

DISCIPLINE POLICIES AND STUDENT CONDUCT

The Ozark Mountain School District recognizes that a sound and fairly administered student discipline policy is essential for providing the proper atmosphere for learning in our school. The School Board and Administration fully support this philosophy and will strive to provide such an environment for students.

The School Board will instruct the Superintendent of Schools, in cooperation with principals and teachers to establish codes of conduct which state clearly and precisely in written form specified rules and regulations. Such rules or regulations shall:

A. Be based on policies of the Ozark Mountain School Board for the improvement of education.

If a rule or regulation prohibits an action, the reason shall be specified.

B. Be as precise as possible and sufficiently adapted to the needs of youth served by the school.

C. Be considered reasonable and proper.

Principals shall have both the authority and the duty to take disciplinary action whenever the behavior of any student (s) materially interferes with or substantially disrupts maintenance of a proper atmosphere for learning within classrooms or other parts of schools.

Notice of the rules and regulations existing in each school shall be disseminated to students and parents in a wide variety of ways (student assemblies, PTA meetings, public address announcements, and student handbooks, etc.)

Application of disciplinary measures shall at all times reflect a fair and reasonable exercise of authority. Disciplinary measures shall not be arbitrary, capricious, discriminatory, or otherwise unreasonable. Procedural due process, to the extent of its applicability in any particular situation, shall be afforded all students prior to imposition of punishment. The degree afforded shall be proportionate both to the gravity of the offense and the severity of the contemplated penalty, as outlined in the Board's policies relative to suspension, expulsion, and corporal punishment.

Legal Reference: 42 U.S.C. 1983; Tinker v. Des Moines Independent Community School District 89 S. Ct. 733 (1979); Goss v. Lopez, 95 S. Ct. 779 (1975); Wood v. Strickland, 95 S. Ct. 992 (1975); AR. Stat. Ann. 80-1629; Arkansas Commission on Pupil Discipline in Public Schools, Model School Board Policies for Student Discipline, ACT 104 of 1983, First Extraordinary Session

DISCIPLINARY PROCEDURES

A variety of corrective measures are authorized for the breach of rules applicable to students. The corrective measure to be employed shall be determined in each case by the principal or his designee, the classroom teacher, or other appropriate educational staff member, except where School Board action is required. Such measures may include the use of reasonable force in the exercise of lawful authority to restrain or correct students and to maintain order. Minor infractions ordinarily will not justify the imposition of severe corrective measures. Repeated minor infractions that are not amenable to corrections by lesser measures may justify the use of more severe measures. Ozark Mountain Schools follow a discipline policy that begins with a reprimand and follows steps up to and including suspension or expulsion.

DISCIPLINARY OPTIONS

Admonition and counseling should be used when appropriate to assist a student to understand when his/her conduct interferes with the educational progress, interferes with the educational progress of others, disrupts or interferes with the orderly operation of the school, or threatens the rights of others. The following is a list of corrective measures that may be used at Ozark Mountain Schools. These measures may be used singularly or in combination with other measures, if necessary.

Reprimand - Conference between student and faculty member calling attention to the student's improper conduct.

Additional Duties - Minor infractions may be resolved using solutions that require performing additional room or campus duties.

Noon Detention /After School Detention– May be used for students failing to follow rules, failure to complete homework and/or classroom assignments. The student may be assigned to noon detention until these assignments are completed. In cases of student misbehavior, five detentions in a 9 week period will result in a referral to the principal for further disciplinary action as determined by the administrator.

Deprivation of Privileges – This form of discipline is encouraged when the student has developed a pattern of chronically repeating minor offenses. Deprived privileges may include but not be limited to a loss of driving/parking privileges, suspension from extracurricular activities, and denied access to school functions.

Principal/Student Conference - A conference between the principal and the student to discuss the student's behavior.

Principal/Parent Conference - The severity of an infraction, or the frequent occurrence of infractions, may necessitate a conference between the principal and the parents of the student. Parents should not expect a report on every problem that arises.

Referral to other school personnel: (counselor, social worker, nurse, etc.).

Referral to out-of-school personnel: (physician, psychologist, drug or alcohol treatment center, law enforcement personnel, etc.).

