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BOARD OF DIRECTORS
GREAT OAKS INSTITUTE OF TECHNOLOGY
AND CAREER DEVELOPMENT

5131

STUDENT CODE OF CONDUCT

Grounds for Suspension, Expulsion, Emergency Removal or Other Disciplinary Action

Violation on the part of a student of any one or more of the following rules shall constitute misconduct and may result in the suspension, expulsion, emergency removal, or other discipline of a student.

These student code of conduct regulations are applicable to conduct while school is in session, at school sponsored activities or events whether on or off school premises, on school premises whether or not school is in session, in any vehicle whose use is controlled, organized, or arranged by the school, or at any time the student is subject to the authority of the Board of Education or school district personnel. Students are also subject to discipline for misbehavior that occurs off school property when the misbehavior endangers the health and safety of students within the District or adversely affects the educational process. In addition, a student may be subject to school disciplinary action, including suspension or expulsion, for harassment, vandalism, physical abuse or other harmful or disruptive behavior toward school personnel during non-school hours.

The offenses listed below include suggested discipline. However, the suggested discipline guidelines are not, in any way whatsoever, binding on school district personnel assigning discipline to a student for violations of the Code of Conduct. A student may, at any time, for any violation of the Code of Conduct, be suspended, removed, and/or expelled from school, and/or be subject to other disciplinary action or referral to law enforcement or other officials.

Section 1 - Suspension for 10 days with recommendation for expulsion

Students committing any offense in Section 1 will be suspended from school for ten days and will be recommended for expulsion from school. The matter may be referred to law enforcement or other officials.

A. Alcoholic Beverages and/ or Drugs

A student shall not possess, use, sell, offer to sell, conceal, transmit, give attempt to purchase, or be under the influence of any alcoholic beverage or illegal or illegally used drug including steroids, counterfeit (look-alike) drugs, or controlled substances or otherwise violate Board of Education Policy 5131.1, Use of Harmful Substances By Students." "Possession" includes, but is not limited to, retention on the student's person or in a purse, backpack, wallet, locker, desk, or vehicle. A student shall not possess, use, sell, offer to sell, conceal, or transmit any drug-related paraphernalia. A student shall not have the odor of illegal toxins, such as alcohol, marijuana etc. on or about their person.

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It is not a violation of the Code of Conduct if a substance is used for medical purposes in accordance with directions for use, in accordance with a valid prescription (if the substance is a prescription drug), and in accordance with policy 5141.3, "Student Medications." Such a validly used/possessed substance must be (1) if a prescription drug, authorized by a medical prescription by an authorized health-care professional and kept in the original container, which shall state the student's name and directions for use and expiration date; or (2) if an over-the-counter drug, kept in the original container, which shall state directions for use.

See Policy 5131.1 for guidelines for discipline for violation of this Code of Conduct section.

B. Arson/Unauthorized Use of Fire

A student shall not cause or attempt to cause any flame, spark or other form of fire to be ignited without the authorization to do so.

C. Assault

A student shall not cause, attempt to cause, or threaten to cause physical injury to any person.

D. Dangerous Weapons

A student shall not possess, transport, transmit, conceal or attempt to possess, transport, transmit, or conceal a dangerous weapon, firearm, knife, fireworks, explosive ordnance or dangerous instrument, or "look-alike" counterfeit weapon, firearm, knife, ordnance, or dangerous instrument. "Look -alike" weapons, firearms, knives, fireworks, explosive ordnance, or instruments include, but are not limited to, any object a reasonable person might consider under the circumstances a dangerous weapon, firearm, knife, fireworks, explosive ordnance or dangerous instrument.

As used herein, "firearm" shall be defined as in 18 USC section 921 and shall include, but not be limited to, any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or other propellant; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device as defined in 18 USC section 921 et seq. The definition of destructive device includes, but is not limited to, (1) any explosive, incendiary, or poisonous gas including, but not

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limited to, a bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or a device similar to any of the devices described herein or (2) any combination of parts either designed or intended for use in converting any device into any destructive device described herein and from which a destructive device may be readily assembled.

As used herein, "knife" shall be defined as any instrument that possesses a pointed or sharp-edged blade of metal or other rigid material and that is designed or can be used for cutting, slicing, or stabbing; this definition shall include, but is not limited to, straight razors, utility knives, box cutters, ice picks, pocket knives, switchblades, and buck knives.

