

4.17 -- STUDENT DISCIPLINE - School Board Policy

The Nemo Vista Board of Education has a responsibility to protect the health, safety, and welfare of the District's students and employees. To help maintain a safe environment conducive to high student achievement, the Board establishes policies necessary to regulate student behavior to promote an orderly school environment that is respectful of the rights of others and ensures the uniform enforcement of student discipline. Students are responsible for the conduct that occurs:

- At any time on the school grounds
- Off school grounds at a school-sponsored function, activity, or event; and
- Going to and from school or a school activity.

The District's administrators may also take disciplinary action against a student for off-campus conduct occurring at any time that would have a detrimental impact on school discipline, the educational environment, or the welfare of the students and/or staff. A student who has committed a criminal act while off campus and whose presence on campus could cause a substantial disruption to the school or endanger the welfare of other students or staff is subject to disciplinary action up to and including expulsion. Such acts could include, but are not limited to:

- a felony or an act that would be considered a felony if committed by an adult;
- an assault or battery;
- drug law violations; or
- sexual misconduct of a serious nature.

Any disciplinary action pursued by the District shall be per the student's appropriate due process rights.

The District shall incorporate the District's implementation of positive behavioral supports per Policy 4.60 in the application of student discipline.

The District's personnel policy committees shall annually review the District's student discipline policies, including State and District student discipline data, and may recommend changes in the policies to the Nemo Vista School Board. The Board has the responsibility of determining whether to approve any recommended changes to student discipline policies.

The District's student discipline policies shall be distributed to each student during the first week of school each year and to new students upon their enrollment. Each student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall sign and return to the school an acknowledgment form documenting that they have received the policies.

The District shall develop and provide programs, measures, or alternative means and methods for continued student engagement and educational access during periods of suspension or expulsion.

The superintendent is authorized to modify the penalties outlined in the District's student discipline policies on a case-by-case basis.

It is required by law that the principal or the person in charge reports to the police any incidents the person has personal knowledge of or has received information leading to a reasonable belief that a person has committed or threatened to commit an act of violence or any crime involving a deadly weapon on school property or while under school supervision. If the person making the report is not the Superintendent, that person shall also inform the Superintendent of the incident. Additionally, the principal shall inform any school employee or other person who initially receives that a report has been made to the appropriate law enforcement agency. The Superintendent or designee shall inform the Board of Directors of any such report made to law enforcement.

The superintendent shall make a report annually to the Board of Directors on student discipline data, which shall include, without limitation: the number of incidents of bullying reported and the actions taken regarding the reported incidents of bullying.

Discipline for Handicapped Students

1. Handicapped students who engage in misbehavior are subject to normal school disciplinary rules and procedures so long as such treatment does not abridge the right to free appropriate public

education.

2. The Individualized Education Plan (IEP) team for a handicapped student should consider whether particular discipline procedures should be adopted for that student and included in the IEP.
3. Handicapped students may be excluded from school for up to 10 days, but not more than 10 days per offense, with no program changes.
4. After an emergency suspension is imposed on a handicapped student, an immediate meeting of the student's IEP team should be held to determine the cause and effect of the suspension with a view toward assessing the effectiveness and appropriateness of the student's placement and toward minimizing the harm resulting from the exclusion.
5. The suspended student should be offered alternate educational programming for the duration of the exclusion.
6. There should be a person designated as a grievance officer for Act 504.

Cross References: 1.9—Policy Formulation

4.60---Student Behavioral Intervention and Restraint

Legal Reference: A.C.A. § 6-17-113

A.C. A § 6-18-502

A.C.A. § 6-18-514

A.C.A. § 6-18-2401 et seq

DESE Rules Governing Student Discipline and School Safety

Date Adopted: Oct. 2010

Last revised: July 2024