



Book	Policy Manual
Section	400 Series: Students
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The behavior and code of 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.

Positive, proactive and equitable discipline systems and supports are necessary elements in providing all students with a healthy learning environment. The Board of Education, administration and faculty adhere to the philosophy that all students who have a desire to attend school will be given the opportunity. All students will be assisted in every way possible to achieve scholastic success.

A disciplinary code of conduct shall be established and included in this Board Policy (443/447). As with other board policies, the code of conduct will be reviewed and/or updated annually. The Board upholds state mandated discrimination, harassment, bullying and AODA policies as well as strongly adhering to the code of conduct in reference to weapons, threats and aggressive behavior against students and staff. Furthermore, any infraction that appears to have gang overtones will receive more severe consequences up to and including a recommendation for expulsion or extended expulsion time. Due process will be afforded all students as required by law.

The School District of Beloit shall not discriminate in standards and rules of behavior per State Statute 118.13 and PI9, Wisconsin Administrative Code. Discrimination complaints shall be processed in accordance with established complaint procedures.

## CODE OF CONDUCT

*The behavior and conduct of students in the School District of Beloit shall reflect standards of good citizenship, self-discipline, responsibility for one's own actions, and respect toward others. Our vision for discipline is systematically focused on prevention and education, striving to provide students with knowledge and skills through the implementation of strong Positive Behavior Interventions and Supports, Culturally Responsive Practices, Restorative Justice, and Trauma Informed Practices.* Positive discipline is a necessary element and provides all students with a healthy learning environment. The Board of Education, administration and faculty adhere to the philosophy that all students have a desire to attend school will be given the opportunity. All students will be assisted in every way possible to achieve scholastic success.

**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, the following:

- A. Board of Education and district commitments to resources focused on building welcoming, orderly, responsive and nurturing learning environments accessible to all students.
- B. What types of student behavior constitute student misconduct,
- C. The types of disciplinary consequences that may be imposed for student misconduct,
- D. The infractions that require police contact (though law enforcement may be called for any infraction),
- E. Which types of student misconduct may result in a recommendation for an expulsion.

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 applies on all school district property, including sidewalks, playgrounds, and parking lots, to all school district activities regardless of the location of those activities, and to all school district sponsored transportation. The Code of Conduct shall be enforced in compliance with all relevant state and federal laws.

**II. Jurisdiction for Use of the Code of Conduct:** 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;
- 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 by law.

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 of the School District of Beloit.

### III. School District of Beloit Code of Conduct Levels of Offense Definitions:

<b>100 LEVEL OFFENSES</b>
<b>Administrative/Classroom intervention typically with minimal administrative discipline</b>
<ul style="list-style-type: none"> <li>• Restorative action, detention, loss of privileges up to 1 day of In-school suspension</li> <li>• Mandatory re-admission conference that includes student and teacher upon student's return to class</li> </ul>
<b>101 - Classroom Disruption (Brief/Minor):</b> Conduct or behavior that intentionally interferes with or disrupts the teaching/learning process.
<b>102 - Disrespect - Minor:</b> Conduct or behavior that lacks regard, civility, politeness and/or consideration that goes beyond the bounds of acceptable student behavior. Minor District may include, but is not limited to, teasing, name-calling, gossiping, spreading or starting rumors, and purposely embarrassing or humiliating another student or adult.
<b>103 - Dress Code:</b> As stated in Board of Education Policy 443.1, 443.1 RULE 1 and 443.1 RULE 2, dressing or grooming in a manner which disrupts or may disrupt teaching or learning, or which poses a risk to security, health or safety.
<b>104 - Electronic Devices:</b> Student use of cell phone, tablet device, two-way communication device, or any device with the capability to capture/record voice or image information, including any related equipment to such devices when use is not permitted by the building principal or designee during the school day.
<b>105 - Horseplay:</b> Conduct or behavior that does not cause injury but interferes with or disrupts the orderly process of the school environment, a school function or extracurricular/co-curricular activity.
<b>106 - Insubordination (1st or 2nd Offense):</b> Refusal or failure to comply with a direction in a classroom setting that minimally disrupts.
<b>107 - Littering:</b> Throwing or leaving waste, trash, debris or other litter on school property; other than in an authorized receptacle.
<b>108 - Loitering:</b> Being present in any school building at a time or in a manner not usual or permitted, including restricted areas and times.
<b>109 - Profane or Obscene Language / Gestures / Materials (1st Offense):</b> The use of either oral or written language, electronic message, computers, gestures, objects or pictures that are disrespectful or socially unacceptable and that tend to disrupt the school environment. Severity of the offense could move this to a 200 level offense.
<b>110 - Leave Class without Permission:</b> Student leaves classroom without permission with no additional/accompanying behavior.
<b>111 - Excessive Tardiness to Class:</b> Student is excessively and with excuse tardy to class (more than 3 while failing to serve detentions.
<b>130 - Safety Violation - Minor:</b> Any misconduct not otherwise addressed within the Code of Conduct that directly or indirectly jeopardizes the health, safety or property of a school, the school district, school personnel, other students, one's self or other individuals who are present or acting within the school's jurisdiction.

