption occurs.
- **Littering**— A student shall not litter any interior or exterior area owned by or under the control of The Academy for Urban Scholars School District.
- **Loitering**— A student shall not loiter in restrooms, hallways or other areas of the building, nor participate in an activity for which the area was not designated or intended.
- **Tardiness to class**— Tardiness is disruptive to the educational process. After the bell has rung a student is considered tardy to class. Fifteen minutes after the bell has rang it moves into the definition of skipping. Excessive tardiness can have an adverse effect on student achievement.
- **Unprepared for class**— A student does not have the necessary writing utensil, text, notebook, homework, and any other items that are required for that class.
- **Running in the hallway**-- A student must not run in the hallway and always walk to the right. This ensures safety for all students and staff.
- **Food or Beverage consumption outside of Cafeteria without permission**-- No student is to consume food outside of the school Cafeteria without the permission of their teacher or school administrator.
- **Chewing gum**-- The Academy for Urban Scholars School District does not allow chewing gum during school hours. Exceptions may be made at various times by the building administrator.
- **Leaving Cafeteria without permission**-- A student must have a pass from a teacher or administrator when leaving the Cafeteria during breakfast or lunch periods.
- **Locker Disorganization**-- Students shall keep their lockers organized and free of clutter in accordance with school rules.

#### 13.4(B) Type II Violations

Type II Violations are assigned five (5) demerits. All violations, demerits, and consequences will be assessed to the student by the School Director.

- **Falsification**-- Lying or giving false information in any manner to school staff.
- **Publication, display and or distribution of unauthorized materials**— A student may not distribute any materials (publications, ads, food, etc.) to The Academy for Urban Scholars staff, students, or display (hang up on walls) without the express permission of the school administrator.



- **Failure to identify one's self to school personnel--** A student must give all basic information to staff when requested. This includes, but is not limited to their name, address, parent's contact information, grade, and proper bus route.
- **Public Display of Affection—** Students shall refrain from any excessive display of affection such as kissing, suggestive touching or sustained hugging while on school grounds.
- **Profanity—** A student must not use inappropriate, profane, vulgar language, and or gestures.
- **Use of laser pointer-** Laser pointers are banned from school buildings, school vehicles and on school property with the exception of usage by an adult or someone supervised by an adult for educational purposes only.
- **Cell phone or other electronic devices--** A student may not use any electronic device, including cell phones, during school hours without the express permission of a staff member, teacher, or School Director. The safety and security of cellular phones, cameras, beepers and all other electronic communication devices are the sole responsibility of the student. The Academy for Urban Scholars will not be held liable for lost or stolen items. If a student is caught using these items, disciplinary points will be assigned and the device may be confiscated. If confiscated the School Director will determine the time and conditions of its return.

***Parent(s)/legal guardian(s) or students wishing to contact each other during school hours must do so by using the school office.***

#### **13.4(C) Type III Violations**

Type III Violations are assigned ten (10) demerits. All violations, demerits, and consequences will be assessed to the student by the building administrator.

- **Fraudulent Behavior—** A student shall not cheat, lie, mislead, forge, misrepresent, plagiarize, or engage in any other deceitful act while under the jurisdiction of the school, while fulfilling responsibilities associated with being a student, or while representing the school in any capacity. This includes district computer use policies and procedures. Presenting someone else's work as one's own in order to obtain a grade or credit is considered cheating. This includes, but is not limited to, copying other's assignments, quiz or test answers, and plagiarism/internet plagiarism. Students who violate this policy will receive zero credit for assignments or work involved, will accrue disciplinary points and may be subject to further disciplinary consequences by an administrator.
- **Inappropriate use of the District Technology/Internet—** The use of the telecommunication network for illegal, inappropriate, or unethical purposes by students is prohibited. Students using District Technology/Internet on school grounds are expected to comply with the acceptable use policy and procedure of the district. The use of Technology/Internet must be in support of education and research and consistent with the educational objectives of The Academy for Urban Scholars School District. Use of the network and computer resources must comply with rules appropriate for that network. All computers are to be used in a responsible, efficient, ethical and legal manner. Failure to adhere to this policy and the guidelines below will result in the revocation of the user's access privilege. Unacceptable uses of the computer/network include but are not limited to:
  1. Using profanity, obscenity or other language which may be offensive to another user
  2. Copying commercial software in violation of copyright law



3. Using the network for financial gain, for commercial activity or for any illegal activity
4. Accessing and/or viewing inappropriate material.

