



**DISCIPLINE
AND
CODE OF CONDUCT
MANUAL**

DRESS CODE

**NOTICE OF
NON-DISCRIMINATION**

2010/2011

STUDENT CODE OF CONDUCT

The Hamilton City School District is committed to providing a safe and secure learning environment for all students. Clear expectations in the areas of discipline and dress will assist the district in achieving that goal. The purpose of this booklet is to state the district's behavioral and dress expectations for students, parents and community.

It is our expectation that all students will adhere to the rules as outlined in the Discipline and Code of Conduct book. In addition to the rules and regulations, the district has a strong focus on the teaching of character education. Our desire is that students will consistently demonstrate the ability to make the right choices and demonstrate good citizenship. We believe the districts' adopted character traits (Acceptance, Compassion, Honesty, Respect and Personal Responsibility) are the foundation from which Hamilton students will develop into well educated and productive 21st century citizens.

Janet Baker

Janet Baker, Superintendent
Hamilton City School District

The Hamilton City School District does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Kathy Leist, Assistant Superintendent Title IX Coordinator
Tim Carr, Title IX Coordinator
Bill Valerius, 504 Coordinator
533 Dayton Street
Hamilton, Ohio 45011
513-887-5000

This code of conduct is adopted by the Board of Education of the Hamilton City School District pursuant to Sections 3313.661 and 3313.662, Ohio Revised Code. Any student engaging in the following types of conduct either specifically or generally like the kinds of conduct listed in this Code of Conduct is subject to detention, issuance of demerits, Time-Out Center, Behavior Intervention Center (BIC), Extended Day Detention (ie. Friday/Saturday School), RESCUE, suspension, emergency suspension, expulsion, removal or permanent exclusion from curricular activities pursuant to the Ohio Revised Code. This code of conduct applies while a student is in the custody or control of the school, on school grounds or closely proximate thereto, while at a school-sponsored function or activity or on school-owned or provided transportation vehicles. In addition, the Student Code of Conduct governs a student's conduct at all times, on or off school property, when such student conduct is reasonably related to the health and safety of other students and/or school employees, or such conduct would unreasonably interrupt the educational processes of the Hamilton City Schools.

Student and staff safety is paramount in the orderly operation of the school and to help ensure safety, random use of metal detector devices may be utilized. It should be noted that lockers are school property and school personnel reserves the right to inspect them whenever the need arises. In the case of misuse of the district's network and Internet resources by a student user, disciplinary action may result in suspension and/or expulsion from school.

Ohio Revised Code 3313.66 requires that students are provided with a written notice of intent to suspend prior to being suspended.

The statute also requires that students and parents are provided with a written notice of intent to expel. The notices shall include: (1) a statement of intent to discipline; (2) a description of the acts which were in violation of the Student Code of Conduct; (3) specific rules of the Student Code of Conduct which were violated; (4) and the dates of the suspension or expulsion. The written notice of intent to suspend shall be given to the student at an informal hearing. The notice of intent to expel shall be sent to the student and his parents and the students and parents will be provided an opportunity for an informal hearing prior to a decision to expel. Students will receive an unexcused absence for each school day missed as a result of a suspension and/or expulsion. A student will receive zeros and will not be permitted to make up any missed work.

A student or his parents may appeal any decision of the Hamilton City School District administration to suspend a student from school to the Superintendent or his/her designee. A student or his parent may appeal an expulsion from school to the Board of Education or its designee. A student or parent must request an appeal in writing within 14 days after the discipline measure takes effect. The student and his parent may be represented in all appeal hearings. Pursuant to Ohio law, a student or parent may further appeal an expulsion or suspension to the Butler County Court of Common Pleas. It is the policy of the Hamilton City School District Board of Education that students shall not be permitted to return to school pending any appeal process with the administration or the court. The School District will make every effort to promptly hear all appeals to minimize a student's absence from school. Should the Board of Education, the Superintendent, or their designees, reverse or modify a discipline decision and permit a student to return to school, such student shall be permitted ample time to makeup all assignments and work missed as a result of his or her absence.