<b>200 LEVEL OFFENSES</b>
<b>Administrative intervention with discipline</b>
<ul style="list-style-type: none"> <li>• In or Out-of-school suspension of up to 3 days</li> <li>• ISS re-admission conference that includes teacher and student upon return to class</li> <li>• OSS mandatory re-admission conference that includes parent/guardian, teacher, administrator upon student's return to school</li> </ul>
<b>202 - Bullying 1st Offense:</b> As defined in Board Policy 443.72, bullying is defined as conscious, willful or deliberate acts, or attempted acts, through the use of words, images, gestures or other physical actions, including electronically transmitted acts, that are intended to cause fear, intimidation, social exclusion, physical injury, emotional distress or property damage. Bullying may be repeated behavior, and involves an imbalance of power. Bullying is a form of victimization and is not necessarily a result of or part of an ongoing conflict.
<b>203 - Cheating/Lying/Forgery/Plagiarism:</b> Unfairly, improperly or illegally enhance a grade on an individual assignment or a course grade. The following is a list of behaviors that can constitute academic dishonesty. The Board of Education is aware that new forms of cheating, plagiarism and other forms of dishonesty may arise and therefore, expects every student to interpret the requirement of academic honesty and integrity broadly and in good faith. The Board of Education requires that each teacher review this policy with his/her students. <ol style="list-style-type: none"> <li>1. Willful or deliberate unauthorized use of the work of another person for academic purposes, or unauthorized use of notes or other material in the completion of an academic assignment or test;</li> <li>2. Intentionally providing false or misleading information to, or withholding valid information from a school employee, including falsifying attendance information;</li> <li>3. The making of false or misleading written communication to a school staff member with either the intent to deceive the staff member or under circumstances which would be reasonably calculated to deceive the staff member.</li> </ol>
<b>204 - Computer, Computer System or Tablet Device Misconduct - Inappropriate Use:</b> Any unauthorized use of the district computer system or tablet device that includes but is not limited to sending, posting or attempting to send or post harmful text or images using the internet; viewing, exploring, printing or sending or attempting to send obscene, lewd, vulgar, profane text or images; unauthorized intrusion into files or works of others, copying damaging, destroying or deleting the works of others; visiting chat rooms, chat groups, bulletin boards or playing games, music or other audible sounds or loading software on district tablet devices or computers without prior consent of a staff member.

