

SOUTH AMHERST MIDDLE SCHOOL

CODE OF STUDENT CONDUCT

MISCONDUCT FOR WHICH DETENTION, SUSPENSION, EXPULSION, REMOVAL, AND/OR LOSS OF BUS RIDING PRIVILEGES MAY BE IMPOSED

Rule #1-Truancy.

Truancy is unexcused absence from school. No student shall be absent from the school day without a legitimate excuse and timely notification of the school by the parent or legal guardian. The State of Ohio specifies the following reasons for which an absence may be excused: personal illness, illness in the family, quarantine of the home, death of a relative, medical or dental appointment, observance of religious holidays, college visitation, family emergency, which in the judgment of the building principal, constitutes good and sufficient cause for absence.

Rule #2-Reserved for state code purposes.

Rule #3-Fighting and Violence.

A student shall not engage in improper physical contact, fight, instigate a fight, or behave in such a way as to threaten or cause physical harm to a school employee, school visitor, or another student:

- a. on school grounds, during and immediately before or immediately after school hours;
- b. on school grounds at any other time when the school is being used by a group;
- c. off school grounds at a school-sponsored or related activity function, or event;
- d. on a school bus; or
- e. at any other time the student is subject to the authority of the school.

Rule #4-Vandalism / Damage or Destruction of School or Personal Property.

Vandalism is the willful destruction or defacement of school or personal property. A student shall not cause or attempt to cause damage to school property or cause or attempt to cause damage to private property of students, teachers, school personnel or other persons.

Rule #5-Theft or Unauthorized Removal of School or Personal Property.

Theft is the unlawful taking of property belonging to another person. A student shall not steal or attempt to steal school or private property, attempt to participate in the unauthorized removal of such property, or possess such property without authorization.

Rule #6-Use, Possession, Sale or Distribution of a Firearm.

A firearm is any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any machine gun. This includes zip guns, starter guns, and flare guns. Students are prohibited from using, handling, possessing, selling, distributing or bringing a firearm as defined above on school property, in a school vehicle or to any school sponsored activity. If a student brings a firearm on school property, in a school vehicle or to any school-sponsored activity, the Superintendent shall expel this student for a period of one calendar year. Any such expulsion shall extend, as necessary, into the school year following the school year in which the incident occurred. The Superintendent may reduce this requirement on a case-by-case basis in accordance with State law.

Rule #7-Use, Possession, Sale or Distribution of a Dangerous Weapon other than a Firearm or Explosive, Incendiary or Poison Gas.

Under this provision, a weapon is defined as a device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury. Such weapons may include, but are not limited to, knives, razors, clubs, chains, chemical mace, pepper spray, or any instrument or item used to inflict harm on a person or to intimidate a person. The definition of a knife includes, but is not limited to, a cutting instrument consisting of a sharp blade fastened to a handle. Students are prohibited from using, handling, possessing, selling, distributing or bringing weapons as defined above on school property, in a school vehicle or to any school-sponsored activity. If a student brings a weapon on school property, in a school vehicle or to any school-sponsored activity, the Superintendent shall expel this student for a period of one calendar year.

Any such expulsion shall extend, as necessary, into the school year following the school year in which the incident occurred. The Superintendent may reduce this requirement on a case-by-case basis in accordance with State law.

Rule #8-Use, Possession, Sale or Distribution of any Explosive, Incendiary or Poison Gas.

A student shall not use, possess, sell, distribute or conceal any object that can be classified as explosives, fireworks, munitions, incendiaries, accelerants, lighters, matches, or poison gas while on school grounds, at school-sponsored or related activities, functions or events off school grounds, or a school bus or conveyance, or at any other time that the student is subject to the authority of the school. The definition of a destructive device includes, but is not limited to, a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce and a mine or similar device. This definition would also include any weapon that will, or that may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter.

Rule #9-Use, Possession, Sale or Distribution of Tobacco Products.

A student shall not use, possess, sell, distribute or conceal tobacco or tobacco products, and tobacco-like products including but not limited to cigarettes, cigars, chewing tobacco, e-cigarettes, vape pens, and snuff:

- a. on school grounds, during and immediately before or immediately after school hours;
- b. on school grounds at any other time when the school is being used by a group;
- c. off school grounds at a school-sponsored or related activity function, or event;
- d. on a school bus;
- e. in any area within the immediate view of school grounds; or
- f. at any other time the student is subject to the authority of the school.

