

## **Improper Conduct**

Rule 1: Disruption and interference with school

School Board Policy 4.20 – Disruption of School

No student shall by the use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or any other conduct, intentionally disrupt any lawful mission, process, or function of the school or engage in any such conduct to cause disruption or obstruction of any lawful mission, process, or function. Nor shall any student encourage any other student to engage in such activities.

Disorderly activities by any student or group of students that adversely affect the school's orderly educational environment shall not be tolerated at any time on school grounds. Teachers may remove them from class and send them to the Principal or principal's designee office a student whose behavior is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to teach the students, the class, or with the ability of the student's classmates to learn. Students who refuse to leave the classroom voluntarily will be escorted from the classroom by the school administration.

Legal Reference: A.C.A. § 6-18-511 DESE Rules Governing Student Discipline and School Safety

Date Adopted: Oct. 2015

Last Revised: July 2020

### **Rule 2: Damage or Destruction of School Property**

- (a) A student shall not cause or attempt to cause damage to school property or steal or attempt to steal school property. The school district will attempt to recover damages from the student destroying school property. Parents of any student may be liable for damages caused in an amount not more than \$2,500.00.
- (b) Students should not mark or mar any surface, sit on tables or chair tops, or perform any other behavior that is likely to damage school property.
- (c) No school property will be loaned to anyone unless authorized by the principal or superintendent.

### **Rule 3: Damage or Destruction of Private or Public Property**

- a. A student shall not cause or attempt to cause damage or steal or attempt to steal private or public property.

### **Rule 4: Narcotics: Beverage Containing Alcohol and/or Drugs**

#### **School Board Policy 4.24-DRUGS AND ALCOHOL**

An orderly and safe school environment that is conducive to promoting student achievement requires a student population free from the deleterious effects of alcohol and drugs. Their use is illegal and disruptive to the educational environment and diminishes the capacity of students to learn and function properly in our schools.

Therefore, no student in the Nemo Vista School District shall possess, attempt to possess, consume, use, distribute, sell, buy, attempt to sell, attempt to buy, give to any person, or be under the influence of any substance as defined in this policy, or what the student represents or believes to be any substance as defined in this policy.

This policy applies to any student who:

- is on or about school property; returns to the campus; and/or
- is in attendance at school or any school-sponsored activity; • is en route to or from school or any school-sponsored activity
- has left the school campus for any reason and

Prohibited substances shall include, but are not limited to:

- alcohol or any alcoholic beverage;
- inhalants or any ingestible matter that alters a student's ability to act, think, or respond;
- LSD, or any other hallucinogen; • amphetamines;
- marijuana, • steroids;
- cocaine, heroin, or any other narcotic drug; • "designer drugs";
- PCP; • look-alike drugs; or

- any controlled substance.

The sale, distribution, or attempted sale or distribution of over-the-counter (OTC) medications, dietary supplements or other perceived health remedies not regulated by the US Food and Drug Administration or prescription drugs is prohibited. The possession or use of OTC medications, dietary supplements or other perceived health remedies not regulated by the US Food and Drug Administration or prescription drugs is prohibited except as permitted under policy 4.35---STUDENT MEDICATIONS.

Cross Reference: 4.35---STUDENT MEDICATIONS

Legal References: A.C.A. § 6-18-502 DESE Rules Governing Student Discipline and School Safety

Arkansas Constitution Amendment 98§6

Date Adopted: Oct. 2010

Last Revised: July 2024

## **Rule 5: Weapons, Dangerous Instruments, and Contraband**

### **School Board Policy 4.22-WEAPONS AND DANGEROUS INSTRUMENTS**

#### **Definitions**

“Firearm” means any device designed, made, or adapted to expel a projectile by the action of an explosive or any device readily convertible to that use.

“Possession” means having a weapon on the student’s body or in an area under the student’s control.

“Weapon” means any:

- Firearm;
- Knife;
- Razor;
- Ice pick;
- Dirk;
- Box cutter;
- Nunchucks;
- Pepper Spray, mace, or other noxious spray;
- Explosive;

- Taser or other instrument that used electrical current to cause neuromuscular incapacitation; or
- Any other instrument or substance capable of causing bodily harm.