The following types of conduct prohibited by this Code of Conduct are as follows:

PART I

1. (1.1) Contemptuous/Insolent Behavior: A student shall not engage in any act which is rude or disrespectful, degrades, disgraces, or tends to degrade or disgrace a teacher, fellow student, or any other person by written or gestured means.
(1.2) Verbal Abuse: A student shall not threaten to harm or cause physical injury nor shall cause mental distress while under the jurisdiction of the school.
2. Vandalism/Destruction or Defacement of School and/or Private Property: A student shall not cause or attempt to cause damage or destruction to school property, property of school employees or property of other students, on or off school premises, including buildings, grounds, equipment, or materials; nor shall a student cause or attempt to cause damage to private property on school premises or at any school activity on or off school property or in areas controlled by the school.
3. (3.1) Disruption of School: A student shall not, by use of violence, force, coercion, written or verbal threat, or in any manner cause disruption or obstruction to the carrying on of a normal school day. A non-exhaustive list of examples of disruption would include unusual dress and appearance, strikes or walk-outs, the possession of fireworks including stink bombs and smoke bombs, the impeding of free traffic to or within the school.
(3.2) Nuisance Items: Use or possession of cell phones, ipods, cameras, laser pointers, beepers and other paging devices unless approved for health reasons, or any other non-approved electronic devices [O.R.C. 3313.753 (A)] is prohibited. Due to the potential for violation of student privacy rights and confidentiality, unauthorized use of cameras/camera phones for photos/videos without permission of the proper school authority is not permitted. The District does not take responsibility for missing or lost personal electronic communication devices.

(3.3) Unauthorized/Inappropriate Computer and/or Internet Use

(3.4) Behavior Problems: Repeated behavior of a disruptive nature that interferes with the learning environment; or any school activity.

(3.5) Signs and Slogans: A student may not place signs or slogans on school property without the permission of the proper school authority.

4. Theft/Stealing: A student shall not take or attempt to take into possession or possess the public property or equipment of the school district or the personal property of another person.

5. Extortion, Bribery: A student shall not take or attempt to take money or valuable possessions from another person by physical force or the threat of physical force. A student shall not offer money or favors to any person for personal gain.

(5.1) Forgery: A student shall not falsely use in writing the name of another person or falsify times, grades, dates, addresses, or other data on school forms or correspondence directed to the school.

(5.2) Cheating/Plagiarism: A student shall not cheat or plagiarize.

6. False Alarms: A student shall not initiate or circulate a report or warning of an impending fire, tornado, explosion, crime or other catastrophe without cause.

7. Gambling: A student shall not gamble or possess gambling devices on school premises. Some examples of gambling devices would include dice and cards (not an exhaustive list).

8. Hazing: No student, including leaders of student activities, shall plan, encourage, or engage in any hazing. Hazing is defined as doing any act, or coercing another to do any act, in connection with initiation into any student or other organization that causes or creates a substantial risk of mental or physical harm (O.R.C. 2307.44).

9. Loitering/Trespassing: A student shall not be present in a school building or restricted area of same at unauthorized times and in such a manner as reasonably may cause disruption to some activity or function, pose a threat to the safety and well-being of the student, or a disruption to the educational process.

10. Lying: A student shall not falsely report incidents, falsely accuse or give false testimony to school personnel.

11. Accumulation of Demerits/Detentions

12. Profanity and/or Obscene Language/Gestures: A student shall not use profanity or obscene language, gestures or pictures, either written or verbal, in communicating with anyone. Included in this prohibition would be the possession or publication of obscene pictures or materials.

13. School Bus Behavior: Students shall not violate any rules established by the Hamilton City School District for the purpose of safety and student control while using school buses. School bus behavior rules (see Part VI) shall apply for all regular school transportation and/or transportation for activities under the supervision and control of the school.

14. (14.1) Truancy/Unexcused Absence from School: It is necessary that a student be in attendance throughout the school day in order to benefit fully from the educational program. Pursuant to Senate Bill 181, students absent from school without legitimate excuse will be considered truant. A student will be considered truant if he/she is absent without knowledge or consent of parent. It must also be noted that parents cannot detain their children from school attendance without legal cause. Pursuant to State Bill (SB) 191 and SB 1, students may have their driver's license revoked for truancy. [(O.R.C. 3321.18, 3321.19, 3321.191, 3321.20, & 3321.13 (B)(2)].