Rule #10-Use, Possession, Sale or Distribution of Alcoholic Beverages.

A student shall not use, possess, sell, distribute, conceal or consume any intoxicating alcoholic beverage on school grounds, at school-sponsored or related functions or activities off school grounds, on a school bus or conveyance, or any other time the student is subject to the authority of the school. Likewise, a student shall not consume any alcoholic beverage at a time before the commencement of school or at a school-sponsored or related event or activity where such consumption might affect or impair the student's behavior, while traveling to or from school, to or from any school building or facility, to or from any school activity, function or event, during and immediately before or after school, or during or immediately before or after any school activity, function or event, or in any area within the immediate view of school grounds.

Rule #11-Use, Possession, Sale or Distribution of Drugs other than Tobacco or Alcohol.

- a. A student shall not use, possess, sell, distribute, conceal or consume any controlled drug, or counterfeit drugs commonly called "look-alikes," on school grounds, at school-sponsored or related functions or activities off school grounds, on a school bus or conveyance, or any other time the student is subject to the authority of the school. Likewise, a student shall not consume any of the drugs of abuse or counterfeit drugs commonly called "look-alikes" at a time before the commencement of school or at a school-sponsored or related event or activity where such consumption might affect or impair the student's behavior, while traveling to or from school, to or from any school building or facility, to or from any school activity, function or event, during and immediately before or after school, or during or immediately before or after any school activity, function or event, or in any area within the immediate view of school grounds. Examples of drugs of abuse include, but are not limited to, narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, glue, cocaine, or other substances that could modify behavior. A counterfeit controlled substance includes, but is not limited to, any substance which is possessed, used, transmitted, sold, concealed or consumed that is represented to be a controlled substance or drug of abuse. The use of counterfeit drugs is illegal (H.B. 535) and subject to penalty. Use of medications as prescribed by a licensed physician and administered in accordance with District procedures shall not be considered violation of this rule.
- b. A student shall not handle, possess, use, distribute or conceal any drug of abuse or counterfeit drug instrument or paraphernalia (for example, a hypodermic needle, a syringe, a water pipe, a roach clip, etc.) on school grounds, at a school-sponsored or related function or activity off school grounds, on a school bus or conveyance or at any other time the student is subject to the authority of the school.

Rule #12-Reserved for state code purposes.

Rule #13-Reserved for state code purposes.

Rule #14-False Alarm/Bomb Threat.

A student shall not sound a fire alarm in the absence of an actual fire or other emergency. A student shall not make any threat (verbal, written or electronic) to bomb or use other substances or devices for the purpose of exploding, burning, causing damage to a school building or school property, or to harm students, staff or visitors.

Rule #15-Reserved for state code purposes

Rule #16-Reserved for state code purposes.

Rule #17-Reserved for state code purposes

Rule #18-Disruptive Behavior / Failure to Comply with Directives.

- a. Students will comply with directives and orders of teachers, student teachers, educational aides, substitute teachers, principals, or other authorized school personnel during any period of time when they are properly subject to the authority of the school.
- b. A student shall not give false identification or refuse to provide accurate identification to school personnel.
- c. Students shall comply with all school rules and regulations. Such rules and regulations will be provided to the student. Students are responsible for becoming familiar with those items.
- d. No student shall refuse to accept discipline or punishment from teachers, school officials, teacher's aides, or other authorized school personnel.
- e. Students may be disciplined for any other misconduct which is deemed by school authorities to be disruptive or to interfere with the educational process.

Rule #19-Harassment, Intimidation, Hazing and Bullying.

No student will harass, intimidate, haze, or bully another student. Please see the section in this handbook on bullying and harassment procedures for definitions and procedures.

Rule #20-Firearm Look-Alikes.

A student shall not use, possess, sell, distribute or conceal any item that resembles a firearm but does not have the explosive characteristics of a firearm. This includes, but is not limited to, look-alikes that use a spring-loaded device or air pressure to propel an object or substance, such as cap guns, BB guns, pellet guns or toy guns.

Rule #21-Unwelcome Sexual Conduct.

A student shall not make unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communication of a sexual nature, toward another student, a staff member, or a visitor. This definition includes gender-based harassment that creates an intimidating, hostile or offensive educational or work environment. Prohibited behaviors include, but are not limited to, pinching, grabbing, suggestive comments, gestures or jokes, or pressure to engage in sexual activity.