<b>205 - Disrespect - Major:</b> Conduct or behavior that lacks regard, civility, politeness and/or consideration that goes beyond the bounds of acceptable student behavior. Major Disrespect is disrespect of a more serious nature.
<b>207 - Gambling:</b> - Playing any game of chance or skill for money or any item of value.
<b>208 - Inciting/Instigating Disruptions:</b> Inciting, instigating or causing disruptions to the learning environment.
<b>209 - Insubordination/Open Defiance:</b> verbal or non-verbal refusal to comply with the rules or directions from school staff that disrupts the educational environment.
<b>210 - Physical Aggression Against a Student:</b> Intentional physical aggressive contact toward another student who does not fight back and that does not rise to the level of assault. It includes, but is not limited to, hitting, slapping, pushing, tripping shoving, kicking and spitting.
<b>211 - Physical Altercation:</b> Minor physical contact between two or more students that is harmful and disruptive but is quickly deescalated and does not result in any physical injury.
<b>212 - Possession of Smoking and other Use of Tobacco or Nicotine Product:</b> Possession, use, sale or distribution of tobacco or nicotine products, including smokeless tobacco or electronic cigarette (e-cigarette) or other electronic nicotine delivery system (ENDS), in accordance and conjunction with State Statute 101.123, Wisconsin Act 12.
<b>213 - Profane or Obscene Language/Gestures/Materials (2nd or subsequent event):</b> Any profane or abusive language/materials directed at a staff member, or the 2nd or subsequent offense of either oral or written language, electronic messages, computers, gestures, objects or pictures that are disrespectful or socially unacceptable and that tend to disrupt the school environments.
<b>215 - Tardiness/Absenteeism/Truancy:</b> As stated in Board of Education Policy 431, arriving at school or class after the designated time without permission and without an acceptable excuse; being absent from school for a full or partial day without permission and without an acceptable excuse.
<b>216 - Threats/Intimidation:</b> The verbal, written, or physical threat to do harm or violence to another student(s) or to the property of another person. This includes posturing and other pre-fight behavior.
<b>217 - Trespassing:</b> Entering school grounds or a school building or space within a building without permission to do so or remaining on school grounds or in a school building after being told to leave by district staff or a volunteer.
<b>231 - Harassment/Bullying (1st Offense):</b> Includes harassment or bullying based on gender, race, disability, sexual orientation, religion, national origin, ancestry, creed or pregnancy.
<b>232 - Safety Violation - 2nd Offense or More Serious Nature:</b> Any misconduct not otherwise addressed within the Code of Conduct that directly or indirectly jeopardizes the health, safety or property of a school, the school district, school personnel, other students, one's self, or other individuals who are present or acting within the school's jurisdiction.

### 300 LEVEL OFFENSES

#### Intensive intervention with administrative discipline

- In or Out-of-school suspension of up to 5 days
- Possible request for administrative hearing
- Possible Beloit Police Department Referral
- Mandatory re-admission conference that includes parent/guardian, teacher, administrator upon student's return to school
- \* indicates consultation with Beloit Police Department

**301 - \*Aggressive Physical Contact with a Staff Member - Unintentional:** Unintentional use of physical force directly against or affecting a staff member or any other adult who is legitimately exercising authority under the supervision of school authority. It includes, but is not limited to pushing and slapping.

**302 - \*Alcohol Use - Under the Influence/Possession/Distribution/Intent to Distribute/Participation in any Portion of a Transaction Involving Alcohol:** Using, being under the influence, sharing, selling (for money or other consideration) or giving away alcohol, including lookalikes or substances represented as alcohol. In instance of sharing (where no money or other consideration is exchanged), only the student who brought the drugs to school or a school-sponsored event shall be cited for distribution. Consequences may be modified based on participation in SDB Alcohol and Other Drug Abuse Counseling and Education. Board Policy 443.4

**303 - Bullying - 2nd Offense or More, or More Serious Nature:** As defined in Board Policy 443.72, bullying is defined as conscious, willful, or deliberate acts, or attempted acts, through the use of words, images, gestures or other physical actions including electronically transmitted acts, that are intended to cause fear, intimidation, social exclusion, physical injury, emotional victimization and is not necessary a result of a part of an ongoing conflict.

**304 - Computer, Computer System or Tablet Device Misconduct - Serious Misuse:** Serious Misuse - includes - but is not limited to - intentionally disrupting or attempting to disrupt the operation of the system; interfering or attempting to interfere with the ability of other users to effectively use the system; damaging, destroying, modifying or attempting to damage, destroy or modify computer data or programs, including the hardware, applications and software components of a tablet device, computer or computer system, etc; accessing and/or posting or attempting to access and/or posted restricted confidential information such as a person's social security number confidential student records, passwords, data, messages, etc; disclosing or attempting to disclose restricted access codes or other restricted access information to unauthorized persons; intentionally placing a virus or key logging software application on the system; hacking or attempting to hack into the system; using or attempting to use the system to engage any illegal conduct. This section also covers the serious misuse of any non-district tablet device or computer resources where the use invokes the disciplinary jurisdiction of the district.

**305 - \*Drug Use/Possession/Under the Influence at School:** Using, possessing or being under the influence of any illegal drugs, other controlled substances, unauthorized prescription drugs, lookalikes or synthetic substances while at school or a school-sponsored activity. Consequences may be modified based on participation in SDB Alcohol and Other Drug Abuse Counseling and Education.