(14.2) Tardiness/Early Dismissal: A student shall not be tardy to school. Early dismissal is to be avoided without compelling circumstances.

(14.3) Tardiness to class: A student shall not be tardy to class without authorization from an administrator.

(14.4) Skipping Classes : A student shall not be absent from class without authorization from an administrator.

(14.5) Leaving School Grounds: Students may not leave school after initial arrival without permission from the proper authority. During school hours, students will not leave school premises without permission from the proper authority.

(14.6) Out of Bounds

(14.7) Skipping Detention: A student shall not be absent from detention without authorization from an administrator.

15. Unauthorized Sale or Distribution: A student shall not sell or distribute or attempt to sell or distribute any object or substance which has not been authorized for sale or distribution by the building principal or principal's designee.

16. Tobacco/Tobacco Paraphernalia: A student is not permitted to possess, use, purchase or attempt to purchase, sell/distribute tobacco products, including clove cigarettes, cigars, pipes, chewing tobacco, snuff, dip, or other substances, or have in his/her possession any smoking paraphernalia, i.e. lighters, matches, etc. in any form in any school building or on school property or at any school-sponsored activity (O.R.C. 2151.87).

17. Uncooperative or Insubordinate: A student shall not disregard, fail to respond to, or fail to carry out a reasonable request by authorized school personnel

18. Unauthorized Use of Motor Vehicles: A student shall not operate a motor vehicle during normal school hours without administrative authorization and parent/guardian consent.

19. Harassment: A student shall not use words, pictures, objects, symbols, gestures or other actions relating to a person's race, national origin, handicap, appearance, religion, sex or other reason that may have the effect of causing embarrassment, discomfort or a reluctance to participate in school activities:

(19.1) Sexual Harassment: Any harassment relating to sexual activity or a person's gender.

(19.2) Hate-based Harassment

(19.3) Gang and/or Cult-Based Harassment

(19.4) Other Forms of Harassment

(19.5) Bullying – For the purposes of this rule, “bullying” is defined as an intentional written, verbal, electronic or physical act that a student exhibits toward another particular student more than once; and the behavior both (1) causes mental or physical harm to the student, and (2) is sufficiently severe, persistent, or pervasive that a reasonable person under the circumstances should know, will have the effect of:

- Placing a student in reasonable fear of physical harm or damage to the student’s property;
- Physically harming a student or damaging a student’s property; or
- Insulting or demeaning any student or group of students in such a way as to disrupt or interfere with the school’s educational mission or the education of any student.

20. (20.1) Unauthorized Touching.: A student shall not touch anyone in an unfriendly manner, nor behave in such a way that could cause physical injury.

(20.2) Fighting/Violence: Intentional behavior that causes, attempts or threatens physical injury.

(20.3) Public Display of Affection: Behavior that is not appropriate in the school setting such as kissing, hand holding, hugging, etc.

(20.4) Inappropriate Sexual Behavior: Engaging in sexual acts, displaying excessive affection or other inappropriate sexual behavior

21. Refusal to Report to Alternative Program: Time-Out Center, Behavior Intervention Center (BIC) and Extended Day Detention.

22. Disruptive Behavior in Alternative Program

23. (23.1) Failure to Report: Failing to report the actions or plans of another person to a teacher, counselor or administrator where these actions or plans, if carried out, could result in harm to another person or persons or damage to property, when the student has information about such actions or plans.

(23.2) Aiding and Abetting: Willfully aiding another person to violate school regulations.

24. Other Just Causes: Student misconduct not listed that is as serious in nature as the above may serve as grounds for disciplinary action.