On-line services provide connections to other computer systems located all over the world and this school district cannot control the content of the information available on these systems. Some of the information available is controversial and sometimes offensive. The school administration does not condone the use of such materials. Employees, students and parents of students must be aware that the privileges to access on-line services are withdrawn from users who do not respect the rights of others or will not follow the rules and regulations established. A user's agreement is signed to indicate the user's acknowledgment of the risks and regulations for computer/on-line service use.

Students engaging in any of the behaviors described above are subject to severe penalties including:

1. Denial of access to computer and network equipment and resources
  2. Intervention
  3. Suspension
  4. Criminal Charges
  5. Expulsion
- **Insubordination/Disrespect to staff**— A student shall obey all reasonable directions and instructions given by school personnel, and act in a respectful manner toward school personnel during any period of time when the student is under the jurisdiction of the school or in the general community.
  - **Horseplay**— A student shall not perform or participate in any act that could result in injury to self or another person, including engaging in rowdy behavior.
  - **Trespassing**— Any student who is found in violation of use of the school building or property after school hours without prior permission by school staff or administration is trespassing. This also applies to students who have been removed from school due to an emergency removal, out-of-school suspension, expulsion, or permanent exclusion from school activities. The Academy for Urban Scholars reserves the right to have anyone found trespassing on its property removed from the school premises by proper school authority or law enforcement officers.
  - **Fake fighting**— No student shall participate in horseplay, play fighting or rough housing with other students.
  - **Damage/Vandalism to Property/Misuse of School Resources/Facilities** — A student shall not cause or attempt to cause damage to school property, public property, or the personal property of others at any school activity on or off school grounds. Any financial damages as the result of vandalism or misuse of property shall be the responsibility of the student and their parent(s)/legal guardian(s). In circumstances where a student is deemed to be responsible, either in whole or in part, for damage or defacement of school property or the personal property of others, repair or replacement costs will be the responsibility of the student and parent. All resources and facilities of The Academy for Urban Scholars shall be used solely for legitimate and authorized academic, instructional, research or administrative purposes. Any unauthorized or illegitimate use of the resources and/or facilities (e.g. graffiti or destructive acts) shall constitute a violation of school policy and will subject the violation to disciplinary and/or legal action.
  - **Leaving class without permission**— A student is not permitted to leave class without permission granted from the teachers or school administration. For grades sixth thru twelfth



there are no passes given to students the first 25 minutes of class. It is the student's responsibility to use the restroom and get needed materials from lockers during class change.

- **Food fighting--** No student shall throw or place food on any person or their property while on school grounds.

#### **13.4(D) Type IV Violations**

Type IV Violations are assigned fifteen (15) demerits. All violations, demerits, and consequences will be assessed to the student by the building administrator.

- **Skipping class** - Fifteen minutes after the bell has rung a student is considered skipping class. Skipping class is a serious violation of school policy, as school administration must account for all student whereabouts throughout the day. All students must have permission from school staff or administration to not be in class at the appropriate time.
- **Failure to accept school consequences** - Any student who fails to comply with a consequence set forth by school administration for a violation of the Code of Conduct will be assessed fifteen (15) demerits in addition to any demerits assessed for the original violation. The consequence set forth by the administration **must still be served by the student**. In extreme cases where a student fails to comply with discipline consequences, the building administrator reserves the right assess the student a Type V violation which may result in suspension up to permanent expulsion, or forfeit the student's right to attend the Academy for Urban Solutions.

#### **13.4(E) Type V Violations**

Type V violations are extreme cases, which carries a minimum suspension up to permanent expulsion. The suspension or explosion will be based upon student's intentions, severity of actions, and frequency of discipline occurrences.

**No student shall receive more than four (4) Type V Violations within a given school year. Any student who receives four (4) Type V Violations will be expelled from The Academy for Urban Scholars School District.**

The following are Type V Violations. Type V Violations are not assessed demerits. Consequences for **Type V Violations** will be assessed to the student by the building administrator on a case by case basis by using the criteria outlined above.