**306 - \*Drug Distribution/Intent to Distribute/Participation in any Portion of a Transaction Involving Lookalike/Counterfeit Drugs:** Exchanging, distributing, selling, giving away; or possession with the intention of exchanging distributing, selling or giving away lookalikes or synthetic substances.

**307 - Fighting:** Repeated physical contact between two or more students that is harmful, injurious or disruptive.

**Self-Defense** is described as an action taken to restrain or block an attack by another person or to shield oneself from being hit by another person.

**Retaliating or Responsive Action**, such as hitting a person back, is not considered self-defense and will be considered as fighting.

**311 - \*Illegal or Unauthorized Recording of Voice or Image:**

**\*Illegal Recording** - The use of any device to intentionally view, broadcast or record under the outer clothing of an individual, take a photograph, make a recording, or record and store in any medium, data that represents a visual or audio representation of a nude or partially nude person.

**\*Unauthorized Recording** - Any unauthorized recording or photograph of another student, staff member or another person's voice or image.

**312 - Insubordination - Gross Insubordination/Repeated Defiance (5 or more offenses):** Willful refusal to submit to or comply with authority; exhibiting contempt or open resistance to a direct order or repeated verbal or non-verbal refusal to comply with school rules or directions from school staff of 5 or more offenses of insubordination.

**313 - \*Weapons or Objects that may be Used as Weapons:** Any device or instrument, including any non-conventional weapon, which, in the manner it is used or intended to be used, is calculated or likely to produce any degree of bodily harm or fear of any degree of bodily harm. Other weapons (not a firearm or other dangerous weapon) include, but are not limited to, knives or other cutting instruments, BB or pellet guns which expel a missile by the expansion of compressed air or other gas, or a facsimile firearm, which means any replica, starter pistol or other object that bears a reasonable resemblance to or that reasonably can be perceived to be an actual firearm, "air soft" guns, pepper spray, fireworks, and smoke bombs, etc.

**315 - \*Sexual Conduct or Harassment:** As stated in Board of Education Policy 411.1, any sexually oriented conduct, which creates an offensive, hostile or intimidating school environment or substantially interferes with a student's school performance. Some examples of conduct which create such an environment or interference are as follows:

- **Verbal Harassment** - This may include, but is not limited to, discussing sexual activity, commenting inappropriately about an individual's body or appearance, telling "sexual jokes" or any other tasteless sexually oriented comments, innuendoes, gestures or actions that may offend others.
- **Display of inappropriate gestures or sexually graphic or illicit materials** - This includes but is not limited to, photographs, drawings, movies, videos, websites, posters and so forth, regardless of their form.
- **Engaging in sexual activity in the presence of others** - This includes but is not limited to touching oneself or others in a sexually suggestive or sexually gratifying manner. It also includes voluntary sexual contact between students.
- **Request or demands for sexual favors** - This includes, but is not limited to, subtle or blatant expectations, pressures or requests for any type of sexual favor which may or may not be accompanied by an implied, stated promise of preferential treatment or threat of negative consequences.
- **Unwelcome physical contact** - This includes, but is not limited to inappropriate touching patting, pinching hugging intentionally brushing against another's body, pulling at another's clothing, or forcing another to a wall or corner through body position or movement.
- **Non-Consensual** - Sexual Contact and/or conduct imposed by one person onto another person without their consent.

~~**CONSENT** is an affirmative nonverbal act or verbal statement expressing consent to sexual conduct and/or contact by a person that is informed, freely given and mutually understood. It is the responsibility of person(s) involved in sexual contact and/or contact to ensure that he/she/they have the affirmative consent of the other or others to engage in the sexual conduct and/or contact. Affirmative consent must be ongoing throughout the sexual conduct and/or contact and can't be revoked at any time. Lack of protest or resistance does not mean consent, nor does silence mean consent. Consent to one act by itself does not constitute consent to another act. The existence of a dating relationship between the persons involved or the fact of past sexual relations, should never by itself be assumed to be an indicator of consent. Whether one has taken advantage of a position of influence over another, may be a factor in determining consent.

**Consensual sexual contact and/or conduct** is also prohibited at school and is subject to school based interventions and/or administrative discipline.

