

Student Code of Conduct

The School Board of RSU 40/MSAD 40 is committed to maintaining a supportive and orderly school environment in which students may receive, and staff may deliver, a quality education without disruption or interference and in which students may develop as ethical, responsible and involved citizens.

To that end, the Board has developed this System-Wide Code of Conduct with input from school staff, students, parents and the community that is consistent with the requirements of 20-A MRSA § 1001(15) (adoption of Student Code of Conduct) . The Code defines our expectations for student behavior and provides the framework for a safe, orderly and respectful learning environment.

Core Values: Behavioral Indicators

It is important to recognize at the outset that none of these values stands alone above the others. Each is one of eight, identified by the community, which serve together as pillars of ethical behavior in our community.¹

FREEDOM

An ethical member of the RSU 40/MSAD 40 Community: recognizes the rights and protects the liberty of others; honors freedom of expression; allows for and participates in the free discussion of ideas; respects the choices others make; tempers free will with responsibility; participates in the functions of a democratic society; and makes allowances for differing viewpoints and learning styles.

CURIOSITY

An ethical member of the RSU 40/MSAD 40 Community: listens to all information objectively; values new ideas; rises to challenges; asks questions; takes risks and explores opportunities; learns from the questions and answers of others; and recognizes the joy that comes from learning.

RESPECT

An ethical member of the RSU 40/MSAD 40 Community: appreciates the differences and worth of all individuals; values traditions while being open to new ideas; honors family,

¹ The statewide standards are the “core values” identified in the report of the Commission for Ethical and Responsible Student Behavior, Taking Responsibility: Standards for Ethical Behavior In Maine Schools and Communities.

community, and school; recognizes the value of all creatures; values him/herself; and works with others in ways which serve the entire community.

HONESTY

An ethical member of the RSU 40/MSAD 40 Community: is truthful in word, in action and in self representation; takes responsibility for wrong-doing; honors those who admit transgression; allows for open discussion; recognizes that none of us is perfect; and speaks truth to power.

RESPONSIBILITY

An ethical member of the RSU 40/MSAD 40 Community: honors commitments to society; cares for him/herself and others; keeps promises; works to maintain freedom; helps all members of the community achieve their aspirations; and considers the consequences of actions.

COMPASSION

An ethical member of the RSU 40/MSAD 40 Community: accepts the worth and contributions of all members of the community; is patient with others; honors differences in learning style; listens; has a sense of humor; and identifies with and understands the situations, feelings, and motives of others

INTEGRITY

An ethical member of the RSU 40/MSAD 40 Community: adapts to change; fulfills his or her commitments; makes choices, which create positive change; seeks balance and wholeness; and acts with humility.

TOLERANCE

An ethical member of the RSU 40/MSAD 40 Community: listens to ideas with an open mind; welcomes diversity; adapts to the needs of others; recognizes the rights of others; learns from that which he/she does not yet know; seeks peaceful ways to express dissent; and attempts to understand other points of view.

Code of Conduct

All students are expected to comply with this Code of Conduct and all related Board

policies and school rules. The Code applies to students on school property, while in attendance at school or at any school-sponsored activity, or at any time or place that such conduct directly interferes with the operations, discipline or general welfare of the school.

General Behavior Expectations

The following expectations for student behavior are fundamental to a safe, orderly and respectful environment in our schools. Each student should:

1. Be courteous to fellow students, staff and visitors.
2. Respect the rights and privileges of other students and school staff.
3. Obey all Board policies and school rules governing student conduct.
4. Follow directions from school staff.
5. Cooperate with staff in maintaining school safety, order and discipline.
6. Attend school regularly.
7. Meet school standards for grooming and dress.
8. Respect the property of others, including school property and facilities.
9. Refrain from cheating or plagiarizing the work of others.
10. Refrain from vulgarity, profanity, obscenity, lewdness, and indecency.

Discipline

Violations of the Code of Conduct may result in positive and restorative interventions and/or disciplinary action. Administrators have the discretion to tailor discipline to the facts and circumstances of the particular case. Consequences will range from a verbal warning for minor misconduct up to and including expulsion for the most serious offenses. Behavior that also violates the law may be referred to law enforcement authorities.