- **Emergency Evacuation Procedures—** A student shall not interfere with any emergency evacuation procedures for fire or tornado drills by failing to comply with drill procedures.
- **Gambling—** A student while on school premises or at a school-sponsored activity, shall not engage in gambling or games of chance. Playing cards, dice, and other items commonly associated with gambling shall neither be brought to or used in school, unless part of an approved educational game or activity. Approved school groups may sponsor fundraising raffles with the permission of the School Director.
- **Misrepresentation of School** - No student shall misrepresent the school by displaying or publicly posting negative language, pictures, videos, etc. of The Academy for Urban Scholars students or staff in the mass media (local newspaper, flyers, internet, etc) under the title "FCI", "The Academy for Urban Solutions" and or "The Academy for Urban Scholars School District.



- **Gangs/Gang Activity** - A student while attending The Academy for Urban Scholars shall not organize, join or belong to a gang or other secret society that promotes violence or illegal activities. Gang activity in any form is not tolerated at the Academy for Urban Solutions. Communication will be maintained with the police, court and school officials on all gang activity within The Academy for Urban Scholars School District. Involvement and jurisdiction of school authorities in gang-related incidents will be determined in cooperation with the police and legal authorities. These officials will consider the nature of the incident on others.
- **Assault, Fighting, or Hitting**— A student under the jurisdiction of the school shall not cause or threaten physical injury nor behave in such a way which could cause physical injury to another student or staff member.

### 13.5 (F) ZERO-TOLERANCE WEAPONS POLICY

Please refer to the Gun Free School Act of 1994 for further details.

- **Dangerous Weapons and Instruments**— A student, while under the jurisdiction of the school, shall not possess, handle, transmit, or conceal any object which might be considered a dangerous weapon or instrument of violence. Possession shall be defined, but not be limited to the following: objects carried or concealed on one's person; objects contained in one's locker or any other setting selected to conceal such item(s) or material(s); and objects contained in a vehicle owned or driven by such person. Unless otherwise authorized by law, pursuant to Ohio Revised Code section 2923.122, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance into a school safety zone. The Academy for Urban Scholars is committed to providing the students of the school with an educational environment which is free of the dangers of firearms, knives, chemical devices and other dangerous weapons (including "look alike" weapons).

The definition of a firearm shall include: 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; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device, which includes any explosive, incendiary or poisonous gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or device similar to any of the devices described above.

Students are prohibited from bringing a firearm on school property, in a school vehicle or to any school-sponsored activity. If a student brings a firearm on school property, in a school vehicle or to any school sponsored activity, the school administrator shall **expel this student from school for a period of one calendar year and notify the appropriate criminal justice or juvenile delinquency authorities**. Any such expulsion shall extend, as necessary, into the school year following the school year in which the incident occurred. The school administrator may reduce the one-year expulsion on a case-by-case basis. Matters which might lead to a reduction of the expulsion period include: an incident involving a disabled student and the incident is a manifestation of the disability; the age of the student and its relevance to the punishment; the prior disciplinary history of the student; and/or the intent of the perpetrator.



Students are also prohibited from bringing knives on school property, in a school vehicle or to any school sponsored activity. The definition of a knife includes, but is not limited to: a *cutting instrument having a sharp blade*. If a student brings a knife on school property, in a school vehicle or to any school sponsored activity, the Administration shall expel the student from school, subject to the same conditions stated above.

*Staff must emphasis to their student the seriousness of having possession of a firearm or knife or making a bomb threat on school grounds, other property or at an activity under its jurisdiction.*

- **Drug Possession: including marijuana, narcotics, alcoholic beverages, and illegal/non-prescription drugs**— A student while under the jurisdiction of the school, shall not possess, use, transmit, conceal, or show any sign of consumption of any alcoholic beverage, illicit drug, inhalant, illegally obtained prescription medication, counterfeit or look-alike drug, or drug paraphernalia. Possession shall be defined, but not be limited to, the following: objects carried or concealed on one's person; objects contained in one's locker or any other setting selected to conceal item(s) or material(s); and objects contained in a vehicle owned or driven by such person. The use and/or abuse of drugs and alcohol have been proven to cause harmful effects on the social and intellectual development of children and youth and their mental, physical and emotional health.

Sale, use, or possession of drugs, counterfeit drugs, alcohol, or tobacco by students is an obstacle to this objective and interferes with the rights of students to receive quality academic instruction.

The Academy for Urban Scholars does recognize that use of illicit drugs and unlawful possession and use of alcohol is wrong, harmful and illegal. It also recognizes that individuals who are experiencing problems with alcohol and other drugs need assistance, which may vary. The Academy for Urban Scholars is committed to working cooperatively with student and family to help provide beneficial alternatives. Information will be available about drug and alcohol counseling and rehabilitation and reentry programs for students.