No student, except for Military personnel (such as ROTC cadets) acting in the course of their official duties or as otherwise expressly permitted by this policy, shall possess a weapon, display what appears to be a weapon or threaten to use a weapon before or after school while:

- In a school building;
- On or about school property;
- At any school-sponsored activity or event;
- On route to or from school or any school-sponsored activity; or
- Off the school grounds at any school but stop.

If a student discovers before any questioning or search by any school personnel that he/she has accidentally brought a weapon, other than a firearm, to school on his/her person, in a book bag/purse, or his/her vehicle on school grounds, and the student informs the principal or a staff person immediately, the student will not be considered to have a weapon, unless it is a firearm. The weapon shall be confiscated and held in the office until the student's parent/legal guardian shall pick up the weapon from the school's office. Repeated offenses are unacceptable and shall be grounds for disciplinary action against the student as otherwise provided for in this policy.

Except as permitted in this policy, students found to be in possession on the school campus of a firearm shall be recommended for expulsion for one (1) year. The School Board shall have the discretion to modify such expulsion recommendation for a student on a case-by-case basis.

Parents or legal guardians of students expelled under this policy shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess firearms on school property. Parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws before readmitting the student. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a firearms policy violation shall also be given a copy of the current laws regarding the possibility of parental responsibility for knowing a child to possess firearms on school property. The parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws before the student being enrolled in school.

The mandatory expulsion requirement for possession of a firearm does not apply to a firearm brought to school to participate in activities approved and authorized by the district that include the use of firearms. Such activities may include ROTC programs, hunting safety or military education, or before or after school hunting or rifle clubs. Firearms brought to school for such purposes shall be brought to the school employee designated to receive such firearms. The designated employee shall store the firearms in a secure location until they are removed for use in the approved activity.

The district shall report any student who brings a firearm to school to the criminal justice system or juvenile delinquency system by notifying local law enforcement.

Cross Reference: 4.31--EXPULSION

Legal References: A.C.A. § 6-18-502    A.C.A. § 6-18-507    A.C.A. § 6-21-608    A.C.A. § 5-73-133  
 A.C.A. § 5-73-119 (b) (e) (8), (9), (10) 20 USCS § 7961    A.C.A. § 5-4-201    A.C.A. § 5-4-401  
 A.C.A. § 5-27-210    DESE Rules Governing Student Discipline and School Safety

Date Adopted: Oct. 2010

Last Revised: July 2024

## **Rule 6: Tobacco**

### **School Board Policy 4.23 – Tobacco and Tobacco Products**

Smoking or use of tobacco or products containing tobacco in any form (including, but not limited to, cigarettes, cigars, chewing tobacco, and snuff) in or on any property owned or leased by a District school, including school buses owned or leased by the District, is prohibited. Students who violate this policy may be subject to legal proceedings in addition to student disciplinary measures.

Except for recognized tobacco cessation products, this policy's prohibition includes any tobacco or nicotine delivery system or product. Specifically, the prohibition includes any product that is manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pips, vaping devices, or under any other name or descriptor.

#### **First Offense:**

1. A parent/guardian will be notified.
2. Two (2) days of In-School Suspension (ISS)-While attending ISS, the student must complete a school-provided assignment on the dangers of tobacco, cessation programs, etc. in addition to other class assignments provided by teachers, administration, and/or ISS supervisor.
3. Student and parent/guardian will be provided information about available cessation programs.

#### **Second Offense:**

1. A parent/guardian will be notified.
2. Three (3) days of In-School Suspension (ISS)-While attending ISS, the student must complete a school-provided assignment on the dangers of tobacco, cessation programs, etc. in addition to other class assignments provided by teachers, administration, and/or ISS supervisor.
3. Student and parent/guardian will be provided information about available cessation programs.

#### **Third Offense:**

1. The parent/guardian will be notified.
2. Five (5) days of In-School Suspension.
3. A parent/guardian-principal conference must be held before the student is allowed to return to class.
4. Student and parent/guardian will be provided information about available cessation programs.

#### **Fourth Offense:**

1. The parent/guardian will be notified.
2. Three (3) days of Out-Of-School Suspension.
3. A parent/guardian-principal conference must be held before the student is allowed to return to class.
4. Student and parent/guardian will be provided information about available cessation programs.

