

BALTIMORE COUNTY PUBLIC SCHOOLS

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DATE: May 28, 2002
TO: **BOARD OF EDUCATION**
FROM: Dr. J. Hairston, Superintendent
SUBJECT: **Revision of Board of Education Policy 5550**
ORIGINATOR: Christine M. Johns, Deputy Superintendent of Curriculum and Instruction
RESOURCE
PERSON(S): Dr. Donald Mohler, Executive Director for Student Support Services
Mr. Dale Rauenzahn, Director, Student Support Services

RECOMMENDATION

That the Board of Education accept the proposed revisions
to Board of Education Policy 5550.

There are several changes to the policy that was presented at the May 14, 2002, Board of Education meeting. The changes are listed in italic print.

DIM/dim
Appendix I – Board of Education Policy 5550

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STUDENTS: Conduct

Disruptive Behavior

[Behavior which interferes with the normal function of a school or disrupts or interferes with the academic process constitutes a violation of the rights of others to utilize the services and facilities of the school. Students are expected to exhibit proper behavior on school property, on school buses, and at off-site school-sponsored activities. Students who are responsible for disruptive behavior are subject to discipline including suspension or expulsion in accordance with the procedures outlined in the policy and rule, "Suspension or Expulsion," in this series.

Given below are some examples of offenses which will subject a student to discipline. The list is not exhaustive, and there may be additional offenses for which a student can be suspended or expelled.]

STUDENTS ARE EXPECTED TO FOLLOW THE CODE OF CONDUCT ON SCHOOL PROPERTY, ON SCHOOL BUSES, AND AT OFF-SITE SCHOOL-SPONSORED ACTIVITIES. A STUDENT'S BEHAVIOR IS DISRUPTIVE WHEN IT INTERFERES WITH THE NORMAL FUNCTION OF A SCHOOL. A STUDENT'S BEHAVIOR IS DISRUPTIVE WHEN THAT BEHAVIOR INTERFERES WITH THE ACADEMIC PROCESS OR VIOLATES THE RIGHTS OF OTHERS TO UTILIZE THE SERVICES AND FACILITIES OF THE SCHOOL. STUDENTS WHO TAKE PART IN DISRUPTIVE BEHAVIOR ARE SUBJECT TO DISCIPLINE THAT MAY INCLUDE SUSPENSION OR EXPULSION ACCORDING TO THE PROCEDURES OUTLINED IN THE POLICY AND RULE 5560, "SUSPENSION OR EXPULSION."

BELOW ARE SOME STUDENT OFFENSES FOR WHICH DISCIPLINE WILL BE IMPOSED. THE LIST DOES NOT COVER ALL BEHAVIORS OR ACTIONS. THERE MAY BE ADDITIONAL OFFENSES FOR WHICH A STUDENT CAN BE SUSPENDED OR EXPELLED.

Category I – Examples of offenses [which] THAT may result in suspension:

- a. Academic dishonesty (cheating on tests, copying term papers, forging signature of teacher and/or parent)
- [b. Disrespect to teacher/staff]
- [c.] B FAILURE TO FOLLOW A DIRECTION SUCH AS, BUT NOT LIMITED TO, failure to report to office when directed BY SCHOOL STAFF to do so

