Vista Charter School – Student Discipline Policy

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A. Student Conduct

The Board of Vista Charter School, in accordance with applicable law, has adopted a written student conduct and discipline code based upon the principle that every student is expected to follow accepted rules of conduct and to show respect for and to obey persons in authority. The code emphasizes that certain behavior, especially behavior that disrupts the classroom, is unacceptable and may result in disciplinary action. The code shall be enforced uniformly, fairly and consistently for all students.

This Student Discipline Policy in addition to the following board-adopted policies constitute the conduct section of the legally required code:

- Physical Intervention, Restraints and Seclusion Policy
- Policy Concerning Gang-Related Activities
- Written prohibition against weapons, drugs and other controlled substances
- Written prohibition against tobacco
- Search Policy
- Dress Code Policy
- Bullying Policy

The Board shall consult with parents/guardians, students, teachers, administrators and other community members in the development and review of the conduct and discipline code.

The conduct and discipline code shall be provided to each student upon enrollment in high school. The school shall take reasonable measures to ensure each student is familiar with the code. Copies shall be posted or kept on file at the school. In addition, any significant change in the code shall be provided to students and posted in the school.

B. School Discipline Administration

Vista Charter School is founded on the principle that learning encompasses more than scholarly pursuits. We view every engagement as a chance to cultivate character, reinforce interpersonal bonds, and foster the professional accountability and resilience essential for post-graduate success.

The objective of this policy extends beyond mere rule enforcement; we are committed to maintaining a school culture where students derive lessons from their conduct, assume responsibility for their behavior, and emerge as respectful, reliable, and empathetic contributors to their academic and professional environments.

All students are expected to uphold standards of integrity, respect, and individual accountability during all curricular and non-curricular events, including campus activities, digital interactions, and workplace learning opportunities.

Discipline practices will be administered in an equitable manner. Proportionate disciplinary interventions and consequences shall be imposed to address student misconduct and maintain a safe and supportive learning environment for students and staff. The discipline process will address the needs of the student who engaged in the misconduct, the needs of those who were affected by the misconduct, and the needs of the overall school community.

Non-Discrimination

This policy shall be enforced uniformly, fairly and consistently for all students. School staff responsible for implementing this policy shall do so without discrimination based on disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, national origin, language, religion, ancestry, need for special education services, or any other protected class.

Staff Training

Staff training will be provided to ensure that the disciplinary program is effective, and that relevant policies and procedures are equitably applied. All employees of the school shall be expected to share the responsibility for supervising the behavior of students and for seeing that they abide by this policy.

Policy Distribution

The school will post the policy on the school web site, in an accessible format for parents and students. The school will make students aware of the contents of this policy and other school rules related to conduct. This policy will be posted on the school's website and in the Student/Family Handbook.

Student Conduct Subject to Disciplinary Action

Student conduct during curricular or non-curricular activities in school buildings, on school property, or in school vehicles may be subject to disciplinary action Student conduct that has a nexus to school or any school curricular or non-curricular event may also be subject to disciplinary action.

Considerations

The following factors may be considered in determining appropriate disciplinary consequences for a student; including suspension and expulsion:

a. The student's age;

a. The student's disciplinary history;

a. Similar disciplinary incidents;

a. The student's eligibility as a student with a disability;

a. The seriousness of the violation committed by the student;

a. The threat posed to any student or staff; and

a. The likelihood that a lesser intervention would properly address the violation.

Grievances

Issues/concerns with student discipline shall be addressed via the school's Grievance Policy available at www.vistacharter.org . Decisions on grievances can be appealed to the school board and thereafter to the CSI Executive Director.

Discipline of Students with Disabilities

Students with disabilities are neither immune from a school's disciplinary process nor entitled to participate in programs when their behavior impairs the education of other students. Students with disabilities who engage in disruptive activities and/or actions dangerous to

themselves or others will be disciplined in accordance with their Individualized Education Programs (IEPs), any behavioral intervention plan and this policy.

Nothing in this policy shall prohibit an IEP team from establishing consequences for disruptive or unacceptable behavior as a part of the student's IEP and/or behavioral intervention plan. Procedures for suspension, expulsion and the provision of services for students with disabilities can be found in the school's Suspension and Expulsion of Students Policy found available at www.vistacharter.org

Students Not Identified as Disabled

Students who have not been identified as disabled shall be subjected to the same disciplinary measures applied to students with disabilities if the school had "knowledge" of the student's disability before the behavior that precipitated the disciplinary action occurred.

The school is deemed to have knowledge of the student's disability if:

1. the student's parent has expressed concern in writing to school supervisory or administrative personnel, or the student's teacher, that the student is in need of special education and related services;
2. the student's parent has requested an evaluation; or
3. the student's teacher or other school personnel have expressed specific concerns about the student's pattern of behavior directly to the director of special education or other school supervisory personnel.

If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation will be expedited. Until the evaluation is completed, the student shall remain in the school's determined educational placement, which can include suspension or expulsion.

The school shall not be deemed to have knowledge that the student is a child with a disability if the parent has not allowed an evaluation of the student, or the student has been evaluated and it was determined that he or she is not a child with a disability, or the student was determined eligible for special education and related services, but the parent refused services.

D. Disruptive Students

Removal of Disruptive Students from Classroom

A teacher may remove a disruptive student from his or her classroom. Upon the third such removal from a teacher's class, the teacher may remove the disruptive student from the teacher's class for the remainder of the term of the class; except that a disruptive student shall not be removed from a teacher's class for the remainder of the term of the class unless the Principal or designee has developed and implemented a behavior plan for the student. A behavior plan may be developed after the first such removal from class and must be developed after the second removal from class. As soon as possible after the removal, the teacher or the Principal must contact the parent/guardian to request his or her attendance at a student-teacher conference regarding the removal.

