

STUDENT DISCIPLINE

Effective discipline, which requires respect for the rights of others, is necessary if all students are to attain a quality education. The Board delegates to school officials the authority to enforce District policies, regulations and school rules governing student conduct.

A complete statement governing or describing all the relationships and processes involved in student discipline would be very extensive. The most important part of such a statement would be the relationship of the teacher and the principal in matters of discipline. Teachers must feel free to consult and work closely with the building principal in dealing with any problem with which the teacher might need guidance. This working relationship is one key to desirable discipline and a quality instructional environment.

The Board also believes that the teacher-student relationship in the classroom, halls and on school property is important and should be one of mutual respect at all times. The teacher is recognized as the person in authority at all times in the classroom, halls, buildings, school grounds and at school-related events.

Each case of unsatisfactory behavior by a student is handled individually. The classroom teacher may take the steps that he/she believes are justified in each case. If the student does not respond to these measures, the teacher then refers the student to the principal.

When an employee has actual knowledge that the behavior is sexual harassment, the Title IX Coordinator must be contacted. The Title IX sexual harassment grievance process will be followed, if applicable, prior to imposing any discipline that cannot be imposed without resolution of the Title IX process.

In terms of the relationship of the teacher and principal in discipline matters, the Board expects that whenever a discipline problem appears to extend beyond the classroom, the teacher discusses the problem with the principal. The teacher(s) and the principal work together in attempting to control or correct the problem.

A student's failure to comply with the requirements for conduct outlined in the student handbooks may result in the student being disciplined. A student cannot be suspended, expelled or removed from school solely because of unexcused absences. The student may lose all rights to participate in school-related social events or extracurricular activities for a period of time determined by the principal. Depending on the seriousness of the offense committed by the student, suspension or expulsion may also result. Discipline is always administered in a reasonable manner.

If several methods of discipline have been used in an effort to solve a problem and it appears necessary, in the judgment of the principal and Superintendent, to discipline or withdraw privileges from a large group, this action may be taken. Any punishment technique involving an entire class or large group is used only as a last resort.

The Board requires a parent of a student who is suspended or expelled from school or who is truant or habitually absent from school to attend a parental education or training program. If the parent fails to attend the program, he/she may be charged with a misdemeanor of the fourth degree, punishable by a maximum fine of \$250 and imprisonment of up to 30 days.

[Adoption date:]

LEGAL REFS.: **Education Amendments of 1972, Title IX; 20 USC 1681 et seq.**

ORC 3313.20; 3313.66; 3313.661; 3313.662; 3313.668
3319.41
OAC 3301-32-09
3301-37-10

CROSS REFS.: **ACAA, Sexual Harassment**

ECAB, Vandalism
IGD, Cocurricular and Extracurricular Activities
JFC, Student Conduct (Zero Tolerance)
JGA, Corporal Punishment
JGD, Student Suspension
JGDA, Emergency Removal of Student
JGE, Student Expulsion
Student Handbooks

NOTE: House Bill (HB) 410 (2016) prohibits districts from extending a suspension into the next school year if there are less than 10 days remaining in the current school year. The superintendent may instead require the student to complete community service or another alternative consequence determined appropriate. Districts also are prohibited from disciplining a student based solely on the basis of the student being absent from school without legitimate excuse.

HB 318 (2018) restricts out-of-school suspensions and expulsions for students in grades pre-K through three unless the behavior rises to a certain level specified in State law. It is recognized that these forms of discipline are commonly used as a behavior management tool and therefore the General Assembly established a gradual phase in.

For each of the school years 2018-2019, 2019-2020, 2020-2021 and 2021-2022 each school district must report to Ohio Department of Education (ODE) the number of out-of-school suspensions and expulsions issued to a student in grades pre-K through three categorized by the following offenses:

- *Type 1 - A serious offense for which suspension or expulsion is required or authorized by law*
- *Type 2 - An offense not classified as a Type 1 serious offense, but for which the school determined suspension or expulsion was necessary to protect the immediate health and safety of the student, the student's classmates, or the staff and teachers*
- *Type 3 - Any other offense not described above*

Using the numbers reported for the 2018-2019 school year as a baseline each district must reduce the number of Type 3 suspensions and expulsions according to the following schedule to be in compliance with the revised law:

- *2017-2018 and 2018-2019 – 0% reduction in Type 3 suspensions and expulsions*
- *2019-2020 – 25% reduction in Type 3 suspensions and expulsions*
- *2020-2021 – 50% reduction in Type 3 suspensions and expulsions*
- *2021-2022 – 100% reduction in Type 3 suspensions and expulsions*

For the 2021-2022 school year and going forward all suspensions and expulsions for students in any of grades pre-K through three can only be for Type 1 or Type 2 offenses. Type 3 offenses must be at zero.

Reporting after the 2021-2022 school year will only be required if ODE determines that continued reporting of the information is needed to effectively carry out the requirements of HB 318.

HB 318 also makes clear that in-school-suspensions are to be served in a “supervised learning environment.”

On May 6, 2020, the U.S. Department of Education issued the long-awaited final Title IX regulations, which go into effect August 14, 2020. The Title IX regulations specifically define sexual harassment and establish detailed procedures for how school districts must respond to allegations of sexual harassment. Districts must follow the Title IX complaint process before the imposition of any disciplinary sanctions or other actions that are not supportive measures when the behavior is sexual harassment. This requirement will likely impact a district's current procedures for handling student discipline. Districts should ensure that all sexual harassment complaints are handled in accordance with the Title IX regulations that are outlined in ACAA, Sexual Harassment and ACAA-R, Sexual Harassment Grievance Process.