



## Code of Conduct

Every scholar has the right to learn in a safe, orderly, and nurturing environment. The actions of one scholar must never be permitted to undermine the intellectual, emotional, and social development of his or her peers. Cresthaven Academy's Code of Conduct offers scholars and their parents or guardians a guide to the consequences of unacceptable behaviors. Cresthaven Academy school leaders, faculty, and staff rigorously enforce the Code in the interest of the entire school community.

The Code of Conduct establishes reasonable boundaries for scholars and provides clear, fair, and predictable consequences for breaking the rules. We expect scholars to avoid transgressions in the first instance, and in cases when they make mistakes, we expect them to accept responsibility and learn from the experience.

Scholars' disciplinary offenses are those actions or inactions that violate the school's Code or interfere with the delivery of educational services; jeopardize the health, safety, and well-being of any member of the school community; or threaten the integrity and stability of the school itself.

- A disciplinary offense may occur while the scholar is at school and/or on school grounds; participating in a school-sponsored activity; walking to or from school or a school-sponsored event; walking to or from, waiting for, or riding on school-provided transportation; or walking to or from, waiting for, or riding on public transportation to and from school or a school-sponsored activity conducted off school grounds.
- School-related disciplinary offenses may also include misconduct outside the school, such as using school-issued devices, social media or cyber activities that reasonably could affect the school or impact the learning environment.

School leaders and faculty will use their professional judgment in determining which disciplinary action(s) will be most effective in dealing with the scholar's misconduct, taking into account the following factors and other relevant issues:

- The scholar's age and maturity level
- The nature and seriousness of the infraction and the circumstances that led to the infraction
- The scholar's previous disciplinary record
- The effectiveness of other forms of discipline
- Information from parents or guardians, teachers and/or others, as appropriate
- The scholar's attitude

As described below, the Code defines three categories of disciplinary offenses: (1) those that lead to pre-suspension consequences (Category I behavior violations), (2) those that could lead to suspension (Category II behavior violations), and (3) those that could lead to expulsion (Category III behavior violations). In addition, the school reserves the right to contact law enforcement when appropriate.

***Policy: 5600, Regulation: 5600***



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## DISCIPLINARY ACTIONS

The following list is not all-inclusive, but provides examples of violations of the Code that may result in disciplinary consequences. The list does not limit the authority of school authorities to impose appropriate penalties and consequences for violations of school rules or conduct that interfere with the school's order, the educational process, or the health and safety of any member of the school community. The school may modify the list of behavior violations and consequences from time to time with notice to scholars.

## CATEGORY I BEHAVIOR VIOLATIONS

The following behaviors generally lead to classroom consequences determined by the child's teacher or additional after school support. Repeated Category I violations may be treated as Category II violations.

1.01 Failure to comply: Each scholar must obey every adult in the school, including administrators, teachers, educational assistants, secretaries, custodians, lunchroom workers, and security guards. It is unacceptable for scholars to talk back to adults, be rude or disrespectful, or show nonverbal signs of defiance.

1.02 Behaving in a manner which disrupts the education process: Classroom and school rules are established to protect the integrity of the learning environment, and scholars must follow them at all times. Scholars who cause disruption by talking, making noises, throwing objects, inappropriate displays of affection, or otherwise distracting classmates or the teacher are disrupting the education process.

1.03 Uniform violation: Scholars must wear the school uniform to school every day.

1.04 Scholastic dishonesty: Scholars must not engage in academic cheating. Cheating includes, but is not limited to, the giving or receiving of any unauthorized aid or the giving or receiving of unfair advantage on any form of academic work. Scholars must not engage in plagiarism, which includes the copying of language, structures, ideas and/or thoughts of another person and representing it as one's own original work. A scholar must not unlawfully duplicate, reproduce, retain, or use copyrighted material. Consequences include but are not limited to recompletion or alternative assignment, lowered grade, failure, or escalated consequence for repeated offenses.

1.05 Electronic media and communication devices: Scholars may not use electronic media and/or communications devices at school. Should a scholar use such a device at school, in addition to other consequences deemed appropriate by school staff, the item may be confiscated and held until an adult picks it up.

1.06 Engaging in or causing disruptive behavior on the school bus: Scholars must obey the bus rules, and not engage in disruptive behavior or language. Serious behavior violations may be categorized as a category II or III violations and treated as such.

