

## Students

Series 500

Policy Title: Student Conduct

Code No. 503.1

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### **I. Philosophy**

The Board believes inappropriate student conduct causes material and substantial disruption to the school environment, interferes with the rights of others, or presents a threat to the health and safety of students, employees, and visitors on school premises. Appropriate classroom behavior allows teachers to communicate more effectively with students.

The Marshalltown Community School District recognizes the vital relationship between an orderly atmosphere and a positive and successful learning experience in school. Discipline is a necessary ingredient for success, and its foundation originates in the home. As the first teacher of the child, it is the parent's responsibility to develop good habits of behavior as well as positive attitudes toward school. The child benefits when the home and the school work together toward the goal of educating the child to become a responsible member of society capable of self-discipline and effective decision making. The District encourages parents and guardians to recognize their responsibilities, and seeks a cooperative effort in the implementation of an effective climate. The implementation of school procedures is the joint responsibility of the Board of Education, school staff, students, and their parents. The dignity of the student, as an individual, should be protected with proper consideration for his or her personal feelings which may be associated with race, color, age, religion, creed, national origin, sex, marital status, sexual orientation, gender identity or disability. The recognition by the student and the staff member of mutual responsibilities in this connection will establish a mutual respect stimulating a sound environment for carrying out school procedures. Respect for the teachers, the principal, and staff in their professional capacity is an important part of the school system and that dignity should be protected. Members of the school staff shall have the authority necessary to carry out such school procedures, including the use of reasonable physical restraint to prevent and/or stop any act of interference with the scholarly, disciplined atmosphere of the school. Teachers and principals are assured of Central Office Administration and Board of Education cooperation and support in the efforts to maintain a properly disciplined atmosphere.

### **II. Jurisdiction**

Students will conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district.

Consequences for the misconduct will be fair and developmentally appropriate in light of the circumstances.

III. **School Discipline (Definition)**

School discipline is the guidance of the conduct of students in a way which permits the orderly and efficient operation of the school, as well as the maintenance of a scholarly, controlled environment in which maximum educational benefits for all pupils may be achieved.

IV. **Breach of Discipline**

Breach of discipline is any conduct by students which interferes with the maintenance of school discipline. Acts or behavior which tend to conflict with, or disrupt, the education program or which are antagonistic to other students or to school personnel cannot be tolerated. Insubordination and misbehavior are incompatible with good citizenship and good government.

V. **Examples of Breach of Discipline** (Not intended to be a complete listing)

- A. Inappropriate behaviors such as: temper tantrums, bully type behavior, fighting, cheating
- B. Use of profane, vulgar or obscene language, or loud and boisterous conduct which disturbs the orderly, efficient, and disciplined atmosphere and operation of the school
- C. Refusal to comply with the requests or directions of teachers, administrators, or other school personnel who are carrying out school responsibilities or duties (open defiance, insubordination or willful disobedience)
- D. Malicious mischief or vandalism. Defacing or destruction of any building or fixture which may include the willful writing, making marks, drawing characters, etc. on walls, furniture and fixtures
- E. Smoking or use of tobacco products on school premises or possession of cigarettes, cigars, smoking tobacco, e-cigarettes, or chewing tobacco on school premises in violation of school regulations
- F. The use, possession, sale, or attempted sale, of any alcoholic beverage or controlled substance on school property or at any school related activity
- G. Physical attack upon or threat of physical violence to teachers, students, or other school personnel, or persons within school jurisdiction
- H. Violation of policies 502.6, 502.11, 502.12 regarding weapons, gangs or violence
- I. Personal misbehavior, such as extortion, intimidation, or possession of dangerous objects
- J. Display of racial bigotry, intolerance or harassment due to race, color, age, religion, creed, national origin, sex, marital status, sexual orientation, gender identity or disability
- K. Violation of any criminal statute of the State of Iowa, or the United States.  
Examples of violations of such laws may include: assault, larceny, robbery, theft,

unlawful assembly, disturbing public assembly, malicious threats, malicious use of the telephone, or distribution of obscene material

L. Violation of Internet rules

**VI. Assault and Threats to School Personnel**

A. A student who commits an assault against an employee on school district property or on property within the jurisdiction of the school district; while on school-owned or school-operated chartered vehicles; or while attending or engaged in school district activities be suspended by the principal. If suspended, Notice of the suspension is sent to the board president. The board will review the suspension and decide whether to hold a disciplinary hearing to determine whether to impose further sanctions against the student which may include expulsion. In making its decision, the board shall consider the best interests of the school district, which shall include what is best to protect and ensure the safety of the school employees and students from the student committing the assault. Assault for purposes of this section of this policy is defined as, when, without justification, a student does any of the following:

- an act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act; or
- any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting or offensive, coupled with the apparent ability to execute the act; or
- intentionally points any firearm toward another or displays in a threatening manner any dangerous weapon toward another.

The act is not an assault when the person doing any of the above and the other person are voluntary participants in a sport, social or other activity, not in itself criminal, when the act is a reasonably foreseeable incident of such sport or activity, and does not create an unreasonable risk of serious injury or breach of the peace.

B. A student shall not be suspended or expelled under this Section if the suspension or expulsion would violate the federal Individuals with Disabilities Education Act.

**VII. Rules and Regulations Enforcement (Disciplinary Action)**

Students who fail to abide by this policy, and the administrative regulations supporting it, may be disciplined for conduct which disrupts or interferes with the education program; conduct which disrupts the orderly and efficient operation of the school district or school activity; conduct which disrupts the rights of other students to participate in or obtain their education; conduct that is violent or destructive; or conduct which interrupts the maintenance of a disciplined atmosphere. Disciplinary measures include, but are not limited to, removal from the classroom, detention, suspension, probation, and expulsion.

Each school building principal and the director of transportation may make such rules and regulations as deemed necessary to implement and carry out the intent of this policy subject to the approval of the superintendent and Board of Education. In the consideration of such approval, the superintendent shall give due regard to the desirability of uniformity of such rules and regulations.

#### **VIII. Special Education Rights**

Students identified as special education students shall receive all due process considerations required under federal and state legislation. A review of the student's individual educational program shall precede an expulsion hearing under this policy and shall be made a part of the record in any disciplinary proceedings where applicable.

Adopted: June 14, 1976

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December 16, 2013

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June 10, 1996  
February 24, 1997  
October 27, 1997  
January 26, 2004  
December 15, 2008  
January 16, 2018  
January 19, 2021

#### Legal Reference:

*Goss v. Lopez*, 419 U.S. 565 (1975).

*Brands v. Sheldon Community School District*, 671 F. Supp. 627 (N.D. Iowa 1987).

*Sims v. Colfax Comm. School Dist.*, 307 F Supp. 485 (Iowa 1970).

*Bunger v. Iowa High School Athletic Assn.*, 197 N.W.2d 555 (Iowa 1972).

*Board of Directors of Ind. School Dist. of Waterloo v. Green*, 259 Iowa 1260, 147 N.W.2d 854 (1967).

Iowa Code §§ 279.8;282.3, 282.4, 282.5;  
708.1. 281 I.A.C. 12.3(6)

Cross Reference: 501 Student Attendance  
502 Student Rights and Responsibilities  
503.6 Physical Restraint and Seclusion  
504 Student Activities  
603.3 Special Education  
903.5 Distribution of Materials