

Greater Albany SD 8J
Administrative Regulation

Code: **EEACC-AR**
Adopted: 4/14/08

Discipline Procedures for District-Approved Student Transportation

All students eligible for district-approved student transportation shall receive safety instruction and a code of conduct.

Violation of the code of conduct or conduct which jeopardizes the health/safety of self and/or others may result in the loss of district-approved transportation services.

The following procedures address:

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| 1. Safety instructions; | 6. Right of appeal; |
| 2. Code of conduct; | 7. Reinstatement; |
| 3. Violations; | 8. Education; |
| 4. Suspension; | 9. Special education students. |
| 5. Expulsion; | |

1. Safety Instructions

- a. Each September and January, the transportation supervisor will direct all bus drivers to conduct a safety review with all students who are regularly transported by the district.
 - (1) Safe school bus riding procedures, including but not limited to loading, unloading, crossing etc;
 - (2) Use of emergency exits; and
 - (3) Planned and orderly evacuation of the school bus in case of emergency, including participation in actual evacuation drills.

- b. Each September and January the transportation supervisor will direct all bus drivers to conduct a safety review with all other students.
 - (1) The drivers shall review safe bus riding procedures.
 - (2) The drivers shall review use of emergency exits.

- c. The transportation supervisor will record dates and content of safety instructions by each driver. Such information shall be kept as a part of the district's records.

2. Code of Conduct

- a. Each year the district will include the following transportation rules in the student/parent or guardian¹ handbook. The district will provide interpretation to those students/parents or guardians whose primary language is not English.

While riding a school bus, students will:

1. Obey the driver at all times;
2. Not throw objects;
- *3. Not have in their possession any weapon as defined by Board policy JFCJ - Weapons in the Schools;
- *4. Not fight, wrestle or scuffle;
- *5. Not stand up and/or move from seats while the bus is in motion;
- *6. Not extend hands, head, feet or objects from windows or doors;
- *7. Not possess matches or other incendiaries and concussion devices;
- *8. Use emergency exits only as directed by the driver;
- *9. Not damage school property or the personal property of others;
- *10. Not threaten or physically harm the driver or other riders;
- *11. Not do any disruptive activity which might cause the driver to stop in order to reestablish order;
- *12. Not make disrespectful or obscene statements;
- *13. Not possess and/or use tobacco, alcohol or illegal drugs;
14. Not eat or chew gum;
15. Not carry glass containers or other glass objects;
16. Not take onto the bus skateboards, musical instruments or other large objects which might pose safety risks or barriers to safe entry and exit from the bus;
17. Accept assigned seats;
18. Stay away from the bus when it is moving;
19. Be at the bus stop five minutes before the scheduled pick up time (schedules will be posted on all buses);
- **20. Answer to coaches, teachers and chaperons who are responsible for maintaining order on trips.

* These regulations, if broken, are SEVERE violations with severe consequences because of the threat to the safety of others.

** Coaches, teachers and chaperones: (1) must have a copy of the bus regulations and know them before going on a trip; and (2) must position themselves on the bus as to be in control of discipline at all times.

I have read the above rules and have discussed them with my student. We understand the importance of this code of conduct.

Parent or Guardian

Student

¹As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, and adult student to whom rights have transferred and foster parent as defined in OAR 581-015-0005 (18).

3. Violations

Each year the district will include the following procedures for violations in the student/parent handbook or issue the procedures to all students and parents or guardians accompanied by a form to be signed as an acknowledgment of being read and understood.

The district will provide interpretation to those students/parents whose primary language is not English.

DISCIPLINARY PROCEDURES FOR VIOLATIONS

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| 1. First and Second Incident Reports:
(For minor infractions) | Driver addresses misbehavior and verbally restates behavior expectations. The driver may assign the student to a particular seat. |
| 2. First Conduct Report* – Warning: (After multiple Incident Reports) | Driver addresses misbehavior, verbally restates expectations and issues a Conduct Report*. The driver may assign the student to a particular seat. The school administrator will meet with the student to discuss misbehavior. (Severe violations or multiple Incident Reports may result in further action at the school administrator’s discretion.) |
| 3. Second Conduct Report* of the year: | Driver addresses misbehavior, verbally restates expectations and issues a Conduct Report*. Student may have bus riding privileges suspended for 3-5 days. The school administrator will meet with the student to discuss misbehavior. |
| 4. Third Conduct Report* of the year: | The student may receive a 5-10 bus suspension and will meet with the school administrator to discuss misbehavior. Further violations of bus regulations will be considered a severe violation. |
| 5. Fourth Conduct Report* of the year: (or severe violation) | Any severe violation (see Code of Conduct) may result in the recommended immediate bus suspension of the student for a minimum of 10 days, and up to a one-year expulsion. There will be a hearing in which these parties may participate: the student, parent or guardian, the driver, transportation supervisor and the school administrator. |

* The parents or guardian, driver and school administrator must sign all conduct reports.

Definitions:

“Suspension” means any disciplinary removal, other than expulsion, for up to 10 school days.

“Expulsion” means any disciplinary removal beyond 10 school days up to one calendar year.