1.07 Failing to be in one's assigned place: Scholars should only be in the rooms and other areas of the school to which they have been specifically given permission.

1.08 Engaging in sales of items: Scholars may not sell items or food. Should a scholar attempt to sell items at school, in addition to other consequences deemed appropriate by school staff, the item may be confiscated and held until an adult picks it up.



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## CATEGORY II BEHAVIOR VIOLATIONS

The following behaviors may lead to suspension, the length of which is determined based on the scholar's disciplinary record and the seriousness of the offense(s). Repeated Category II violations may be treated as Category III violations.

2.01 Truancy and cutting: Any full-day or part-day absence from school that is not excused by a parent or legal guardian is considered truancy. Being absent from one or more classes during the school day without the permission of school staff is "cutting" and is not allowed.

2.02 Profanity or obscenity: Scholars must not say or write inappropriate words or make obscene gestures. Scholars must not draw or show sexually explicit pictures to anyone at school. Cursing or swearing is also strictly prohibited.

2.03 Play fighting and threatening: Scholars may not play fight and/or threaten others as such behavior compromises the safety of the community.

2.04 Smoking: Smoking and possession of any kind of tobacco at school, on school grounds, or at any school- related activity are prohibited.

2.05 Alcohol, drugs, and drug paraphernalia: Scholars must not bring alcohol, drugs, or any drug paraphernalia to school. They must not manufacture, sell, handle, possess, use, deliver, or be under any degree of influence of any alcoholic beverage, intoxicant, or drug (legal intoxication is not a requirement). Scholars must not inhale any substance for the purpose of becoming intoxicated or under the influence. Prescribed medication must be delivered to the school by the parent or guardian with the written authorization of a physician. All prescribed medication must be administered at school by the school nurse. As described below, the possession of narcotics with the intent to sell or distribute is a Category III violation and may lead to immediate suspension, recommendation for expulsion, and police referral.

2.06 Pornographic material: The possession or creation of pornographic material is not tolerated.

2.07 Stealing: Scholars must not take without permission anything that does not belong to them or have in their possession anything that has been stolen.

2.08 Aggressive disorderly conduct: Scholars must not, by any type of conduct (including but not limited to violence, force, noise, coercion, threat, intimidation, fear, or passive resistance), cause the disruption, disturbance, or obstruction of any school function, activity, or event. Scholars may not urge other scholars to engage in such conduct for the purpose of causing such disruption or obstruction.

2.09 Gang activity: Gang activity is defined as any assembly of three or more individuals who gather on a continuing basis, whose purpose the school reasonably believes is to behave in an antisocial fashion and/or to violate school policy. Scholars must not wear or display any clothing, jewelry, colors, or insignia that a teacher or administrator may reasonably perceive as evidence of membership in or affiliation with a gang or that otherwise symbolizes support of a gang. Scholars must not use any word, phrase, written symbol, or gesture that intentionally identifies them as members of a gang or otherwise symbolizes support of a gang, nor try to recruit others to gangs.

2.10 Defacement or destruction of property: Scholars must not mark, damage, break, or destroy school property or anything that belongs to someone else. Scholars who destroy or vandalize school property are required to pay for losses or damages, in addition to other consequences deemed appropriate by school staff.



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2.11 Sexual misconduct or inappropriate touching: Scholars must not engage in sexual activity of any kind or touch themselves or others in an unacceptable way. "Unacceptable" is defined using the "reasonable person" standard, i.e., if a reasonable person in our community would find a given action to be rude or offensive, then it is unacceptable.

2.12 Teasing: Scholars must not make fun of, provoke, or disturb others playfully or maliciously.

2.13 Lookalike weapons: The possession, handling, or transmission of any object or instrument that is a "look-alike" weapon or instrument (e.g., rubber knife, or toy gun) is strictly prohibited.

2.14 Abusive or profane language or treatment: Scholars may not use abusive, threatening, vulgar, coarse, or degrading language (including racial epithets or sexist or homophobic remarks).

2.15 Engaging in inappropriate use of social media: Scholars may not engage in conduct or communication that may harass or intimidate any members of the school community, or reasonably lead to a disruption of the educational environment.

## CATEGORY III BEHAVIOR VIOLATIONS

Any scholar who engages in any of the behaviors in this category may be suspended or expelled from the school. Scholars who repeatedly engage in Category II behaviors or have serious offenses in Category II behaviors may also be subject to long-term suspension or expulsion.