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- [d.]C Fighting
- [e.]D Gambling
- [f.]E Harassment (nuisance phone calls to students or staff members; continued comments or passing of unofficial notes to another individual that he/she does not wish to hear or receive)
- [g.]F Igniting matches or lighters (when not a part of the instructional program)
- [h.]G Leaving school grounds without permission
- [i.]H Non-prescription violation (possession of non-prescription medications)
- [j.]I Personal health, when [one's state of health threatens the health of others] A STUDENT KNOWINGLY USES HIS OR HER STATE OF HEALTH TO THREATEN THE HEALTH OF OTHERS
- [k.]J [Possession and/or] Use of ELECTRONIC COMMUNICATION DEVICES, SUCH AS a pager (beeper), portable telephone, OR ANY WIRELESS COMMUNICATION DEVICE (WHICH ARE NOT PART OF THE EDUCATIONAL PROGRAM) DURING REGULAR INSTRUCTIONAL SCHOOL HOURS. *REGULAR INSTRUCTIONAL HOURS ARE DEFINED AS BEGINNING AT THE OPENING BELL FOR THE SCHOOL DAY AND CONCLUDING AT THE DISMISSAL BELL FOR THE SCHOOL DAY. STUDENTS INVOLVED IN BEFORE, AFTER-SCHOOL, AND WEEKEND INSTRUCTIONAL ACTIVITIES SHALL NOT USE ELECTRONIC COMMUNICATION DEVICES WITHIN THE ASSIGNED AREA OF THE ACTIVITY FROM THE BEGINNING OF THE SCHEDULED ACTIVITY UNTIL ITS CONCLUSION.* THE DEVICE MUST BE TURNED OFF AND STORED IN THE LOCKER, BOOKBAG, AUTOMOBILE, OR PURSE DURING SCHOOL HOURS AND WHILE BEING TRANSPORTED ON THE BUS. THE BAN ON THE USE OF ELECTRONIC DEVICES APPLIES TO BUSES USED FOR ALL SCHOOL RELATED ACTIVITIES.
- [l.]K Refusing to cooperate with school rules and regulations

- [m.]L Refusing to cooperate with school transportation regulations
- [n.]M Refusing to do assigned work
- [o.]N Refusing to serve detention
- [p.]O [Tardiness] UNEXCUSED LATENESS (class/classes)
- [q.]P [Tardiness] UNEXCUSED LATENESS (school day)
- [r.]Q UNEXCUSED ABSENCE OR [T]Truancy (class/classes)
- [s.]R UNEXCUSED ABSENCE OR [T]Truancy (school day)
- [t.]S Unauthorized sale or distribution [, not otherwise described] IN SCHOOL OF ITEMS, GOODS, OR SERVICES NOT RELATED IN ANY WAY TO THE SCHOOL OPERATION, (E.G., sale of football pools [; sale of items in school not related in any way to the school operation])
- [u.]T Use and/or possession of tobacco or cigarette rolling paper
- [v.]U Using [foul] OBSCENE or abusive language
- [w.] Verbal assault on a student.]

Category II – Examples of offenses for which the student [normally would] MAY be suspended and which may result in expulsion:

- a. Assault ON INDIVIDUAL(S)
- b. Assault and/OR battery on a student
- [c. Chronic disruption of the school program and/or activities]
- [d]C Conspiracy OR PLANNING between two or more persons to commit a Category III offense
- [e.]D [Deprivation through intimidation of another individual's right to attend school or classes] INTERFERING WITH ANOTHER STUDENT'S RIGHT TO ATTEND SCHOOL OR CLASSES

- [f.]E Destruction and/or vandalism of school property, personal property of students and/or [faculty;] FACULTY. THIS INCLUDES receipt, sale, possession, or distribution of property stolen from Baltimore County Public Schools. Restitution is required, either monetary or school work project
- [g.]F Disruptive behavior [which] THAT results in the interference with the normal school program, INCLUDING REPEATED CATEGORY I OR II OFFENSES
- [h.]G Distribution, attempt to distribute, or possession with the intent to distribute a non-controlled substance [upon the representation that the substance is] THAT IS REPRESENTED AS a controlled dangerous substance
- [i.]H Extortion OR TAKING MONEY OR POSSESSIONS FROM ANOTHER STUDENT(S) BY THREAT OR CAUSING FEAR AND INTIMIDATION
- [j.] Failure to assume responsibility for or control of his/her behavior]
- [k.]I Fire alarm/false fire report/bomb threat
- [l.]J Harassment for any reason including, but not limited to, [sexual, racial, religious, and ethnic differences] RACE, SEXUAL ORIENTATION, GENDER, RELIGION, *DISABILITY*, OR NATIONAL ORIGIN
- [m.]K Indecent exposure
- [n.] Insubordination (disobeying a directive from an administrator, teacher, or any staff member)]
- [o.]L Non-prescription violation (misuse of non-prescription medications) including failure to have medications administered by school nurse or delegated personnel
- [p.]M Participating in and/or inciting a school disruption

