

CODE OF STUDENT CONDUCT EAST PROVIDENCE SCHOOL DEPARTMENT

INTRODUCTION

The Code of Student Conduct outlines the behavioral expectations and standards for students attending schools within the East Providence School District. These guidelines are designed to foster a safe, respectful, and supportive learning environment for all members of the school community.

At the commencement of each school year, each school principal shall ensure that the Code of Student Conduct is distributed to each student in their school. Each student, and their parent/guardian, must acknowledge in writing that they have received a copy of the Code of Student Conduct. All students must adhere to the standards outlined in this policy, regardless of whether they signed the written acknowledgment.

The Code is reviewed, with faculty input, and amended periodically by the administration, the Superintendent and approved by the School Committee. The District will administer the Code consistently with equal enforcement for all.

The rules and regulations set forth by the Code are intended to follow the policies as set forth by the East Providence School Committee as well as state and federal statutes. Any changes and/or differences decreed at state or federal levels would take precedence over the East Providence Code of Student Conduct.

STUDENT RESPONSIBILITIES

Students must adhere to established school policies, rules, directives and regulations of their school and district. Students are expected to always maintain proper standards of behavior, and will:

Respect and encourage the right to teach and the right to learn.

Be actively engaged in learning, ask questions, collaborate, and seek solutions.

Be on time to fulfill their daily commitments.

Be appropriate; demonstrate behavior that is considerate of the community, the campus, and themselves.

Be truthful and communicate honestly.

Be responsible and accountable for their choices.

SCOPE OF CODE OF STUDENT CONDUCT

The Code of Student Conduct applies to conduct on school property, at school-sponsored activities and events, traveling to and from school, and off-campus conduct that impacts the school community.

STANDARDS FOR STUDENT BEHAVIOR INFRACTIONS¹

School Committees have the power and duty to establish standards of conduct in the schools and for disciplinary actions.² The administration of consequences must be equitable and cannot be arbitrary or contrary to state-wide academic policy.

I. ACADEMIC

¹ The following list of infractions are guidelines and not meant to be an all-inclusive list.

² R.I. Gen Laws § 16-2-9(a)(16)

A. Cheating, Forgery, Plagiarism
B. Academic Non-Compliance
II. ACCOUNTABILITY
A. Cutting, Removal from, or Leaving Class, Lunch, Detention or In School Suspension or Intervention
B. Leaving School Campus
C. Tardy to School
D. Truancy
III. BEHAVIOR
A. Class Disruption
B. Damage, Theft, Vandalism of Property
C. Possession and/or Use of Disruptive or Potentially Unsafe Devices (e.g., stink bombs, water pistols, air horns, lighters, etc.)
D. Insubordination, Defiance, Disrespectful Behavior
E. Lunchroom and Corridor Misconduct
F. Physically Aggressive Behavior
G. Vulgarity, Obscene Gestures, Pornography
H. Vulgarity, Obscene Gestures, Pornography Directed at an Individual
IV. ENDANGERING BEHAVIOR
A. Threatening Behavior (e.g., threats of arson or bombs, threats to individuals)
B. Assault, Arson, Bomb
C. Fighting or Instigating a Fight (regardless of whether fight results)
D. Bullying (Harassment or Intimidation)
E. Sexual Harassment
F. Dating Violence (other than assaults)/Electronic Dating Violence
G. Possession of Weapons, Bullets or Potentially Unsafe Devices ³
H. False Alarm and/or False 911
I. Video Voyeurism ⁴

³ Any student who brings a firearm or a realistic replica of a firearm within school premises, premises being used for school purposes or activities, into a vehicle used for school transportation, or onto a roadway or path along which school children or teachers are walking to school shall receive an out of school suspension for one year. The Superintendent may shorten this term, on a case-by-case basis. Law enforcement agencies shall be immediately notified of any weapons offense.

⁴ The intent to capture an image of a private area of someone without their consent, and knowingly doing so when they

V. OTHER
A. Cell Phones/Recreational Equipment
B. Dress Code Violations
C. Distribution of Unauthorized Material
D. Gambling
E. Headwear (e.g., hats, hoods, bandannas)
F. Overt Display of Affection
VI. SUBSTANCE ABUSE
A. Use/Possession of Tobacco Products, Including Electronic and Non-Combustible Smoking Devices
B. Possession/Use/Under the Influence of a Controlled Substance, including Unauthorized Prescription Drugs, Drug Derivatives, Natural or Synthetic Substances, or Alcohol
C. Distribution, Solicitation, Sale or Intent of Sale of Controlled Substances or Falsely Presented Substances, including Unauthorized Prescription Drugs, Drug Derivatives, Natural or Synthetic Substances, or Alcohol
D. Possession/Distribution/Sale of Paraphernalia

DISCIPLINARY PROCEDURES

1. Student Behavior Infractions may result in the imposition of one or more of the following Disciplinary Measures:

Parent/Teacher Conference: A scheduled meeting between the parents/guardians of a student and their teacher(s), to discuss the student's misconduct.

