



SCHOOL DISTRICT OF BELOIT

CODE OF CONDUCT

(REVISED 7-24-07)

The behavior and conduct of students attending the public schools in the School District of Beloit shall reflect standards of good citizenship, high morality, self-discipline, responsibility for one's own actions, and respect toward others.

I. Purpose of the Code of Conduct: The primary purpose of the Code of Conduct is to identify for all students, their parents/guardians/legal custodians, and staff members employed by the School District of Beloit, the following:

- A. What types of student behavior will constitute student misconduct,
- B. The types of disciplinary consequences that may be imposed for student misconduct,
- C. The number of days that a principal may suspend a student,
- D. Which types of student misconduct may result in a recommendation for an expulsion hearing, and
- E. Which types of student misconduct must result in a student being recommended for an expulsion hearing.

The Code of Conduct applies to all students, all schools, and all alternative educational programs and alternative educational sites within the School District of Beloit. It must be enforced in a manner that complies with all relevant state and federal laws.

II. Jurisdiction for Use of the Code of Conduct: The administrators employed by the School District of Beloit have the legal authority to impose disciplinary consequences when a student engages in misconduct of the following nature:

- A. Repeated refusal or neglect to obey school rules;
- B. Knowingly conveying or causing to be conveyed any threat or false information concerning an attempt, alleged attempt being made, or to be made to destroy any school property by means of explosives;
- C. Engaging in conduct while at school or while under the supervision of a school authority which endangers the property, health or safety of others, which includes making a threat to the health or safety of a person or making a threat to damage property;
- D. Engaging in conduct while not at school or while not under the supervision of a school authority which endangers the property, health or safety of others at school or under the supervision of a school authority;
- E. Endangering the property, health or safety of any employee or school board member of the school district in which the student is enrolled, which includes making a threat to the health or safety of a person or making a threat to damage property; and
- F. A pupil who is at least 16 years old, if the pupil repeatedly engaged in conduct while at school or while under the supervision of school authorities that disrupted the ability of school authorities to maintain order or an educational atmosphere at school or at an activity supervised by a school authority and that such conduct is not within any other grounds for an expulsion hearing;
- G. Possession of a firearm, as defined in 18 USC 921(a)(3) while at school or while under the supervision of a school authority;
- H. For any other reason provided for by law.

The administrators employed by the School District of Beloit have the legal authority to impose disciplinary consequences when a student engages in misconduct that violates policies that have been adopted by the School District of Beloit.

III. Discipline Related Definitions: The following definitions apply to the Code of Conduct:

- A. **Detention:** Requiring a student to remain at school beyond the normal school day, during recess, or during lunch period.
- B. **Discipline Consequences:** The disciplinary consequences for violating the Code of Conduct can include the following: verbal warning; behavioral reflection time; parent shadowing; detention; written or telephone contact with the student's parent/guardian/legal custodian; an in-person conference between principal and the student's parent/guardian/legal custodian and student; referral to the appropriate city and/or county agency (e.g. Police Department, Rock County Human Services, Probation); restitution; writing a letter of apology or verbally having to apologize; suspension; receiving a citation for truancy; administrative hearing; expulsion; or a combination of disciplinary consequences.
- C. **Expulsion:** The most severe disciplinary consequence that can be imposed for student misconduct is expulsion. The decision whether to expel is made by the Board of Education, and the decision whether to expel or not is made after the occurrence of an Expulsion Hearing. The effect of an expulsion is to deprive the expelled student of the privilege of attending school within the School District of Beloit for a specified period of time.
- D. **Expulsion Hearing:** An administrative proceeding conducted by the Board of Education, or its designee, for the purpose of receiving evidence and making determinations as to: (1) whether the student appearing before the Board of Education, or its designee, engaged in the conduct that was alleged, (2) whether there exists jurisdiction to expel the student, and (3) whether the interest of the school or alternative program demands that the student be expelled. The school district has the burden of proof for all determinations.
- E. **Knives or Other Cutting Instruments:** All knives, whether with a sharpened edge or serrated edge, and other instruments that are capable of being used to cut objects, are included in this category. Examples include, but are not limited to the following: broken or altered objects, multipurpose tools, Swiss Army knives, scouting knives, scissors, razor blades, box cutters, carpet cutters, etc.
- F. **Objects That May Be Used As Weapons:** Any object that has as its primary use a function other than to be used as a weapon, coupled with a student's intent to use the object as a weapon, attempt to use the object as a weapon, threaten to use the object as a weapon or actual use of the object as a weapon to harm another student, staff member, or other person (e.g. baseball bat, pencil, padlocks, etc.).
- G. **Student Misconduct:** Student behavior that violates the rules identified in Article IV, titled "Student Misconduct" in the Code of Conduct, to include any other behavior which is disrespectful or disruptive.
- H. **Suspension:** "In-school suspension" means the temporary removal of a student from his/her regular classroom(s) to another supervised learning area for up to five days. "Out-of-school suspension" means the removal of a student from the school building and grounds for up to five days. If a suspended student is recommended for an expulsion hearing, the number of days of suspension may be extended, prior to the Expulsion Hearing.
- I. **Weapons:** A device that is used for, or is readily capable of causing serious bodily harm, or death and includes, but is not limited to, the following: pistols, rifles, shotguns (regardless of whether exploding powder or air or other gas is used to propel its ammunition), bow and arrows, BB guns, pellet guns, brass knuckles, lasers; knives or other cutting instruments (e.g., box cutter, carpet cutter, razor blades, etc.).
- J. **Zero Tolerance:** Certain designated forms of student misconduct have been identified by the School District of Beloit - Board of Education which requires the school administrator to impose a mandatory suspension and recommendation for an expulsion hearing. Those identified forms of "student misconduct" are referred to as "Zero Tolerance" violations of the Code of Conduct.