See Policies:

JK – Student Discipline
JKB – Detention of Students
JKD – Suspension of Students
JKE – Expulsion of Students

Expectations

The following is a summary of the school unit’s expectations for student behavior. In many cases, the Board has adopted policies that address these expectations in greater detail. Students, parents and others should refer to the policies and student handbooks for more information about the expectations and consequences. In case of an inconsistency between this Code of Conduct, Board policies and/or school handbooks, Board policies will prevail.

A. Violence and Threats

Students shall not engage in violent or threatening behavior. Prohibited behavior includes fighting, assault and/or battery, taking hostages, threats to commit violence against persons or property, or threats, intimidation, or harassment. Violations may result in disciplinary action up to and including expulsion.

See Policies:

JICIA – Weapons, Violence and School Safety
JICK – Bullying
EBCC – Bomb Threats

B. Weapons

Students shall not possess or use weapons of any kind (examples include but are not limited to firearms, explosives and knives). Students also shall not use any object, although not necessarily designed to be a weapon, to inflict bodily harm and/or to threaten, intimidate, coerce or harass another person (examples include but are not limited to bats, lighters, tools and toy weapons). Firearms violations will result in expulsion in accordance with state and federal statutes; other weapons violations may result in disciplinary action up to and including expulsion.

See Policies:

JICIA – Weapons, Violence and School Safety

JICK – Bullying

C. Hazing

Hazing is prohibited. Maine law defines injurious hazing as “any action or situation, including harassing behavior that recklessly or intentionally endangers the mental or physical health of any school personnel or a student enrolled in a public school.” No student shall plan, encourage or engage in such activities in connection with any school program or activity, including extracurricular, co-curricular and athletic activities. Students who engage in hazing activities are subject to suspension, expulsion and/or other appropriate disciplinary measures.

See Policy:
ACAD – Hazing

D. Discrimination and Harassment/Sexual Harassment

Students should not discriminate against other students on the basis of race, color, sex, religion, ancestry, national origin or disability. Nor should students harass one another on the basis of race, color, sex, sexual orientation, religion, ancestry, or national origin or disability. Sexual harassment is also prohibited. Harassment is grounds for disciplinary action up to and including expulsion.

See Policies - AC – Nondiscrimination; ACAA – Harassment and Sexual Harassment of Students

E. Bullying and Cyber-Bullying

Students shall not engage in bullying behavior. “Bullying” includes, but is not limited to a written, oral or electronic expression or a physical act or gesture or any combination thereof directed at a student or students that:

I. Has, or a reasonable person would expect it to have, the effect of:

- a) Physically harming a student or damaging a student’s property; or

b) Placing a student in reasonable fear of physical harm or damage to his/her property

II. Interferes with the rights of a student by:

a) Creating an intimidating or hostile educational environment for the student; or

b) Interfering with the student's academic performance or ability to participate in or benefit from the services, activities or privileges provided by the school; or

III. Is based on:

a) A student's actual or perceived characteristics identified in 5 MRSA § 4602 or 4684-A (including race; color; ancestry; national origin; sex; sexual orientation; gender identity or expression; religion; physical or mental disability) or other distinguishing personal characteristics (such as socioeconomic status; age; physical appearance; weight; or family status); or

b) A student's association with a person with one or more of these actual or perceived characteristics or any other distinguishing characteristics; and that has the effect described in subparagraph A. or B. above.

“Cyber-bullying” means bullying through the use of technology or any electronic communication, including but not limited to, a transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted by the use of any electronic device including, but not limited to, a computer, telephone, cellular telephone, text messaging device or personal digital assistant. Violations may result in disciplinary action up to and including expulsion from school.

See Policy:
JICK Bullying

F. Drug and Alcohol Use

Students shall not distribute, possess, use or be under the influence of any alcoholic beverage, drug, look-alike substance or other prohibited materials and/or substances as described in Board policy. Violations may result in disciplinary action up to and including expulsion from school.

See Policy:

JICH – Drug and Alcohol Use by Students

G. Tobacco Use

Students shall not smoke, use, possess, sell or distribute any tobacco products. Violations of this policy may result in disciplinary action up to and including suspension from school.

