

Student Discipline (Remedial Discipline Plans)

1. Disciplinary information

Open communication between principals and the professional staff is essential to accomplish the educational mission of the District. It is recognized that principals have access to information about individual students that may not be otherwise available to others because this information is not recorded as part of the student's education record. To assure that information is shared with the professional staff that may be important to understanding the particular needs of individual students and any potential risk that a student might pose to the safety or welfare of others, state law requires that the principal take steps to communicate this information to teachers and counselors who have direct contact with the student.

In addition, to make sure that the information communicated is accurate, state law gives students and parents/guardians the right to challenge disciplinary information.

Whenever the principal or designee determines that disciplinary information as defined in board policy must be communicated to a teacher or counselor, the following steps will be followed:

- a. The principal will prepare a brief written statement which sets forth the information to be communicated to a teacher or counselor pertaining to an individual student. If disciplinary information regarding a disabled student is transmitted, the current IEP must also be included. The statement will indicate it is a confidential document. The source of the information will be noted, if applicable.
- b. The principal will communicate the information in the statement to the teacher or counselor by providing a copy of the statement. Alternatively, the principal/designee may wait until the student/parent/guardian has had a chance to challenge the content of the statement before communicating the statement to any teachers or counselors. The teacher/counselor and principal/designee may discuss the information in the statement. The principal/designee will record the names of all individuals who are given a copy of the statement.
- c. A copy of the written statement regarding disciplinary information will be provided to the student and the student's parent or guardian. However, if a student is 18 years old or older, the student may choose to inspect their own records and the parent or guardian may not inspect or review student records without written permission from the student. Such student 18 years old or older will be known as an eligible student. However, if the eligible student is a dependent for federal income tax purposes, parents/guardians are entitled along with the student to access student records.

- d. The principal/designee will take steps to see that the parent/guardian of a student under 18 years of age receives a copy of the statement, either by mailing a copy directly to them and/or alerting them to the fact that the statement has been sent to them, either by sending it home with their child or in the mail.
- e. The written statement will indicate that the student and/or parent/guardian may challenge the accuracy of the disciplinary information on the basis that it is inaccurate, false or misleading unless the statement is solely a summary of an incident for which the student and parent/guardian has already been afforded a due process hearing prior to imposition of school discipline. In that case, the challenge procedures do not apply.

2. Challenges

The following procedures apply when an interested person challenges the statement of disciplinary information:

Step 1

A Step 1 review will be requested in writing within seven days after the receipt by the parent/guardian of the written statement. If the interested persons fail to file an intent to challenge within seven days after receiving a copy of the statement, the statement will stand as written and there will be no further opportunity to challenge that particular statement. If the parent/student challenges any part of the statement, the principal will review the part of the statement being challenged and may, by mutual agreement with the person making the challenge, destroy, delete or add the information in question.

Step 2

If the principal does not agree to change the written statement as requested during the Step 1 review, the parent/student may request an informal hearing with the superintendent within 10 days after the principal's decision not to change the written statement. This request must be in writing and will state the reasons for the request. The principal may file a written response to the parent's request for a Step 2 review to be considered by the superintendent. The superintendent will make a decision within 10 school days after receiving the request for Step 2 review. The superintendent may take whatever steps necessary to make a determination about the content of the statement, including discussing the matter with the parent/guardian and/or principal and making independent inquiries to determine the accuracy of the statement.

The superintendent may decide that the statement should be revised in accordance with the parent/guardian position or may decide to uphold the principal's statement as accurate. The superintendent's decision is final.

Once an appeal has been held on the disciplinary information contained in a statement, that statement may be communicated to teachers/counselors during the

school year without any further challenge. If the statement had been communicated prior to the conclusion of the challenge, and changes were made to the statement, the principal/designee will see that all those who received the original statement are provided a copy of the revised statement.

Any teacher or counselor who receives a statement containing disciplinary information will maintain the confidentiality of the information and will not communicate the information to any other person. A violation of this provision will result in appropriate disciplinary action.

3. Remedial discipline plans

The principal will develop a remedial discipline plan for every student who is suspended for the second time for a material and substantial disruption. (All references to duties performed by a principal may be delegated to other school officials as appropriate.)

The following provisions will apply to the remedial discipline plan:

- a. The principal has the discretion to develop a plan for any student prior to a suspension.
 - b. To develop the plan, the principal will arrange for a meeting with the student, the student's parent/guardian and any members of the staff whom the principal believes should attend.
 - c. The purpose of the meeting will be to address the reasons for the student's disruptive behavior and cooperatively to establish goals, objectives and timelines to modify such behavior. A written plan will be prepared which addresses the child's disruptive behavior, specific educational needs and what steps are necessary to keep the child in school. The plan will include consequences if the student is disruptive in violation of the plan.
 - d. The plan may be written in the form of a contract which the student, parent/guardian, and the principal/designee will sign and date.
 - e. The parent/guardian will be provided a copy of the remedial discipline plan and it will be placed in the student's cumulative file.
4. Disruptive behavior by special education students will be dealt with in accordance with the student's individual education plan (IEP), any behavior intervention plan and Policy JK, Student Discipline. These procedures for disruptive student behavior apply only to the extent that staff members must file incident reports on disruptive behavior by all students. It will be the responsibility of the disciplinary officer and other appropriate District personnel to coordinate these procedures with a special education student's IEP and any behavior intervention plan.

5. Habitually disruptive students

A student will be declared "habitually disruptive" if he has been suspended three times during the course of the school year for causing a material and substantial disruption in the classroom, on school grounds or at school activities or events caused by student behavior that was initiated, willful and overt.

- a. The principal will inform the superintendent or designee if a student is disruptive for the second time in violation of his or her remedial discipline plan.
 - b. The student and the parent/guardian will be notified in writing of each suspension which counts toward declaring the student habitually disruptive.
 - c. District procedures for expulsion may be initiated when the student is suspended for the third time. The period of suspension will be extended, if necessary, to conduct an expulsion proceeding.
6. The term "material and substantial disruption" includes but is not limited to the following willful or reckless conduct which causes a disruption in the classroom, on school grounds, in school vehicles or at school activities or events and which requires the attention of school personnel to deal with the disruption:
- a. Making coarse and offensive utterances, gestures or displays
 - b. Abusing, harassing or threatening another person
 - c. Making loud or offensive noise
 - d. Violating any State Statute or Board policy governing student conduct

7. Expulsion prevention

The principal is directed to work with the professional staff to identify students who are at risk of suspension or expulsion from school. Among those students who may be at risk are those who have been or are likely to be declared habitually truant or habitually disruptive.

Support services will be provided to students who are identified as at risk of suspension or expulsion to help them avoid expulsion. The parent/guardian will be included when determining an appropriate support service for the student. In some cases, a remedial discipline plan may be the means by which various intervention and prevention services are identified and made available to a student.

Support services to assist a student in avoiding an expulsion may also be available through local and state governmental agencies, community-based organizations and institutions of higher education.

Approved September 29, 1993

Revised to conform with practice June 8, 1994
Revised September 25, 1996
Revised January 14, 1998
Revised September 9, 1998
Revised January 12, 2005
Revised August 12, 2009

St. Vrain Valley School District RE-1J, Longmont, Colorado