**316 - \*Theft/Defacement/Damage or Possession of Stolen Property:**

1. Taking property belonging to the school or any individual or group without prior permission
2. With the intent to deprive the owner of the property
3. Maliciously and intentionally misusing, destroying, defacing or causing damage to school property or the property of others
4. Having in one's possession property obtained without the permission of the owner
5. \*when stolen property is over \$500
6. \*the student has repeated acts of this type of misconduct - 3 or more offenses
7. \*this offense is committed in combination with other serious discipline code offenses.

**317 - \*Threats or Intimidating Acts of a Serious Nature:** Serious threats to a student, staff member, or another individual who is present or acting within the school's jurisdiction. Serious threats include intentionally engaging in conduct that places another person in reasonable apprehension of bodily harm. Such threats may involve non-verbal aggression/intimidation or verbal or written statements that may or may not involve physical contact or an attempt to cause bodily harm. Very serious acts of non-physical bullying/harassment due to their nature and/or repetition may be determined to constitute a "serious threat."

**318 - \*Physical Attack:** An actual and intentional touching or striking of another person against his/her will or the intentional causing of bodily harm to an individual.

**319 - \*Physical Attack with a Weapon:** An actual and intentional touching or striking of another person against his/her will, or the intentional causing of bodily harm to an individual with any instrument or object used with the intent to injure or cause bodily harm. This may include lookalikes.

**320 - \*Threats of Physical Attack with a Weapon:** Displaying, brandishing or discharging a weapon, but with no actual physical contact of any person. A threat is made in person. Threats made over the telephone or threatening letters are excluded. A threat of physical attack using words that refer to a weapon would not be considered a threat with a weapon.

**331 - \*Harassment (2nd offense or more serious nature):** Includes verbal or physical harassment based on sex, race, disability, sexual orientation, religion, national origin, ancestry, creed, pregnancy, marital or parental status.

**332 - Safety Violation of a Serious Nature:** Any misconduct not otherwise addressed within the Code of Conduct that directly or indirectly jeopardizes the health, safety or property of a school, the school district, school personnel, other students, one's self or other individuals who are present or acting within the school's jurisdiction.

## 400 LEVEL OFFENSES

**Intensive strategies, intervention and administrative discipline including potential long-term removal from school upon administrative hearing**

- Mandatory 5-day out-of-school suspension and recommendation for administrative hearing
- Possible expulsion
- Beloit Police Department notification
- \* indicates consultation with Beloit Police Department

**401 - \*Aggressive Physical Contact with a Staff Member - Intentional:** Intentional use of physical force directly against or affecting a staff member or any other adult who is legitimately exercising authority under the supervision of school authority. It includes, but is not limited to pushing and slapping.

**\*Intentional Use of Force - situations where a student:**

1. Deliberately initiates a use of force directly against a staff member or other adult for any reason;
2. Intentionally provides active physical resistance to the direction of an adult to the point where the adult is injured or where there was a direct and substantial risk of bodily injury to the adult; or
3. Uses force against a staff member or other adult by an act done with the intent to use force against another person in circumstances where it could have been reasonably anticipated that the intentional use of force may affect a staff member or other adult.