For the purpose of the Student Code of Conduct, the following shall apply:

a. **“Emergency Suspension”** shall be the exclusion of a student who poses a continuing danger to District property or persons in the District whose behavior presents an ongoing threat of disrupting the educational process provided by the District.

b. **“Suspension”** shall be the temporary exclusion of a student by the Superintendent, principal, assistant principal, or any other administrator from the District’s instructional program for a period not to exceed ten (10) school days. Suspension may extend beyond the current school year, if at the time the suspension is imposed, fewer than ten (10) days remain in the school year. The

Superintendent may apply any or all of the period of the suspension to the following school year. The procedures for suspension are set forth in the Code of Conduct and Board Policy.

- c. **“Expulsion”** shall be the exclusion of a student from the schools of this District for a period not to exceed the greater of eighty (80) school days or the number of days remaining on the semester or term in which the incident that gives rise to the expulsion takes place or for one (1) year as specifically provided in this policy and the Student Code of Conduct. Only the Superintendent may expel a student. The procedures for expulsion are set forth in the Student Code of Conduct and Board Policy.
- d. **“Permanent Exclusion”** shall mean the student is banned forever from attending a public school in the State of Ohio.

PART II (Probable Recommendation for Expulsion)

The principal may suspend and may recommend for expulsion those students who violate the following rules:

- 25. Verbal Assault
- 26. Physical Assault (includes spitting on another person)
- 27. Verbal Threat
- 28. Written Threat
- 29. Physical Threat
- 30. Inducing Panic

- 31. Behavior Dangerous to Self or Others
- 32. Intimidation and/or Any Other Threatening Behavior
- 33. Physical/Verbal Abuse Constituting Harassment of Staff
- 34. Misconduct: Behavior by a pupil that, regardless of where it occurs, is directed at a school official or employee, or the property of such official or employee. O.R.C. 3313.661(A)
- 35. Profanity Directed Toward a Staff Member: Includes face-to-face, in response to, in reference to, etc...

PART III (Mandatory Recommendation for Expulsion)

It is mandatory that the principal suspend and recommend the expulsion of students who violate the following rules:

- 36. Threat/Violence Against a Staff Member
 - (36.1) Verbal Threat Toward a Staff Member
 - (36.2) Physical/Written Threat Toward a Staff Member
 - (36.3) Violence Toward School Staff
- 37. Physical Assault Against a Staff Member
- 38. Serious Bodily Injury: An incident that results in serious bodily injury to oneself or others. Serious Bodily Injury is defined as “A bodily injury that involves substantial risk of death; extreme physical pain; disfigurement or impairment (18 U.S.C. Section 1365(3)(h))”. O.R.C. 2901.01 (A)(6)

39. Unauthorized Fire: A student shall not ignite an unauthorized flame including fireworks, stink bombs and incendiary devices in any part of any building or any property of the Board of Education of the Hamilton City School District.

40. Weapons: A student shall not possess, handle, transmit or use any object or look-alike object offensively or defensively that can be considered a weapon on school property at any time or at any school-sponsored event.

(40.1) Use/Possession of Weapon other than Gun or Knife

(40.2) Sale/Distribution of Weapon other than Gun or Knife

(40.3) Use/Possession/Sale/Distribution of any Explosive, Incendiary or Poisonous Gas or Ammunition

41. Narcotics, Alcoholic Beverages and Drugs: A student shall not buy, sell, use, possess, conceal, show signs of, or distribute any of the following:

(41.1) Use/Possession of Alcohol: Any liquid beverage that contains alcohol;

(41.2) Use/Possession of Other Drug: Any controlled substances (drugs, narcotics, marijuana, etc.) or inhalants including any over-the-counter medication;

(41.3) Sale/Distribution of Alcohol/Drugs

(41.4) Counterfeit Controlled Substances: Any counterfeit controlled substance, defined as any substance that is made to look like a controlled substance, or is represented to be a controlled substance, or that is believed to be a controlled substance;

(41.5) Drug Paraphernalia: Any drug or alcoholic paraphernalia including instruments, objects, papers, pipes, containers, etc.

