



VOYAGER: A PUBLIC CHARTER SCHOOL

“The Journey of Learning Never Ends”

POLICY NO.	DESCRIPTION	EFFECTIVE DATE
003	STUDENT DISCIPLINARY POLICY	3/12/15

PURPOSE:

This policy defines various levels of behavioral infractions, provides specific examples, and discusses potential outcomes resulting from infraction.

POLICY:

Behavioral infractions are handled within the classroom in accordance with Total Quality Education methodology. Classroom systems are designed to support student learning by engaging students in all aspects of the learning process and reducing distractions. Faculty and staff are expected to establish a system of clear expectations, high standards, and consistent concern for safety and respect.

A. LEVELS OF INFRACTION

There are three levels of infractions ranging from lesser behavioral issues (Level One) to more serious issues (Level Three). Level One issues are generally handled at the classroom level by the teacher. A brief description of each Level follows:

1. LEVEL ONE (L1)

DEFINITION: Misbehavior by a student that impedes orderly operation of the school. Some examples include but are not limited to:

- a. Inappropriate language; language considered rude or disrespectful by the recipient
- b. Inappropriate behavior that causes others to feel uncomfortable or disrespected
- c. Disrupting class
- d. Leaving class without permission (could result in a more serious infraction depending on

circumstances)

POTENTIAL INTERVENTION/CONSEQUENCES OF L1 INFRACTIONS INCLUDE BUT ARE NOT LIMITED TO:

- a. Logical intervention/consequences related to TQL factors or specific incident
- b. Parent contact
- c. Time out
- d. Change in seating
- e. Offer of apology or action of apology (making the situation right)
- f. Loss of in-class privileges
- g. Home reflection assignment (monitored by and including parental input)
- h. Behavior contract or contract for change including specific target goals, rewards, or

intervention/consequences, and follow-up plan

- i. Confiscation of disruptive items
- j. Consultation with and/or referral to school counselor

2. LEVEL TWO (L2)

DEFINITION: Misbehavior of sufficient frequency or seriousness to disrupt the learning climate of the classroom and/or school. Some examples include but are not limited to:

- a. Continuation of L1 behavior
- b. Plagiarism (in some cases may result in L3 intervention/consequence depending upon severity

and scope

- c. Defiant refusal to follow a reasonable request (i.e. to stop a specific behavior, or take a

timeout



- d. Abuse of school property or materials (may result in L3 intervention/consequence depending upon severity)
- e. Use of abusive language, vulgarity, or profanity
- f. Stealing
- g. Cheating
- h. Bullying other students, teachers, or adults (an intentional action using power to hurt others with actions or words)
- i. Possession of a toy weapon or replica of a weapon, tobacco products and/or disruptive items

POTENTIAL INTERVENTION/CONSEQUENCES OF LEVEL 2 INFRACTIONS MAY INCLUDE:

- a. Parent contact
- b. Referral to Principal
- c. Loss of privileges, repair, or replacement of damaged property, confiscation of disruptive items
- d. Home reflection assignment (monitored by and including parental
- e. Behavior contract or contract for change including specific target goals, rewards or intervention/consequences, and follow-up plan
- f. Suspension (in or out of school)
- g. Consultation with and/or referral to school counselor

NOTE: Continuous or chronic L1 and L2 behaviors may result in L3 intervention/consequences

3. LEVEL THREE (L3)

DEFINITION: Acts that pose a direct threat to the safety of self or others. Some examples of unsafe behaviors include (but not limited to):

- a. Aggressive conduct that presents a significant risk of harm to self or others, including defensive conduct that becomes aggressive and physical intimidation
- b. Possession of weapons, including but not limited to guns, lighters, knives blades, swords, bomb, or any device, which will or is designed to expel a projectile. This includes toys or replicas of weapons that are used in an aggressive or threatening manner
- c. Possession of controlled or dangerous substances and/or alcoholic beverages
- d. Physical assault
- e. Extreme threat that interferes with or prevents the safety and/or learning of others
- f. Vandalism or property damage
- g. Sexual harassment (behavior that causes others to feel in danger as a result of sexually related verbal or physical activity)
- h. Sexual assault

