

**Burlington School District Policy**

**F 13: STUDENT CONDUCT AND DISCIPLINE POLICY**

**Former Policy JG**

Policy

It is the policy of the Burlington School District to maintain a safe, orderly, civil and positive learning environment. In order to ensure that the school is free from hazing, harassment, bullying and other disruptive misconduct, a system of classroom and school management practices, as supported by consistent, clear and fair disciplinary procedures, will be utilized.

The goal of this policy is to create an environment where the rules for student behavior are clearly stated and shared with students and staff, and are applied in compliance with due process requirements. This policy is to be applied in conjunction with the school's overall discipline plan developed pursuant to 16 V.S.A. § 1161a.

Student Responsibilities

It is the responsibility of each student to contribute to a safe and productive learning environment in the school by demonstrating respect and consideration for fellow students and adults. This includes complying with all policies and rules of conduct of the school, District and individual classrooms.

Administrative Responsibilities

The Principal, in consultation with the educational staff will develop an overall school -based discipline plan pursuant to 16 V.S.A. §1161a and consistent with this Policy and the Procedures. The plan will include clear rules of conduct for student behavior including a statement of conduct that can result in serious discipline such as expulsion. The policy will be stated in the District calendar. Each school shall publish its rules of conduct for student behavior and consequences annually in a newsletter or handbook. The rules of conduct will be distributed to, and discussed with, all students at the beginning of each school year in accord with procedures stated in the school discipline plan. Copies of the rules of conduct will be provided to parents or guardians in a manner determined by the Principal. The Principal may ask that parents or guardians sign a form indicating that they have reviewed the rules of conduct with their children. When new students enroll during the school year, they and their parents will be given copies of the rules of conduct as part of the registration process.

The Principal or his or her designee shall be responsible for carrying out discipline procedures conforming with the following guidelines.

1. A student may request a meeting with the Principal or his or her designee to review any disciplinary action, other than a suspension or expulsion, affecting the student. If requested, the Principal or designee shall hold an informal meeting to review the incident and to hear the views of the student and any other persons who may have information that the Principal or designee believes to be relevant in the circumstances. The Principal or designee shall issue a prompt decision to the student, which may be oral or written. Except as otherwise provided in this policy, the decision of the Principal will be final.
2. Suspension or expulsion of students shall be imposed in accordance with state and federal law and regulations, due process requirements, and the following:

- A. The Principal or his or her designee may assign a student to in-school detention for up to 10 consecutive school days for any infraction of school rules. As provided in the school's overall discipline plan, students assigned to in-school detention will be provided with reasonable opportunities to complete academic assignments and to benefit from counseling or other activities designed to bring about improvements in their behavior.
- B. A student who poses an immediate danger to persons or property or a significant threat of disrupting the academic process of the school shall be removed from the school or to a place within the school determined by the Principal, Superintendent or their designee to be sufficiently secure to ensure the safety of students and school personnel and the continuation of the academic process. The Superintendent or Principal or their designee shall notify a parent or guardian of a student who is removed from school without undue delay. If the parent, guardian or other responsible person designated as an emergency contact by the parent or guardian cannot be notified, the student will be detained at school or at another safe and secure setting for the remainder of the school day.
- C. No student will be removed from school for more than the remainder of a school day unless the student and his or her parents are given an opportunity for an informal hearing pursuant to paragraph "D" of this policy. When immediate removal of a student is necessary prior to a hearing, the hearing shall be held as soon as possible following the removal.
- D. The Superintendent or Principal may suspend a student from school for a period of 10 days or less for misconduct occurring on or off school grounds. Except as provided in paragraph B above, prior to such a suspension, the student and his or her parent or guardian shall be given an opportunity for an informal hearing with the Principal or his or her designee as described in the attached Procedures, section II.B.
- E. The Superintendent or Principal may, with the approval of the Board and in accordance with 16 V.S.A. §1162(a), impose a long-term suspension or expulsion of a student (for longer than ten days and up to 90 school days or the remainder of the school year, whichever is longer) for misconduct on school property, on a school bus or at a school-sponsored activity when the misconduct makes the continued presence of the student harmful to the welfare of the school.
- F. In accord with the overall discipline plan developed under 16 V.S.A. § 1161a, short-term (ten days or less) or long-term suspension or expulsion (as described above) may be imposed for misconduct not on school property, on a school bus or at a school-sponsored activity where direct harm to the welfare of the school can be demonstrated.
- G. Long-term suspension or expulsion must be preceded by notice and formal due process procedures, including the opportunity for a hearing before the School Board. See the attached procedures, Section II, C.
3. Notwithstanding the above provisions, a legal pupil who has a disability or is suspected of having a disability, and is eligible for special education services or Section 504 services may be removed from his or her current educational placement for disciplinary reasons for more than 10 consecutive days, or for more than 10 cumulative days in a school year only in accord with Vermont State Board of Education Rules 4313 or 4312. The school Principal, with the agreement of a special education administrator, may impose short-term disciplinary sanctions on special education students as provided in

Vermont State Board of Education Rule 4313. The Superintendent and Director of Special Services may develop additional procedures as needed to govern the discipline of students with disabilities.

4. In the event a student brings a weapon to school or is involved in a bomb threat, the Policy and procedures set forth in the District's Dangerous Weapons and Devices in School (Policy F 4R) or the Policy on Bomb Threats and Conduct During Bomb Threats (Policy F 21) shall apply.
5. In the event a student is alleged to have engaged in conduct that could be harassment, bullying or hazing the District Policies that apply to that specific conduct, or combination thereof, shall apply. (See Policies on the Prohibition of Harassment Policy, F 2R, Prevention of Bullying of Students, F 9R and Hazing, F 8R.

PROCEDURES: - See Procedures

LEGAL REFERENCES:

16 V.S.A. §11(a)(32), Bullying  
16 V.S.A. §570, et seq. Harassment, Hazing and Bullying Prevention Policies;  
16 V.S.A. §14, Harassment, Notice and Response;  
16 V.S.A. §165, Standards of quality for public schools; equal educational opportunities;  
16 V.S.A. §565, Education, Harassment and Hazing Prevention Policy;  
16 V.S.A. §1161a, Discipline;  
16 V.S.A. §1162, Suspension or expulsion of Pupils,  
16 V.S.A. §1163, Transfer of Suspension or Expulsion to Other Schools; 20 U.S.C. §§1400 et seq.(IDEA); 29 U.S.C. §794 (Section 504, Rehabilitation Act of 1973);  
VT State Board of Education Manual of Rules & Practices §2120.8.3.3, School Facilities and the Learning Environment; §4311.1-3(1), Discipline; §4313.1 –4313.15, Discipline Procedures for Students Eligible for Special Education Services

CROSS REFERENCE:

A 4 Equal Employment Opportunity and Non-Discrimination  
F 2R, Prohibition of Student Harassment  
F 9R Prevention of Student Bullying  
F 10R Substance Abuse- Students  
F 4R Dangerous Weapons and Devices in School  
F 21, Policy on Bomb Threats and Conduct During Bomb Threats  
F 16 Students Expelled/Suspended for Other Schools  
F 8R Hazing Policy

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March 8, 2005	Second reading & adoption
November 13, 2012	First Reading
December 11, 2012	Second reading & adoption