

DISCIPLINE Policy - PAGOSA PEAK OPEN SCHOOL

1. PPOS Discipline Philosophy and Overview

The goal of the Pagosa Peak Open School Discipline Policy and subsequent behavioral expectations is to create a safe, respectful, and responsible environment where learning can take place. PPOS expects students to behave responsibly and treat their peers, Advisors, staff, community and environment with respect. PPOS staff also understands that every student is an individual, circumstances vary, and that behavior requires differentiated responses. Additionally, PPOS will defer to the Archuleta School District discipline policy and Archuleta School Board of Education when necessary.

2. Progressive Discipline

The staff follow a philosophy and practice of progressive discipline, meaning interventions begin at the lowest levels and work up to more consequential levels if concerning behaviors continue. The goal is to facilitate and foster in each student the ability to be self-disciplined.

3. Family First

We see families as partners. You know your student best. It is PPOS's expectation that we work together toward student success; and the first step for support is for families to review this discipline policy in the family handbook with their students. This conversation is important for the student to understand what is expected of him or her at school. This facilitates our ability to work together as everyone will have reviewed the same document.

4. Restorative Practices and Discipline

PPOS embraces Restorative Practices — an emphasis on repairing the harm done to relationships in the community. Involved parties are encouraged to take responsibility for their actions to repair the harm they have done through a decision-making process involving all parties. This process will be facilitated by advisors, administration or the Restorative Practice Student Board depending on the level of harm caused.

The RPSB will be responsible for facilitating mediation and problem solving for verbal and physical conflicts between students and between students and staff when appropriate. Conflicts including serious injury, drug use, sexual harassment, or issues between staff are not the responsibility of the RPSB.

5. Suspension & Expulsion

In the case that Restorative Practices are not successful, suspension or expulsion may be considered. The School Director will be responsible for disciplinary decisions. See Appendix A for further information.

APPENDIX A

1. Suspension or Expulsion Procedures

Every effort will be made to work with challenging behaviors. In cases where corrective actions are not successful, suspension or expulsion may be considered. The School Director will assist with disciplinary concerns and will be responsible for disciplinary decisions.

2. Suspension

2.1 The following is a list of offenses that may be grounds for suspension:

- a. Continued willful disobedience; open and persistent defiance of proper authority;
- b. Willful destruction, defacing, or attempting to cause damage or vandalism of school property or private property;
- c. Behavior that is detrimental to the welfare or safety of other pupils or of school personnel including behavior that creates a threat of physical harm to the child or to other children;
- d. Trespassing on school property;
- e. Bringing any nicotine products to school including e-cigarettes
- f. Engaging in sexual harassment;
- g. Engaging in verbal abuse including, but not limited to:
 - i. Ethnic or racial slurs,
 - ii. vulgar language, or
 - iii. sexually explicit or
 - iv. sexually derogatory language
- h. Plagiarizing or other forms of cheating on assigned schoolwork;
- i. Violating school's Technology Policy located in the Family Handbook

2.2 Exceptions are:

- a. Cases of self-defense, such as blocking or defensive positions, as determined by the School Director;
- b. A Student who creates the threat is a child with a disability as defined by the state of Colorado C.R.S 22M20M103 (5)(a) such as:
 - i. Long term physical impairment or illness
 - ii. Significant limited intellectual capacity
 - iii. Significant identifiable emotional disorder
 - iv. Specific learning disability
 - v. Speech or language impairment

3. Expulsion

3.1 The following is a list of offenses that may be grounds for expulsion:

- a. Carrying, bringing, using, or possessing a dangerous weapon such as a firearm (loaded or unloaded), or a firearm facsimile that could be mistakenly taken for an actual firearm;

- b. Any pellet, BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air;
- c. Possession of a fixed blade knife with a blade that measures 3 inches or longer in length or a spring loaded knife or a pocket knife with a blade longer than four inches;
- d. Possession of an object, device, instrument, material or substance, used to or intended to inflict serious bodily injury or death;
- e. Possession of, selling, using, furnishing, or being found under the influence of a controlled substance (except in the case of authorized prescription medication), alcoholic beverage, or intoxicant of any kind;
- f. Committing robbery, assault, or extortion; stealing or attempting to steal school property or private property

3.2 Exceptions are:

- a. Cases of self-defense, such as blocking or defensive positions, as determined by the School Director;
- b. A Student who creates the threat is a child with a disability as defined by the state of Colorado C.R.S 22M20M103 (5)(a) such as:
 - i. Long term physical impairment or illness
 - ii. Significant limited intellectual capacity
 - iii. Significant identifiable emotional disorder
 - iv. Specific learning disability
 - v. Speech or language impairment
- c. A student who discovers that he or she has carried, brought, or is in possession of a dangerous weapon and notifies a staff member or other authorized person at the school as soon as possible and delivers the dangerous weapon to the staff member or other authorized person.

