

STDNT10 - Student Discipline

S - Student

FO

STUDENT DISCIPLINE

LOCAL

A student may be subject to disciplinary action when the student:

A. Engages in conduct that is disorderly, i.e., intentionally causing public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof, by:

1. Fighting or engaging in violent behavior.
2. Making unreasonable noise.
3. Using abusive or obscene language or gestures.
4. Obstructing vehicular or pedestrian traffic.
5. Creating a hazardous or physically offensive condition by any act that serves no legitimate purpose.

B. Engages in conduct that is insubordinate, i.e., failing to comply with the lawful directions of a teacher, school administrator, or other school employee in charge of the student.

C. Endangers the safety, morals, health, or welfare of others by any act, including but not limited to:

1. Selling, using, or possessing alcohol, drugs, or other controlled substances or drug paraphernalia.
2. Selling, using, or possessing weapons, fireworks, or other dangerous instruments or contraband.
3. Selling, using, or possessing obscene materials.
4. Using profane, vulgar, or abusive language (including ethnic slurs).
5. Gambling.
6. Hazing.
7. Engaging in lewd behavior.

D. Engages in any of the following forms of academic misconduct:

1. Lateness for, missing, or leaving school or class without permission or excuse.
2. Cheating (including but not limited to copying, using unauthorized help sheets and the like, illegally obtaining tests in advance, substituting for a test-taker, and other forms of unauthorized collusion).
3. Plagiarism.

E. Engages in conduct violative of the Board's rules and regulations for the maintenance of public order on school property.

F. Uses personal portable electronic instruments, communication, and entertainment devices, including but not limited to cell phones, still and video cameras and equipment, recording/playback apparatus, and other electronic equipment which may be used for similar purposes, during the school day or during directed student study time unless such use has been specifically authorized by the school administrator.

G. Has a record of excessive absenteeism.

H. Is believed to have or actually has committed a crime.

Reasonableness of the use of physical force in self-defense, defense of others, and defense of property will be considered as a mitigating factor in determining penalties for misconduct. The threat or use of physical

force by a student is not reasonable (i) when made in response to verbal provocation alone, (ii) when assistance from a school staff member is a reasonable alternative or (iii) when the degree of physical force used is disproportionate to the circumstances or exceeds that necessary to avoid injury to oneself or to others or to preserve property at risk.

PERMISSIBLE PENALTIES

The range of penalties that may be imposed for violations of student discipline rules include, but are not limited to, the following:

- A. Verbal warning.
- B. Written warning.
- C. Written notification to parents.
- D. Probation.
- E. Detention.
- F. Suspension from transportation.
- G. Suspension from athletic participation.
- H. Suspension from social or extracurricular activities.
- I. Suspension of other privileges.
- J. Exclusion from a particular class.
- K. Confinement with implementation of mandatory provisions.
- L. In-school suspension.
- M. Involuntary transfer.
- N. Community service.
- O. Suspension.
- P. Alternative to Suspension Program.
- Q. Expulsion.
- R. Alternative to Expulsion Program.

Depending upon the nature of the violation, student discipline may be progressive, i.e., generally, a student's first violation should merit a lighter penalty than subsequent violations. A District employee or agent should take into account all other relevant factors in determining an appropriate penalty. The above penalties may be imposed either alone or in combination.

STUDENT DISCIPLINARY PROCEEDING

Each school will establish a procedure that, at a minimum, will provide the principal, or the designee of the school administrator, with documentation of the teacher's reason(s) for the temporary removal of a student from class.

Refusal to readmit per A.R.S. [15-841](#):

- A. Upon discussion, by the administrator with the teacher, of disciplinary action implemented in conjunction with a temporary removal in accord with the rules established by the Board, the teacher will be required to state an intent to readmit or refuse to readmit the removed student. If the teacher refuses to readmit the student, the reason shall be written by the teacher, explaining the conditions used to determine the removal, and shall be provided to the administrator by the next business day following the temporary removal.
- B. Either of the following conditions must exist for a temporary removal per A.R.S. [15-841](#):
 - 1. The teacher has documented that the pupil has repeatedly interfered with the teacher's ability

to communicate effectively with the other pupils in the class or with the ability of the other pupils to learn.

