



Code: **EEACC-AR**  
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## **Student Conduct on School Buses**

All students eligible for district-approved student transportation shall receive safety instruction.

### **1. Safety Instructions**

- a. Within the first six weeks of each half of the school year 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. At least once in the first half of each school year 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.

### **Referral Slips**

The intent of the referral slip is as a deterrent to major infractions and to expedite the handling of most incidents. Bus drivers will not refuse bus entry to a child at home or school unless both the parents and the driver have been notified by the principal.

Referral slips should be used as incidents occur and the student should be informed s/he is being referred. Bus drivers should be advised of actions taken. When suspension of bus riding privileges is indicated, principals will have written material to assist in supporting decisions to parents.

Contact with parents/guardians is mandatory at the elementary level before revoking bus riding privileges.

In the event an administrator is not available, the bus driver will contact the transportation supervisor for appropriate action or direction.

In the event of a circumstance not covered by policy, common sense must prevail. For a decision that must be made immediately on the bus, the driver, although s/he must answer for the action, has the authority. In such cases, the principal and transportation supervisor should be notified immediately of the action taken.

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

### **Code of Conduct**

1. Each year the district will include the following transportation rules in the student/parent handbook or issue a code of conduct to all students and parents accompanied with a district form to be signed and returned as acknowledgment of being read and understood. The district will provide interpretation to those students/parents whose primary language is not English.
2. All of the conduct policy in other student personnel policies apply to transportation in addition to the transportation rules.

### **Suspension Procedures for Transportation Violations**

Suspension removes from a student the privilege of riding the school bus for a maximum of 10 calendar days. In special circumstances a suspension may continue until some specific pending action occurs such as a court hearing, a medical evaluation, or a review by a probation officer. Suspensions are made by the principal and are not to be used in lieu of expulsion. School days missed while on suspension from riding the bus will be considered unexcused absences.

Suspension procedures are as follows:

1. An informal conference is held between the student and the principal or vice principal. The student receives an explanation of the charges against him/her and an opportunity to present his/her version of the facts. The principal or vice principal may question other people with knowledge of the incident. If the principal or vice principal believes that suspension is warranted, the student is suspended from riding the bus beginning the next school day. Where there is a serious risk that substantial harm will occur by the student's continued presence on the bus, the student will be returned to school and removed from the bus immediately.
2. The parents are notified by phone (if possible) of the suspension from riding the bus, the reasons for the action, and the procedures for review of the suspension and for reinstatement. The school will attempt to schedule a conference with the parents at a mutually convenient time. The conference will include, if possible, the student, parent, the bus driver and/or transportation supervisor may be included if the administrator deems necessary.
3. A letter is mailed or carried to the parents stating the time, date, and specific reasons for the suspension, the maximum length of the suspension, and the procedures to be followed for review of the decision and for reinstatement. If a conference has not yet been scheduled, the letter will ask the parents to arrange for a conference at their earliest convenience.
4. During the conference the student's overall behavior as well as the bus difficulties will be reviewed in an effort to determine additional steps that need to be taken by the school, the student, and the parents to insure his/her future success on the bus. If the student is identified as special needs, one

of the steps may be to convene the multidisciplinary team to determine if there needs to be a change in the Individual Education Plan or if evaluation should take place.

5. If, after the school conference, the parents and student still believe that the suspension was not warranted, they may seek review of the decision by the director of business services.
6. In special circumstances the school board may, on its own initiative or on request by the director of business services, or parents, make a final review of the decision.
7. If a student has a special needs, they will be disciplined in accordance with board policy JGDA/JGEA - Discipline of Students with Disabilities.

### **Expulsion Procedures for Transportation Violations**

Expulsion denies the student access to district-provided transportation. Expulsion recommendations are made by the principal.

Expulsion procedures are as follows:

1. The student is suspended (in accordance with the suspension regulations) pending further investigation for a possible expulsion.
  2. A report of the student's bus behavior and record is transferred to the principal. If the student has a special need they will be disciplined in accordance with board policy JGDA/JGEA - Discipline of Students with Disabilities.
  3. The principal will contact the parents by phone, if possible, or attempt to arrange for a conference, if necessary, at the earliest mutually convenient time to inform the parents of the following:
    - a. The charge against the student, and the specific facts supporting the charge which has brought about the principal's recommendation for expulsion from district-provided transportation.
    - b. The parents will be given the opportunity for a hearing and may be represented by counsel or another person at the hearing.
    - c. A letter containing the following will be mailed to the parents following the telephone conversation or conference.
      - (1) The charge or charges made against the student.
      - (2) Specific facts which support the charges.
      - (3) The intent of the principal to recommend expulsion from transportation on the basis of the charges.
      - (4) The superintendent will appoint a hearings officer who will contact them to set up the date and time for a hearing.
- If the principal is unable to contact the parents by telephone, the letter referred to in paragraph c. must be sent by certified mail.
4. Within two school days of the student's removal from riding the bus, a report of the student's present and past incidents of behavior, the notice of intent to expel from transportation and summaries of parent/school conferences relative to the student's present and past incidents of bus behavior will be hand delivered to the superintendent.

