

Discipline Procedures for ESD-Operated Transportation

All students eligible for ESD-operated 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 student's loss of ESD-operated 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; | |

I. Safety Instructions

- A. Each September and January the transportation specialist will direct all drivers to conduct a safety review with all students who are regularly transported by the ESD.
 - 1. The drivers shall review the code of conduct which is to be posted.
 - 2. The drivers shall review the consequences of a violation as outlined in this procedure.
 - 3. The drivers shall conduct unloading, loading and emergency exit evacuation drills.
 - 4. The drivers shall review all hazards such as crossing a road and bus stop conduct.

- B. Each September the transportation specialist will direct all 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 specialist will record dates and content of safety instructions by each driver. Such information shall be kept as a part of the ESD's records.

II. Code of Conduct

- A. Each year the ESD will issue a code of conduct to all students and parents accompanied by the following form to be acknowledgment of being read and understood.

The ESD 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. 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 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.

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

Parent

Student

III. Violations

Each year the ESD will issue the procedures to all students and parents accompanied by a form to be signed as an acknowledgment of being read and understood.

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

DISCIPLINARY PROCEDURES FOR VIOLATIONS

- First Citation - Warning*: The driver verbally restates behavior expectations and issues a warning citation*.
- Second Citation*: The student is suspended from the bus until a conference, arranged by the transportation specialist, has been held with the student, the parent, the driver, the transportation specialist and the program coordinator.
- 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 the transportation specialist, has been held with the student, the parent, the driver, the transportation specialist and the program coordinator. 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.
- Severe Violations: Any severe violation will result in the immediate suspension of the student for a minimum of 10 days, and up to a 1-year expulsion. There will be a hearing at this time, arranged by the transportation specialist, involving the student, the driver, the transportation specialist, the parent and the program coordinator.

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

* All citations must be signed by the parents, the transportation specialist, the bus driver and the program coordinator before the student will be allowed to ride the bus again.

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.

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 an ESD employee's decision, use policy KL – Public Complaints.

- STEP I The student or his/her representative will discuss the issue with the transportation specialist and program coordinator.
- STEP II If the student is not satisfied with the outcome of the discussion, he/she may file a written statement with the program coordinator and transportation specialist. 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 student, parent, transportation specialist, program coordinator conference with the goal of resolving the issue.
- STEP III Within five school days, the program coordinator is to communicate, in writing, the decision to the student and the student's parents.
- STEP IV 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 V 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.

Please return this signed form to the driver on or before the second day of school.

I have read and understand the transportation contract plan. I understand that transportation is an important service and that the safety of my student is the primary concern.

Student's Name _____	Parent's Signature _____	Date _____
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Bus Route # _____ Phone Numbers: (Home) _____ (Work) _____

School _____

IV. Suspension Procedures

- A. Normally the suspension process shall be in accordance with the following procedures:
1. 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 transportation specialist. The procedure should be more of a conversation between the two parties than a formal hearing;
 2. The student will be informed of the violation(s) and given the opportunity to be heard and present his/her view of the occurrence;
 3. If suspension is to follow, the student will be given the reason(s) for the action, the duration of the suspension and the tentative procedures for reinstatement;
 4. If possible, parents will be notified immediately by telephone of the suspension and given reasons for the action. The parents will be encouraged to conference with the program coordinator. Arrangement should be made for the student's transportation to and from school and to other school activities;
 5. A written communication will be mailed to the student and parents within two work day 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;
 6. The written communication shall state that the parent may appeal the reason for suspension and the duration of suspension to the program coordinator;
 7. 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.

TRANSPORTATION INCIDENT REPORT

Date: _____ Route: _____AM _____ PM

Dear Parents:

This report is to inform you of disciplinary action taken as a result of your student's actions which jeopardized the safety and well-being of all students on the bus. We urge you to support this corrective action by impressing upon your student the need for safety on our school buses.

_____ has been cited for an infraction of the rules listed below:

Description of incident:

<input type="checkbox"/>	*Failed to obey driver.	_____
<input type="checkbox"/>	*Threw an object(s).	_____
<input type="checkbox"/>	*Possessed a weapon or other dangerous object(s).	_____
<input type="checkbox"/>	*Fought, wrestled, scuffled.	_____
<input type="checkbox"/>	*Stood/Changed seat with bus moving.	_____
<input type="checkbox"/>	*Extended from bus door/window.	_____
<input type="checkbox"/>	*Possessed matches, incendiaries, etc.	_____
<input type="checkbox"/>	*Used emergency exit.	_____
<input type="checkbox"/>	*Vandalism of property.	_____
<input type="checkbox"/>	*Threatened/Harmed driver/rider.	_____
<input type="checkbox"/>	*Disruption: Driver stopped bus.	_____
<input type="checkbox"/>	*Disrespectful and/or obscene statements.	_____
<input type="checkbox"/>	*Possessed alcohol, tobacco, unlawful drugs.	_____
<input type="checkbox"/>	Eating or chewing gum.	_____
<input type="checkbox"/>	Possessed glass container or object.	_____
<input type="checkbox"/>	Impeded movement of bus.	_____

* An asterisk may result in loss of transportation service with no warning citation.

- () Warning
- () Second Citation: may suspend until conference
- () Third Citation: 5-10 day suspension
- () SEVERE INFRACTION: 10-day suspension to 1-year expulsion

Route Number: _____ Driver Signature: _____

Student Phone Number: _____ Parent Signature: _____

ESD Representative: _____

CITATIONS MUST BE SIGNED BY PARENT

V. Expulsion Procedures

- A. Due process procedures used by the ESD 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 ESD may contract with an individual who is not employed by the ESD 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 or student has difficulty understanding the English language or has other serious communication disabilities, the ESD 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 ESD'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 ESD;
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.

VI. Right of Appeal

- A. At each step of the discipline procedures used in ESD-operated 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.

VII. Reinstatement

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

VIII. Education

- A. Disciplinary action for violating the transportation code of conduct and/or transportation health and safety requirements shall be confined to ESD-operated transportation services.

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

- C. Makeup work may be provided:

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

- D. Alternative education may be provided:

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

IX. 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.