In-School Suspension - Students may be assigned by the principal an In-School Suspension on a temporary basis when staff is available to supervise the suspension; and when such assignment does not disrupt the normal school routine.

Corporal Punishment - This may be used for behavior which interferes with the education of others, disrupts the orderly operation of the school, threatens any individual's well-being, or knowingly violates school rules (Act 333 or 1995). Attention to alternative discipline procedures shall be made before imposition of corporal punishment. Corporal punishment may be administered by any certified staff member in the presence of an administrator or his designee.

Alternative School Program – When it appears that a student cannot conform to acceptable behavioral standards in the regular school program, the principal may recommend placement in an alternative school program.

NOTE: ADDITIONAL CONSEQUENCES MAY BE APPLIED FOR BUS INFRACTIONS.

DISCIPLINE OF SPECIAL NEEDS STUDENTS AS IDENTIFIED BY THE SPECIAL EDUCATION PROGRAM

- A. Special needs students who engage in misbehavior are subject to normal school disciplinary rules and procedures so long as such treatment does not abridge the right to a free appropriate public education.
- B. The Individualized Education Plan (I.E.P.) team for special needs students will consider whether particular discipline procedures should be adopted for that student and included in the I.E.P.
- C. Special needs students will be excluded from school only in emergencies and only for the duration of the emergency. In no case will a special needs student be excluded for more than ten days in a school year without a proper conference.
- D. After an emergency suspension is imposed on a special needs student, an immediate meeting of the student's I.E.P. team will be held to determine the cause and effect of the suspension, with a view toward assessing the effectiveness and appropriateness of the student's placement, and toward minimizing the harm resulting from the exclusion.
- E. The suspended student will be offered alternate educational programming for the duration of the exclusion.
- F. Jess Knapp has been designated as a grievance officer for OMSD for the 2020-2021 school year for Act 504. Contact information: Jess Knapp, Phone (870) 439-2213 or email: jknapp@omsd.k12.ar.us

DUE PROCESS

Every student is entitled to due process in every instance of disciplinary action for which the student may be subjected to penalties of suspension or expulsion. (See Ark. Stat. Ann. 80-1516)

- A. Due process is afforded to students in disciplinary cases of some magnitude such as:
 - 1. Suspension from School
 - 2. Expulsion from School
 - 3. Statement removed from student's records, and
 - 4. Clearing one's reputation.
- B. The U.S. Supreme Court ruled in 1975 that, for every suspension not exceeding ten days, the student has the right to be accorded the minimum requirements of the due process clause of the Fourteenth Amendment of the Constitution of the United States.
- C. Due process procedures will be known to all students and must comply with all state and federal laws.
- D. Each school will provide notice to students and parents of charges, hearings, and other due process proceedings. The due process rights of students and parents are as follows:
 - 1. Prior to any suspension or expulsion, the school principal or his designee shall advise the pupil in question of the particular misconduct of which he or she is accused, as well as the basis for each accusation.

2. The pupil shall be given an opportunity at that time to explain his version of the facts to the school principal or his designee.
3. Written notice of suspension or expulsion and the reason (s) for such action shall be given to the parent(s) of the pupil.
4. Any parent(s) or legal guardian of a pupil suspended shall have the right to appeal to the superintendent of schools.

It is the stated policy of the Ozark Mountain School District that a grievance procedure, which provides for an orderly method of resolving concerns raised by an employee or patron be handled at the lowest possible administrative level. The following steps are to be used by district employees or patrons to resolve any complaint or grievance:

1. Attempt to resolve the matter informally by phone or conference between involved parties.
2. If step one fails to resolve, the complaint will begin the grievance procedure in written form at the appropriate level of supervisory personnel.
3. Any person involved in this procedure is entitled to third party representation at any level if an advance notice of five (5) days is given to both the other party and the administrator

The following time lines are to be used. The time lines may be shortened but not lengthened unless by mutual agreement of all parties.

Inquiries concerning application of this policy may be referred to:

OMSD Grievance Officer
Jess Knapp
250 Hwy 65 S
St. Joe, AR 72675
(870) 439-2213