Nothing in this provision is intended to, nor shall it, preclude the President/CEO from suspending, expelling or removing a student in accordance with Ohio law for otherwise possessing, transmitting, or concealing a weapon, explosive ordnance, or other dangerous instrument that is not as just defined herein.

E. False Alarms/Inducing Panic

No student shall induce panic, cause the evacuation of any school building or otherwise cause serious public inconvenience or alarm by:

Initiating or circulating a report or warning of an alleged or impending fire, explosion, crime, or other catastrophe, knowing that such a report or warning is false. Examples include, but are not limited to, pulling a fire alarm when the student knows there is no fire or making a bomb threat when the student knows that there is no bomb, or making a false "hit list."

Threatening to commit an offense of violence, as that term is defined in Ohio Revised Code Section 2901.01 (A)(9). Examples include, but are not limited to, threatening to kill, assault, kidnap, rape, or rob someone, to commit extortion, to provoke a riot, to commit arson, or to discharge a firearm at or into a school.

Committing any offense with reckless disregard of the likelihood that it's commission will cause serious public inconvenience or alarm. For purposes of this policy, reckless disregard means disregarding a known risk that the student's conduct is likely to cause serious public inconvenience or alarm, and being heedlessly indifferent to the effects on others of the action taken by the student.

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Under Ohio law, any person who "induces panic" is guilty of a felony, regardless of whether anyone is hurt or their school suffers economic harm.

F. Indecent Exposure

A student shall not expose their person in an indecent manner or engage in any act of public indecency prohibited by Ohio Revised Code Section 2907.09.

G. Unauthorized Entry

A student shall not enter a closed or restricted school building, school vehicle, or other Board owned or leased property that has been locked or otherwise secured or prohibited from student use or access without administrative or staff approval.

Section 2 - Suspension with possible recommendation for expulsion

Students committing any offense in Section 2 may be suspended from school for one to ten days. Serious and/or repeated violations may result in a recommendation for expulsion from school.

A. Abuse of Computer Hardware, Software, and/or Internet

A student shall not abuse the school district's hardware or software including, but not limited to, the following: tampering with computers or computer programs (whether such programs are commercially prepared or belong to another student or faculty member); using equipment to make unauthorized or illegal duplicate copies of computer software; damaging or destroying computers, computer hardware or software; or using computer phone or computer mail network facilities of the school district for purposes unrelated to the instructional program of the district unless written permission from the President/CEO or the President/CEO's designee has been obtained. A student shall not use the Internet or computer in violation of any policies or rules established for internet use.

B. Defiance/Insubordination

A student shall not disregard or refuse to obey reasonable requests or directions given to the student by school personnel. A student shall not refuse to identify himself/herself when asked.

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C. Destruction to Private Property

A student shall not knowingly or with reckless disregard cause or attempt to cause damage to private property.

D. Destruction to School Property

A student shall not knowingly or with reckless disregard cause or attempt to cause damage to or deface school property including, but not limited to, buildings, grounds, equipment, materials, or computers or other technology. In accordance with state law, parent(s) may be liable for payment for the cost to repair or replace any such property damage caused by the acts of their children.

E. Use of Profane, Vulgar or Abusive Language or Gestures Toward Employee(s)

A student shall not direct toward Great Oaks Employee(s) profane, vulgar, abusive, obscene, or other words or gestures which, under the circumstances, are offensive to the sensibilities of ordinary people in the school district community or which disrupt normal school activities. A student shall not direct toward Great Oaks Employee(s) any derogatory words or gestures. Such prohibitions include, but are not limited to, use of computers or other technology or communications.

F. Disruption of Educational Environment

A student shall not knowingly or with reckless disregard act or urge other students or persons to act in such a way as to cause by use of violence, force, noise, threat, intimidation, fear, passive resistance, or any other conduct, the substantial and material disruption or obstruction of any lawful mission, process, or function of the educational process of the school district including, but not limited to, curricular and extracurricular activities or the normal operation of the school.

G. Disruptive Demonstration

A student shall not participate in demonstrations or other similar behavior that has the effect of disrupting the educational process or safety of students or others.

H. Endangering the Health and Safety of Others

No student shall purposefully expose students or Employee(s) to unsafe conditions.