The Board of Directors shall provide due process of law to students, parents and school personnel through written procedures consistent with law for the suspension or expulsion of students and the denial of admission. Any student with disabilities is afforded the same rights in any disciplinary action taken with modifications as deemed necessary.

4. The procedure for expulsion is as follows:

The School Director will give written notice at least five days before the date of the contemplated action. This notice will consist of a letter mailed through U.S. Mail to the last known address of the student or his or her parent/guardian. In the event that an emergency exists necessitating a shorter period of notice, the period of notice may be shortened provided that the student and his parent/guardian have actual notice of the hearing prior to the time it is held.

4.1 The notice will contain:

- a. A statement of the basic allegations

- b. A statement that a hearing will be held if requested by the student or his or her parent/guardian within five days after the date of notice
- c. A statement of the time, date and place of the hearing
- d. A statement that the student may be present during the hearing and hear all information against him or her, that the student will have an opportunity to present such information as is relevant and that s/he may be accompanied and represented by his/her parent/guardian and an attorney
- e. A statement that failure to participate in such a hearing constitutes a waiver of further rights in the matter. A hearing may be requested by the parent/guardian.

The School Director will conduct such a hearing. The hearing will be conducted in a closed session except to those individuals deemed advisable by the School Director but including in all events the student, the parent/guardian and, if requested, an attorney. Such individuals who may have pertinent information will be admitted to the closed hearing to the extent necessary to provide such information. Testimony and information may be presented under oath. However, technical rules of evidence will not be applicable, and the School Director may consider and give appropriate weight to such information, as s/he deems appropriate. The student and his/her representative may question individuals presenting information. A sufficient record of the proceedings will be kept so as to enable a transcript to be prepared in the event either party so requests. Preparation of the transcript will be at the expense of the party requesting the transcript. Within seven days after the decision of the School Director, the student may appeal the decision to the Board of Directors. Failure to request an appeal within seven days shall result in a waiver of the right to appeal and the School Director's decision shall become final.

4.2 If an appeal is properly requested, the Board will limit the appeal to the following areas:

- a. An appeal may be made if there is a question of whether or not the student's procedural rights were followed.
- b. An appeal may be made if there were grounds that there was a misrepresentation of the law.
- c. An appeal may be made if the appellant was not able to introduce evidence in the original hearing. Counsel at the appeal may represent the student. Representatives of the district and the parents/guardians may make brief statements to the Board, but no new evidence may be presented at such time unless such evidence was not reasonably discoverable at the time of the hearing. Members of the Board may ask questions for purposes of clarification of the record.

The Board will make the final determination regarding expulsion of the student and will inform the student and his parent/guardian of the right to judicial review.