POTENTIAL INTERVENTION/CONSEQUENCES OF L3 INFRACTIONS INCLUDE, BUT ARE NOT LIMITED TO:

- a. First Offense:
 - (1) Referral to Principal
 - (2) Parent contact and conference
 - (3) Suspension (may be in or out-of-school). Suspension may be extended if Principal or his designee has determined that the student is a danger to himself/herself or others, and requires a longer suspension time. In cases where the student's safety is a concern, the Principal or his designee *may* require the family to get clearance from a qualified mental health professional before student is allowed to re-enter school.
 - (4) Consultation with and/or referral to school counselor.
 - (5) Safety/threat assessment
- b. Second Offense:
 - (1) Referral to Principal
 - (2) Parent contact and conference



(3) Suspension. Repeat offenses or offenses of a more severe nature *may* result in longer suspensions (3-10 days) designed to increase in intensity as offenses increase

c. Third Offense:

(1) Three incidences of suspensions within one year may require a conference of the school, family, and other support personnel. Optional placement may be discussed as well as extended suspension and/or alternative placement.

NOTE: Physical assault, possession of weapons and/or being under the influence of an illegal substance *may* result in immediate out-of-school suspension and/or due process for an alternative placement. The appropriate local authorities will be notified by the Principal or his designee.

B. DUE PROCESS

1. Suspensions 10 days or Less: The Principal must provide the student written or oral notice of the charges against him/her. Additionally, if the student denies the charges, they must receive an explanation in writing of the evidence authorities have. In turn, the student must be offered an opportunity to refute said evidence.

2. Suspensions of 10 days or More or Alternative Placement: The student is entitled to the same due process as stated above, but must also be afforded a formal hearing before an impartial body. The student may have an attorney present and may cross examine witnesses.

C. APPEALS PROCESS

1. Behavior that results in suspension and has been determined by the Principal or his designee to be unsafe is not subject to appeal.

2. If a student, parent, or legal guardian feels that disciplinary action is unwarranted or unfair, they may file an appeal directly to the Principal. The appeal process includes:

a. Parent or student requests formal conference with Principal within 10 school days of the incident. Request may be made verbally or in writing.

b. If the issue is not satisfactorily resolved during the conference, the student or parent files a written Request for Discipline Review (form is available in school office) directly to the Principal within five school days of conference. The request should include only factual information and reason for the request. The Principal will respond in writing to the complaint within five school days.

c. If the Principal's response does not satisfactorily resolve the issue, the parent may file a written appeal to the Governing Board requesting a review of the Principal's decision. The Board may request a conference with all parties and will ultimately respond in writing to the appeal within ten (10) school days. The decision of the Board is final.

D. STUDENTS WITH DISABILITIES

1. Individuals with disabilities are defined as persons with physical or mental impairment which substantially limits one or more major life activities (includes learning). The Individual Disability Education Act (IDEA), 1990, reauthorized 1997, 2004, indicates that *special education* is a broad term used by the law to describe specially designed instruction that meets the unique needs of a child who has a disability. Learning disabilities include mental, physical, behavioral, and emotional disabilities. The categories of Special Education defined by IDEA are:

- Autism
- Blindness
- Deafness
- Emotional Disturbance
- Hearing Impairment
- Multiple Disabilities
- Orthopedic Impairment



- Other Health Impairment
- Specific Learning Disabilities
- Speech or language Impairment
- Traumatic brain injury
- Visual Impairment

2. DUE PROCESS

Students with disabilities are subject to the same disciplinary procedures as non-disabled students, provided the behavior is not caused by or is a manifestation of their disabilities. Such students must also not be subjected to discriminatorily different treatments in discipline, and must not be disciplined more harshly or frequently than students without disabilities for the same infraction.

3. APPEALS PROCESS

Parents/guardians may file a due process complaint if they disagree with any decision regarding placement under the discipline provisions or the manifestation determination. For more information see Hawaii Administrative Rules (HAR) 8-60-77.