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I. Extortion

A student shall not gain or attempt to gain any money or thing of value from any person unless both parties agree freely and without the presence of an implied or expressed threat.

J. Failing to Follow Directions In an Emergency

A student shall not refuse or fail to follow directives of safety or law authorities or personnel or school district personnel evacuation of any school building or property at the time of an alarm.

K. Failure to Serve Detention, /Evening School or Alternative School Assignments

A student shall not fail to Serve Detention, /Evening School or Alternative School Assignments.

L. Fighting

A student shall not engage in physically hostile bodily contact with another person.

M. Frightening or Intimidating Acts

A student shall not engage in any act or conduct which, under the circumstances a reasonable person would believe does or is intended to frighten or intimidate the person toward whom the act or conduct is directed. Students are expected to be tolerant of individual differences. A student shall not knowingly or with reckless disregard engage in any act or conduct which causes another person to reasonably believe that such student will cause physical harm to the person or property of such other person.

N. Harassment, Bullying, Intimidation, Dating Violence or Other Degrading, Disgraceful, Discriminating and/or Racist Acts

A student shall not harass, bully, intimidate, degrade, disgrace, disparage, incite, provoke, threaten, or discriminate against any other student or school employee or any other person or otherwise disrupt the school environment. A student shall not commit dating violence.

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For this purpose, harassment, intimidation, or bullying also includes, but is not limited to, the possession of; or the taking, disseminating, transferring or sharing of, by way of example: nude, obscene, pornographic, lewd or otherwise illegal images or photographs, whether by electronic data transfers or other means (commonly called texting, emailing, sexting, etc. Any student possessing, taking, disseminating, or sharing nude, obscene, pornographic, lewd or otherwise illegal images or photographs may be punished under the code of conduct and may be reported to the appropriate law enforcement agencies.

Harassment is defined as harassment, intimidation, or bullying that:

- (i) Causes or intends to cause mental or physical harm to another person that is sufficiently severe, persistent, or pervasive that it creates a hostile, intimidating, threatening, offensive, or abusive educational environment;
- (ii) Causes or intends to cause another person to be reasonably placed in fear of his or her personal safety;
- (iii) Causes or intends to cause a material disruption of the educational process;
- (iv) Unreasonably interferes with a student's curricular, co-curricular, or extracurricular performance; or
- (v) Otherwise adversely and unreasonably impacts upon a student's educational opportunities.

Dating violence refers to the intentional use of actual or threats of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control his or her dating partner. It is a pattern of coercive behavior that one dating partner exerts over the other for the purpose of establishing and maintaining power and control. For this purpose, dating means any romantic relationship between an unmarried couple, regardless of gender, and regardless of duration, commitment level, or physical intimacy.

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O. Hazing

A student shall not encourage, promote, engage in, or subject any other students to abusive or ridiculous activities or harass any other student with unnecessary or disagreeable tasks. Student organizations are not permitted to haze members or potential members of their organization.

P. Records

A student shall not alter, destroy, or falsify any school record, form, or other school data. A student shall not remove any school record from its official place of deposit.

Q. Search

No student shall refuse, impede, hinder, obstruct, or otherwise interfere with any search authorized by law enforcement and/or school officials.

R. Sexual Harassment

No student shall engage in any sexual harassment or otherwise violate Board of Education Policy 5111.6, prohibition of harassment." Prohibited sexual harassment includes by way of example, but is not limited to: unwelcome sexual advances and requests for sexual favors, solicitation of sexual activity, displaying sexually suggestive objects, making sexual remarks or gestures, displaying sexual pictures or cartoons, making derogatory comments or slurs based on sex, making sexual comments about a person's body or clothing, touching a person, blocking their exit or assaulting a person, or other verbal, nonverbal, or physical conduct of a sexual nature which the offender knows or should know is offensive to the listener or observer. A student shall not wear or possess clothing, jewelry, personal possessions, publications or other items or materials, which are sexually suggestive.

S. Sexual Misconduct

No student shall engage in any sexual conduct or sexual contact.

T. Stealing

A student shall not take nor receive or attempt to take or receive into his/her possession property of the school district or property of another student, teacher, visitor or employee of the school district without consent of the owner to do so.

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U. Unauthorized Touching or Hitting

A student shall not engage in any unwanted or unwelcome touching, hitting, or physical contact with another person.