Our staff will take an active role in reducing and eliminating the use of drugs and alcohol by students through:

1. Prevention: (e.g. foster student self-esteem and confidence in their own abilities, make students, staff, parents and community aware of the symptoms and effects of drug and alcohol use and abuse; publicize the board's position and expectations regarding drugs and alcohol)
2. Intervention: (e.g., identify students affected by their own and others' use and abuse of drugs and alcohol at the Academy for Urban Solutions, on the school grounds, at school-sponsored events, in school-controlled vehicles or in any situation under the authority of The Academy for Urban Solutions).

THE ACADEMY FOR URBAN SCHOLARS students shall not possess, use, sell, give or otherwise transmit, or be under the influence of any drug or alcohol while at school or on the school premises. Any type of drug paraphernalia is prohibited in school buildings, in school vehicles, and on school grounds. All items will be subject to confiscation.





Tobacco use by students is prohibited in school buildings, in school vehicles, and on school grounds, at all times. Any type of drug paraphernalia (tobacco products, matches, lighters, or other paraphernalia normally associated with tobacco use) is prohibited in school buildings, in school vehicles, and on school grounds. All items will be subject to confiscation.

This policy is subject to enforcement and disciplinary action:

1. On property owned, leased by, or under control of the school, including vehicles for transporting students.
2. On any public or private property during scheduled school hours including lunch and class changes.
3. At any school-sponsored or sanctioned activity or event away from or within the school. Actions will be considered normal disciplinary measures for each category and occurrence of offense and shall be administered in accordance with the policies and regulations of the school. Students, who voluntarily request assistance or counseling/self-referral in situations where no offense, as specified below, has been detected, may not be subject to disciplinary action based on information divulged.

**Where an offense, as specified below, has been detected, violations of school policy will not be excused because the student has requested counseling.**

According to state law, the Administration has the option of notifying the Registrar of Motor Vehicles or a Franklin County Juvenile Judge whenever a student is suspended or expelled for drug and/or alcohol possession or abuse. This may result in the loss of the student's driver's license.

**Definitions**

For purposes of these policies and regulations, the following definitions shall apply:

**Alcohol:** Any liquor, wine, beer, or other beverage containing intoxicating substances.

**Drugs:** Any drug, including illegal drugs, narcotics, hallucinogens, cocaine, amphetamines, steroids, barbiturates, marijuana, inhalants, legal prescription and over-the-counter drugs used or possessed or distributed for unauthorized purposes, counterfeit (look-alike) substances, and clove cigarettes.

**Drug Paraphernalia:** Equipment or apparatus designed for or used for the purpose of measuring, packaging, distribution, or facilitating the use of drugs, including, but not limited to, pipes, roach clips, weights, syringes, hypodermic needles, and cocaine spoons or kits.

**Tobacco:** Any product with tobacco as an ingredient that is smoked, chewed, inhaled, or placed against the gums.

**Under the Influence:** Manifesting signs of substance abuse, such as staggering, reddened



eyes, odor of alcohol or drugs, nervousness, restlessness, falling asleep or dozing, memory loss, abusive language, or any other behavior or physical appearance normal for the particular student (determination by school authorities as to what constitutes "under the influence" is distinct and separate from any such determination by the courts).

**Distributing:** Making available to or passing on to another individual (even if not for profit) any alcohol, drug or tobacco products.

- **False Alarms—** A student shall not participate in any false alarm or threat related to emergency procedures that might cause confusion or harm to another persons or people. A student shall not participate in any situation that might result in a riot or extreme cases of unruliness on or off school grounds. Any financial damages or charges incurred by The Academy for Urban Scholars School district as the result of false alarms shall be the responsibility of the student and their parent(s)/legal guardian(s).
- **Hazing—** No student or person in attendance at this school will conspire to haze or engage in hazing, nor commit an act that injures, frightens, degrades or disgraces a fellow student or person attending such institution. Hazing activities of any type are inconsistent with the educational process and shall be prohibited at all times. No administrator, faculty member, or other employee of the school district shall encourage, permit, condone, or tolerate any hazing activities.

No student, including leaders of student organizations, shall plan, encourage, or engage in any hazing.

Hazing is defined as doing any act or coercing another, including the victim, to do any act of initiation unto any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person. Permission, consent, or assumption of risk by an individual subjected to hazing does not lessen the prohibition contained in this policy.