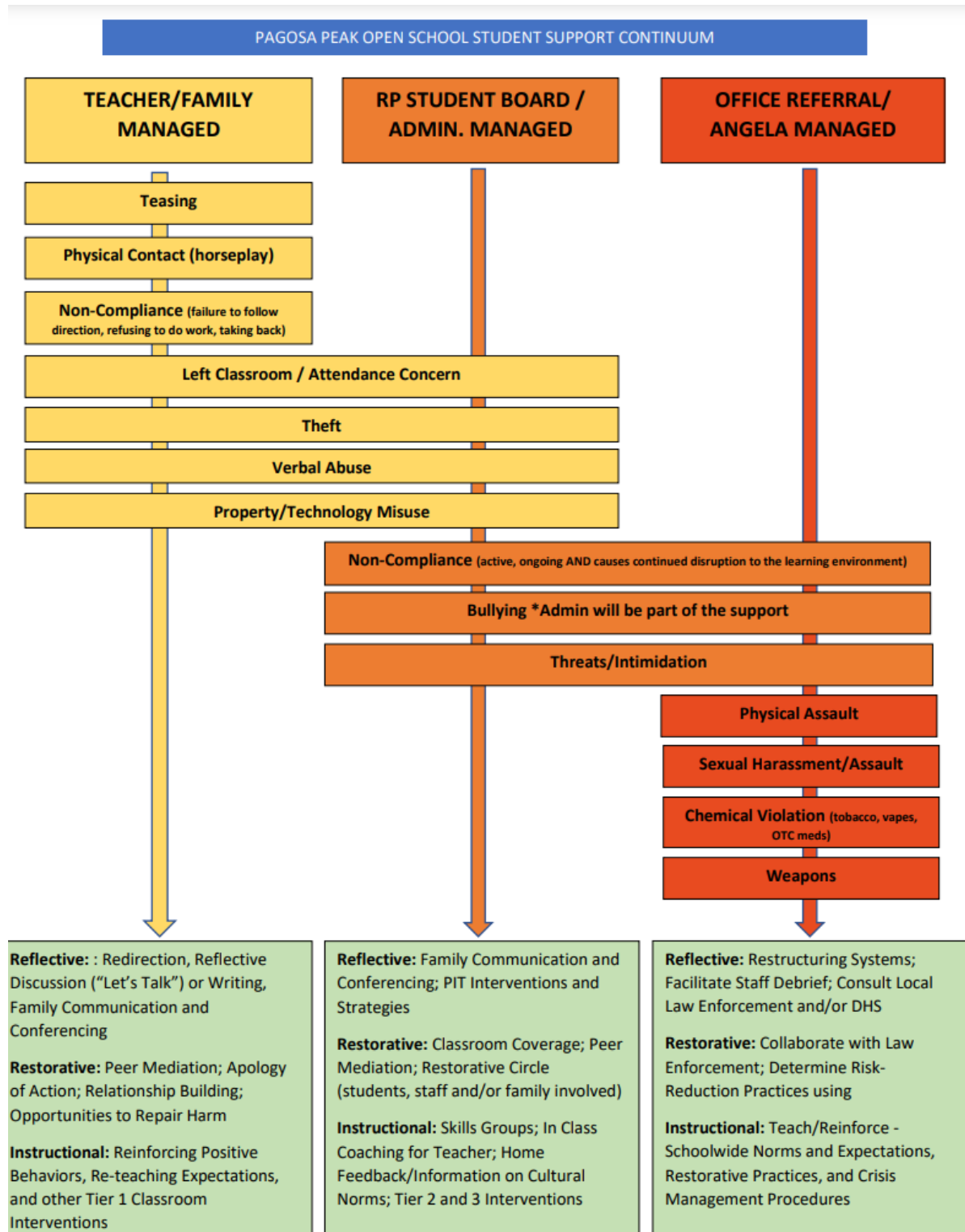
If a student between the ages of five and fifteen is expelled, his parent/guardian will be responsible for ensuring compliance with the compulsory school attendance law during the expulsion period. Upon expelling the student, school personnel shall provide information to the student's parent/guardian concerning the educational alternatives available to the student during expulsion.

If the parent/guardian chooses to provide a home-based education program for the student, school personnel shall assist the parent in obtaining appropriate curricula for the student if requested by the parent/guardian.

If a student is expelled for the remainder of the school year, the school shall contact the student's parent/guardian at least once every 60 days until the beginning of the next school year to determine whether the child is receiving educational services.

School personnel need not contact the parent/guardian after the student is enrolled in another school or if the student is committed to the Department of Human Services or sentenced to a juvenile or adult detention facility. No student will be readmitted to the school until after a meeting between the School Director and the parent/guardian has taken place except that if the School Director cannot contact the parent/guardian or if the parent/guardian repeatedly fails to appear for scheduled meetings, the administrator may readmit the student.

APPENDIX B



Appendix C

Discipline of Students with Disabilities

Students with disabilities are neither immune from PPOS disciplinary process nor entitled to participate in programs when their behavior impairs the education or safety of other students. Students with disabilities who engage in disruptive activities and/or actions dangerous to themselves or others will be disciplined in accordance with their IEP, their behavioral intervention plan, and this policy. Nothing in this policy shall prohibit the IEP team from establishing consequences for disruptive or unacceptable behavior as a part of the student's IEP. The plan shall be subject to all procedural safeguards established by the IEP process.

All students, including students with disabilities, may be suspended for up to 10 days in any given school year for violations of the student code of conduct. The procedure for suspension is the same as outlined above. For suspension of a student with disabilities, a team including Special Education staff members and the School Director, will determine whether the student's behavior is a manifestation of the disability and whether the student's disability impaired his or her ability to control or understand the impact or consequences of the behavior. Once the team determines that the behavior was not a manifestation of the disability, disciplinary procedures shall be applied to the student in the same manner as applied to non-disabled students. A student with disabilities whose behavior is determined to be a manifestation of his or her disability may not be expelled but will be disciplined in accordance with his or her IEP, any behavioral intervention and PPOS policy.