IV. Student Misconduct:

- A. There are three categories of discretionary discipline and each violation of the Code of Conduct has been assigned to a category. After determining the facts of each situation, and considering the “discretionary disciplinary criteria”, the principal will exercise his/her discretion and determine what he/she believes to be appropriate discipline for the student. *In those situations where bodily injury or property damage has occurred, or the learning environment has been severely disrupted, the principal may elect to impose a disciplinary consequence more severe than that which is identified for the specific Code of Conduct violation(s). Any infraction that appears to have gang overtones will receive more severe consequences, up to and including, a recommendation for an expulsion hearing.*
- B. Allowance is to be made for limited modifications of disciplinary actions for grades K-5. Any significant modifications must receive approval from the superintendent. Consequences are not to exceed the maximum allowed by the code of conduct.
- C. **Before making referrals for administrative hearing, the principals may consider the students willingness to comply with recommendations for in-district AODA education and/or counseling.**

100 - Serious: For student misconduct assigned to this category, the principal has the discretion to select a disciplinary consequence that ranges from imposing a “non-out of school option” up to suspending the student out of school for up to two (2) days.

- 101. Dress Code Violation
- 102. Loitering: Being present in any school building at a time or in a manner not usual or permitted, included restricted areas and times.
- 103. Littering: Throwing or leaving waste, trash, debris or other litter on school property, other than in an authorized waste receptacle.
- 104. Trespassing: Being present on school premises without permission from school authority, or refusing to comply with the directive of a staff member to leave school premises.
- 105. Insubordination and/or disrespect of a staff member: (1) insubordination: intentionally refusing to comply with a reasonable directive by school personnel; (2) disrespect of a staff member: to insult, call names, dishonor, or in any manner abuse, either verbally or in writing, any member of the school district staff or student body.
- 106. Unexcused tardiness: Being late for school or class without an acceptable excuse.
- 107. Absenteeism/Truancy: Being absent from school, for a partial or full day, without an acceptable excuse.
- 108. Use or Possession of unauthorized pagers, cell phones and other two-way communication devices (this includes a prohibition on any instant messaging or text messaging).
- 109. Endangering the health or safety of any student, staff or other person on school premises before, during, after school, or at any school-sponsored activity including, but not limited to, throwing objects such as snowballs, rocks, rough horseplay, etc.
- 110. Interfering with the education process. Conduct which substantially interferes with the educational process.

200 - Very Serious: For student misconduct assigned to this category, the principal has the discretion to select a disciplinary consequence that ranges from imposing up to a five (5) day in-school or out-of-school suspension of the student. Principal may recommend the student for an expulsion hearing.