Rule #22-Serious Bodily Injury. A student shall not instigate or participate in an incident that results in serious bodily injury to oneself or to others. Serious bodily injury is defined as "a bodily injury that involves substantial risk of death; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ or faculty." (18 USC § 1365(3)(h))

Rule #23-Likely Injury -- Removal by Hearing Officer (Special Education Provision).

A student with a disability may be removed from school for up to 45 days by the hearing officer if the student is charged with a weapons or drug violation and the hearing officer believes there is a possibility that the student may injure himself/herself or others. Such a removal must take place in accordance with the provisions of the Individuals With Disabilities Education Act.

Rule #24-Reserved for state code purposes.

Rule #25-Appearance and Dress.

Students shall not violate school rules pertaining to appearance and dress. Students shall attend school and school-related activities dressed in a manner which is clean, not hazardous to their safety or the safety of others, and which does not detract from the educational environment.

Rule #26-Tardiness and Class-Cutting.

No student shall be absent from any portion of the school day, class, or other mandatory activity without a legitimate excuse and timely notification of the school by the parent or legal guardian. Attendance procedures will be established to ensure a uniform system throughout the school district.

Rule #27-Vulgar, Improper or Threatening Language, Improper Gestures or Sexual Misconduct.

No student shall speak or write vulgar, racially derogatory, threatening, or other improper language in any area of school buildings during school hours or at school-sponsored or related activities or events on or off school property; nor shall a student use vulgar, racially derogatory, threatening, or other improper language in any area of school

buildings during school hours or at school-sponsored or related activities or events on or off school property; nor shall a student engage in sexual misconduct.

Rule #28-Unauthorized Sale or Distribution.

No student shall sell, distribute, or attempt to distribute any item which has not been authorized for such sale or distribution by the building principal to any person on school property or at any school sponsored activity.

Rule #29-Misconduct on Bus/Driving or Parking Lot Violation.

No student shall threaten, act, participate in any act or acts, or attempt to threaten, act or participate in any act or acts which pose or attempt to pose a danger to the safe operation of a school bus, including, but not limited to, failing to remain seated, throwing objects at the passengers or the driver, extending arms or objects out of the windows, and shouting and other disorderly conduct which could cause physical harm, emotional stress, or diversion of the driver's attention. Such misconduct may result in the loss of bus riding privileges and/or other disciplinary action. Students may not violate any rules or regulations of Student Driving policy (please see rules and regulations for driving). Students shall not be in the parking lot at any time other than ingress and egress (see rules & regulations of the Parking Lot).

Rule #30-Misconduct During Co-Curricular and Extracurricular Activities.

A student who has been accepted or qualifies for membership in a co-curricular or school-sponsored or related extracurricular activity shall not behave in any way which disrupts or tends to interfere with the conduct of that activity and shall not violate the rules, regulations, or policies which govern participation in a co-curricular or extracurricular activity, whose rules regulations, or policies are provided to participants and made a part of this code. Likewise, students attending any co-curricular or school-sponsored extracurricular or related activity shall not behave in any way which disrupts or tends to interfere with the conduct of that activity

Rule #31-Disruption of School.

A student shall not, by use of violence, force, noise, coercion, threat, harassment, intimidation, fear, passive resistance, or any other conduct, cause, attempt, or threaten to cause the disruption or obstruction of any lawful mission, process, activity, or function of that school. A student shall not urge other students to engage in such conduct for the purpose of causing, attempting, or threatening to cause the disruption or obstruction of any lawful mission, process, activity, or function of the school. While this list is not intended to be all-inclusive, the following acts illustrate the kinds of misconduct prohibited by this rule:

- a. Occupying any school building, school grounds, or part thereof;
- b. Blocking the entrance or exit of any school building or corridor or room therein;
- c. Setting fire or attempting to set fire to or damaging or attempting to damage any school building or property;
- d. Preventing or attempting to prevent by physical act or verbal utterance, the convening or continued functioning of any school class, or activity or any lawful school meeting or assembly on or off school property;
- e. Preventing or attempting to prevent students from attending a class or any school-sponsored or related activity or event;
- f. Except under the direct instruction of a principal or other authorized school personnel, blocking pedestrian or vehicular traffic on school property or at the site of any school-sponsored or related activity or event;
- g. Continuously and intentionally making noise or acting in a manner so as to interfere with a teacher's ability to conduct a class or extracurricular activity;
- h. Making, by telephone call, letter, or other means, a threat to damage or destroy any school property or to disrupt any school-sponsored or related activity, function or event on or off school grounds; and
- i. Participating in gang-related activities such as attire, clothing, colors, initiation, or recruitment.