2. The teacher has determined that the pupil's behavior is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the other pupils in the classroom or with the ability of the other pupils to learn.

C. The matter will be referred to the school placement review committee (SPRC) constituted in accord with statute if the conditions are consistent with those stated in A.R.S. [15-841](#). Within three (3) business days following the date of temporary removal, the SPRC shall determine to either place the student in a new class or return the student to the existing class if that is the best or only practicable alternative.

D. If the student is qualified for educational services under the Individuals with Disabilities Education Act (IDEA), any change in the student's individualized education program (IEP) shall be determined by the individualized education program (IEP) team in accordance with federal regulations.

Any teacher, administrator, Board member, parent, or other person may report a violation of student disciplinary rules to an administrator. The administrator will then investigate the charges as deemed appropriate and institute appropriate proceedings.

DETENTION OF STUDENT

Reasonable detention during break time, noon, or at the close of the school day is permitted, provided that appropriate consideration is given to student transportation, weather, and other extenuating circumstances. However, a student shall not be denied the privilege of eating. Detention should not exceed one (1) hour per day.

RESTRAINT AND SECLUSION

Restraint and seclusion are not to be used as disciplinary consequences.

A school may permit the use of restraint or seclusion techniques on any pupil if both of the following apply:

- A. The pupil's behavior presents an imminent danger of bodily harm to the pupil or others.
- B. Less restrictive interventions appear insufficient to mitigate the imminent danger of bodily harm.

If a restraint or seclusion technique is used on a pupil:

- A. School personnel shall maintain continuous visual observation and monitoring of the pupil while the restraint or seclusion technique is in use.
- B. The restraint or seclusion technique shall end when the pupil's behavior no longer presents an imminent danger to the pupil or others.
- C. The restraint or seclusion technique shall be used only by school personnel who are trained in the safe and effective use of restraint and seclusion techniques unless an emergency situation does not allow sufficient time to summon trained personnel.
- D. The restraint technique employed may not impede the pupil's ability to breathe.
- E. The restraint technique may not be out of proportion to the pupil's age or physical condition.

Schools may establish policies and procedures for the use of restraint or seclusion techniques in a school safety or crisis intervention plan if the plan is not specific to any individual pupil.

Schools shall establish reporting and documentation procedures to be followed when a restraint or seclusion technique has been used on a pupil. The procedures shall include the following requirements:

- A. School personnel shall provide the pupil's parent or guardian with written or oral notice on the same day that the incident occurred, unless circumstances prevent same-day notification. If the notice is not provided on the same day of the incident, notice shall be given within twenty-four (24) hours after the incident.
- B. Within a reasonable time following the incident, school personnel shall provide the pupil's parent or guardian with written documentation that includes information about any persons, locations or activities that may have triggered the behavior, if known, and specific information about the behavior and its precursors, the type of restraint or seclusion technique used and the duration of its use.

C. Schools shall review strategies used to address a pupil's dangerous behavior if there has been repeated use of restraint or seclusion techniques for the pupil during a school year. The review shall include a review of the incidents in which restraint or seclusion techniques were used and an analysis of how future incidents may be avoided, including whether the pupil requires a functional behavioral assessment.

If a school district or charter school summons law enforcement instead of using a restraint or seclusion technique on a pupil, the school shall comply with the reporting, documentation and review procedures established under the paragraph above. School resource officers are authorized to respond to situations that present the imminent danger of bodily harm according to protocols established by their law enforcement agency.

Schools are not prohibited from adopting policies that include procedures for the reasonable use of physical force by certificated or support staff personnel in self-defense, defense of others, and defense of property.

CORPORAL PUNISHMENT

The Creighton Elementary School District disallows corporal punishment.

LEGAL

A.R.S.

[13-403](#) *et seq.*

[13-2911](#)

[15-105](#)

[15-341](#)

[15-342](#)

[15-841](#)

[15-842](#)

[15-843](#)

[15-844](#)