



# HALLETT ACADEMY

STUDENT SAFETY AND DISCIPLINE

HANDBOOK

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## **I. Introduction**

HALLETT ACADEMY is a place where learning begins. We provide a balanced education of academic and social-emotional competencies in a safe, positive, and inclusive learning environment. We believe that every student deserves learning experiences that promote a sense of wonder, joy and success.

Success in life is more than performing well academically. Social emotional intelligence, and the capacity to connect with others are also important. As we work to help students form excellent academic habits and understandings, we also focus our teaching on the values that will guide our students to lead balanced lives. HALLETT ACADEMY's Core values are a guide to the way we show up, at our school, with the intent to consistently demonstrate these values beyond the classroom. Honor, Accountability, Wonder, Knowledge, Self-Control, our core values, serve as a model for appropriate behavior.

This Handbook outlines HALLETT ACADEMY's policy regarding how students are expected to behave when participating in school activities, on and off HALLETT ACADEMY grounds, and how the school will respond when students fail to behave in accordance with these rules. Depending on the severity of the infraction, disciplinary responses include teacher removals, suspension (short or long term), exclusion from extended learning opportunities, and expulsion.

In all disciplinary matters, students will be given notice and will have the chance to present their version of the facts and circumstances leading to the imposition of disciplinary action to a team member. Where appropriate, school leaders may also will contact law enforcement agencies. Notice to Parents will be provided as required by law.

## II. Definitions

For purposes of this Handbook, the following definitions apply.

“**Disruptive student**” means a student whose willful obstinate behavior materially and substantially disrupts the educational process. This may include behavior that interferes with the teacher’s authority.

“**Parent**” means parent, guardian, caring adult or person in parental relation to a student.

“**School property**” means in or within any building, structure, playground or land contained within the real property boundary line of a public elementary or secondary school or in a school bus.

“**School personnel**” means adults employed by HALLET ACADEMY.

“**Violent student**” means a student who commits one of the following acts:

- An attempt or an act of violence upon another student, employee, or any other person lawfully on school property or at the school function.
- Possesses a weapon, while on school property or at a school function.
- Displays a weapon, while on school property or at a school function.
- Threatens to use a weapon, while on school property or at a school function.
- Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
- Knowingly and intentionally damages or destroys school property.

**“Weapons”** device, instrument, material or substance that can cause physical injury or death when used – Specifically but not limited to the following:

- Firearm, including pistol and handgun, silencers, electronic dart, and stun gun
- Shotgun, rifle, machine gun, or any other weapon which simulates or is adaptable for use as a machine gun
- Air gun, spring gun, or other instrument or weapon in which the propelling force is a spring or air, and any weapon in which any loaded or blank cartridge may be used (such as a BB gun)
- Switchblade knife, gravity knife, ballistic knife and cane sword (a cane that conceals a knife or sword)
- Dagger, stiletto, dirk, razor, box cutter, case cutter, utility knife and other dangerous knives
- Billy club, blackjack, bludgeon, and metal knuckles
- Sling shot (small, heavy weights attached to or propelled by a thong) and slung shot
- Martial arts objects including ninja stars and nun chucks
- Explosives, including bombs, fire crackers and bombshells
- Acid or deadly or dangerous chemicals
- Firearm facsimile, as that is defined in *C.R.S. § 22-33-106(1)(f)*. Loaded or blank cartridges and other ammunition
- Stink bombs
- Stun pens
- Laser beam pointers
- Any deadly, dangerous, or sharp pointed instrument which can be used or is intended for use as a weapon (such as scissors, nail file, broken glass, chains, wire).

### **III. Student Records**

HALLET ACADEMY shall maintain written records of all suspensions and expulsions including the name of the student, a description of the behavior engaged in, the disciplinary action taken, and a record of the number of days a student has been suspended or removed for disciplinary reasons.

### **IV. Student Rights and Responsibilities**

#### **A. Student Rights:**

HALLET ACADEMY is committed to safeguarding the rights given to all students under this Handbook. In addition, to promote a safe, healthy, orderly and civil school environment, all HALLET ACADEMY students have a right to:

#### **1. Participation in School Activities**

All students have the right to have the opportunity to take part in all school activities on an equal basis regardless of disability, race, creed, color, sex, sexual orientation, national origin, religion, or ancestry; and to address the school on the same terms as any citizen.