Section 3 - Alternate Disciplinary Actions With Possible Suspension

Instructors/administrators may be involved in assigning alternative discipline to a student for violations of Section 3. Alternative discipline may include but, is not limited to, lunch detentions, after school detentions, parent/student workshops, community service, or in-school suspension programs.

Students committing any offense in Section 3 may be suspended from school for one to ten days. Repeated violations may result in a recommendation for expulsion from school.

A. Absence, Class Cutting, Tardiness, Truancy

A student shall not be late, absent from school, or fail to comply with compulsory attendance laws for all or any portion of a school day, or any assigned class, or activity without proper authorization.

B. Cheating

A student shall not obtain by fraudulent, dishonest or deceptive means and use as his or her own (or provide to another student) the work, work product, questions on or answers to examinations, or any like matters or violate the reasonable requirements of a teacher with respect to the conduct and taking of examinations or the completion of other course assignments.

C. Disrupting Class or Educational Environment

A student shall not behave in a way that interferes or disrupts or attempts to interfere or disrupt any curricular or extracurricular activity or the normal operation of the school.

D. Distribution or Sale of Unauthorized Materials

A student shall not sell, distribute or attempt to sell or distribute any material, object or substance which has not been properly authorized by the President/CEO, Campus Administrator or their designee for sale or distribution to any person on school premises. This includes, but is not limited to, pamphlets, leaflets, buttons, insignia, or petitions.

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E. Dress and Expression

A student shall not violate Board of Education Policy 5115, Uniforms/Student Dress Code and Student Expression.

F. Tobacco or Non-Tobacco Products

A student shall not smoke, use, or possess tobacco; tobacco products; other plant products (such as clove cigarettes); alternative nicotine products, including e-cigarettes (electronic cigarettes); or any other substance that may be used for smoking. This includes any offenses prohibited by this Section that occur in vehicles which are on school property.

G. Electronic Devices

Students are not to use or play electronic or telecommunications devices such as, but not limited to, Smart Phones and other cellular phones, MP3 players, I-PODs, CD players, radios, video games, without the approval of the President/CEO, Campus Administrator or designee.

H. Gambling

A student shall not engage in any form of gambling.

I. Leaving School Premises

A student shall not leave school premises before the time of dismissal except where individual school policy otherwise provides or without first obtaining the consent from the Campus Administrator or his/her designee.

J. Misrepresentation, Forgery and Plagiarism

A student shall not, orally or in writing, use or sign the name of another person or falsify times, dates, grades, addresses or other data on school records, in correspondence, or in other written material directed to the school or school personnel. A student shall not use the written work of any other person or parts or passages of such other person's writings, or the ideas of such other person and hold them out as or represent them to be the product of his or her own mind.

A student shall not give or assist in giving false or fictitious information to any police department, fire department, school official or other person acting in an official and lawful capacity.

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K. Profane, Vulgar or Abusive Language or Gestures

A student shall not use profane, vulgar, abusive, obscene, or other words or gestures which, under the circumstances, are offensive to the sensibilities of ordinary people in the school district community or which disrupt normal school activities. Such prohibitions include, but are not limited to, use of computers or other technology or communications.

L. Student Automobiles/Parking Lot

A student shall not drive or park on school premises in violation of Board of Education Policy 5117.2 Student Driving or parking lot regulations or when his/her privileges to drive or park on school premises have been revoked. Driving on school property and use of a school parking lot is a privilege.

M. Transportation/ Buses

A student shall not violate any policies or rules established for student conduct on Great Oaks school buses or school transportation. The entire student code of conduct applies to any school or school-arranged or related transportation.

N. Unauthorized Locations

Students are not permitted to be in any area for which they are not scheduled or are permitted to be in, without the permission of school authorities.

Section 4 - Miscellaneous Code of Conduct Violations

Students committing any offense listed in Section 4 are subject to suspension, expulsion, or any other discipline.

A. Aiding and Abetting

A student shall not, in any way, aid or abet another student or person in violating the Code of Conduct. A student who commits this offense will be disciplined according to the consequences given for the code of conduct offense that was violated by the other student.