See Policy:

ADC – Tobacco Use and Possession

H. Conduct on School Buses

Students must comply with all Board policies and school rules while on school buses. Students who violate these policies and rules on a school bus may have their riding privileges suspended or revoked, and may also be subject to additional disciplinary action, up to and including expulsion, depending upon their particular violation.

See Policy:

JICC Student Conduct on School Buses

I. Computer/Internet Use

Students may use school computers, networks and Internet services only for educational purposes and other purposes authorized by the school unit. Students shall comply with all policies and rules governing acceptable use. Unacceptable use may result in use restrictions suspension or cancellation of computer privileges as well as additional disciplinary and/or legal action.

See Policy:

IJNDB Student Computer and Internet Use

Removal of Disruptive/Violent/Threatening Students

1. Students who are disruptive, violent or threatening death or bodily harm to others may be removed from classrooms, school buses, or other school property when necessary to maintain order and safety. The staff member who orders the student removed should

arrange to have the student escorted to the office or other designated location.

2. If a student does not comply with a staff member's order to leave, the staff member will contact an administrator, or, if not available, another suitable person, who shall respond promptly.

3. Staff members should not use physical force or restraint, except to the minimum extent necessary to protect any person from imminent physical harm. Staff members are not required to take action that puts them at risk of serious injury.

4. The responding administrator will take appropriate action. If the student fails to obey verbal directions, force or restraint may be used only to the minimum extent necessary to protect any person from imminent physical harm or to quell a disturbance. Whenever practicable, law enforcement should be called to restrain or physically remove the non-complaint student.

The administrator may invoke the school unit's crisis response plan if appropriate.

See:

20-A MRSA § 4009 – Protection from Liability;
Comprehensive Emergency Management Plan

Special Services

1. **Referral** -The school unit has adopted policies and procedures for determining when a student shall be referred for special services.

See Policies - IHBAA – Referral/Pre-Referral Policy of Students with Disabilities; IHBAC – Child Find

2. **Review of Individual Educational Plan** The school shall schedule an IEP meeting to review the IEP of a student who has been removed from class when: a) school officials and/or the parent believes the student may present a substantial likelihood of injury to himself/herself or other; b) the class removals are sufficient to constitute a change in the student's special education program; or c) school officials or the parent believes that the student's behavior may warrant a change in educational programming.

See Policy:

JKF Disciplinary Removals of Students with Disabilities

Referrals to Law Enforcement Authorities

The Superintendent and administrators have the authority to seek the assistance of law enforcement authorities when there is a substantial threat to the safety of the schools, students or staff. The Superintendent/administration may also inform law enforcement authorities when they have reason to suspect that a student or staff member may have violated a local, state or federal statute. All serious offenses, as determined by the Superintendent, must be reported to law enforcement authorities.

See Policies - KLG – School Resource Officer,

Dissemination of System-Wide Student Code of Conduct

The System-Wide Student Code of Conduct shall be distributed to staff, students and parents through handbooks and/or other means selected by the Superintendent and building administrators.

Board Policies Related to Student Conduct

The board has adopted the following policies and administrative procedures to address areas of particular concern.

AC -- Non-Discrimination/Equal Opportunity and Harassment
ACAA-R-1 -- Student Harassment Complaint Procedure
ACAD -- Hazing
ADC -- Tobacco Free Schools
EBB -- Bomb Threats
EEAEC -- Student Conduct on Buses
JI -- Student Rights and Responsibilities
JICA -- Student Dress
JICB -- Care of School Property by Students
JICIA--Weapons, Violence, and School Safety
JICH -- Student Chemical Health
JICH-P-- Student Chemical Health Administrative Procedures
JICK--Bullying
JK--Student Discipline
JKD--Suspension of Students
JKE -- Expulsion of Students

JKF -- Suspension/Expulsion of Special Education Students

JIH -- Student Interviews, Searches, and Arrests

Community of Learners Network Acceptable Use Guidelines (From RSU 40/MSAD 40 Tech Plan)

RSU 40/MSAD 40 Athletic Philosophy—Athletic Handbook

Legal Reference: 20-A MRSA §§ 254 (11); 1001 (15), (15-A)

Adopted: January 24, 2013

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