#### **2. Records**

HALLET ACADEMY is subject to the federal *Family Education Rights and Privacy Act of 1974 (FERPA, 20 U.S.C. § 1232g)* and the *Colorado Open Records Act (CORA, C.R.S. § 24-72-201, et seq.)* both of which require a school to protect a student's privacy. The school will not disclose any information from the student's permanent records except as authorized pursuant to FERPA and CORA, or in response to a subpoena, as required by law. The parent(s) or guardian(s) of a student under 18 years of age, or a student 18 years of age or older, is entitled to access to the student's educational records by submitting a written request to the Principal. Further information concerning the disclosure of student information and limitations on such disclosure may be found in FERPA.

### 3. Freedom of Expression

Students are entitled to express their personal opinions verbally, in writing, or by symbolic speech. The expression of such opinions, however, shall not interfere with the freedom of others to express themselves, and written expression of opinion must be signed by the author. Any form of expression that involves libel, slander, the use of profane or indecent speech or obscenity, invasion of privacy, or personal attacks, or that otherwise disrupts the educational process, is prohibited. All forms of expression also must be in compliance with this Handbook and the school dress code, violations of which are punishable as stated in this Handbook.

Student participation in the publication of school sponsored student newsletters, yearbooks, literary magazines and similar publications is encouraged as a learning and educational experience. These publications, if any, shall be supervised by school personnel and will meet high standards of journalism. In order to maintain consistency with the school's basic educational mission, the content of such publications is appropriately controlled by school personnel.

No person shall distribute any printed or written materials on school property without the prior permission of the Principal. The Principal may regulate the content of materials to be distributed on school property to the extent necessary to avoid material and substantial interference with the requirements of appropriate discipline in the operation of the school. The Principal may also regulate the time, place, manner and duration of such distribution.

4. Present their version of the relevant events to school personnel authorized to issue a disciplinary consequence in connection with the choice the student has made.

5. Access school rules and, when necessary, receive an explanation of those rules from school personnel.

#### B. Student Responsibilities:

All HALLET ACADEMY students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and property.
2. Be familiar with and abide by all HALLET ACADEMY policies, rules and regulations dealing with another student's conduct.
3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extended learning opportunities and strive toward their highest achievement possible.
5. React to direction given by teachers, school leaders and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline issues.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of HALLET ACADEMY when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standard of conduct, demeanor and sportsmanship.

### C. Discipline for Students with Special Needs

Disruptive behavior, as defined by school policy, by a student with disabilities will be managed in accordance with the student's individual education plan (IEP) and state and federal law. A student with disabilities will be subject to recommendation for expulsion as a habitually disruptive student **only** if the appropriate special education team has determined that the disruptive behavior is not a manifestation of the student's disability.

### V. Violations of Safety and Human Rights

#### Physical Violence:

There may be disputes, differences and even heated disagreements from time to time. But these must be handled in a non-violent and non-threatening way. No physical fights of any sort can be permitted and all parties who contribute to the Cycle of Violence will be considered at fault. The Cycle of Violence consists of hitting, hitting back, "hitting because..." inciting a fight, encouraging or daring a fight, approaching, staying, or celebrating at the scene of a fight. Strong disciplinary action including suspension will be taken against students who contribute to the cycle of violence.

There is to be no "play fighting" and no threatening of physical violence. Bullying, physical, verbal, and non-verbal behavior that makes another student feel threatened is strictly prohibited. Such behavior will also result in swift disciplinary action.

#### Possession of weapons:

There is **zero tolerance** for possession of weapons. Students with weapons will be expelled. The school can also choose to report incidents of weapon possession to the police.

## **VI. Prohibited Student Conduct**

HALLET ACADEMY expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, HALLET ACADEMY team members and other members of the school community, and for the care of school facilities and equipment.

Students may be subject to disciplinary action, listed in part VIII (A), including suspension or expulsion, as appropriate to the nature and severity of the incident and in light of the student's disciplinary record.

## **VII. Reporting Violations**

All students are expected to promptly report violations of the Code of Conduct to a teacher, support partners, the principal or his/her designee. Any student or team member observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, administrators, the principal and the principal's designee.