<p><b>402 - *Arson:</b> Intentionally damaging or attempting to damage any school or personal property by fire or incendiary device. Firecrackers, fireworks, matches and lighters are included in this category if they are factors in a damaging fire.</p>
<p><b>404 - *Dangerous Weapons (other than firearms):</b> Any device, instrument, material or substance that is used for, or is readily capable of causing death or serious bodily injury. Dangerous weapons other than firearms include, but are not limited to any electronic weapon (stun gun, etc.), metallic knuckles or knuckles of any substance which could be put to the same or similar effect as metallic knuckles; a nunchaku (nun chucks) or any similar weapon consisting of 2 sticks of wood, plastic or metal connected at one end by a length of rope, chain wire or leather; a cestus or similar material weighted with metal or their substance and worn on the hand; a shuriken or any similar pointed star like object intended to injure a person when thrown; or a manrikigusari or similar length of chain having weighted ends.</p>
<p><b>405 - *Drug Distribution/Intent to Distribute/Participation in any Portion of a Transaction Involving Illegal Drugs:</b> All illegal drugs, controlled substances, narcotics and prescription medications. The definition does not include prescription medications that are processed 1) while under the care of a licensed healthcare provider who prescribed the drugs to the student AND 2) in conformance with school district policies regarding the administration of medication at school. Board Policy 443.4, exchanging, distributing, selling, giving away; or possessing with the intention of exchanging, distributing selling or giving away illegal drugs, other controlled substances, unauthorized prescription drugs.</p>
<p><b>Drugs - Distribution - Intent to Distribute/Participation in Any Portion of a Transaction Involving Drugs</b> - Exchanging, distributing, selling, giving away; or possessing with the intention of exchanging, distributing, selling or giving away illegal drugs, other controlled substances, unauthorized prescription drugs.</p>
<p><b>406 - *False Fire Alarm/Bomb Threat:</b> Initiation of false fire alarms, false bomb threats, remarks, notes or phone calls which cause police or fire department personnel to appear at the school for no valid reason.</p>
<p><b>407 - Possession of Firearm/Explosive Device:</b> refers to any weapon that is designed to (or may be readily converted to) expel a projectile by the action of an explosive. It includes handguns, shotguns, rifles and other firearms as described in USC Title 18, Section 921(a). It also includes bombs, grenades, mines, rockets, missiles, pipe bombs, or similar devices designed to explode and capable of causing bodily harm or property damage.</p>
<p><b>408 - *Weapons or Objects that may be Used as Weapons - With Intent:</b> Any device or instrument, including any non-conventional weapon, which, in the manner it is used or intended to be used, is calculated or likely to produce any degree of bodily harm or fear of any degree of bodily harm. Other weapons (not a firearm or other dangerous weapon) include, but are not limited to, knives or other cutting instruments, BB or pellet guns which expel a missile by the expansion of compressed air or other gas, or a facsimile firearm, which means any replica, starter pistol or other object that bears a reasonable resemblance to or that reasonably can be perceived to be an actual firearm, "air soft" guns, pepper spray, fireworks, and smoke bombs, etc.</p> <p><b>*With Intent means:</b></p> <ol style="list-style-type: none"> <li>1. Possession coupled with intent to use, threaten to use, attempt to use or actual use of the weapon to cause bodily harm to another person, or;</li> <li>2. Possession of a weapon by a student who knowingly transfers or intentionally provides access to the weapon to another person (other than giving the weapon to an adult for safety) See Surrender for Safety</li> </ol> <p>Cutting instruments are not considered a weapon IF use of the instrument has been authorized by a staff member and/or provided to a student by a staff member for a legitimate educational purpose, i.e., scissors for a classroom project, so long as the student uses the object only for the authorized purpose.</p>
<p><b>409 - *Rape:</b> Sexual contact with a person without consent of that person. Any gender or gender non-conforming students can be victims of rape.</p>
<p><b>410 - *Sexual Assault:</b> An incident that includes threatened rape, fondling, and indecent liberties. Any gender or gender non-conforming student can be victims of sexual assault. Classification of these incidents should take into consideration the age and developmentally appropriate behavior of the offender(s).</p>
<p><b>411 - *Robbery without a Weapon:</b> Taking or attempting to take anything of value that is owned by another person or organization, under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear. The key difference between robbery and theft is that robbery involves threat or physical attack.</p>
<p><b>412 - *Robbery with a Weapon:</b> Taking or attempting to take anything of value that is owned by another person or organization, under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear. The key difference between robbery and theft is that robbery involves threat or physical attack. Robbery involving any instrument or object used with the intent to threaten, injure, and cause serious bodily harm. This includes lookalikes if they are used to threaten others.</p>
<p><b>413 - *Robbery with an Explosive Device:</b> Taking or attempting to take anything of value that is owned by another person or organization, under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear. The key difference between robbery and theft is that robbery involves threat or physical attack. Robbery involving any weapon that is designed to (or may be readily converted to) expel a projectile by the action of an explosive. This includes guns, bombs, grenades, mines, rockets, missiles, pipe bombs, or similar devices designed to explode and capable of causing bodily harm or property damage.</p>
<p><b>414 - *Physical Attack or Fight with a Firearm or Explosive Device:</b> Actual and intentional touching or striking of another person against his/her will, or the intentional causing of bodily harm to an individual with any weapon that is designed to (or may be readily converted to) expel a projectile by the action of an explosive. This includes guns, bombs, grenades, mines, rockets, missiles, pipe bombs, or similar devices designed to explode and capable of causing bodily harm or property damage.</p>
<p><b>415 - *Threats of Physical Attack or Fight with a Firearm or Explosive Device:</b> Displaying, brandishing, or discharging a firearm or explosive device, but with no actual physical contact of any person. A threat is made in person. Threats made over the telephone through social media or threatening letters are excluded. A threat of physical attack using words that refer to a firearm or explosive device would not be considered a threat with a firearm or explosive device.</p>