B. Other Conduct

In recognition that any list of prohibited conduct cannot, with specificity, encompass every conceivable action which may properly be subject to discipline, the President/CEO or a building Campus Administrator shall have the authority to

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suspend or expel a student for conduct not specifically set forth herein and which substantially and materially disrupts or interferes with the good order, discipline, operation, academic or educational process taking place in the school or which substantially and materially is or poses a threat to the safety of persons or property. A student may be suspended, expelled, or otherwise disciplined for the violation of rules in the student handbook, or of any class or department.

C. Repeated Violations

A student shall not have repeated violations of any offense in the student Code of Conduct.

D. Violation of Law

A student shall not violate any law or ordinance.

Section 5 - Permanent Exclusion

Acts Subject to Permanent Exclusion

A student shall not participate in any of the acts prohibited in Board policy 5114, permanent exclusion, and listed below. A student, in addition to suspension, expulsion, and/or emergency removal, may be subject to permanent exclusion from school for the following acts pursuant to R.C. 3313.662 and Board policy 5114:

A student may be permanently excluded from attending any Ohio public school if the student is convicted of, or adjudicated as a delinquent child, for committing, when 16 years of age or older, one of the following criminal offenses:

- a. Illegal conveyance or possession of deadly weapons or dangerous ordnance on school premises, in violation of R.C. 2923.122.
- b. Carrying or being in possession of concealed weapons on school property or at a school activity in violation of R.C. 2923.12.
- c. Selling or offering to sell or possessing a controlled substance in violation of R.C. 2925.03 (A) (1), (4), (5), (6), (7), (9), or (10) on school property or at a school activity.
- d. Committing one of the following on school property or at a school function: aggravated murder in violation of R.C. 2903.01, murder in violation of R.C. 2903.02, voluntary manslaughter in violation of R.C. 2903.03, involuntary manslaughter in

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violation of R.C. 2903.04, felonious assault in violation of R.C. 2903.11, aggravated assault in violation of R.C. 2903.12, rape in violation of R.C. 2907.02, or gross sexual imposition in violation of R.C. 2907.05; and

- e. Complicity in any of the above-described violations regardless of whether the act of complicity was committed on school property or at a school activity. Complicity is defined as soliciting or procuring another to commit an offense; aiding, abetting or encouraging another to commit an offense; conspiring or agreeing with another to commit an offense; or causing an innocent or irresponsible person to commit an offense.

Section 6 - Expulsion for One Calendar Year

A student who brings a firearm, as defined in section 1 (D) above, to school or on to property owned or controlled by the Board of Education while school is in session; to school sponsored activities or events whether on or off school premises; on school premises whether or not school is in session; in any vehicle whose use is controlled or organized or arranged by the school; or at any time when the student is subject to the authority of the Board of Education or school personnel, shall be expelled from school for one calendar year. The President/CEO may reduce, on a case-by-case basis, the one year required expulsion period in circumstances subject to the provisions of federal and state law related to the education of handicapped students or when the President/CEO, in his/her sole discretion, determines that the interest of the expelled student is served and the interest of other students, school employees, and other members of the school community are not disproportionately disserved by such a reduction. This provision does not in any way prevent school officials from pursuing the permanent exclusion of a student pursuant to Ohio Revised Code section 3313.662.

A student who possesses a firearm or knife, as defined in section 1 (D) above, at a school or on any other property owned or controlled by the Board of Education, while school is in session; at school sponsored activities; on school premises; off school premises at any school sponsored activity or event; in any vehicle whose use is controlled or organized by the school; or at any time when the student is subject to the authority of the Board of Education or school personnel, may be expelled from school for a period up to one calendar year. This provision does not in any way prevent school officials from pursuing the permanent exclusion of a student pursuant to Ohio Revised Code section 3313.662.

A student who makes a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat may be expelled for one calendar year. This provision does not in any way prevent school officials from pursuing the permanent exclusion of a student pursuant to Ohio Revised Code section 3313.662.

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A student who commits an act that is a criminal offense when committed by an adult and that results in serious physical harm to persons as defined in Ohio Revised Code Section 2901.01 (A)(6) while the student is at school, on any other property owned or controlled by the Board of Directors, or at an interscholastic competition, an extracurricular event, or any other school program or activity may be expelled for one calendar year. This provision does not in any way prevent school officials from pursuing the permanent exclusion of a student pursuant to Ohio Revised Code section 3313.662.

Legal References: ORC 3313.66, 3313.661

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