201. Use of profanity or obscene gestures: Using vulgar, profane or obscene language, either verbally or in writing, or making obscene gestures directed toward school staff or other students.
202. False alarms or reports: Providing false information when warning about a possible bomb, fire, or other act that endangers the health or safety of others; or falsely reporting incidents or making false accusations or giving false information to or about school personnel, this includes any false 911 calls.
203. Possession of fireworks or other explosive devices.
204. The intentional act, either verbally, in writing, or by gesture, of threatening to harm the well being, health, or safety of another student.
205. Possession, use, or transfer of any legal tobacco product (e.g., cigarettes, cigars, snuff, chewing tobacco) or device for lighting the tobacco product.
206. Possession of drug paraphernalia.
207. Possession of an imitation controlled substance or illegal drug.
208. Possession of a controlled substance (not prescribed for the possessing student), illegal drug, or being under the influence of the controlled substance, illegal drug.
209. Possession of a controlled substance, illegal drug with the intent to deliver to another.
210. Possession of a look-alike handgun, or rifle, other than a BB gun or pellet gun.
211. Possession of objects that may be used as a weapon: the possession of an object that may be used as a weapon and the threat to use it as a weapon, attempt to use it as a weapon, the intent to use it as a weapon, or the actual use of the object as a weapon.
212. Possession of ammunition, mace, pepper spray, smoke bombs or other non-educationally related dangerous substances.
213. The intentional act, either verbally, in writing, or by gesture of threatening to harm the well being, health, or safety of a staff member or other adult volunteer involved in supervising a school sponsored activity.
214. Engaging in or participating in gang, cult or other anti-social group conduct that involves threats, force, or extortion of another student, staff member or visitor. Participation in non-violent gang, cult or other anti-social group activities that disrupt the school (i.e., using gang symbols or writings, wearing gang colors, writing graffiti, flashing gang signs, proclaiming or encouraging gang affiliation, etc.).
215. Computer internet misconduct: (1) visiting chat rooms, chat groups, bulletin boards, chat lines, chat boxes or playing games without prior consent of a staff member; (2) playing music or other audible sounds without the sounds having a specific educational purpose related to the assignment that has been given to the student; (3) viewing, exploring, or printing of pornographic, obscene or otherwise inappropriate material.
216. Computer tampering: Any unauthorized use or misuse of computer technology, whether hardware or software, including the copying of software and/or unauthorized use of software.
217. Computer hacking: The unauthorized entry or use of the computer system, including all hardware, software, and any of the system component parts.
218. Cheating, forgery and copying: (1) cheating: attempting to obtain answers or data dishonestly; (2) forgery: writing the name of another person or altering the name, date, grade, pass or permit of another; (3) copying: to copy the ideas and writings of another, and claim them as your own, without mentioning the name of the individual who provided the writing or ideas that you copied.
Harassment: Harassment means to engage in any type of conduct that would substantially interfere with the student's school performance or create an intimidating, hostile or offensive school environment. Forms of prohibited harassment include conduct that is based upon gender, race, sexual orientation, religion, national origin, ancestry, creed, pregnancy, marital or parental status, or physical, mental, emotional or learning disability.
219. Racial Harassment
220. General Harassment
221. Sexual Harassment

222. Sexual Assault: The intentional and nonconsensual inappropriate touching of another, either directly or through clothing, if done for the purpose of sexually degrading the touched person, or arousing or satisfying the person doing the touching.
223. Participation in sexual activity.
224. Possession of pornographic material or observing pornographic material: Pornographic materials include writings and visual images of a sexual nature that have no bearing upon the learning that occurs as part of the school district curriculum.
225. Gambling: Playing any game of chance or skill for money or other items of value.
226. Bullying: The intentional intimidation of another over time by threats or physical acts to cause physical or emotional injury or discomfort to another student.
227. Disorderly conduct: Engaging in violent, abusive, profane, unreasonably loud or otherwise disruptive behavior, under circumstances that tend to cause or provoke a disturbance.
228. Repeated refusal or neglect to obey school rules: Four or more non-violent violations of the Student Misconduct Rules within the same school year.
229. Theft: Taking or hiding the money or property of another, without his/her consent.
230. Possession of stolen property: Possessing or wearing items that belong to another person, organization or school system without the consent of the rightful owner.
231. Vandalism: The intentional destruction of, or tampering with, property belonging to others, and this specifically includes tampering with or activating the sprinkler system.
232. Inciting others to engage in violent behavior: By words (taunting and baiting), or acts and deeds that give encouragement to others to fight, protest, demonstrate, or otherwise disrupt school.
233. Hazing: The practice of more experienced students intimidating, humiliating or physically punishing less experienced students, as part of a rite of passage or initiation.
234. The intentional act of physically making aggressive contact (e.g., push, shove, hit, scratch, punch, kick, bite, slap, fighting or any other form of inappropriate physical aggressive contact) toward a student
235. Commission of behavior which constitutes criminal conduct under city, state, or federal law and which is life or health threatening.
236. Possession of an alcoholic beverage or being under the influence of an alcoholic beverage.
237. Possession of an alcoholic beverage with the intent to deliver to another.

