

Policy

STUDENT CODE OF CONDUCT

Code JCD-R Issued 3/16/22

The following disciplinary offenses are identified for elementary, middle, and high school students, along with the required or recommended dispositions for each offense.

ELEMENTARY LEVELS OF MISBEHAVIOR

Disruptive behavior - Level I misbehavior

- Acts of misbehavior
 1. Student behavior that disrupts orderly classroom/school procedures or violates classroom or school rules but is **not** directed at himself/herself, another person or property
- Enforcement procedures
 1. A staff member will take immediate action to address the misconduct.
 2. Parent/guardian will be informed or continuing misconduct.
 3. A record of interventions and disciplinary actions will be maintained.

Disruptive behavior – Level II misbehavior

- Acts of misbehavior
 1. Student behavior that is extremely disruptive, aggressive, and/or a legal violation. (Law enforcement will be contacted)
- Enforcement procedures
 1. A school administrator will confer with staff member and take immediate action to address the misconduct.
 2. The administrator will contact parent/guardian.
 3. Due process procedures will be followed.
 4. A record of interventions and disciplinary actions will be maintained.

Disruptive behavior – Level III misbehavior

- Acts of misbehavior
 1. Student behavior that is extremely disruptive, aggressive, and/or a legal violation.

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(Law enforcement will be contacted)

- Enforcement procedures
 1. A school administrator will confer with staff member and take immediate action to address the misconduct.
 2. The administrator will contact parent/guardian.
 3. Due process procedures will be followed.
 4. A record of interventions and disciplinary actions will be maintained.

Possession of firearm, explosive device, similar device

- Under state law, any student who brings one of these illegal items to school, including an elementary school student, must be expelled for one calendar year, beginning at the date of expulsion.

Intervention/disciplinary action: For Levels I, II & III

Extenuating circumstances give the principal or school disciplinarian the right to use his discretion regarding disciplinary action.

- Action taken by the teacher and/or school administrator will be in accordance with district and school-based interventions and discipline procedures and based on the duration and/or severity of the misconduct.
- Early parent/guardian involvement to address student misconduct is important.
- The school administrator is given discretion regarding disciplinary action under extenuating circumstances. Interventions and disciplinary actions may include but are not limited to
 - Student conference
 - Parent/guardian conference
 - Isolated work time
 - Time-out
 - Student Assistance Team referral
 - Detention
 - In-school suspension
 - Out-of-school suspension
 - Behavior contract (including positive options)
 - Agency involvement
 - Law enforcement contact
 - Expulsion

MIDDLE SCHOOL LEVELS OF MISBEHAVIOR

Middle school disorderly behavior – Level I misbehavior

Acts of misbehavior

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1. Student behavior that impedes orderly classroom/school procedures or that violates school rules
2. Level I offenses that are not disruptive actions by a student directed at himself, another student or property

Enforcement procedures

1. Upon observation or notification and verification of an offense by a student, a staff member will take immediate action to rectify the misconduct and will apply the appropriate punishment.
2. A complete record of the procedures will be maintained.
3. The student's parent/guardian will be notified.

Disciplinary action

The principal, director or school disciplinarian under extenuating circumstances may use discretion in increasing or decreasing the disciplinary action

- Student/teacher conference
- Student/team conference
- Parent/teacher conference
- Student/administrator conference
- Lunch detention
- After-school detention
- Referral to Student Assistance Team
- One to three days in-school suspension

Middle school disruptive behavior – Level II misbehavior

Acts of misbehavior

1. Disruptive behavior by the student directed at himself, another person or property
2. Aggressive behavior toward to threatening another student
3. Failing to identify himself to a staff member
4. Committing forgery
5. Behaving in a severely disruptive manner
6. Being disrespectful or disobedient to a staff member
7. Communicating obscenities
8. Being absent from class or school without authorization
9. Using fireworks (Law enforcement will be contacted)
10. Visibly displaying, activating or using a cell phone or other electronic telecommunications device during the continuous academic day
11. Throwing rocks or other objects at a student or indiscriminately on school property or a school bus
12. Aiding, abetting or concealing any of the above misbehaviors results in punishment as a

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principal participant

13. This list of offenses is not all inclusive

Enforcement procedures

1. Upon observation or notification or verification, a staff member will report to an administrator who will take appropriate disciplinary action and notify the student's parent/guardian.
2. The staff member and administrator will follow established due process procedures.
3. A record of the procedures will be kept.
4. The student will make restitution in all cases for which it is appropriate.
5. The administrator will confiscate cell phone.

