

Exceptional Misconduct

Exceptional misconducts pose an immediate and/or continuing danger to the student, other students, or school personnel, or are behaviors that are so serious in terms of the disruptive effect upon the operation of the schools or are so frequent in their occurrence that an immediate short-term or long-term suspension or expulsion is warranted on the first offense. Exceptional misconduct also includes related conduct or omission that reasonably establishes an intent to commit or through planning, meeting, organizing, communicating, or conspiring in a manner to instigate, encourage, assist, aide, persuade or facilitate others or self to commit acts of exceptional misconduct.

- A. The following misconduct may result in immediate short-term or long-term suspension or expulsion on the first offense:
1. Arson; reckless burning;
 2. Assault
 3. Burglary, larceny, robbery, stealing
 4. Extortion
 5. Failure to submit to lawful supervisory and disciplinary authority of the district and school
 6. Failure to submit to reasonable corrective action imposed by the district or its authorized employees
 7. False alarms
 8. Fighting
 9. Gang membership or affiliation implied through behavior, apparel, activities, acts or other attributes that lead or reasonably could lead to disrupting the educational process. A "gang" means a group, organization, or association which: a) consists of three or more persons; b) has identifiable leadership; and c) on an ongoing basis conspires and acts in conduct mainly for criminal purposes.

A material disruption to the educational process may be found to exist if:

- a) Wearing, carrying, or displaying gang-related apparel that intimidates, causes harassment or affects attendance of another student. Examples of gang-related apparel may include but are not limited to bandannas and hats altered in appearance by the owner. Any combination of clothing reasonably determined to be gang-related, or clothing which law enforcement agencies currently consider gang-related is prohibited. (These items may change.)
 - b) Exhibiting behavior or gestures which symbolize gang membership, or planning, organizing, financing, soliciting or threatening the commission of an act that is in violation of law or district rules causing and/or participating in activities which intimidates, causes harassment or affects the attendance of another student.
10. Acts of harassment, and/or retaliation; hostility, hazing, defamation, lewdness, obscenity, profanity
 11. Lewd conduct, indecent exposure, use of obscenity, profanity - oral or written, or gestured, in any form including but not limited to oral, physical or written attacks
 12. Malicious mischief and/or endangering the health and safety of self or others
 13. Possession of stolen property; possession of property reported lost or missing
 14. Possession, use, threat and/or sale of explosive devices including, but not limited to fireworks, ammunition, blasting caps, incendiary components or any combination of incendiary or explosive items
 15. Nuisance and Dangerous items
 - a) Possession, use, trade, purchase or distribution of any item that is capable of inflicting serious bodily harm when used with an intent to harm someone or when there is no other reasonable purpose for possessing the object except to use it as a weapon, whether or not specifically defined as a dangerous weapon; or

- b) possession, use, trade, purchase or distribution of any item that is capable of influencing serious bodily harm or disruption, or the District or building administrator has given reasonable notice to all students and their parents that the item is banned from school premises. Examples include but are not limited to toys, tools, lighters, laser pointers, pagers, and matches.
16. Under the influence, use, consumption, consumption in advance of a school activity, possession, sale, purchase, trade and/or distribution of alcohol, and/or controlled substances, or under the influence, misuse, sale, purchase, trade and/or distribution of non-prescription or prescription drugs, inhalants and/or look-alike drugs; controlled substance paraphernalia
 17. Interference with, threats, intimidation, or false accusations of students and/or school authorities
 18. Vandalism; Any damage to school or district property (Loss sufficient to be classified as a felony based upon the state criminal codes will be reported to law enforcement and charges pursued.)
 19. Violations of Internet Acceptable Use Procedures; Application of technology hardware or software that results in theft, destruction, alteration, misrepresentation, distribution of another student's product, of any school product created by student or district staff, or school or district network and/or data management system
 20. Perform acts of misrepresentation
 - a) Falsify parent's, guardian's or other person's authorization on any school document or in any communication with the school;
 - b) Cheat, plagiarize, or turn in another person's papers, projects, computer-generated products, programs, etc., as one's own or enable misrepresentation to occur;
 - c) Other acts of misrepresentation; verbal or written.
 21. Participating in smoking, use of tobacco, or possession of tobacco products

22. Trespass: enter or remain unlawfully in school district buildings or on any part of district property or adjacent areas.
- B. The building administrators and district-level hearing officer are authorized to grant exceptions in cases involving extenuating and/or exceptional circumstances.