Restorative Practices: Practices that focus on relationships, responsibility, and repair of harm caused by the student's misconduct. This may include payment of restitution, community service or other practices. These practices aim to address behavioral issues through dialogue, understanding and accountability.

Detention: The loss of free time before, during or after school, for up to one (1) hour.

In-School Suspension/Intervention: The removal from classes by the principal or their designee for not more than ten (10) days, and placement within the school.

Social Suspension: The exclusion from all extracurricular activities for a period of time. This includes, but is not limited to, such activities as dances, sports, proms, banquets, recognition ceremonies, school sponsored trips, and end of the year exercises, such as Graduation.

Out-of-School Suspension: The denial of school privileges and exclusion from school by the principal or their designee for not more than ten school days.

have a reasonable expectation of privacy.

2. Teachers and school administrators will evaluate infractions on a case-by-case basis to determine the appropriate consequence. Teachers and school administrators may consider the nature and circumstances of the infractions, input from staff and students, input from administrators, and the student's prior history of consequences.
3. A student may only receive an out of school suspension if the student is a disruptive student or the student represents a demonstrable threat.⁵ A student may not receive an out of school suspension if the sole infraction is attendance related.⁶
 - a. A disruptive student is defined as an individual who:
 - i. Exhibits persistent conduct which substantially impedes the ability of other students to learn OR
 - ii. Otherwise substantially interferes with students, staff, teachers or administrators' right to a safe and secure school, AND
 - iii. Who has failed to respond to corrective rehabilitative measures presented by staff, teachers and administrators.⁷
4. If a student receives a suspension that is greater than ten school days, that student is entitled to an Alternative Education Program.⁸
5. In all disciplinary matters (including in-school and out of school suspension), due process and all legally mandated procedures regarding the discipline of students with disabilities will be followed.⁹ See: <https://ride.ri.gov/students-families/health-safety/discipline-schools>
6. If a student who has a disability or a suspected disability under IDEA or Section 504, is to receive a discipline that would change their placement, or violate an established IEP, BIP or 504 plan¹⁰ or other accommodation, they shall undergo appropriate process prior to the imposition of such discipline.¹¹
 - a. A change in placement is defined as an exclusion of more than ten (10) consecutive school days or a series of disciplinary removals that total more than ten (10) school days in a school year.

APPEALS POLICY

East Providence School Department will implement the following procedure for discipline, including in school and out of school suspension:

1. When a student is considered for an in school or out of school a suspension, before a decision is made, the student will be entitled to a meeting before the principal or designee at which time the student shall be provided an opportunity to discuss the violation of the code of conduct. During this meeting, the student will be provided with oral notice of the allegations, and if the student denies these allegations, the school will provide an explanation of the evidence they possess. Then, the student will be provided with an opportunity to present additional information and/or an explanation for the student's actions.
 - a. After this meeting, the student and parent will be informed of the decision to suspend the student, either in school or out of school, within one day. This notification can be provided either orally, in person or over the phone, or through electronic mail or regular mail.

⁵ R.I. Gen Laws § 16-2-17 (a) and 16-2-17.1

⁶ R.I. Gen Laws § 16-19-1

⁷ Id.

⁸ R.I. Gen. Laws § 16-21-27

⁹ See Individuals with Disabilities Act, 20 U.S.C. § 1415 and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794

¹⁰ A parent or guardian may request an evaluation or reevaluation under Section 504 for their child's disability based behavioral needs. See C.F.R. § 104.35

¹¹ 34 C.F.R. § 300.530(e)

- b. If there is an emergency requiring the student's immediate removal after an incident, as determined in the judgment of the principal or their designee, then this meeting will occur as soon as the student can be present for the meeting.¹²
2. Upon the decision to issue an out of school suspension, the principal or their designee shall notify the Superintendent or their designee, as soon as reasonably possible, but no later than midnight on the date the suspension was issued.
3. Upon issuing a decision for an in school or out of school suspension the principal or their designee shall provide a parent or guardian with written notice, either in hand, through regular mail, to the parent or guardian's last known address as reported on school records or through electronic mail, informing the parent or guardian of the issuance of an in school or out of school suspension involving their student and the reason(s) for it.
4. For all disciplinary decisions, the parent or guardian of the student may follow the below appellate procedure:
 - a. The parent or guardian of the student may request an appeal before the Principal or designee.
 - b. Subsequently, the parent or guardian of the student may request an appeal of the Principal's decision before the Superintendent or designee. This request must be made within 5 calendar days of receiving the Principal/designee's decision.
 - c. Subsequently, the parent or guardian of the student involved may request an appeal of the Superintendent/designee's decision before the School Committee. This request must be in writing and provided to the Administrative Assistant to the Superintendent and must be made within 5 calendar days of receiving the Superintendent/designee's decision.
 - d. The student, parent or guardian may request an appeal of the School Committee's decision to the Commissioner of Elementary and Secondary Education.

East Providence School Department
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¹² "Students whose presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process may be immediately removed from school." *Goss v. Lopez*, 419 U.S. 565 (1975).