Faculty members and all other employees of the school shall be particularly alert to possible situations, circumstances or events which might include hazing. If hazing or planned hazing is discovered, involved students shall be informed by the discovering school employee of the prohibition contained in this policy and shall be required to end all hazing activities immediately. All hazing incidents shall be reported immediately to the school administrator.

- **Serious Safety Violations** - No student shall deliberately commits an act that could result in serious injury to self or to others (i.e., arson or other related activities).
- **Theft** - A student, while on school premises or at a school-sponsored activity, shall not steal, attempt to steal, or be in possession of stolen property or equipment belonging to the school district (including test or test materials) or the personal property of another student, teacher, visitor, person(s) or business.
- **Selling of Unauthorized Merchandise--** A student may not sell any materials (drugs, publications, ads, food, etc.) to The Academy for Urban Scholars staff, students, or display without the express permission of the school administrator.
- **Leaving School Property without Authorization** - A student shall not leave the school grounds during the academic day without administrative authorization.
- **Violations of the Law** - A student shall obey all laws and ordinances of the city, county, and state when the student is under the jurisdiction of the school.



- **Harassment- THE ACADEMY FOR URBAN SCHOLARS Anti-Harassment “Bullying” Policy**

The State Board of Education defines a positive climate as “one that emphasizes and recognizes positive behaviors, evokes nonviolence, cooperation, teamwork, understanding and acceptance toward all students and staff in, and in transit to and from, the school environment.”

Students at The Academy for Urban Scholars are responsible to treat each other with dignity and respect. Any type of disrespectful comments or actions directed toward other students, whether intentionally or unintentionally, which cause interference with the educational process and opportunities of the school will be considered harassment.

In accordance with federal and state laws and district policy, The Academy for Urban Scholars will not tolerate harassment against any staff member or student on the basis of sex, race national origin, religion age, disability or sexual orientation.

**Per Section 3313.666 of the Ohio Revised Code**, It is the policy of the Board of Education, Ohio Department of Education and that of The Academy for Urban Scholars that any form of bullying behavior, whether in the classroom, on school property, to and from school or at school-sponsored events, is expressly forbidden.

1. Definition of Terms

Harassment, intimidation or “bullying” means *any intentional written, verbal, graphic, or physical act that a student or group of students exhibited toward other particular student more than once and the behavior both:*

*Causes mental or physical harm to the other student; and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student.*

Harassment, intimidation or “bullying” also means *electronically transmitted acts, i.e., Internet, cell phone, personal digital assistance (PDA) or wireless hand-held device that a student has exhibited toward another particular student more than once and the behavior both:*

*Causes mental or physical harm to the other student/school personnel; and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student/school personnel.*

A school-sponsored activity shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the school district.

2. Types of Conduct

Harassment, intimidation or bullying can include many different behaviors including slurs, jokes, intimidation or any other verbal or physical attack directed at an individual’s sex, race, national origin, religion, age, disability or sexual orientation; overt intent to ridicule, humiliate or intimidate another student or school personnel. Examples of conduct that could constitute prohibited behaviors include:



1. Extortion, damage or stealing of money and/or possessions
2. Physical violence and/or attacks; threats, taunts and intimidation through words and/or gestures;
3. Exclusion from the peer group or spreading rumors;
4. Repetitive and hostile behavior with the intent to harm others through the use of information and communication technologies and other Web-based/online sites (also known as "cyber bullying"), such as the following:

- a. Posting slurs on Web sites where students congregate or on Web logs (personal online journals or diaries);

- b. Sending abusive or threatening instant messages;

- c. Using camera phones to take embarrassing photographs of students and posting them online; and using Web sites to circulate gossip and rumors to other students;

- d. Excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers.

5. **Sexual Harassment** includes but is not limited to unwanted hugs, touches, grabbing or brushing against another student, unwanted sexual advances or other sexual comments such as sexually oriented gestures, noises, remarks or comments about a person's sexuality. A student while on school premises or at a school-sponsored activity shall not engage in any behavior that could be characterized as sexual harassment. All types of sexual harassment are prohibited. Sexual harassment will include, but not be limited to, the following: verbal abuse, insults, suggestive comments, sexual demands, leering, subtle forms of pressure for sexual activity, physical aggressiveness, including any unwelcome physical contact, exposing another to sexually oriented pictures or text, telling sexually oriented jokes, attempted rape, or rape.