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent or guardian of the student involved and the appropriate disciplinary sanction if warranted, which may include expulsion and referral to the police.

In the event the school receives information regarding a planned out of school activity that might involve student high risk behavior, and the specific location and students are identified, the principal will first alert and caution the parents and students. The principal or principal's designee will also provide information as to the possible location of the activity to the local police.

## VIII. Disciplinary Procedures

A. Penalties for violations of these rules shall include, but are not limited to the following:

1. Verbal and written warnings to the student and or parent/guardians
2. Removal from the classroom
3. Reprimand
4. Behavioral contracts between the school, student and parent
5. Restoration to the community/community service
6. Suspension from athletic, social, extracurricular activities, and other privileges
7. Immediate pick up followed by a reentry conference
8. Suspension
9. Expulsion

B. Procedures

### Teacher Removal

With the Principal's consent, a teacher may remove a student from class whose behavior the teacher determines is so disruptive that it interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn. Removed students will be placed in another classroom. The student may not be returned to the teacher's class without the Principal's consent.

### Reentry Conference

A reentry conference refers to the conference that must take place between parents, staff and a student before a student is permitted back into a classroom. Staff may require immediate pick up for a student whose behavior is so unruly, disruptive, or defiant that it interferes with the ability of staff to maintain a safe and orderly environment.

### Procedures and Due Process for Suspension

The Principal may impose a short-term suspension, and shall follow due process procedures consistent with *Goss v. Lopez* (419 U.S. 565) and C.R.S. § 22-33-105. Before imposing a short term suspension, or other, less serious discipline, the school principal shall provide notice to inform the student of the charges against him or her, and if the student denies the charges, an explanation of the evidence against the student. A chance to present the student's version of events shall also be provided.

Before imposing a short-term suspension, the Principal shall immediately notify the parents or guardian in writing that the student may be suspended from school. Written notice shall be provided by personal delivery, express mail delivery within 24 hours of the decision to impose suspension at the last known address of the parents or guardians. Where possible, notification also shall be provided by telephone. Such notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the parents or guardian of their right to request an immediate informal conference with the Principal. Such notice and informal conference shall be in the dominant language of mode of communication used by the parents or guardian. The parents or guardian of the student and the student shall have the opportunity to present the student's version of the incident and, in appropriate circumstances, to ask questions of the complaining witnesses. Such notice and opportunity for an informal conference shall take place prior to the suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference shall take place as soon as possible after the suspension and with the consent of the teacher. The Principal's decision to impose a short-term suspension may be challenged by the parent or guardian in accordance with HALLET ACADEMY's Complaint procedures. In accordance with District policy, parents may attend school with the student in lieu of an out of school suspension.

## Expulsion

Expulsion refers to the permanent removal of a student from School for disciplinary reasons. A student may be expelled for any causes outlined in the Denver Board of Education Policy in the Denver Public Schools Conduct Code and *C.R.S. § 22-33-106*.

Expulsion is **mandatory** under state law for:

1. Carrying, bringing, using or possessing a deadly weapon without authorization of the school or the district. A deadly weapon includes, but is not limited to, a loaded or unloaded firearm, a knife, a bludgeon or any other weapon/instrument which, in the manner in which it is used or intended to be used, is capable of producing death or serious bodily injury.
2. The selling of, including the exchange, distribution or gift of, drugs or controlled substances, as defined by state law, including anabolic steroids and prescription drugs.
3. The commission of an act that, if committed by an adult, would be robbery or assault as defined by law.

Additionally, after a proper investigation and hearing, HALLET ACADEMY may recommend a student for expulsion if the student has been suspended three times from the school and the third offense is deemed major by the school.

The parents or guardians of any student to be recommended for an expulsion hearing will be notified before such action takes place. Expulsion hearings will be administered by Denver Public Schools; therefore, any expulsions will be carried out in accordance with Denver Public Schools policy.

## Provision of Instruction During Removals and Suspensions

HALLET ACADEMY will ensure that alternative educational services are provided to a child who has been suspended or removed to help that child progress in the School's general curriculum. For a student who has been suspended, alternative instruction will be provided to the extent required by applicable law. For a student who has been expelled, alternative instruction will be provided by DPS.