300 - Zero Tolerance: For violations of the Code of Conduct that are classified as “Zero Tolerance”, the Board of Education has mandated that the principal suspend those students for five (5) days and recommend the student for an expulsion hearing.

301. Intentionally setting a fire.
302. Setting off fireworks or other explosive devices.
303. Possession of a knife or other cutting instrument.
304. Bomb related: (1) making a bomb threat, or threatening to set off another form of an explosive device (other than fireworks); (2) possession of a bomb or explosive device (other than fireworks); or (3) setting off of a bomb or explosive device (other than fireworks).
305. Two incidents of fighting or other acts of physical violence during the same school year (as described in #234) or bullying (as defined in #226).
306. Major Sexual Assault involving penetration or the use of weapon, force, threat or coercion.
307. The intentional act of physically making aggressive contact (e.g., push, shove, punch, kick, bite, slap, or any other form of inappropriate physical aggressive contact) with an adult.
308. Engaging in physically violent gang and/or cult or anti-social group behavior, directed against students, staff or others at school, or away from school, but while under the supervision of school authority.
309. Possession of a firearm, a BB gun, a pellet gun, or assault with a weapon.

310. Participation in a transaction involving the distribution of a controlled substance, illegal drug at school or while under the supervision of a school authority.
311. Dispensing, distributing, transferring, manufacturing, selling or possession with intent to sell or deliver controlled substances, designer drugs or drug paraphernalia.
312. Dispensing distributing, transferring, manufacturing, selling or possession with intent to sell look-a-like or counterfeit drugs or prescription drugs.
313. Dispensing, distributing, transferring, manufacturing, selling or possession with intent to sell over-the counter drugs.
314. Participation in sexual intercourse and/or other acts of sexual gratification.
315. Participation in a transaction involving the distribution of an alcoholic beverage, at school or while under the supervision of a school authority.
316. Dispensing, distributing, transferring, manufacturing, selling or possession with intent to sell alcohol

V. Disciplinary Options Available:

A. Discretionary Disciplinary Options:

1. In school options: The options include: verbal warning, behavioral reflection time, detention, in school suspension, written or telephone contact with the parent/guardian/legal custodian, in person conference between the Principal and the parent/guardian/legal custodian and student, parent shadowing, referral to appropriate city and/or county agency, restitution, and writing a letter of apology or providing a verbal apology.
2. Out of school options: The options include: suspensions and suspensions with a recommendation for an expulsion hearing.

B. Mandatory Disciplinary Option:

1. For violations of the Code of Conduct that are “Zero Tolerance”, the principal has no discretion and must suspend for five days and must recommend the student for an expulsion hearing.

VI. Discretionary Disciplinary Criteria:

For those situations involving student misconduct in which there is not a requirement that the student be recommended for an expulsion hearing, the principal will exercise his/her discretion in determining what is the appropriate disciplinary consequence for the student’s misconduct. The principal will take into account, at a minimum, the following factors when deciding upon what form and amount of discipline is appropriate:

- A. The emotional and mental developmental level and maturity of the student,
- B. The severity of the misconduct involved (was anyone physically injured or emotionally harmed),
- C. Whether the learning environment was disrupted,
- D. Whether property was damaged, destroyed or lost,
- E. Whether safety of students or staff was jeopardized,
- F. Whether the student had previously committed the same violation of the Code of Conduct,
- G. Whether the student had previously committed violations of a similar nature (disruption of learning environment, violent aggression against others) of the Code of Conduct,
- H. What discipline has the principal imposed upon other students for the same violation(s),
- I. In those situations where serious bodily injury or property damage has occurred, or the learning environment has been severely disrupted, the principal may elect to impose a disciplinary consequence more severe than that which is identified for the specific Code of Conduct violation(s).

VII. Voluntary Surrender of Dangerous Items:

A student who possesses a weapon, knife or other cutting instrument, illegal drugs or controlled substance, or other inappropriate item or material, and voluntarily turns it in to a school staff member before threatening to use it, actually using it, or giving it to another student, and before being discovered in possession of it by a staff member, may or may not be subject to discipline for possession of the object.