6. **Racial Harassment**— A student while on school premises or at a school-sponsored activity shall not engage in any behavior that could be characterized as racial harassment. Racial harassment can include: threatening behavior, intimidation, degrading actions, racial slurs or epithets (whether pictured, spoken, written, or computer generated), unwanted physical contact, discrimination, or violence. Any such harassment based on ethnic origin, gender, race, religion, or sex will likewise be considered a violation of this Code of Student Conduct.

7. **Harassment of Staff Members**— A student shall not interfere with the life style of any staff member. Interference may include disrespect, harassment, vandalism or any other disruptive actions.



## 1. Complaints

- Formal Complaints  
Students and/or their parents or guardians may file reports regarding suspected harassment, intimidation or bullying. Such written reports shall be reasonably specific including person(s) involved, number of times and places of the alleged conduct, the target of suspected harassment, intimidation and/or bullying, and the names of any potential student or staff witnesses. Such reports may be filed with any school staff member or administrator, and they shall be promptly forwarded to the School Director for review and action.
- Informal Complaints  
Students, parents or guardians and school personnel may make informal complaints of conduct that they consider to be harassment, intimidation and/or bullying by verbal report to a teacher, school administrator, or other school personnel. Such informal complaints shall be reasonably specific as to the actions giving rise to the suspicion of harassment, intimidation and/or bullying, including person(s) involved, number of times and places of the alleged conduct, the target of the prohibited behavior(s), and the names of any potential student or staff witness. A school staff member or administrator who receives an informal complaint shall promptly document the complaint in writing, including the above information. This written report by the school staff member and/or administrator shall be promptly forwarded to the School Director for review and action.
- Confidential Complaints  
Students who make informal complaints as set forth above may request that their name be maintained in confidence by the school staff member(s) and administrator(s) who receive the complaint. The anonymous complaints shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of harassment, intimidation and/or bullying.
- Police and Student Protective Services  
Allegations of criminal misconduct will be reported to law enforcement, and suspected student abuse must be reported to Student Protective Services, per required timelines. The Academy for Urban Scholars School District must also investigate for the purpose of determining whether there has been a violation of The Academy for Urban Scholars School District policy or procedure, even if law enforcement or CPS is also investigating. All The Academy for Urban Scholars School District personnel must cooperate with investigations by outside agencies.

In addition to, or instead of, filing a bullying/harassment/intimidation complaint through this policy, a complainant may choose to exercise other options, including but not limited to filing a complaint with outside agencies or filing a private lawsuit. Nothing prohibits a complainant from seeking redress under any other provision of the Revised Code or common law that may apply.



2. Disciplinary Action

Bullying, harassment and intimidation are **Type V Offenses**. Disciplinary responses will vary according to the grade level, and in addition to the measures listed above may include: emergency removal, referral to outside agencies (including law enforcement) home visitation; restitution; out-of-school suspension; expulsion or permanent expulsion.

Expulsion may be imposed only after a hearing before the Board of Education, a committee of the Board or an impartial hearing officer designated by the Board of Education in accordance with Board policy. This consequence shall be reserved for serious incidents of harassment, intimidation or bullying and/or when past interventions have not been successful in eliminating prohibited behaviors.

**13.5 DISCIPLINARY INTERVENTION SCALE**

The Academy for Urban Scholars School District Code of Conduct is primarily a demerit system with five (5) types of violations. **Types I-IV Violations** are assessed a predetermined amount of demerits. **Type V Violations** are not assessed demerits. Students begin each year with 100 points. Demerits subtract from this 100 point total, with various interventions at certain point levels. A discipline report outlining the number of demerits a student has received shall be provided at the time of every nine week report card to parent(s)/legal guardian(s).

The following is the Intervention Scale. This scale determines what disciplinary action shall be imposed upon a student once their points have been reduced anywhere in the following levels.

**DISCIPLINARY INTERVENTION SCALE**

<b>90-80 POINTS</b>	Written warning by staff. Document placed in student's file. Phone call is made to parent or guardian. Demerits are added to annual total and letter sent home with student and mailed home to parent.
<b>79-70 POINTS</b>	Write up place in student's file and parent conference scheduled with School Director and teacher observing violation. Referral to Department of Skills Development for two (2) days. Demerits added to annual total and letter sent home with student and mailed home to parent.
<b>69-60 POINTS</b>	Write up place in student's file and parent conference scheduled with School Director and teacher observing violation. Referral to Department of Skills Development for five (5) days. Demerits added to annual total and letter sent home with student and mailed home to parent.
	Write up place in student's file and parent conference scheduled with School Director, teachers, of the primary building of student. Referral to Department of Skills Development for ten (10) days. Demerits added to annual