Those students removed for a period fewer than ten days will receive all classroom assignments and a schedule to complete such assignments during the time of his or her suspension. Provisions will be made to permit a suspended student to make up assignments or tests missed as a result of such suspension. Removal or change of placement of students with disabilities will be managed in compliance with applicable state and federal law.

## **IX. Student Searches**

### Search and Seizure

A student and/or the student's belongings may be searched by a school official if the official has a reasonable suspicion to believe that a search of that student will result in evidence that the student violated the law or a school rule. Items which are prohibited on school property, or which may be used to disrupt or interfere with the educational process, may be removed from the student by school authorities. Student lockers and desks remain the property of the school, though the school is not responsible for books, clothing, or valuables left in lockers or desks. A student shall not place or keep in a locker or desk any article or material which is of a non-school nature and may cause or tend to cause the disruption of the mission of the school.

The following rules shall apply to the search of school property assigned to a specific student and the seizure of illegal items found therein:

- School authorities will make an individual search of a student's locker or desk only when there is reasonable suspicion to believe that a student is in the possession of an item which is prohibited on school property or which may be used to disrupt or interfere with the educational process.

- Searches shall be conducted under the authorization of the school Principal or his/her designee.
- Items which are prohibited on school property, or which may be used to disrupt or interfere with the educational process, may be removed from student lockers or desks by school authorities.

## **X. Gang Affiliation**

HALLET ACADEMY has adopted this policy pursuant to state law, in recognition of the fact that gang activities at school threaten the welfare and safety of students and others in the school community. The term “gang” as used in this policy refers to all groups of three or more individuals who share a common interest, bond, or activity characterized by criminal, delinquent, or otherwise disruptive conduct engaged in collectively or individually.

The purpose of this policy is to protect the health, safety, and welfare of those in the school community and to prevent the initiation or continuation of gang membership and gang activity in our school.

Prohibited gang affiliation or appearance includes: Any manner of grooming or apparel, including clothing, jewelry, hats, emblems, and badges which by virtue of color, arrangement, trademark, or other attribute is associated with or denotes membership in or affiliation with any gang will not be allowed in school buildings or on school grounds, at school-sanctioned activities and events, or school-sponsored transportation. Gestures, signals, or graffiti that denote gang membership or activities are prohibited in the school building and on school grounds, at school-sanctioned activities and events, and on school-sponsored transportation. The prohibition against gang-related apparel and actions will be applied at the discretion of the staff at HALLET ACADEMY Schools. Consequences will be applied according to the circumstances of the infraction and may include suspension or expulsion. HALLET ACADEMY will communicate with law enforcement regarding this policy in order to further its purposes.

## **XI. Corporal Punishment**

Corporal punishment is defined as action taken by school employees to spank or otherwise physically handle a student in any way to purposely inflict punishment. No corporal punishment will be administered to students by anyone in the school.

## **XII. Student Restraint**

Physical restraint and intervention or force by trained staff are reasonable, appropriate and may be applied at HALLET ACADEMY for the following purposes:

1. To quell a disturbance threatening physical injury to themselves or others.
2. To obtain possession of weapons or other dangerous objects upon a student or within the control of a student.
3. For the purpose of self-defense.
4. For the protection of persons.

Such acts do not constitute child abuse and will not be construed to constitute corporal punishment within the meaning and intent of this policy. Any restraint will only be used consistently, and subject to all safety, training and reporting requirements of the Protection of Persons from Restraint Act, *C.R.S. §§ 26-20-101 – 109*, and applicable regulations and guidance under that Act of the Colorado Department of Education.

## **XIII. Complaints about Student Discipline**

Any individual or group (composed of parents, students, or employees of any of the schools) may bring complaints to the School Leaders of HALLET ACADEMY. When complaints concern the behavior of a teacher, leaders, or other employee or agent of HALLET ACADEMY, that person should be identified, and the complaint should state whether the issue has been discussed with that person. In general, those filing a complaint are expected to first discuss their concern with the other persons involved. An exception to this rule is when the complaint concerns allegations of illegal harassment. In that case, discussing the issue with the alleged harasser is not required. Complaints

should be discussed with the Principal before being brought before the Family and Community Engagement Office. Every effort will be made to respectfully address each matter to the satisfaction of the individual or group that presented the complaint.