**Additional offenses, and disciplinary action(s) will be subject to the administration's discretion.**

Legal Reference: AC.A. § 6-21-609

Date Adopted: Oct. 2010

Last Revised: June 2019

## **Rule 7: Immorality**

A student shall abstain from indecent and immoral acts.

## **Rule 8: Display of Affection**

Public display of affection is not acceptable. Holding hands, placing arms around each other, and kissing are prohibited at school and at all school activities, including after-school activities.

## **Rule 9: Fireworks**

A student shall not possess, handle, or store firecrackers, smoke bombs, cherry bombs, or any other kind of fireworks that reasonably could be a danger to himself/herself or to other students, that could cause damage to school property or that could be disruptive to the learning climate of the school.

**Rule 10: Gambling**

A student shall not participate in any activity which may be termed gambling or wagering where the stakes are money or any other object or object of value.

**Rule 11: Physical Abuse or Assault of School Staff (Act 104 or 1983 Special Session)**

**School Board Policy 4.21 – Student Assault or Battery**

A student shall not threaten, physically abuse, attempt to physically abuse, or behave in such a way as to be perceived to threaten bodily harm to any other person (student, school employee, or school visitor). Any gestures, vulgar, abusive, or insulting language, taunting, threatening, harassing, or intimidating remarks by a student toward another person that threaten their well-being is strictly forbidden. This includes, but is not limited to, fighting, racial, ethnic, religious, or sexual slurs.

Furthermore, it is unlawful, during regular school hours, and in a place where a public school employee is required to be in the course of his or her duties, for any person to address a public school employee using language which, in its common acceptance, is calculated to:

- a. cause a breach of the peace;
- b. Materially and substantially interfere with the operation of the school; or
- c. Arouse the person to whom it is addressed to anger, to the extent likely to cause imminent retaliation.

Students guilty of such an offense may be subject to legal proceedings in addition to any student disciplinary measures.

Legal References: A.C.A § 6-17-106

DESE Rules Governing Student Discipline and School Safety

Date Adopted: June 2010

Last Revised: July 2020

**Rule 12: Theft – Stealing – Possession**

Students caught stealing or in possession of stolen materials may be temporarily suspended with a chance of possible expulsion from school. Parents and law officials may be notified.

**Rule 13: Insubordination**

A student shall not fail to comply with reasonable directions or commands of teachers, substitute teachers, teachers' aides, principals, administrative personnel, superintendent, school bus drivers, cooks, and other authorized school personnel.

**Rule 14: Laser Pointers**

**School Board Policy 4.28 – Laser Pointers**

Students shall not possess any hand-held laser pointer while in school; on or about school property, before or after school; in attendance at school or any school-sponsored activity; en route to or from school or any school-sponsored activity; off the school grounds at any school bus stop or at any school-sponsored activity or event. School personnel shall seize any laser pointer from the student possessing it and the student may reclaim it at the close of the school year, or when the student is no longer enrolled in the District.

Legal References: A.C.A § 6-18-512

DESE Rules Governing Student Discipline and School Safety

Date Adopted: Oct. 2010

Last Revised: July 2020

## **Rule 15: Electronic Devices**

### **School Board Policy 4.47 – Possession and Use of Cell Phones and Other Electronic Devices**

Students are responsible for conducting themselves in a manner that respects the rights of others. Possession and use of any electronic device, whether district or student-owned, that interferes with a positive orderly classroom environment does not respect the rights of others and is expressly forbidden.

To protect the security of statewide assessment, no electronic device as defined in this policy shall be accessible by a student at any time during assessment administration unless specifically permitted by a student's individualized education program (IEP) or individual health plan. This means that when a student is taking an AESAA assessment, the student shall not have his/her electronic device in his/her possession. Any student violating this provision shall be subject to this policy's disciplinary provisions. The prohibition in this policy does not extend to the electronic device the District provided the student for the student's use during assessment administration to the extent the student is using the district-provided device to complete the assessment.

As used in this policy, "electronic devices" means anything that can be used to transmit or capture images, sound, or data which includes, without limitation, a:

- A. Cell phone;
- B. Paging device;
- C. Digital media player;
- D. Portable game console;
- E. Tablet, notebook, or laptop computer;
- F. Digital camera; and
- G. Digital video or audio recorder.