Disciplinary action

The principal, director or school disciplinarian under extenuating circumstances may use discretion in increasing or decreasing the disciplinary action

The principal or school disciplinarian will take appropriate action that may include, depending on repetitions of offenses

- One to five days in-school suspension
- One to five days out-of-school suspension

Repeated offenses

- The Student Assistance team
- Juvenile Arbitration
- The Department of Juvenile Justice
- Recommended expulsion. A student recommended for expulsion will receive 10 days out-of-school suspension

Middle school criminal behavior simple – Level III misbehavior

Acts of misbehavior

1. Fighting, contributing to a fight or threatening another student (Law enforcement will be contacted)
2. Committing assault and/or battery (Law enforcement will be contacted)
3. Extorting and/or blackmailing a student (Law enforcement will be contacted)
4. Committing extreme misconduct
5. Committing a theft and/or possession of stolen property of less than \$50 (Law enforcement will be contacted)
6. Smoking or possessing tobacco products or related objects
7. Committing vandalism of less than \$50 (Law enforcement will be contacted)
8. Committing sexual harassment (Law enforcement will be contacted)

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9. Brandishing a weapon (Law enforcement will be contacted)
10. Gross disrespect or disobedience to a staff member, using profane or disrespectful language or gesturing in a profane or disrespectful manner at a staff member
11. Aiding, abetting or concealing any of the above misbehaviors results in punishment as a principal participant
12. Possessing a weapon, look-a-like gun or knife that does not violate state law (Law enforcement will be contacted)
13. This list of offenses is not all inclusive.

Enforcement procedures

1. An administrator will confer with the appropriate staff member and take the proper action.
2. If warranted, the student will be removed immediately from school and the parent/guardian will be notified.
3. If appropriate, the administrator will contact law enforcement authorities.
4. The staff member and administrator will follow established due process procedures.
5. The student will make restitution in all cases for which it is appropriate.

Disciplinary action

The principal, director or school disciplinarian under extenuating circumstances may use discretion in increasing or decreasing the disciplinary action

First offense

- Five days out-of-school suspension
(First time violators of smoking or smoking paraphernalia ban are required to go to a tobacco resistance workshop sponsored by the school district instead of the five days out-of-school suspension)

Second offense

- The principal's supervisor must be notified of the student's second offense
- 10 days out-of-school suspension, or the principal may recommend expulsion

Third offense

- Recommended expulsion. Students recommended for expulsion will receive 10 days out-of-school suspension.
- For a third offense of #6 under Acts of Misbehavior, the parent/guardian and student must contract for counseling with the Lancaster County Commission on Alcohol and Drug Abuse

Middle school criminal behavior aggravated – Level IV misbehavior

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Acts of misbehavior

1. Committing assault and/or battery of an aggravated nature (Law enforcement will be contacted)
2. Blackmailing, threatening, harassing or intimidating a staff member or a student by one or more students (Law enforcement will be contacted)
3. Making a bomb threat, pulling a fire alarm or making false 911 call (Law enforcement will be contacted)
4. Possession, consumption, use, or under the influence of alcohol, drugs or a controlled substance or a copy-cat substance (Law enforcement will be contacted)
5. Committing gross immorality
6. Committing malicious vandalism more than \$50 or to any piece of school property (Law enforcement will be contacted)
7. Committing theft and/or possession of stolen property greater than \$50 (Law enforcement will be contacted)
8. Aiding, abetting or concealing any of above misbehaviors means punishment as principal participant
9. This list of offenses is not all inclusive.

Enforcement procedures

1. The administrator will confer with the appropriate staff member and take the proper action.
2. The student will be removed immediately from school and the parent/guardian will be notified.
3. The administrator will confer with parents.
4. The staff member and administrator will follow established due process procedures.
5. If appropriate, the principal will contact law enforcement authorities.
6. The student will make restitution in all cases for which it is appropriate.