4. Suspension Procedures

Normally the suspension process shall be in accordance with the following procedures:

- a. Suspension hearings shall be conducted in private, and will be more informal than is the case of an expulsion hearing. The hearing will be conducted by the designated representative of the superintendent. The procedure should be more of a conversation between the two parties than a formal hearing;
- b. The student will be informed of the violation(s) and given the opportunity to be heard and present his/her view of the occurrence;
- c. If a suspension follows, the student will be given the reason(s) for the action, the duration of the suspension and the tentative procedures for reinstatement;
- d. If possible, parents or guardians will be notified immediately by telephone of the suspension and given reasons for the action. The parents or guardians will be encouraged to conference with the building administrator. Arrangement should be made for the student's transportation to and from school and to other school activities;
- e. A written communication will be mailed to the student and parents and guardians restating the reasons for the action(s), the duration of the suspension and procedure for arranging a mutually satisfactory time for a conference for possible readmittance;
- f. The written communication shall state that the parent may appeal the reason for suspension and the duration of suspension to the appropriate administrator;
- g. In special or emergency circumstances, a suspension may be continued until some specific pending action occurs, such as a physical or mental examination, incarceration by court action or if there is a serious risk that substantial harm will occur if the suspension is terminated pending an intended expulsion.

5. Expulsion Procedures

- a. Students will not be expelled without a hearing unless the student's parents or guardians waive the right to a hearing, either in writing or by failure to appear at a scheduled hearing. By waiving the right to a hearing, the student and parent or guardian agree to abide by the findings of a hearings officer.

When an expulsion hearing is not waived, the following procedure is required:

- (1) Notice will be given to the student and the parent or guardian by personal service or by certified mail at least five school days prior to the scheduled hearing. Notice will include:
 - (a) The specific charge or charges;
 - (b) The conduct constituting the alleged violation, including the nature of the evidence of the violation;
 - (c) A recommendation for expulsion;
 - (d) The student's right to a hearing;
 - (e) When and where the hearing will take place; and
 - (f) The right to representation.
- (2) The superintendent or designee will act as hearings officer. The district may contract with an individual who is not employed by the district to serve as the hearings officer.

The hearings officer will conduct the hearing and will not be associated with the initial actions of the building administrators;

- (3) In case the parent/guardian or student has difficulty understanding the English language or has other serious communication disabilities, the district will provide a translator;
- (4) The student will be permitted to have a representative present at the hearing to advise and to present arguments. The representative may be an attorney and/or parent or guardian. The school district's attorney may be present;
- (5) The student will be afforded the right to present his/her version of the charge(s) and to introduce evidence by testimony, writings or other exhibits;
- (6) The student will be permitted to be present and to hear the evidence presented by the district;
- (7) The hearings officer will determine the facts of each case on the evidence presented at the hearing. Evidence may include the relevant past history and student education records. Findings of fact as to whether the student has committed the alleged conduct will be submitted to the Board, along with the officer's decision on disciplinary action, if any, including the duration of any expulsion. This decision will be available in identical form to the Board, the student and the student's parents or guardians at the same time;
- (8) The hearings officer or the student may make a record of the hearing;
- (9) The hearings officer's decision may be appealed to the School Board. At a time chosen by the Board, the Board will review the hearings officer's decision and will affirm, modify or reverse the decision. Parents/Guardians or students who wish to appeal the hearings officer's decision will have the opportunity to be heard at the time of the Board reviews the decision;
- (10) Expulsion hearings will be conducted in private and Board review of the hearings officer's decision will be conducted in executive session unless the student or the student's parents or guardians request a public hearing. If an executive session is held by the Board or a private hearing by the hearings officer, the following will not be made public:
 - (a) The name of the minor student;
 - (b) The issues involved;
 - (c) The discussion;
 - (d) The vote of Board members, which may be taken in executive session.

6. Right of Appeal

- a. At each step of the discipline procedures used in district-approved transportation services, parents or guardians, students and/or a representative have a right to appeal.
- b. All appeals must be in writing.
- c. Appeals are to be made to the responsible person at the level of appeal.
- d. Final appeal may be made to the Board.
- e. Board decisions are final.

7. Reinstatement

A conference to discuss reinstatement shall be conducted under the following guidelines:

- a. When deemed necessary, parent(s) or guardian(s) and student shall be present at the conference;

- b. The principal shall fully explain matters and permit the parties involved to fully explain their positions;
- c. The principal shall make a decision which provides guidelines for the student to follow when transportation services are reinstated.

8. Education

- a. Disciplinary action for violating the transportation code of conduct and/or transportation health and safety requirements shall be confined to district-approved transportation services.

Therefore, students who have lost district-approved transportation services through a disciplinary action shall be expected to continue with the district's educational requirements.

- b. Students' academic grades will reflect academic achievement. Therefore, misconduct or absenteeism shall not be a sole criterion for grade reduction. Students will be expected to continue to meet the district's attendance and educational requirements.
- c. Makeup work may be provided:

If makeup work is needed, the district's policy and procedures will be followed.

Alternative education may be provided in accordance with the district's policy and procedures.

9. Special Education Students

Special education students will be disciplined in accordance with Board policy JGDA/JGEA – Discipline of Disabled Students and accompanying administrative regulation.