#### IV. Student Misconduct:

A. There are four levels of discretionary discipline and each violation of the Code of Conduct has been assigned to a level. After determining the facts of each situation, and considering the discretionary disciplinary criteria, the administrator will exercise discretion and determine 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 administrator 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 expulsion.***

B. Allowance is to be made for limited modifications of disciplinary actions for grades 4K-5. Any significant modifications must receive approval from the superintendent or designee. Consequences are not to exceed the maximum allowed by the Code of Conduct.

C. Before making referrals for administrative hearing, the administrator may consider the student's willingness to comply with recommendations for in-district AODA education and/or counseling.

**V. Disciplinary Process and Options Available:** As stated in Board of Education Policy 447.3

A. Discretionary Disciplinary Options:

1. **Classroom Managed** - teachers based upon School-wide Student Engagement Plan and building level PBIS

Expectations:

- a. The School District of Beloit four-step discipline process will be used district-wide when addressing classroom level, minor behavioral or student engagement concerns.
- b. Teacher actions include but are not limited to:

**Teacher Actions**

• Seat Change	• Buddy Room - no reflection	• Proximity Control
• Parent Contact (i.e. Phone call, Dojo Message, Text, Google Voice Parking Lot Conversation)	• Buddy Room - reflection	• Broken Record - Repetition of Expectations
• Parent Meeting	• Detention	• Relationship Building - 2x10
• Give Choices	• Lunch Conference	• In Class Reflection - verbal
• iPad Restrictions	• Walking Recess	• In Class Reflection - written
• Restorative Circle	• Purposeful Errand	• Counselor Conference
• Zones of Regulation Strategies	• Verbal Redirect	• Rainforest Room
• Apology - verbal	• Praise	• Loss of Privilege
• Apology - written	• Active Supervision	• Other building level PBIS classroom interactions
• Clean Up Mess		

2. **Office Managed**

a. 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 administrator 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.

b. Out of school options.

The options include: suspensions, alternative school placements, community services (assessment and/or counseling) and suspensions with a recommendation for an expulsion hearing.

B. Mandatory Disciplinary Option:

- 1. For violations of the Code of Conduct that are Level 4, the administrator shall suspend for five days and request an administrative hearing.

C. Police Notification:

- 1. For violations of the Code of Conduct that are denoted with an asterisk, the administrator shall immediately notify the Beloit Police Department of the offense. The Beloit Police Department shall complete an investigation and inform the school administrator of the findings and determine if the Code of Conduct violation is a criminal act or ordinance violation.

**VI. Discretionary Disciplinary Criteria** For those situations involving student misconduct in which there is not a requirement that the student be recommended for an administrative hearing or Police notification, the administrator will determine the appropriate disciplinary consequence, which may include a referral for administrative hearing, a referral to the Beloit Police Department or both. The administrator 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, defaced 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. The discipline imposed upon other students for the same 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. Levels of Discretionary Disciplinary Options:** There are four levels of discretionary discipline and each violation of the Code of Conduct has been assigned to a level:

**Level 1** infractions are teacher managed with administrator support and are minor acts of misconduct that interfere with the orderly operation of the classroom, a school function, extra-curricular/co-curricular program or approved transportation. These infractions are typically handled in the classroom using options listed in V. A. 1.