First Offense for any Chemical Related Violation:

1. The principal will suspend the student for ten (10) days with a recommendation for an eighty (80) day expulsion to the Superintendent.
2. The principal will notify the parent or guardian in writing, using the suspension form.
3. A hearing with the Director of Student Services is required.
4. The principal/assistant principal will contact the parent or guardian to arrange a conference to discuss and sign the "Memorandum of Understanding."
5. The principal/assistant principal will notify the Director of Social Responsibility.
6. The Director of Social Responsibility may notify the Juvenile Officer of the Hamilton Police Department.
7. As per the "Memorandum of Understanding", the student must be evaluated by a trained chemical dependency counselor within 48 hours for a professional opinion concerning where he/she falls on the continuum between experimentation and addiction. Education or treatment may be recommended by the referral agency. Student will be required to participate in any recommended treatment. The evaluation must be conducted by a C.A.P.P. approved program or professional.

The student is not eligible to return to his/her school until the urinalysis and assessment are completed and the results received by the District.

8. If the appropriate referral agency notifies the Director of Social Responsibility that the student is not participating in the treatment program, any recommendation for out of school expulsion that was placed into abeyance will be reinstated.
9. Students who forego the evaluation process are subject to normal disciplinary procedures, i.e. out of school expulsion for up to eighty (80) days.

Second Offense for any Chemical Related Violation and/or First Offense for Distributing/Selling:

Students distributing or selling chemicals and/or students having a second chemical-related violation will be suspended for ten (10) days and recommended out of school for expulsion for up to eighty (80) days and the Director of Social Responsibility will notify the Juvenile Office of the Hamilton Police Department. A hearing with the Director of Student Services is required.

When a student is expelled for possession, use, distribution of drugs and/or alcohol, the Superintendent or designee may notify the Registrar of Motor Vehicles and the Judge of Juvenile Court to revoke the student's driver's license or instructional permit. Such notification is to be given within two (2) weeks after expulsion in a manner that complies with the provision of O.R.C. 3321.13 (B)(3).

Follow-Up Services:

Upon return from suspension, expulsion, residential or outpatient treatment, the following support services will be provided:

1. Student and parent will have a re-admission conference.
 2. Student may be scheduled and expected to attend student support groups or individual sessions.
42. Violation of Ohio Criminal, Traffic, or Juvenile Code: Commission by a student of any crime in violation of the Ohio Criminal Code, Ohio Traffic Code, or the Ohio Juvenile Code on or off the school grounds, regardless if school related or not, that would, in the judgment of school officials, be a detriment to the ongoing educational processes and/or orderly administration of the school if the student were permitted to continue regular school attendance.

PART IV Mandatory Recommendation for Expulsion for One (1) Calendar Year

43. Weapons: A student shall not possess, handle, transmit, or use any object, including look-alike objects, offensively or defensively that can be considered a weapon on school property at any time or at any school-sponsored event (O.R.C. 3313.66).

(43.1) Use/Possession of Gun

(43.2) Use/Possession of Knife

(43.3) Sale/Distribution of Gun or Knife

44. Bomb Threat: O.R.C. 3313.661

PART V: Dress Code and Disciplinary Procedures

45. Dress Code: The Board Policy states: Dress and grooming are rightfully the responsibility of the individual student and his/her parents. To be proper for school, dress and grooming should be clean, neat, and appropriate and should not constitute a safety or health hazard or be such that it might hamper the educational process. If the student and/or parents fail in their responsibilities, dress and grooming thus become a part of the school's responsibilities. In such cases, the principal and/or those designated by him/her shall be required to assist in solving the problem as it concerns the school. These rules are stated to improve the learning environment, bridge socio-economic disparities among families and provide other positive benefits.

Specifically:

1. Students are to wear clothes that fit (not too loose, tight, short, long, etc.). Both upper body and lower body garments are to be worn in a manner to provide for safety and modesty. Pajama or sleepwear attire is not permitted.
2. Short skirts and mini-skirts are not permitted. The appropriate length for skirts, skorts, and shorts is no shorter than the width of your fist when placed at the top of the knee-cap when seated or standing.
3. Shirts and blouses that are "see-through", cut low, show cleavage, or expose one's midriff or undergarments when the student sits, stands, raises his/her hand or bends over are not permitted. Open mesh garments or garments that expose skin are not permitted.