#### **Misuse of electronic devices includes, but is not limited to:**

1. Using electronic devices in the classroom in any manner other than specifically permitted by the classroom instructor for academic purposes only.
2. Permitting any audible sound to come from the device when not being used for reason #1 above;
3. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, or wrongfully obtaining test copies or scores;
4. Using the device to record audio or video or to take photographs in areas where a general expectation of personal privacy exists, including but not limited to locker rooms and bathrooms;
5. Creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person.

Use of an electronic device is permitted to the extent it is approved in a student's IEP or it is needed in an emergency that threatens the safety of students, staff, or other individuals.

Before and after normal school hours, possession of electronic devices is permitted on the school campus. The use of such devices at school-sponsored functions outside the regular school day is permitted to the extent and within the limitations allowed by the event or activity, the student is attending.

A parent shall obtain approval from the student's building principal before operating a student-tracking safety device at school or a school-sponsored event if the device has recording or listen-in capability. The District requires the device's recording and listen-in technology to be disabled while the device is on the campus or at the school-sponsored event because of student privacy concerns. The District prohibits unauthorized audio or visual recordings or transmission of audio or images of other

students. The student's parent shall agree in writing to the requirement for the device's recording and listening-in technology to be disabled and that the District may prohibit future use of the device on campus or at a school-sponsored activity if it is determined that the device's recording or listening-in capabilities were used in violation of this policy before the student safety tracking device may be on campus or at a school-sponsored event.

The student and/or the student/s parents or guardians expressly assume any risk associated with students owning or possessing electronic devices. Students misusing electronic devices shall have them confiscated. Confiscated devices may be picked up at the school's administration office by the student's parents or guardians. Students have no right to privacy as to the content contained on any electronic devices that have been confiscated. A search of a confiscated device shall meet the reasonable individualized suspicion requirements of Policy 4.32—**SEARCH, SEIZURE, AND INTERROGATIONS**.

Students who use school-issued cell phones and/or computers for non-school purposes, except as permitted by the district's Internet/computer use policy, shall be subject to discipline, up to the including suspension or expulsion. Students are forbidden from using school-issued cell phones while driving any vehicle at any time. Violation may result in disciplinary action up to and including expulsion. No cell phones are allowed on bus routes.

No student shall use any wireless communication device to browse the internet; compose or read emails and text messages; or make or answer phone calls while driving a motor vehicle in motion and on school property. Violation may result in disciplinary action up to and including suspension.

#### **Nemo Vista Elementary**

Students are not to bring these items to school (cell phones or electronic devices). If for a special reason, these devices are required in a class, permission from the principal must be obtained before bringing the devices to school. Unauthorized electronic devices will be taken and secured in the office to be picked up by the student's parents. Students have no right to privacy as to the content contained on any cell phones and other electronic communication devices that have been confiscated. These items should not be taken on school-sponsored trips unless permission has been granted by the principal.

#### **Nemo Vista High School/Middle School**

Students may possess cell phones and other electronic devices. At no time during normal school hours (which includes bus) can these items be visible and/or in use and/or heard without permission from the administration. (High School: Exception will be made for academic purposes with prior permission from the principal). Items will be confiscated and the student's parent(s) must pick up the item and/or the student will receive other disciplinary actions if the rule is violated.

When a student must leave the class to use the restroom or similar circumstance their cell phone (if possessed) must be placed on the teacher's desk, to be returned upon the student re-entering the classroom.

#### **Middle School/High School Cell Phone Consequences:**

- 1<sup>st</sup> offense...The cell phone will be returned at the end of day...warning issued
- 2<sup>nd</sup> offense...Parent picks up the cell phone
- 3<sup>rd</sup> offense...Parent pick up cell phone and corporal punishment/suspension

Legal Reference: A.C.A. § 6-15-2907

A.C.A. § 6-18-515

A.C.A. § 27-51-1602

A.C.A. § 27-51-1603

A.C.A. § 27-51-1609

DESE Test Administration Manual

DESE Rules Governing Student Discipline and School Safety

Date Adopted: Oct. 2010

Revised: July 2024