Disciplinary action

The principal, director or school disciplinarian under extenuating circumstances may use discretion in increasing or decreasing the disciplinary action

First offense

- The principal's supervisor must be notified of the student's first offense.
- 10 days out-of-school suspension or the principal may recommend expulsion.
- For a first offense of #4 under Acts of Misbehavior, the parent/guardian and student must contract for counseling with the Lancaster County Commission on Alcohol and Drug Abuse.

Second offense

- Recommended expulsion. Students recommended for expulsion will receive 10 days

out-of-school suspension.

Middle school criminal behavior flagrant – Level V misbehavior

Acts of misbehavior

1. Possession with intent to distribute or distribution of alcohol, drugs, an unauthorized controlled substance or a copy-cat substance as defined by law or by Board policy (Law enforcement will be contacted)
2. Possessing, brandishing, pointing, or discharging a firearm, pellet gun or any other projectile-type weapon (Law enforcement will be contacted)
3. Setting a fire or attempting to set a fire (Law enforcement will be contacted)
4. Assault and battery of a school employee (Law enforcement will be contacted)
5. Sexual assault (Law enforcement will be contacted)
6. Possession of any knife, brass knuckles or other object that violates state law (Law enforcement will be contacted)
7. Flagrant refusal to follow an administrative directive, such as to leave campus, submit to a search or comply with an oral command and battery
8. Aiding, abetting or concealing any of the above misbehaviors results in punishment as a principal participant

Enforcement procedures

1. The administrator will confer with the appropriate personnel and record for the record pertinent facts.
2. The student will be removed immediately from school and the parent/guardian will be notified.
3. The administrator will confer with parents and district office personnel.
4. The administrator will follow due process procedures.
5. The principal will contact law enforcement authorities.

Disciplinary action

The principal, director or school disciplinarian under extenuating circumstances may use discretion in increasing or decreasing the disciplinary action

First offense

- The principal's supervisor must be notified of the student's first offense.
- Recommended expulsion. Students recommended for expulsion will receive 10 days out-of-school suspension.

Possession of any firearm, explosive or similar device

- Recommended expulsion for one calendar year, beginning at the date of expulsion.

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Possession with intent to distribute or distribution of alcohol, drugs, an unauthorized controlled substance or a copy-cat substance

- For first offense the parent/guardian must contract with the Lancaster County Commission on Alcohol and Drug Abuse.

HIGH SCHOOL LEVELS OF MISBEHAVIOR

High school disorderly behavior – Level I misbehavior

Acts of misbehavior

1. Behaving aggressively
2. Cheating (results in a grade of zero)
3. Chewing gum in building
4. Failing to return to school any notice of report that requires parental acknowledgement
5. Failing to complete an assignment or carry out directions from a teacher or an administrator
6. Fraternizing with an unauthorized visitor
7. Gambling
8. Wearing a hat in a building
9. Bringing radio or recording device onto school property
10. Leaving books in unauthorized area
11. Leaving cafeteria trays or sitting on desks or tables
12. Littering
13. Loitering in an unauthorized area
14. Behaving loudly or boisterously or running in a building
15. Exhibiting other disorderly conduct
16. Being out of class without a pass
17. Parking in an unauthorized place
18. Possessing obscene materials or an obscene article
19. Using profanity or gesturing in an obscene way
20. Displaying public affection
21. Being tardy to school or class without an excuse
22. Failing to serve an assigned punishment
23. Aiding, abetting or concealing any of the above misbehaviors results in punishment as a principal participant
24. This list of offenses is not all inclusive.

Enforcement procedures

1. Upon observation or notification and verification of an offense by a student, a staff member will take immediate action to rectify the misconduct and will apply the appropriate punishment.
2. A complete record of the procedures will be maintained.
3. The student's parent/guardian will be notified.

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Disciplinary action

The principal, director or school disciplinarian under extenuating circumstances may use discretion in increasing or decreasing the disciplinary action

Note: Indian Land High uses a 2-hour after-school detention instead of in-school detention.

