

**SOUTH BURLINGTON SCHOOL DISTRICT
POLICY F7**

STUDENT CONDUCT AND DISCIPLINE

POLICY

It is the policy of the South Burlington School District to maintain a safe, orderly, civil, and positive learning environment. In order to ensure that the school is free from disruptive misconduct, a system of classroom and school management practices, 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, are understood and accepted by 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.

DEFINITIONS

Weapon means a device, instrument, material or substance whether animate or inanimate, which, when used as it is intended to be used, is known to be capable of producing death or bodily injury.

School means any setting that is under the control and supervision of the School District. It includes school grounds, facilities, and school-sponsored events whether held on or off of school grounds, and vehicles used to transport students to and from school or school activities.

Expulsion means the termination of educational services for the remainder of the school year or up to 90 school days, whichever is longer.

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 Superintendent will develop an overall discipline plan for each school pursuant to 16 V.S.A. §1161a.

The plan will include clear guidelines for student behavior. The guidelines for student behavior will include prohibitions against the possession by students of knives, weapons, and dangerous instruments, as defined by administrative rules, while at school, and shall allow disciplinary action up to and including expulsion for violations of

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the prohibition against knives, weapons, and dangerous instruments that are not possessed at school as part of an educational program sponsored or sanctioned by the school. Behavioral expectations, and the consequences of misconduct, will be stated in the student handbook and other publications distributed to students and parents/guardians.

Date Policy Warned: February 21, 2007
Date Policy Considered: March 14, 2007
Date Policy Adopted: April 4, 2007

Signed:

Kathryn Boucher, Chair
Theodore Manazir, Clerk
Richard Cassidy
Carol Caldwell-Edmonds
Elizabeth Fitzgerald

AUTHORITY AND CROSS REFERENCE

Legal References

16 V.S.A. §1161a (discipline)

16 V.S.A. §1162 (suspension and expulsion)

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 §4311, 4312, 4313;
2120.8.12

See 13 V.S.A. §4016(a)(2) for definition of “dangerous or deadly weapon.”

16 V.S.A. §1162(a).

The “knives, weapons, and dangerous instruments” prohibition in this model policy is not required by law. The possession of “dangerous and deadly weapons” on school grounds by any individual is prohibited by 13 V.S.A. §4004. This prohibition does not apply to the possession of firearms in schools for “instructional or other specific purposes.” 13 V.S.A. §4004(c)(2).

There is no clear legal requirement for a school board policy on discipline. 16 V.S.A. 1161a requires that all schools “...adopt and implement a

comprehensive plan for responding to student misbehavior...” The State Board of Education Manual of Rules and Practices includes a school quality standard that refers to a “safe and orderly school environment,” and refers to the required discipline plan, but does not require a policy. The Vermont Department of Education has posted guidelines for discipline plan development and several other resources on student discipline issues on its website at http://www.state.vt.us/educ/new/html/pgm_safeschools/pubs.html#resources

Cross References

Board Commitment to Non-Discrimination Policy

Public Complaints About Personnel Policy

Interrogations or Searches of Students by Law Enforcement

Officers or Other Non-School Personnel Policy

Search and Seizure Policy

Alcohol and Drug Abuse Policy

Firearms and Destructive Devices Policy