

Oak Park Elementary School District #97
Bylaws & Policies

5601 - SERIOUS MISCONDUCT

Certain misbehaviors will always be viewed as serious misconduct. Whenever such misbehavior occurs the teacher will notify the principal. The student's parent or guardian will also be notified. Consequences for such misbehavior could include suspension and/or expulsion

Serious misbehaviors include:

- A. possession of any weapon - any knife, any type of gun (including pellet guns or toy guns that look real), razors, explosives (including firecrackers, cherry bombs, etc.), or other objects designed or intended to be used as weapons (martial arts accessories, for example);
- B. intentionally physically injuring or attempting to injure another student or staff member;
- C. bullying (hurting or frightening someone), threatening, or otherwise intimidating another student or school personnel);
- D. sexual harassment, including inappropriate sexual advances or touching, requests for sexual favors, physical gestures or verbal insults of a sexual nature;
- E. sexual orientation harassment, including unwelcome physical, verbal or nonverbal contact based upon an individual's sexual orientation**
- F. directing racial or ethnic slurs at another student or school personnel;
- G. wearing gang clothing, displaying gang insignias or signals, or belonging to a gang;
- H. buying, selling, possessing, or using alcoholic beverages, illegal drugs, or other controlled substances;
- I. buying, selling, possessing, or using any illegal substance, or look alike or substance presented as an illegal drug;
- J. buying, selling, possessing, or using tobacco products or tobacco paraphernalia (lighters, papers, matches);
- K. theft of another's property, including school property or property of school personnel or another student;
- L. damaging school property, another's personal property either intentionally or through negligence, or using computers or other technology to intimidate another student or interfere with another student's schoolwork;

- M. directing profanity at school personnel or at another student;
- N. repeated or willful misbehavior that shows a disregard for school rules and standards, or willful disregard of directions from school personnel;
- O. pulling a false fire alarm;
- P. violating any State or local law.

It should be noted that criminal offenses considered felonies will be referred to the police, including gang activities and false fire alarms. All standards of conduct apply traveling to and from school, on school field trips, and during extra curricular activities.

ZERO-TOLERANCE FOR WEAPONS (see Policy [5772](#))

Weapons - or items that may be perceived as weapons, such as toy guns - will not be tolerated. Any student who has such an item in school will be suspended and referred to the Superintendent for a pre-expulsion review. Students who defy this ban on weapons can expect expulsion from school for a period of six (6) weeks to a year.

SAFE ENVIRONMENT/HUMAN DIGNITY (see Policy 5113.02)

Each student has the right to a safe learning environment - physically and emotionally.

No student shall physically harm any other student. Fighting is not an acceptable approach to settling differences.

Bullying, sexual harassment, **sexual orientation harassment**, racial or ethnic slurs, or other behaviors that impugn another student's dignity shall not be tolerated.

Possession of weapons, or engaging in gang activities/wearing gang clothing/displaying gang insignias/representing gang signs shall not be tolerated.

Students who violate this code of behavior shall be subject to corrective disciplinary measures, including suspension and expulsion.

REMOVAL FROM CLASSROOM (see Policy [5610](#))

The Board of Education recognizes that teachers have the primary responsibility for the maintenance of discipline in their classes.

- A. A teacher may temporarily exclude a student from a class when, in the opinion of the teacher, the grossness of any offense, the persistence of the behavior (subsequent to warning), or the effects of the student's actions makes the continued presence of the student in the classroom unacceptable. The teacher shall discuss the matter with the student and make an effort to ensure that the student understands the nature of the problem.

- B. If the issue is not resolved, the student shall be sent to the building principal's office for the resolution of the problem by either the building principal or the principal's designee.

DETENTION (see Policy 5610.02)

After-school detention may be used with a student as a corrective disciplinary measure, provided that the student's parents/guardian have been notified by the teacher and/or building principal.

Detention shall be served on the day assigned unless other arrangements are made between the school and home.

Students who are detained after school shall be supervised by the teacher who detains them or by the building principal or by the building principal's designee.

CORPORAL PUNISHMENT/STUDENT RESTRAINT (see Policy [5630](#))

There shall be no corporal punishment of students in the District 97 schools. Corporal punishment is defined as inflicting physical pain or restraints upon a student in order to punish him/her for misconduct.

Classroom teachers and other staff members also shall refrain from using disciplinary methods which may be psychologically damaging to children such as ridicule, excessive display of temper, etc.

Physical restraint may be used when necessary to protect the student or other individuals from physical harm and/or property from damage. Teachers may physically direct a child from one (1) place to another.

SUSPENSION (see Policy [5610](#))

The building principal is authorized to suspend students guilty of serious misconduct from school (and all school functions) for a period not to exceed ten (10) school days following due process. This suspension may be in the form of in school or out of school suspension.

EXPULSION (see Policy [5610](#))

The Board of Education is authorized to expel students guilty of serious misconduct for up to one (1) year or for a shorter period as determined by the Board of Education following due process.

DUE PROCESS RIGHTS (see Policy [5611](#))

- A. Students subject to short-term suspension: A student must be given notice of his/her suspension and the reasons therefore, and the opportunity to respond to the charges against him/her prior to the suspension. The length of a suspension shall not exceed ten (10) days. A suspension may be appealed to the Board of Education.

- B. Students subject to long-term suspensions and expulsion: A student and his/her parent or guardian must be given written notice via certified or registered mail of the intention to suspend or expel and the reasons therefore, and an opportunity to appear with a representative before the Board or a hearing officer appointed by the Board to answer the charges. The student and/or his/her guardian must also be provided a brief description of the student's rights and of the hearing procedure, a list of the witnesses who will provide testimony to the Board, and a summary of the facts to which the witnesses will testify. The hearing may be private, but the Board must act publicly.

SERIOUS MISCONDUCT OF A DISABLED STUDENT (see Policy 5610.01)

When any student with disabilities is guilty of serious misconduct, the District shall notify the student's parents/guardian of the serious misconduct within twenty-four (24) hours, the length of time the student will be suspended, and a time and location of a scheduled Individual Educational Plan (IEP) meeting.

If the IEP team determines that the student's serious misconduct is not causally related to the student's disability, the student shall be disciplined under the District's discipline policy for regular students.