First offense

- One detention

Second offense

- Two detentions

Third offense

- Three detentions

Fourth offense

- Parent conference and one day in-school suspension

Fifth offense

- One to three days in-school suspension
- The fifth offense is treated as a first offense Disruptive Behavior and must receive the designated disciplinary action

High school disruptive behavior – Level II misbehavior

Acts of misbehavior

1. Being disrespectful or disobedient to staff member
2. Failing to identify himself to a staff member
3. Committing five or more acts of disorderly misconduct
4. Committing forgery
5. Behaving in a severely disruptive manner
6. Communicating obscenities
7. Visibly displaying, activating or using a cell phone, pager or other telecommunication device during the continuous academic day
8. Being absent from class or school without authorization
9. Using fireworks (law enforcement will be contacted)
10. Throwing rocks or other objects at a student or indiscriminately on school property or a school bus
11. Aiding, abetting or concealing any of the above misbehaviors results in punishment as a

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principal participant

12. This list of offenses is not all inclusive.

Enforcement procedures

1. Upon observation or notification or verification, a staff member will report to an administrator who will take appropriate disciplinary action and notify the student's parent/guardian.
2. The staff member and administrator will follow established due process procedures.
3. A record of the procedures will be kept.
4. The student will make restitution in all cases for which it is appropriate.
5. The administrator will confiscate cell phone if appropriate.

Disciplinary action

The principal, director or school disciplinarian under extenuating circumstances may use discretion in increasing or decreasing the disciplinary action

Note: Indian Land High uses a 2-hour after-school detention instead of in-school detention.

First offense

- One to three days in-school suspension

Second offense

- Three days in-school suspension

Third offense

- Three days of out-of-school suspension

Fourth offense

- Five to 10 days of out-of-school suspension, or the principal may recommend expulsion
- The principal's supervisor must be notified of the student's fourth offense.

Fifth offense

- Recommended expulsion. Students recommended for expulsion will receive 10 days out-of-school suspension.

High school criminal behavior simple – Level III misbehavior

Acts of misbehavior

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1. Fighting, contributing to a fight or threatening another student (Law enforcement will be contacted)
2. Committing assault and/or battery (Law enforcement will be contacted)
3. Extorting and/or blackmailing a student (Law enforcement will be contacted)
4. Committing extreme misconduct
5. Committing a theft and/or possession of stolen property of less than \$50 (Law enforcement will be contacted)
6. Committing vandalism of less than \$50 (Law enforcement will be contacted)
7. Smoking or possessing tobacco products or related objects
8. Committing sexual harassment (Law enforcement will be contacted)
9. Possessing a weapon or look-a-like weapon that does not violate state law
10. Brandishing a weapon (Law enforcement will be contacted)
11. Using profane/disrespectful language or gesturing in a profane or disrespectful manner at a staff member
12. Aiding, abetting or concealing any of the above misbehaviors results in punishment as a principal participant
13. This list of offenses is not all inclusive.

Enforcement procedures

1. An administrator will confer with the appropriate staff member and take the proper action.
2. If warranted, the student will be removed immediately from school and the parent/guardian will be notified.
3. If appropriate, the administrator will contact law enforcement authorities.
4. The staff member and administrator will follow established due process procedures.
5. The student will make restitution in all cases for which it is appropriate.

Disciplinary action

The principal, director or school disciplinarian under extenuating circumstances may use discretion in increasing or decreasing the disciplinary action

First offense

- Three days out-of-school suspension
(First time violators of smoking or smoking paraphernalia ban are required to go to a tobacco resistance workshop sponsored by the school district)
- For a third offense of #7 under Acts of Misbehavior, the parent/guardian and student must contract for counseling with the Lancaster County Commission on Alcohol and Drug Abuse

Second offense

- The principal's supervisor must be notified of the student's second offense
- Five to 10 days out-of-school suspension, or the principal may recommend expulsion

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- Students recommended for expulsion will receive 10 days out-of-school suspension.

Third offense

- Recommended expulsion.
- Students recommended for expulsion will receive 10 days out-of-school suspension.