3.01 Committing assault or assault and battery: Scholars may not commit assault, including sexual assault, or assault and battery on a student, school employee, or another person. Assault is an attempt or threat to physically harm another person; assault does not require physical contact. Battery is any unlawful touching of another person.

3.02 Intimidation or bullying (including cyber-bullying): Bullying is defined as a series of acts or a single negative act (depending on severity) that involve(s) a real or perceived imbalance of power, i.e., where a more powerful (whether real or perceived) individual or group of students harasses another student(s) less powerful or perceived to be less powerful. Bullying can take many forms, including but not limited to: (1) physical, e.g., hitting, kicking, spitting, pushing, and taking personal belongings; (2) verbal, e.g., taunting, malicious teasing, name-calling, making threats; and (3) psychological, e.g., spreading rumors; manipulating social relationships; or engaging in social exclusion, extortion, or intimidation. Cyber-bullying involves the use of information technology, including e-mail, instant messaging, blogs, chat rooms, pagers, cell phones, and gaming systems in the deliberate harassment, threatening, or intimidation of students. Examples include sending mean, vulgar, or threatening messages or images; posting sensitive, private information about another person (including "sexting"); and impersonation.

3.03 Extortion: Scholars must not coerce a person – through intimidation, threat, or force – into doing anything that person does not wish to do. Scholars must not engage in the act of securing or attempting to secure money or other items of value from an unwilling person.

3.04 Harassment: Harassment of any type, including hazing and discriminatory harassment, is prohibited. Scholars must not make unwelcome sexual advances or requests for sexual favors; or engage in other verbal or physical conduct relating to a person's sex, race, color, national origin, sexual orientation, religion, height, weight, marital status, or disability (e.g., sexual or racial comments, threats or insults, or unwanted touching). Scholars may not engage in the harassment of



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scholars off school property under circumstances where such off-campus conduct: 1) affects the education process; 2) actually endangers the health and safety of our scholars; or 3) is reasonably believed to pose a danger to the health and safety of our scholars. This includes written and/or verbal harassment, including cyber bullying, which materially and substantially disrupts the work and discipline of the school and/or which school officials reasonably forecast as being likely to materially and substantially disrupt the academic work and culture of the school.

3.05 Actions against staff members: Harassing (verbal or written abuse or disrespect), intimidating, threatening, or physically abusing a staff member is not allowed.

3.06 Dangerous weapons: Scholars must not possess, handle, transmit, or use as a dangerous weapon any instrument that can be used to harm another person. Dangerous weapons include, but are not limited to:

- Firearms: Any weapon (including a starter gun) that is designed to, or may readily be converted to, expel a projectile by action of an explosive
- Explosives: Any substance or prepared chemical that can explode or is capable of inflicting bodily injury or is reasonably likely to cause physical discomfort to another person, including fireworks and firecrackers
- Knives: Any knife of any size
- Defensive weapons: Chemical Mace, pepper gas, or like substances; stun gun; brass knuckles; or blackjack
- Dangerous items: Prohibited items not designed as weapons that can be used or perceived as such, including but not limited to razors, box cutters, hammers, baseball bats, and metal combs of any length with a sharpened handle

The federal Gun-Free Schools Act of 1994 requires that a scholar determined to have brought a weapon to school be suspended for at least one calendar year. However, school administrators may modify this requirement on a case-by-case basis. "Weapons" as used in this law means a "firearm," as defined by 18 USC §8921, and includes firearms and explosives. Cresthaven Academy rigorously adheres to this requirement, and the decision to modify or consider modification of the one-year suspension is at the sole and absolute discretion of the school. The possession of a gun leads to immediate expulsion and referral to law enforcement officials.

3.07 Possession of narcotics with intent to distribute or sell: The possession of narcotics with the intent to distribute or sell may be cause for immediate suspension, a recommendation for expulsion to the school's board of trustees, and referral to law enforcement officials.

3.08 False fire alarms or bomb reports: Scholars must not break or pull the fire alarm at any time unless there is an emergency, nor make bomb threats.

3.09 Starting a fire: Starting a fire or conspiring to start a fire on school property is strictly prohibited.

## Definitions

- "Short-term suspension" is suspension for ten days or fewer.
- "Long-term suspension" is suspension for more than ten days.
- "Expulsion" is the permanent removal of a scholar from school for disciplinary reasons.

**Policy: 5600, Regulation: 5600, 5611, 5613**