

## **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:

1. Safety instructions;
2. Code of conduct;
3. Violations;
4. Suspension;
5. Expulsion;
6. Special education students.

1. Safety Instructions

- a. Within the first six weeks of each half of the school year the transportation director 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. Within the first six weeks of the school year the district transportation director will direct all bus drivers and/or building administrators to conduct a safety review with all other students which will include:
  - (1) Safe bus riding procedures;
  - (2) Use of emergency exits.
- c. The district transportation director will record dates and content of safety instructions in each safety review. 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 handbook. The district will provide interpretation to those students/parents 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. Comply with coaches, teachers and chaperons who are responsible for maintaining order on trips.

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

\*\* Coaches, teachers and chaperons: (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.

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### 3. Violations

Each year the district will include the following procedures for violations in the student/parent handbook. The district will provide interpretation to those students/parents whose primary language is not English.

#### DISCIPLINARY PROCEDURES FOR VIOLATIONS

1. First Citation - Warning\*: The driver verbally restates behavior expectations and issues a warning citation\*. The driver may assign the student to a particular seat.
2. Second Citation\*: The student is suspended from the bus until a conference, arranged by building administrator, has been held with the student, the parent, the bus driver, and the building administrator.
3. Third Citation\* of the year: The student receives a 5- to 10-day suspension and will not be able to ride the bus until a conference, arranged by district transportation, has been held with the student, the parent, the bus driver, and the building administrator. Any subsequent violation of bus regulations will be considered a severe violation.
4. Severe Violations: Any severe violation may result in the immediate suspension of the student for a minimum of 10 days, and up to a 1-year expulsion. Any removal for longer than 10 days will result in a hearing according to the procedure.
5. Appeal: A student or the parent/guardian of a student may appeal the suspension of transportation services to the superintendent. The appeal must be made in writing, state the reasons(s) for the appeal, and be received by the superintendent's office within two days of the administration's decision to suspend the student from transportation services. The superintendent or designee will review the record and render a written decision within three days of receipt of the written appeal. The superintendent's decision is final.

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\* All citations must be signed by the parent/guardian, the bus driver and the building administrator before the student will be allowed to ride the bus again.

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#### **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

Due process procedures used by the district governing student behavior shall be applied.

## 5. Expulsion Procedures

- a. Due process procedures used by the district governing student behavior shall be applied. Students will not be expelled without a hearing unless the student's parents 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 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 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 administrators;
- (3) In case the parent 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. The 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 at the same time;
- (8) The hearings officer or the student may make a record of the hearing;
- (9) The hearings officer's decision is final. However, this decision may be appealed to the Board. At its next regular meeting, the Board will review the hearings officer's decision and will affirm, modify or reverse the decision. Parents or students who wish to appeal the hearings officer's decision will have the opportunity to be heard at the time 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 parent requests 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, 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) 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.

- d. Alternative education may be provided:

If alternative education is needed, the district's policy and procedures will be followed.

9. Special Education Students

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

10. Protection for Students not yet Eligible for Special Education

- a. The district will follow all special education disciplinary procedures for a student who has not yet been identified as a student with a disability if the district had knowledge that the student had a disability and needed special education.
- b. The district is presumed to have such knowledge if, before the behavior that precipitated the disciplinary action occurred:
  - (1) The student's parent(s) expressed a concern in writing to supervisory or administrative school personnel, or to a teacher of the student, that the student is in need of special education and related services;
  - (2) The student's parent(s) requested a special education evaluation of the student; or
  - (3) The student's teacher or other school personnel expressed specific concerns about a pattern of behavior demonstrated by the student directly to the district's special education director or other district supervisory personnel.
- c. The district is not presumed to have knowledge of a disability if:
  - (1) The parent has not allowed an evaluation of the student or has refused the initial provision of special education services to the student; or
  - (2) The student has been evaluated and found not eligible for special education services.
- d. If the district did not have knowledge before taking disciplinary action against the student, the district may take the same disciplinary actions as applied to students without disabilities who engaged in comparable behaviors. However:
  - (1) If a special education evaluation is requested, or if the district initiates a special education evaluation, the evaluation will be conducted in an expedited manner.
  - (2) Until the evaluation is completed, the student may remain in the educational placement determined by school personnel, which may include suspension, expulsion or placement in alternative education.
  - (3) Upon completion of the evaluation, if the student is determined to be a student with a disability, the district will conduct an IEP meeting to develop an IEP and determine placement and will provide special education and related services in accordance with the IEP.
  - (4) The district will apply the IDEA discipline protections beginning on the date of the eligibility determination.