<p><b>59-50 POINTS</b></p>	<p>total and letter sent home with student and mailed home to parent.</p>
<p><b>49-40 POINTS</b></p>	<p>Write up place in student's file and parent conference scheduled with School Director, teachers, of the primary building of student. One (1) day suspension from school. Demerits added to annual total and letter sent home with student and mailed home to parent. Once the student returns to school they shall be referred to the Department of Skills Development for five (5) days in skills development.</p>
<p><b>39-30 POINTS</b></p>	<p>Write up place in student's file and parent conference scheduled with School Director, teachers, of the primary building of student. Three (3) days suspension from school. Demerits added to annual total and letter sent home with student and mailed home to parent. Once the student returns to school they shall be referred to the Department of Skills Development for five (5) days in skills development.</p>
<p><b>29-20 POINTS</b></p>	<p>Write up place in student's file and parent conference scheduled with School Director, teachers, of the primary building of student. Five (5) days suspension from school. Demerits added to annual total and letter sent home with student and mailed home to parent. Once the student returns to school they shall be referred to the Department of Skills Development for then (10) days in skills development.</p>
<p><b>19-10 POINTS</b></p>	<p>Write up place in student's file and parent conference scheduled with School Director, teachers, of the primary building of student. Seven (7) days suspension from school. Demerits added to annual total and letter sent home with student and mailed home to parent. Once the student returns to school they shall be referred to the Department of Skills Development for five (10) days in skills development.</p>
<p><b>9-1 POINTS</b></p>	<p>Write up place in student's file and parent conference scheduled with School Director, teachers, of the primary building of student. Ten (10) days suspension from school. Demerits</p>



	added to annual total and letter sent home with student and mailed home to parent. Once the student returns to school they shall be referred to the Department of Skills Development for five (10) days in skills development.
<b>0 POINTS</b>	<b>EXPULSION FROM THE ACADEMY FOR URBAN SOLUTIONS</b>

### 13.6 DEFINITIONS OF INTERVENTIONS

#### 13.6(A) Department of Skills Development

The Department of Skills Development (DOSD) is The Academy for Urban Solutions' in-school suspension department. When a student is assigned to DOSD they are separated from their normal class, and placed in a more structured class environment that includes less privileges. If a student is in the DOSD for the day, they are excluded from any classroom activities (field trips, class parties, daily school functions) without the express written permission of the School Director.

#### 13.6(B) Exclusion

Exclusion means that a student has been denied the right to participate in certain activities in the school. These activities may be academic or extra-curricular. Whenever a student has been excluded from school activities a letter will be sent home to the parent(s)/guardian(s) stating what activity the student has been excluded from, why the student has been excluded, and for how long is the exclusion for. Once the exclusion period has concluded, the student automatically regains the right to attend whatever activities they were excluded from. Parents/guardians will be informed in writing of AUS intent to expel. Within 72 hours of removal a hearing will be held to discuss the infraction and consequences that may follow.

#### 13.6(C) Emergency Removal

An Emergency Removal means a student has committed an offense that warrants their immediately removal from school premises. If a student needs to be removed through an emergency removal, the parent(s)/guardian(s) are required to have their student picked up immediately within one hour after being notified by school administration. If a parent(s)/guardian(s) cannot pick up their student up within one hour, the school reserves the right to house the student on the school premises until such time as the parent can have the student picked up, or have the student removed by proper legal authorities.

Once a student has been removed by emergency means, the student may not return to the school premises until directed by the school's School Director. The School Director also reserves the right to request a meeting with the student's parent(s)/guardian(s) before they may return to school. If a student who has been removed from school by emergency means returns to the school premises without the express written permission of the School Director, the school will consider the student as trespassing, and reserves the right to call the proper authorities and have the student removed from the premises.





### **13.6(D) Suspension**

A suspension means that a student has lost the right to attend school and school functions for a specific amount of days. Suspension always ranges from one (1) to ten (10) days. During suspensions, a student is not allowed on the school premises for any reason except by express written permission of the School Director. If a student who is currently serving suspension returns to the school premises without the express written permission of the School Director, the school will consider the student as trespassing, and reserves the right to call the proper authorities and have the student removed from the premises.