- [q.]N Possession and/or detonation of an incendiary or explosive material or device, including live ammunition (firecracker or greater)
- [r.]O Possession of a look-alike weapon of any kind
- [s.]P Possession of a pocketknife
- [t.]Q Possession, use, or distribution of controlled and/or drug paraphernalia
- [u.]R Prescription violation (possession of prescribed medication)
- [v.]S Purchase of a non-controlled substance that has been represented to be a controlled dangerous substance
- [w.]T Theft and/or knowingly possessing stolen property
- [x.]U Trespassing
- [y.]V Use and/or possession of tobacco or cigarette rolling paper, repeated offense
- [z.]W Violation of the Telecommunications Acceptable Use Policy

Category III – Examples of offenses which shall result in expulsion:

- a. Arson
- b. Assault and battery on a staff member
- c. Distribution and/or sale of alcohol
- d. Distribution and/or sale of controlled dangerous substances (illegal drugs)
- e. Possession and/or use of a firearm on school property (one-year expulsion)
- f. Possession of alcohol
- f. Possession of controlled dangerous substances (illegal drugs)

- h. Possession or use of any other gun or rifle (loaded or unloaded, operable or inoperable) which shall include, but not be limited to, pellet gun, paintball gun, stun gun, BB gun, flare gun, nail gun¹
- i. Possession or use of a real weapon of any kind which shall include, but not be limited to, switchblade knife, hunting knife, star knife, razors (including straight or retractable razor), nunchaku, spiked glove, spiked wristband, any mace derivative, tear gas device, or pepper spray product
- j. Prescription violation (misuse of prescribed medications) including failure to have medications administered by school nurse or delegated personnel
- k. Robbery
- l. Striking a staff member WHO IS intervening in a fight or other disruptive activity (intentional or unintentional)
- m. Use of a controlled dangerous substance (illegal drugs), under the influence of a controlled substance, or showing evidence of having used a controlled substance
- n. Use of a look-alike gun or rifle (loaded or unloaded, operable or inoperable)²
- o. Use of a look-alike weapon of any kind which shall include, but not be limited to, switchblade knife, hunting knife, star knife, pocket knife, razors including straight or retractable razor, nunchaku, spiked glove, or spiked wristband
- p. Use of alcohol, under the influence of alcohol, or showing evidence of having consumed alcohol
- q. Use of any intoxicants which causes a loss of self-control or inebriation and which shall include glue and solvents
- r. Use of a pocketknife or any object as a weapon
- s. Violent behavior which creates a substantial danger to persons or property

The provisions of this policy apply in all situations in which students are involved, including: (1) school activities on property owned by the Board of Education; (2) travel on school buses; (3) off-site school-sponsored activities; (4) on-site or off-site school-related problems which are the result or cause of disruptive behavior on school grounds; and (5) violent acts of behavior which occur off school property and pose a threat to the safety of students and faculty or disrupt the learning environment.

Legal References: Gun Free Schools Act of 1994, 20 U.S.C. §3351
 Annotated Code of Maryland, Education Article,
 §7-305 , Suspension and Expulsion
 Code of Maryland Regulations (“COMAR”)
 13A.08.01.11 Disciplinary Action
 13A.08.01.17 School Use of Reportable Offenses
 13A.08.01.04(B) [Truancy] UNLAWFUL ABSENCE
 13A.02.04.01.-07. Tobacco-Free School Environment

Policy
adopted: 7/13/78
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revised: 7/1/92
revised: 9/12/95
revised: 7/2/96
revised: 8/6/96
revised: 6/9/97
revised: 6/12/01
REVISED:

Board of Education
of Baltimore County

¹ The use of permanently inoperable rifles by JROTC students shall not be a violation of this policy during instructional time and at any other times when under the direct supervision of JROTC instructors.

² [The use of permanently inoperable rifles by JROTC students shall not be a violation of this policy during instructional time and at any other times when under the direct supervision of JROTC instructors.] SEE NOTE 1 ABOVE.