Rule #32-Cheating, Plagiarism, and Forgery.

A student shall not plagiarize, cheat, forge, falsify, distort or misrepresent in verbal, written, or electronic form any dates, times, addresses, grades or other data in any communication directed to or from school.

Rule #33-Gambling or Possession of Gambling Paraphernalia.

A student shall not engage in, possess, or promote games of chance, place a bet, or risk anything of value on school grounds, on school-provided transportation, at school-sponsored or related school functions off school grounds, or any other time the student is subject to school authority. Examples: cards, dice, coins, etc.

Rule #34-Extortion.

No student shall use an expressed or implied threat, violence, harassment, coercion, or intimidation to obtain money or anything of value from another on school grounds, at school-sponsored or related school functions off school grounds, or any other time the student is subject to school authority.

Rule #35-Trespassing/Loitering.

- A. A student shall not enter upon school grounds or premises of a school building to which the student is not assigned during or after school hours except with express permission of the school principal of that building or to attend or participate in a school-sponsored event in which his/her regularly assigned school is involved or where students from his/her regularly assigned school have been invited to attend or participate (e.g., a performance).
- B. A student already under suspension, expulsion or removal (emergency or disciplinary) shall not enter upon the grounds or premises of the student's regularly assigned or other school building, or attend any school-sponsored activities, without the express permission of the principal or designee. Violation may result in arrest and prosecution for trespassing as well as further school disciplinary action.
- C. Anyone who is not a currently enrolled student or staff member must check in at the office or security desk and receive a visitor's pass upon arrival. Unauthorized visitors may be prosecuted for trespassing. Any student who brings an unauthorized visitor into the school is subject to disciplinary action.

Rule #36-Inappropriate Use of Electronic Devices.

A student shall not use radios, stereos, televisions, telephones, pagers or other equipment in a manner determined by school authorities to be disruptive to the educational process or the orderly operation of the school. Violation may result in confiscation of the equipment and/or disciplinary action. Please see electronic devices section of this handbook for additional guidelines.

Students shall not violate the Information Technology Acceptable Use policy adopted by the Board of Education. Specific violations include the following:

- a. Infringing on the rights or liberties of others.
- b. Illegal or criminal use of any kind.
- c. Utilization involving communications, materials, information, or images reasonably regarded as obscene,
- d. pornographic, threatening, abusive, harassing, discriminatory, or in violation of any other school policy.
- e. Accessing, viewing, printing, storing, transmitting, disseminating or selling any information in violation of law or subject to privilege or any expectation of privacy.
- f. Causing or permitting materials protected by copyright, trademark, service mark, trade name, trade secret, confidential or proprietary data, or communications of another to be uploaded or downloaded to a computer or information system, published, broadcast, or in any way disseminated without authorization from the owner.
- g. Damaging or altering the operation, function, content or design of the school information technology facilities. Granting access to the school information technology facilities to individuals not authorized by the school either by intentional conduct such as disclosing passwords, or by unintentional conduct such as failing to log off. Commercial, profit motivated, or partisan political use not directly related to approved school programs.

Rule #37-Misconduct Away from School.

A student who sells or transmits any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, cocaine, marijuana, or any other controlled substance of abuse off school property or at a non-school-sponsored or related activity, function or event may, in accordance with the procedures set forth in Ohio Revised Code Section 3313.66, be subject to suspension or expulsion from school if the superintendent determines that the student's continued presence in the school is reasonably certain to significantly disrupt or interfere with the educational process or significantly endanger the health or safety of the students or others. A student who engages in an assault upon a school employee or another student off school property, at a non-school-sponsored or related activity, function or event may, in accordance with the procedures set forth in Ohio Revised Code Section 3313.66, be subject to suspension or expulsion from school if the superintendent determines that the student's continued presence in the school is reasonably certain to significantly disrupt or interfere with the educational process or significantly endanger the health or safety of the students or others.