### **13.6(E) Expulsion**

An expulsion means that a student has lost the right to attend school and school functions for a specific amount of days. Expulsions always range from eleven (11) to one hundred and eighty (180) days. During an expulsion, a student is not allowed on the school premises for any reason except by express written permission of the School Director. If a student who is currently serving expulsion returns to the school premises without the express written permission of the School Director, the school will consider the student as trespassing, and reserves the right to call the proper authorities and have the student removed from the premises.

### **Appeal of Suspension or Expulsion**

A student or his or her parent(s), guardian(s), custodian(s) may appeal any suspension or expulsion by the Superintendent or President the Board of Trustees to the full Board of Trustees. The student or his or her parent guardian(s) or custodian(s), may be represented in all appeal proceedings and, shall granted a hearing before the Board of Trustees in order to be heard against the suspension or expulsion. At the request of the student, parent(s), guardian(s) or custodian(s), the hearing will be held in executive session, but the Board of Trustees: shall act upon the suspension or expulsion only at a public meeting. The Board of Trustees, by a majority vote of its full membership may affirm the order of suspension or expulsion, reinstate the student, or otherwise reverse, vacate, or modify the order suspension or expulsion. There shall be a verbatim record of the hearing. The decision of the Board of Trustees may be appealed under Chapter 2506 of the Ohio Revised Code.

### **Notice and Hearing Provisions Not Required for Normal Discipline**

The required notice and hearing provisions set forth above are not applicable to instances of removal from curricular or extracurricular activity for a period not exceeding one (1) school day.

### **Student Due Process Rights**

The board and school officials have the legal authority to deal with disruptive students and student misconduct. Due process, in the context of administrative proceedings carried out by school authorities, does not mean that the procedures used by the courts in juvenile proceedings must be followed. The Ohio and Federal Rules of Evidence do not apply.

Students have clearly established means by which administrative due process is available for the protection of the individual's rights. Due process procedures are applied equally to all, and enforced in a manner which involves:

- Adequate notice and opportunity to prepare a defense
- An opportunity to be heard at a reasonable time and meaningful manner
- The right to a speedy and impartial hearing on the merits of the case



### **Discipline policy for students with disabilities (IDEA)**

The school will comply with the provisions of IDEA. An Administrator will follow the administrative guidelines below to ensure they are properly used when disciplining any student with a disability.

#### **Removals**

The school may remove a student with a disability for up to ten (10) school days; and for additional removals of up to ten (10) school days, for separate acts of misconduct, as long as there are not a pattern of removals.

The school may request a hearing officer to remove a student for up to forty-five (45) days if keeping the student in his or her current placement is substantially likely to result in injury to the student or others. The school will assess a student's troubling behavior and develop positive behavioral interventions to address the behavior, and following the Federal guidelines for determining whether the behavior is a manifestation of the student's disability.

#### **Suspension/Expulsion**

The school will not long-term suspend or expel a disabled student from school for behavior that is a manifestation of his or her disability.

#### **Continuation of services**

The school will continue to provide services for students with disabilities who are suspended or expelled from the school, except that the school need not provide services during the first ten (10) school days in a school year that the student is removed. After the first ten days, for any suspension that is for less than ten school days, the school will provide services to the extent determined necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals of his or her IEP. In cases involving removal for ten days or less, school personnel, in consultation with the child's special education teacher, decides what services are to be provided.

During any long term removal for behavior that is not a manifestation of a student's disability, the school will provide services to the extent determined necessary to enable the student to appropriately progress in the general curriculum and advance toward achieving the goals his or her IEP. The student's IEP team makes the service determination.

#### **Behavioral assessment and behavioral interventions**

Meetings of a student's IEP team to develop a behavioral assessment plan or, if the student has one, to review the student's behavioral intervention plan are only required when the student has first been removed from his or her current placement for more than ten (10) school days in a school year, and when beginning a suspension that constitutes a change in placement. If additional suspensions occur, the IEP team members review the student's behavioral intervention plan and its implementation to determine if modifications to the plan are needed, and only meet if one or more team members believe that modifications are necessary.

#### **Manifestation determination; change of placement**

The school will follow the Federal guidelines for determining whether the behavior is a manifestation of the student's disability. A change of placement will occur if a student is removed for more than ten consecutive school days or is subjected to a series of removals that constitute a pattern because they add up to more than ten school days in a school year, and because of factors such as the length of each removal, the total amount of time the student is removed, and the closeness of the removals to one another.