

SOUTH BURLINGTON SCHOOL DISTRICT

STUDENT CONDUCT AND DISCIPLINE
ADMINISTRATIVE PROCEDURES

DEFINITIONS

Student conduct refers to a student's verbal and non-verbal behavior and actions.

Hazing means any act committed on or off school grounds by a person, whether individually or in concert with others, against a student in connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization which is affiliated with the District; and which is intended to have the effect of, or should reasonably be expected to have the effect of, humiliating, intimidating or demeaning the student or endangering the mental or physical health of the student. "Hazing" also includes soliciting, directing, aiding, or otherwise participating actively or passively in the above acts.

Hazing shall not include any activity or conduct that furthers the legitimate curricular, extracurricular, or military training program goals provided that the goals are approved by the Principal and provided that the activity or conduct furthers those goals in a manner that is appropriate, contemplated by the school district, and normal and customary for similar public school programs.

Harassment

- 1) Harassment means an incident or incidents of verbal, written, visual, or physical conduct based on or motivated by a student's or a student's family member's actual or perceived race, creed, color, national origin, marital status, sex, sexual orientation, or disability that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student's educational performance or access to school resources or creating an objectively intimidating, hostile, or offensive environment.
- 2) Harassment includes conduct which violates section (1) of this definition and constitutes one or more of the following:
 - a. **Sexual harassment**, which means conduct that includes unwelcome sexual advances, requests for sexual favors and other verbal, written, visual, or physical conduct of a sexual nature when one or both of the following occur:
 - i. Submission to that conduct is made either explicitly or implicitly a term or condition of a student's education.
 - ii. Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.

- b. **Racial harassment**, which means conduct directed at the characteristics of a student's or a student's family member's actual or perceived race or color, and includes the use of epithets, stereotypes, racial slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, and taunts on manner of speech and negative references to racial customs.
- c. **Harassment of members of other protected categories**, which means conduct directed at the characteristics of a student's or a student's family member's actual or perceived creed, national origin, marital status, sex, sexual orientation, or disability and includes the use of epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, taunts on manner of speech, and negative references to customs related to any of these protected categories.

Bullying is any overt act or combination of such acts directed against a student by another student or group of students that:

- 1) Occurs during the school day on school property, on a school bus, or at a school-sponsored activity;
- 2) Is intended to ridicule, humiliate, or intimidate the student; and,
- 3) Is repeated over time.

Conduct that might otherwise be considered bullying but does not occur during the school day, on school property, on a school bus, or at a school-sponsored event may be subject to disciplinary action pursuant to 16 V.S.A. §§1161(a) and 1162.

Disruptive misconduct is behavior that is disruptive, disorderly, unruly, insubordinate, or uncooperative.

Physical Restraint means the use of physical restraint by a trained staff member to prevent imminent harm to a student or other person, or to prevent damage to property. Physical restraint does not include:

- 1) Brief periods of physical restriction by direct person-to-person contact, without the aid of material or mechanical devices, accomplished with minimal force and designed either (a) to prevent a student from completing an act that potentially results in physical harm to themselves or another person, or damaging of property, or (b) to remove a disruptive student who is unwilling to voluntarily leave an area; or
- 2) Holding a students' hand or arm to escort them safely from one area to another.

IMPLEMENTATION/PROCESS

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, procedures, and rules of conduct of the District, school, and individual classroom.

Administrative Responsibilities

The Principal, in consultation with the educational staff, will develop an overall school-based discipline plan pursuant to 16 V.S.A. §1161(a) and consistent with this policy. 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. 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 a parent or guardian sign a form indicating that they have reviewed the rules of conduct with their children. When a new student enrolls during the school year, the student and parent or guardian will be given a copy of the rules of conduct as part of the registration process.

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

- 1) A student may request a meeting with the Principal or 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 designee may suspend a student for up to ten consecutive school days for any infraction of school rules. As provided in the school's overall discipline plan, students under suspension 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 or designee to be sufficiently secure to ensure the safety of students and school personnel and the continuation of the academic process. The Principal or designee shall notify the 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 a parent or guardian is given an opportunity for an informal hearing. A requested hearing shall be held as soon as possible following the removal.
 - d. The 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 ninety 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.
 - e. 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.
- 3) Notwithstanding the above provisions, a student who has a disability or is suspected of having a disability and who 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 ten consecutive days or for more than ten cumulative days in a school year only in accord with Vermont State Board of Education Rules 4313 or 4312. The Principal, with the approval of the administrator responsible for the Special Education Program, may impose short-term disciplinary sanctions on a special education student as provided in Vermont State Board of Education Rule 4313. The Superintendent or designee 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, the procedures set forth in the Firearms and Destructive Devices Policy shall apply.

Discipline Procedures

[Rick Marcotte Central School](#)
[Chamberlin School](#)
[Orchard School](#)
[Frederick H. Tuttle Middle School](#)
[South Burlington High School](#)
[Schools' Out](#)
[Co-curricular Digest](#)