5. The superintendent will appoint a hearings officer. The hearings officer will send a certified letter to the parent including the following information:
  - a. The time, date and location of the hearing.
  - b. That the parents and student will be afforded the following:
    - (1) To attend and hear the evidence presented by the district;
    - (2) To be represented by counsel or other persons;
    - (3) To submit evidence at the hearing by testimony, writing or other exhibits;
    - (4) To make a record of the hearing; and
    - (5) To have an interpreter provided by the district if the parents or student cannot understand spoken English.
  - c. That the parents must inform the hearings officer if they plan to be represented by counsel at the hearing.
  - d. That the parents have a right to waive the hearing in writing if they do not desire a hearing.
  - e. The failure to attend the hearing at the designated time constitutes a waiver of the right to a hearing.
  - f. The availability of alternative education, including at least the following information:
    - (1) Student action which is the basis for consideration of alternative education;
    - (2) Listing of alternative programs available for the student for which the district would provide financial support in accordance with ORS 339.253;
    - (3) The program recommended for the student based on the student's learning styles and needs; and
    - (4) Procedures for enrolling the student in the recommended program.
6. The expulsion hearing will be scheduled no sooner than five days from the notification to the parents. The parents may request rescheduling the hearing for a later date; however, the student will not be readmitted to school during the interim. As a result of the hearing, the hearings officer will either confirm the recommendation and the student will be expelled, or deny the recommendation and the student will be reinstated after a conference is held to establish conditions of readmittance with the parents and student. If parents appear with counsel, without having notified the hearings officer, the hearing will be postponed until such time as the administration can also have counsel present.
7. The following procedure shall be followed when a hearing is required:
  - a. The hearings officer maintains control over and conducts the hearing.
  - b. The student, parent or guardian is permitted to inspect, in advance of such hearing, any affidavits or exhibits which the school intends to submit at the hearing.
  - c. The student is permitted to have counsel present at the hearing to advise him/her. The counsel may be parent/guardian or attorney.
  - d. The student is afforded the right to present his/her version as to the charges and to make such showing by way of affidavits or exhibits.
  - e. The student is permitted to hear the evidence presented against him/her.
  - f. The hearings officer determines the facts of each case on evidence presented at the hearing. S/he shall submit to the superintendent his/her findings as to the facts and whether or not the student charged is guilty of the conduct alleged and his/her decision on the case. The above

decision is available in identical form to the board, the principal, the transportation supervisor, the student and his/her parents.

- g. Strict rules of evidence do not apply at the proceedings.
  - h. The hearings officer makes a record of all pertinent facts presented at the hearing.
  - i. The hearings officer may make a complete tape record of the hearing. The recording will be maintained on file in the superintendent's office. The student may receive a copy of the recording of the hearing made by the hearings officer.
  - j. The board will receive a written report outlining the hearings officer's decision.
8. The parent/guardian shall be informed of the hearings officer's decision verbally within one school day of the hearing and by certified mail (return receipt requested) within five school days of the hearing.
  9. Expulsion of a student's bus privileges shall not extend beyond the current term or semester unless the term or semester ends within such a short period of time that the expulsion would be too short to be effective. In any event, the expulsion shall not extend beyond the second term or semester.

## **Violations**

Each year the district will include the following procedures for student violations in the student/parent handbook or issue the procedures to all students and parents accompanied by a form to be signed as 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**

### **1. First Warning**

The driver verbally re-states behavior expectations and Referral\* issues a warning referral.

### **2. Second Referral\***

A student conference is recommended to be held with the student, the parent/guardian, the principal may request the attendance of the bus driver and/or transportation supervisor.

### **3. Third Referral of the Year\***

A five to ten-day suspension is recommended and a conference is held with the student, the parent/guardian, the principal may request the attendance of the bus driver and/or transportation supervisor. At this time a behavior contract will be made with the student and a bus seat may be assigned. Further violations of bus regulations will be considered a severe violation.

### **4. Fourth Referral Severe Violations\***

The fourth referral or any severe violation will result in or the immediate suspension of the student's bus privileges and a recommendation for expulsion from bus privileges. There will be a hearing at this time, as covered in policy above. Exceptions may be made to immediate supervisor by agreement between the principal and transportation supervisor

5. In all instances, the appeal process may be used if the student and/or parent/guardian desires.

**Right of Appeal**

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

## **APPEAL PROCEDURE**

If a student or parent wishes to appeal the application of the discipline policy, the steps outlined below should be used. If the student or parent wishes to complain about a school employee's decision, use policy KL - Public Complaints.

- Step 1: The student or his/her representative will discuss the issue with the transportation supervisor and principal.
- Step 2: If the student is not satisfied with the outcome of the discussion, he/she may file a written statement with the principal and transportation supervisor. This is to be done within 10 school days of the act or condition which is the basis of the complaint. The administration will, within three school days, arrange a conference with the student, a parent, the transportation supervisor and the principal with the goal of resolving the issue.
- Step 3: Within five school days, the principal is to communicate, in writing, the decision to the student and the student's parents.
- Step 4: If, after five school days from receipt of the administrator's reply, the issue still remains unresolved, the student may submit the matter in writing to the superintendent. The superintendent will meet with the student within three school days and will respond to the issue, in writing, within five school days after the appeal.
- Step 5: If the issue is still unresolved, the student may appeal to the board. The board will notify persons involved that a hearing will be held within 14 days of receipt of the appeal. The board shall review correspondence, hear relevant facts and respond to the student within three school days following the hearing.

### **Reinstatement**

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

1. When deemed necessary, parent(s) and student shall be present at the conference;
2. The principal or designee shall fully explain matters and permit the parties involved to fully explain their positions;
3. The principal shall make a decision which provides guidelines for the student to follow when transportation services are reinstated.

### **Education**

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 disciplinary action shall be expected to continue with the district's educational requirements.

Student academic grades will reflect academic achievement. Therefore, misconduct or absenteeism shall not be a sole criterion for grade reduction.

However, students will be expected to continue to meet the district's attendance and educational requirements. Make-up work may be provided:

1. If make-up work is needed, the district's policy and procedure will be followed. Alternative education may be provided:
2. If alternative education is needed, the district's policy and procedure will be followed.

All referrals must be signed by the parents, transportation supervisor, bus driver and principal.