VIII. Categories of Discretionary Disciplinary Options: There are three categories of discretionary discipline and each violation of the Code of Conduct has been assigned to a category. After determining the facts of each situation and considering the “discretionary disciplinary criteria”, the principal will exercise his/her discretion and determine what he/she believes to be appropriate discipline for the student. *In those situations where serious bodily injury or property damage has occurred, or the learning environment has been severely disrupted, the principal may elect to impose a disciplinary consequence more severe than that which is identified for the specific Code of Conduct violation(s). Any infraction that appears to have gang overtones will receive more severe consequences up to and including a recommendation for an expulsion hearing.*

- 100 - Serious	- 200 - Very Serious	- 300 - Zero Tolerance
For student misconduct assigned to this category, the principal has the discretion to select a disciplinary consequence that ranges from imposing a “non-out of school option” up to suspending the student out of school for up to two (2) days.	For student misconduct assigned to this category, the principal has the discretion to select a disciplinary consequence that ranges from imposing up to a five (5) day in-school or out-of-school suspension of the student and the principal <u>may</u> recommend the student for an expulsion hearing. NOTE: REVISION OF THE NUMBER OF SUSPENSION DAYS FROM 3 (THREE) TO 5 (FIVE) DAYS	For violations of the Code of Conduct that are classified as “Zero Tolerance”, the Board of Education has <u>mandated</u> that the principal suspend those students for five (5) days and recommend that the student be expelled from school.
<ul style="list-style-type: none"> 101. Dress code 102. Loitering 103. Littering 104. Trespassing 105. Insubordination or Disrespect 106. Unexcused Tardiness 107. Absenteeism/Truancy 108. Possession of pagers, cell phones, or two-way communication devices 109. Endangering health and safety 110. Interference with education process 	<ul style="list-style-type: none"> 201. Profanity or obscene gestures 202. False alarm or report 203. Possession of fireworks 204. Threatening to harm other students 205. Possession or use of tobacco 206. Possession of drug paraphernalia 207. Possession of imitation controlled substances/illegal drugs 208. Possession of a controlled substance, illegal drugs, or under the influence 209. Possession of a controlled substance, illegal drugs with intent to deliver 210. Possession of look-alike weapons 211. Possession of objects that may be used as a weapon 212. Possession of ammunition, mace, pepper spray, etc. 213. Threatening to harm staff or other adults 214. Gang participation that disrupts school 215. Computer internet misconduct 216. Computer tampering 217. Computer hacking 218. Cheating, forgery and copying 219. Racial harassment 220. General harassment 221. Sexual harassment 222. Sexual assault 223. Participating in sexual activity 224. Possession of pornographic materials 225. Gambling 226. Bullying 227. Disorderly conduct 228. Repeated refusals to obey rules 229. Theft 230. Possession of stolen property 231. Vandalism 232. Inciting violence 233. Hazing 234. Physically aggressive contact toward another student 235. Conduct which is life or health threatening 236. Possession of an alcoholic beverage or under the influence 237. Possession of an alcoholic beverage with intent to deliver 	<ul style="list-style-type: none"> 301. Intentionally setting a fire 302. Setting off fireworks or other explosives 303. Possession of a knife or other cutting instrument 304. Possession of a bomb or explosive device or bomb threat 305. Two incidents of fighting 306. Major Sexual Assault 307. Intentional physical aggressive contact with an adult 308. Physically violent gang behavior 309. Possession of a firearm, BB gun or pellet gun or assault with a weapon 310. Participating in a transaction involving controlled substances, illegal drugs or alcoholic beverages 311. Dispensing, distributing, transferring, manufacturing, selling or possession with intent to sell or deliver controlled substances, designer drugs or drug paraphernalia 312. Dispensing, distributing, transferring, manufacturing, selling or possession with intent to sell look-a-like or counterfeit drugs or prescription drugs 313. Dispensing, distributing, transferring, manufacturing, selling or possession with intent to sell over-the-counter drugs. 314. Participation in sexual intercourse and/or other acts of sexual gratification. 315. Participating in a transaction involving alcoholic beverages. 316. Dispensing, distributing, transferring, manufacturing, selling or possession with intent to sell alcohol



School District of Beloit

1633 Keeler Avenue
Beloit, Wisconsin 53511
(608) 361-4000
FAX (608) 361-4053

Board of Education

Jeff Klett, President
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The School District of Beloit complies with all federal, state and local laws prohibiting discrimination against students based on their membership in any protected class.

The School District of Beloit complies with all federal, state and local laws prohibiting discrimination in employment based on a person's membership in a protected class.

The mission of the School District of Beloit is to provide an education appropriate to each student, in order for students to become productive learners and successful citizens in the world community.

Chris Wesling
Director of Student Services
Kolak Education Center, The Roosevelt Building
1633 Keeler Avenue, Beloit, WI 53511
Office: (608) 361-4027
FAX: (608) 361-4135
E-mail: cwesling@sdb.k12.wi.us
District Web Site: www.sdb.k12.wi.us