High school criminal behavior aggravated – Level IV misbehavior

Acts of misbehavior

1. Committing assault and/or battery of an aggravated nature (Law enforcement will be contacted)
2. Blackmailing, threatening, harassing or intimidating a staff member or a student by one or more students (Law enforcement will be contacted)
3. Making a bomb threat, pulling a fire alarm or making false 911 call (Law enforcement will be contacted)
4. Possession, consumption, use, or under the influence of alcohol, drugs or a controlled substance or a copy-cat substance (Law enforcement will be contacted)
5. Committing gross immorality
6. Committing theft and/or possession of stolen property greater than \$50 (Law enforcement will be contacted)
7. Committing malicious vandalism more than \$50 or to any piece of school property (Law enforcement will be contacted)
8. Aiding, abetting or concealing any of above misbehaviors means punishment as principal participant
9. This list of offenses is not all inclusive.

Enforcement procedures

1. The administrator will confer with the appropriate staff member and take the proper action.
2. The student will be removed immediately from school and the parent/guardian will be notified.
3. The administrator will confer with parents.
4. The staff member and administrator will follow established due process procedures.
5. If appropriate, the principal will contact law enforcement authorities.
6. The student will make restitution in all cases for which it is appropriate.

Disciplinary action

The principal, director or school disciplinarian under extenuating circumstances may use discretion in increasing or decreasing the disciplinary action

First offense

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- The principal's supervisor must be notified of the student's first offense.
- Five to 10 days out-of-school suspension or the principal may recommend expulsion.
- For a first offense of #4 under Acts of Misbehavior, the parent/guardian and student must contract for counseling with the Lancaster County Commission on Alcohol and Drug Abuse.

Second offense

- Recommended expulsion. Students recommended for expulsion will receive 10 days out-of-school suspension.

High school criminal behavior flagrant – Level V misbehavior

Acts of misbehavior

1. Possession with intent to distribute or distribution of alcohol, drugs, an unauthorized controlled substance or a copy-cat substance as defined by law of by Board policy (Law enforcement will be contacted)
2. Possessing, brandishing, pointing, or discharging a firearm, pellet gun or any other projectile-type weapon (Law enforcement will be contacted)
3. Setting a fire or attempting to set a fire (Law enforcement will be contacted)
4. Assault and battery of a school employee (Law enforcement will be contacted)
5. Sexual assault (Law enforcement will be contacted)
6. Possession of any knife, brass knuckles or other object that violates state law (Law enforcement will be contacted)
7. Flagrant refusal to follow an administrative directive, such as to leave campus, submit to a search or comply with an oral command and battery
8. Aiding, abetting or concealing any of the above misbehaviors results in punishment as a principal participant

Enforcement procedures

1. The administrator will confer with the appropriate personnel and document for the record pertinent facts.
2. The student will be removed immediately from school and the parent/guardian will be notified.
3. The administrator will confer with parents and district office personnel.
4. The administrator will follow due process procedures.
5. The principal will contact law enforcement authorities.

Disciplinary action

The principal, director or school disciplinarian under extenuating circumstances may use discretion in increasing or decreasing the disciplinary action

First offense

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- The principal's supervisor must be notified of the student's first offense.
- Recommended expulsion. Students recommended for expulsion will receive 10 days out-of-school suspension.

Possession of any firearm, explosive or similar device

- Recommended expulsion for one calendar year, beginning at the date of expulsion.

Possession with intent to distribute or distribution of alcohol, drugs, an unauthorized controlled substance or a copy-cat substance

- For first offense, the parent/guardian must contract with the Lancaster County Commission on Alcohol and Drug Abuse.

EXTENUATING, MITIGATING OR AGGRAVATING CIRCUMSTANCES

The Board confers upon the superintendent and his/her designee the authority to consider extenuating, mitigating or aggravating circumstances that may exist in a particular case of misconduct. Such circumstances should be considered in determining the most appropriate sanction.

STUDENT CONDUCT AWAY FROM SCHOOL GROUNDS

The Board expects administrators to take appropriate action when student misconduct away from school grounds or school activities has a detrimental effect on the educational environment, safety, or general welfare of students or staff of the district. Student misconduct includes any action performed in person, in writing, or through electronic communications or the use of social media. The administrator should take into consideration the protection of students and staff from the effects of violence, drugs, and/or disruptions to the educational environment.