4. Tank tops, muscle shirts and halter-tops are not permitted. All shirts must extend from the base of the neck to the top of the arm, fit closely under the arms and may not have open sides.
5. Hats, hoods, coats, bandanas, "do-rags", stocking caps, sunglasses, hairnets, gloves and sweatbands are not to be carried or worn inside the building.
6. No clothing, jewelry, tattoos or other personal items may be worn bearing a picture or lettering which is sexually explicit, obscene, vulgar, offensive or libelous; suggests violence, death, suicide, or hate; shows disrespect to any person or group of people; bears advertising related to alcohol, tobacco and/or drugs; or that is otherwise contrary to the school's educational mission. Tattoos that do not conform to the requirements of this paragraph must be covered.
7. Writing on clothing, hands and other body parts, as well as face painting, is not permitted.
8. Footwear must be worn that is appropriate for the school environment, which includes stairs and emergency drills, provide for safe and sanitary conditions and not present a safety hazard. Examples of unacceptable footwear include but are not limited to house slippers, skate shoes, and spiked heels. It is recommended that shoes with a back strap or closed back be worn by children at school. Athletic shoes are the best choice for the K-6 environment.
9. Short shorts, biking pants/biking shorts are not permitted. Due to no longer using gym shorts, all shorts may be no shorter than the width of your fist when standing. Elementary students may wear shorts before November 1 and after March 1 each school year.

10. Unnaturally colored hair, extreme/distracting makeup, haircuts and hairstyles, including but not limited to mohawks are not permitted. Examples of unnatural hair colors could include but are not limited to blue, green, red, purple, orange, etc.
11. Body piercing adornments are to be worn in the ears only and are not to be extreme or distracting. Band-aids and spacers are not permitted.
12. Lower garments are to be worn at waist level and must be properly fastened. Students shall not wear pants that sag, fit below the waist or drag the floor – the “droop” look is not acceptable. Belts must be of proper length. Undergarments are not to be exposed when the student sits, stands, raises his/her hand, or bends over.
13. Extreme or distracting jewelry, including but not limited to “dog collars”, spiked bracelets and chains, including wallet chains, as well as other articles judged to be potentially hazardous, extreme or distracting are not permitted. No jewelry that could be dangerous to persons or destructive to school property is permitted.
14. Gang or cult-related items of any kind are not permitted. Principals may prohibit the presence of any apparel, jewelry, accessory or manner of grooming which, by virtue of its color, arrangement, trademark, or any other attribute, denotes membership in such a group.
15. Torn or tattered clothing and clothing with holes, including cut-offs, are not permitted.

16. Winter coats, including but not limited to Trench coats, bubble jackets, parkas, or any other heavy coat/jacket may not be worn or carried in the building. Students must place these jackets and/or coats in their lockers, or specified area, prior to the beginning of the school day.

❖ **These guidelines are not to be considered all-inclusive. The Administration reserves the right to deal with any apparel deemed inappropriate for school.**

PART VI Bus Rules

In order to ensure the safety and welfare of all school bus passengers, students must adhere to the following rules. Failure to do so may result in suspension or expulsion from bus and/or school.

1. Observe same conduct as expected in the classroom and obey the Driver promptly and respectfully.
2. Be courteous and use no profane language.
3. Do not eat or drink on the bus. NO GUM.
4. Cooperate with the driver. Follow directions from driver while on the bus.
5. Windows may only be opened with driver permission.
6. Keep the bus clean.
7. No smoking or tobacco use.
8. Do not be destructive.

9. Stay in your seat. Do not change seats. Keep aisles and exits clear.
10. Keep head, hands and feet inside the bus.
11. Bus driver is authorized to assign seats.
12. Students may ride only their assigned school bus, and must board and depart from the bus only at their assigned bus stop unless they have an emergency bus pass signed by the building Administrator.
13. Students who intentionally ride the wrong bus in order to fight, observe a fight or assault may receive discipline.
14. Use/possession of cell phones is prohibited.

R.C. 2919.222, 3313.534, 3313.649, 3313.66, 3313.661,
3313.663, 3313.664, 3321.13(B)(3) and (C), 3327.014
18 U.S.C. #921
20 U.S.C. #3351, 20 U.S.C. #7151, 20 U.S.C. #8921