**Level 2** infractions are administrator managed with teacher involvement and are intermediate acts of misconduct that are more serious or disruptive examples of the offenses in Level 1. They include repeated misconduct acts from Level 1 and endangering the health or safety of others. These infractions are typically handled in the school or classroom using options listed in V. A. 1. *Disciplinary actions are subject to administrative discretion.*

**Level 3** infractions are administrator managed with teacher notification and are major acts of misconduct. They include repeated misconduct acts from Level 2; serious disruption of school order, threats to the health, safety, and property of others, and other acts of serious misconduct. These infractions typically lead to out-of-school options like suspension, as listed in V. A. 2. and may lead to an administrative hearing and Police notification. *Disciplinary actions are subject to administrative discretion.*

**Level 4** acts of misconduct are the most serious. They require a referral for an administrative hearing and Police notification. Any Level 4 act is grounds for expulsion and will result in a mandatory 5-day out-of-school suspension. An Administrative Hearing shall be held with the hearing officer within 5 days of the referral.

In situations where serious bodily injury or property damage has occurred, or the learning environment has been severely disrupted, the administrator may elect to impose a disciplinary consequence more severe than that which is identified for the specific Code of Conduct violation(s).

INFRACTION LEVEL 1	INFRACTION LEVEL 2	INFRACTION LEVEL 3	INFRACTION LEVEL 4
101 Classroom Disruption (Brief/Minor)		301* Aggressive Physical Contact with a Staff Member - Unintentional	401* Aggressive Physical Contact with a Staff Member - Intentional
102 Disrespect Minor	202 Bullying 1 <sup>st</sup> Offense	302* Alcohol Use - Under the Influence/Possession/Distribution/ Intent to Distribute/Participation in any Portion of a Transaction Involving Alcohol	402* Arson
103 Dress Code	203 Cheating/Lying/Forgery/Plagiarism	303 Bullying 2 <sup>nd</sup> Offense or more, or more serious nature	
104 Electronic Devices	204 Computer, Computer System or Tablet Device Misconduct Inappropriate Use	304 Computer, Computer System or Tablet Device Misconduct Serious Misuse	404* Dangerous Weapons (other than firearms)
105 Horseplay	205 Disrespect Major	305* Drug Use /Possession/Under the Influence at School	405* Drug Distribution/Intent to Distribute/Participation in any portion of a Transaction Involving Illegal Drugs
106 Insubordination (1 <sup>st</sup> or 2 <sup>nd</sup> Offense)		306* Drug Distribution/Intent to Distribute/Participation in any Portion of a Transaction Involving Look Alike/Counterfeit Drugs	406* False Fire Alarm/ Bomb Threats
107 Littering	207 Gambling	307 Fighting	407* Possession of Firearm/Explosive Device
108 Loitering	208 Inciting/Instigating Disruptions		408* Weapons or Objects that May be Used as Weapons With Intent
109 Profane or Obscene Language/Gestures/ Materials (1 <sup>st</sup> Offense)	209 Insubordination Open Defiance		409* Rape
110 Leave Class without	210 Physical Aggression		410* Sexual Assault

Permission			
111 Excessive Tardiness to Class	211 Physical Altercation	311* Illegal or Unauthorized Recording of Voice or Image	411* Robbery Without a Weapon
130 Safety Violation (1st or minor)	212 Possession or Smoking and Other Use of Tobacco or Nicotine Product	312 Insubordination Gross Insubordination/Repeated Defiance (5 or more)	412* Robbery With a Weapon
	213 Profane or Obscene Language/ Gestures/Materials (2 <sup>nd</sup> or subsequent offense)	313* Weapons or Objects that may be Used as Weapons	413* Robbery with a Firearm/ Explosive Device
			414* Physical Attack or Fight with a Firearm or Explosive Device
	215 Tardiness/Absenteeism/Truancy	315* Sexual Conduct	415* Threats of Physical Attack with a Firearm or Explosive Device
	216 Threats/ Intimidation	316* Theft/ Defacement/ Damage or Possession of Stolen Property	
	217 Trespassing	317* Threats or Intimidating Acts of a Serious Nature	
	231 Harassment - 1st Offense	318* Physical Attack	
		319* Physical Attack or Fight With a Weapon	
		320* Threats of Physical Attack With a Weapon	
		331 Harassment - 2nd Offense or more	
<b>*indicates consultation with Beloit Police Department</b>			

## Legal

s.s. 118.13  
s.s. 120.13(1)  
s.s. 120.44  
PI 9, Wisconsin Administrative Code

## Cross References

411.1 Harassment of Students  
443.4 Student Alcohol and/or Other Controlled Substance Use  
443.4 RULE 1 Student Alcohol and/or Other Controlled Substance Use Enforcement Regulations  
443.72 Anti-Bullying