Administrators are directed to evaluate each situation on a case-by-case basis. At a minimum, administrators should meet with the student upon his/her arrival at school, give the student notice of the concerns based on the reported out-of-school behavior, and allow the student an opportunity to present his/her side of the story. Based upon all of the circumstances, including a finding that the alleged conduct will have a direct and immediate effect on the school, the administration may either permit the student to attend classes as usual or may take appropriate disciplinary action including, but not limited to, in-school suspension or out-of-school suspension in order to conduct an investigation into the matter. The parents/legal guardians of students will be notified of any action taken by the administration and offered the opportunity for a conference with the administration.

In the event that the student is incarcerated based on his/her out-of-school conduct, the principal or his/her designee will notify the student that he/she is to meet with the administration prior to returning to school.

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At the conclusion of the investigation, the administrator should take appropriate action that may include, but is not limited to, the following:

- returning the student to his/her normal class schedule and removing all evidence of suspension
- placing the student on probation and allowing the student to resume his/her normal class schedule
- placing the student on probation, allowing the student to continue classwork, but restricting the student's participation in extracurricular activities and/or designated school activities, for example, clubs, study halls, pep rallies, student government activities, and so forth
- recommending suspension
- recommending expulsion from regular school and placement in the District's alternative school
- recommending expulsion for either the remainder of the semester or year

The disciplinary action taken must be supported by the evidence and take into full consideration the impact of the student's presence at school on the discipline, educational environment, and safety of other students and the school's faculty and staff.

Note regarding special education students: Administrators must also ensure that all procedural safeguards afforded to special education students are also implemented in such circumstances.

DISCIPLINE OF STUDENTS WITH DISABILITIES

Students with disabilities are not exempt from school disciplinary processes, nor are they entitled to remain in a particular educational program when their conduct substantially impairs the education of other students in the program. However, federal and state laws and regulations require schools to meet the individual educational needs of such students to the extent possible.

The process of disciplining a student who receives special education services involves both administrative authorities who are responsible for discipline and the special education department, including teachers and administrators who have been assigned specific responsibilities in the implementation of the student's Individualized Education Program (IEP).

Program prescriptions

An IEP team may prescribe or prohibit specified disciplinary measures for an individual student by including appropriate provisions in the student's IEP. The IEP team must take into consideration the student's disabling condition when deciding whether or not staff may use a particular form of discipline. Administrative authorities will observe any such provisions contained in a student's IEP.

Suspensions

A student identified as disabled pursuant to Section 504 of the Rehabilitation Act of 1973

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(hereinafter “Section 504-disabled”), or as disabled pursuant to the Individuals with Disabilities Education Act (hereinafter IDEA-disabled) may be suspended from school for not more than 10 consecutive school days, and for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a “change in placement” under federal standards.

Whether a “change in placement” would occur depends upon a number of factors, including, but not limited to, the following:

- length of each suspension
- proximity of the suspensions to one another
- total amount of time the student is excluded from the classroom

The determination whether a change in placement would occur must be made on a case-by-case basis, based on the circumstances of each case.

However, students who bring weapons to school or a school function, knowingly possess or use illegal drugs, or solicit the sale of controlled substances, or inflict serious bodily injury upon another person while at school or a school function may be removed for up to 45 school days at a time. If school officials believe that a student with a disability is substantially likely to injure him/herself or others in the student’s regular placement, they may ask an impartial hearing officer to order that the student be removed to an interim alternative educational setting for a period up to 45 school days.

Expulsions

Before considering whether a Section 504-disabled or IDEA-disabled student may be expelled, a multidisciplinary team must determine whether or not the student’s conduct was caused by or had a direct and substantial relationship to the student’s disability.

If the multidisciplinary team determines that the student’s misconduct was a manifestation of his/her disability, the student may not be expelled. However, changes in the student’s program may be considered by the Section 504 or Individual Education Plan (IEP) team.

If the multidisciplinary team determines that an IDEA-disabled student’s misconduct was not a manifestation of his/her disability, the student may be expelled from school, subject to procedural safeguards; however, educational services, as determined by the IEP team, must be continued for the student. Such services may be provided in the home, in an alternative school or in another setting.

If the multidisciplinary team determines that a Section 504-disabled student’s misconduct was not a manifestation of his/her disability, the student may be expelled in the usual sense. In such cases, the district is not obligated to continue educational services.

Court injunctions

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In appropriate circumstances, the District may seek a court injunction to allow disciplinary removals or other actions regarding students with disabilities beyond any time or other limitations set forth above.

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