

CHAVEZ HUIERTA

K-12 PREPARATORY ACADEMY

Book	CHPA Administrative Procedure Manual
Section	Chapter 3 Academic Affairs
Title	AP 3050 Standards of Conduct/Student Discipline
Number	AP 3050
Status	Active
Legal	Chávez/Huerta K-12 Preparatory Academy Board of Directors BP 3050 Standards of Conduct/Student Discipline C.R.S. 22-33-105
Adopted	August 28, 2017
Last Reviewed	September 19, 2017

Reporting Procedure and Investigation:

Any pupil who believes he/she has or is being subjected to any type of violation of the code of conduct, as well as any person who has reason to believe a pupil has knowledge or reason to believe another pupil has been subjected to any type of bullying or violation of the code of conduct shall immediately make a report to the Administration. An investigation will follow.

A violation of the code of conduct cannot be investigated or corrected until the school has been made aware. Persons are directed to report all incidences of any violation of the code of conduct.

Student Code of Conduct

Standards of Student Conduct

In joining the school community, the student enjoys the right and shares the responsibility in exercising the freedom to learn. Like other members of the school community, the students are expected to conduct themselves in accordance with standards of the school that are designed to perpetuate its educational purposes. Students shall respect and obey civil and criminal law, and shall be subject to legal penalties for violation of laws of the city, county, state, and nation. A charge of misconduct may be imposed upon a student for violating provisions of school regulations and the State Education and Administrative Codes. Where a student is subject to a charge of misconduct, such charge shall be processed in accordance with the following policies and procedures which will be applied in a fair and equitable manner.

Disciplinary action may be imposed upon a student by an Instructor, an Administrator, or the Board of Directors for proven misconduct or actual violation of specified school rules and regulations. Administrators may place students on probation or temporary exclusion with respect to actions in a classroom, on campus, or at a school-sponsored activity within the procedures specified in this document. The Principals shall have the power to impose

suspension and to recommend expulsion. Assistant Principal may also authorize suspensions of the legally defined limit.

A charge of misconduct, harassment, violation of the Student Code of Conduct, allegation of academic dishonesty and/or other violation may be brought against a member of the school community. Any charges must be signed and submitted to the Assistant Principal or Principal.

Due Process – A Fair and Balanced Review of the Facts Shall Include the Right to Appeal.

The Assistant Principal/Principal shall receive a signed, written statement and confer with the individual charged to advise them of the charge, possible sanctions, and the process including their rights. A review of the facts will result in a decision by the Assistant Principal/Principal as to any disciplinary actions that may be imposed. The student, along with their parent/guardian, have the right to file a grievance, appealing a decision made by the Assistant Principal/Principal. If necessary a final appeal can be made to the Executive Director.

Disciplinary Action – Violations of the Code of Conduct Have Consequences.

The school has established a range of penalties for violations of the Student Code of Conduct that range from verbal and written warnings, to formal reprimands, removal from class, and short-term suspensions up to expulsion from the school when the presence of a student causes a continuing danger to the physical safety to themselves or others. Disciplinary actions will focus on corrective measures and will follow due process.

Right to Grieve – A Student and Parent/Guardian Can Appeal a Decision

Any student, along with their parent/guardian has the right to appeal a decision by filing a grievance if the student reasonably believes a school decision or action has adversely affected their status, rights, or privileges as a student. This wrong must involve an unjust action or denial of student rights as defined by the school or legal judgement. A grievance exists only when such an error or offense has some demonstrably correctable result.

The Assistant Principal/Principal has more information and forms required to file a formal complaint or grievance. Note there are timelines that are followed. In the event of a recommended expulsion by the Executive Director and upon approval by the CHPA Board of Directors, the student/parent/guardian may appeal the decision to the Pueblo City School Board of Education.

Code of Conduct

“Behavior on or off school property that is detrimental to the welfare or safety of other pupils or of school personnel, including behavior that creates a threat of physical harm to the child or other children; except that, if the child who creates the threat is a child with a disability pursuant to section C.R.S. 22-20-103 (5)” (C.R.S. 22-33-106 (c)). Students are subject to charges of misconduct for acts on school-owned or controlled property or at a school sponsored activity included, but not limited to:

1. Causing, attempting to cause, or threatening to cause physical injury to another person or to one's self.
2. Possession, sale or otherwise furnishing a weapon, including but not limited to, any actual or facsimile of a firearm, knife, explosive or other dangerous object, or any item used to threaten bodily harm.

3. Use, simulated use, possession, distribution, or offer to sell alcoholic beverages, narcotics, hallucinogenic drugs, marijuana, other controlled substances or dangerous drugs while on campus or while participating in any school sponsored event.
4. Presence on campus while under the influence of alcoholic beverages, narcotics, hallucinogenic drugs, marijuana, other controlled substances or dangerous drugs except as expressly permitted by law.
5. Committing or attempting to commit robbery or extortion.
6. Causing or attempting to cause damage to school property or to private property on campus.
7. Stealing or attempting to steal school property or private property on campus, or knowingly receiving stolen school property or private property on campus.
8. Willful or persistent smoking (including e-cigarettes or use of similar mechanisms) in any area on campus or school sponsored activities is prohibited by law.
9. Engaging in intimidating conduct or bullying against another student through words or actions, including direct physical contact, verbal assaults, such as teasing or name-calling, social isolation or manipulation, and cyber-bullying.
10. Engaging in harassing or discriminatory behavior. The school's response to instances of sexual harassment will follow the processes identified in Board Policy and Administrative Procedures.
11. Obstruction or disruption of classes, administrative or disciplinary procedures, or authorized school activities.
12. Disruptive behavior, willful disobedience, profanity, vulgarity, lewd, or other offensive conduct, on campus or during school sponsored activities.
13. The persistent defiance of authority or abuse of school personnel.
14. Academic dishonesty, cheating, or plagiarism.
15. Dishonesty, forgery, alteration or misuse of school documents, records or identification, or knowingly furnishing false information to the school or any related off-site agency or organization.
16. Unauthorized entry to or use of school facilities.
17. Engaging in expression which is obscene, libelous, or slanderous, or which so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, or the violation of lawful school administrative procedures, or the substantial disruption of the orderly operation of the school.
18. Violation of school rules and regulations including those concerning student organizations, the use of school facilities, or the time, place, and manner of public expression or distribution of materials.
19. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
20. Unauthorized preparation, giving, selling, transfer, distribution, or publication of any recording or photography of an academic presentation in a classroom or equivalent site of

instruction, including but not limited to written class materials, except as permitted by school policy, or administrative procedure.

Last Revised

September 18, 2017