This process is only for disruptive students. If physical intervention, restraint or seclusion used, the school will follow the Physical Intervention, Restraints and Seclusion policy available at www.vistacharter.org

Discipline of Habitually Disruptive Students

A student may be deemed a "habitually disruptive" student, if the student has caused a material and substantial disruption on school grounds, in a school vehicle, or at a school activity or sanctioned event three or more times during the school year. For purposes of this policy, "material and substantial disruption" means behavior which is initiated, willful, and overt on the part of the student and which is considered, in the view of the Principal or designee, to cause a serious interference with the orderly operation of the school or the schools ability to provide educational opportunities to the student or others or is considered to be detrimental to the welfare or safety of others. Declaration as a habitually disruptive student may result in the student's suspension and/or expulsion in accordance with this policy.

Notification and Reporting Requirements

The student and the parent/guardian shall be notified in writing of each disruption counted toward declaring the student as "habitually disruptive" and the student and parent/guardian shall be notified in writing and by telephone or other means at the home or place of employment of the parent/guardian of the definition of "habitually disruptive student". The Principal or designee will prepare a brief written summary of the incident underlying any disruption to be counted towards designation as a habitually disruptive student. The student and the student's parent/guardian will be given a copy of the summary which is to be placed in the student's file. The student may submit a written response which will be attached to the written summary. If the Principal or designee determines, after reviewing the student's response, that the student has not caused a material and substantial disruption, the record of

the student's involvement in the incident will be modified to reflect an accurate description of the incident and the incident will not be counted toward designation as a habitually disruptive student. If the student's conduct with respect to a single incident constitutes grounds for expulsion, the Principal or designee may commence expulsion proceedings in accordance with the Suspension and Expulsion of Students Policy available at www.vistacharter.org

Remedial Discipline Plans

The Principal or designee may develop a remedial discipline plan for any student who causes a material and substantial disruption in the classroom, on school grounds, in a school vehicle or at a school activity or sanctioned event. The Principal or designee will encourage and solicit the full participation of the student, the student's parent/guardian, and any relevant school personnel in the development of any such remedial discipline plans.

To develop the plan, the Principal or designee will contact the student's parent/guardian to schedule a meeting with the student, the student's parent/guardian, and any teachers or other school personnel whom the Principal believes should attend. If, after reasonable attempts to schedule and provide notice of the meeting, the student and/or the student's parent/guardian fail to attend the meeting, the Principal or designee may conduct the meeting without them. The purpose of the meeting will be to address the reasons for the student's disruptive behavior and to establish goals, objectives, and timelines to modify such behavior. A written plan will be prepared which addresses the student's disruptive behavior, educational needs and the steps necessary to keep the child in school. The plan will include incentives for good behavior and consequences if the student violates the plan. Such consequences may include discipline, including suspension or expulsion in accordance with the Suspension and Expulsion of Students Policy available at www.vistacharter.org

The remedial discipline plan may be written in the form of a contract and signed by the student and the student's parent/guardian. The student, the student's parent/guardian, and the school personnel responsible for carrying out the remedial discipline plan will be provided a copy of the plan, and a copy will be placed in the student's disciplinary file. Any further incidents of disruptive behavior that cause a material and substantial disruption will be dealt with in accordance with the remedial discipline plan, if one has been developed, and this policy.

E. Interventions and Expulsion Prevention

Disciplinary Interventions

In lieu of suspension or expulsion and in accordance with applicable law, the Principal or designee may consider the use of available interventions to address the student's misconduct. The use of such interventions will vary depending upon the facts and circumstances of an individual case. Such interventions shall be at the Principal's or designee's sole discretion and

include but are not limited to counseling, participation in the school's restorative justice program or positive behavioral intervention support (PBIS) program, peer mediation, referral to a juvenile assessment center for counseling or other services, or other approaches to address the student's misconduct that do not involve an out-of-school suspension or expulsion and minimize the student's exposure to the criminal and juvenile justice system. See, C.R.S. 22-32-109.1 (2)(a)(II).]

As another intervention and alternative to suspension, the Principal or designee may permit the student to remain in school with the consent of the student's teachers if the parent/guardian attends class with the student for a period of time specified by the Principal or designee. If the parent/guardian does not agree or fails to attend class with the student, the student shall be suspended in accordance with this policy.

This alternative to suspension shall not be used if expulsion proceedings have been or are about to be initiated or if the Principal or designee determines that the student's presence in school, even if accompanied by a parent/guardian, would be disruptive to the operations of the school or be detrimental to the learning environment.

Nothing in this policy shall limit the Board's and its designees' authority to suspend and/or expel a student as deemed appropriate by the Board and its designees. The decision to suspend and/or expel a student instead of providing an alternative to suspension or expulsion or the failure of an intervention to remediate the student's behavior shall not be grounds to prevent the Board and its designees from proceeding with appropriate disciplinary measures, including but not limited to suspension and/or expulsion in accordance with the Suspension and Expulsion of Students Policy available at www.vistacharter.org

Expulsion Prevention

It is the belief of the Board that available interventions and prevention services should be explored to help students who are at risk of expulsion before expulsion becomes a necessary consequence. The Principal shall work with the school staff to identify students who are at risk of suspension or expulsion. Among those students who may be at risk are those who are truant, who have been or are likely to be declared habitually truant, or who are likely to be declared habitually disruptive. The school, working with the student's parent/guardian, shall provide students who are identified as at risk of suspension or expulsion with the necessary support services to help them avoid expulsion. Services may include: educational services (tutoring, alternative educational programs or career and technical education programs that provide instruction in the academic areas of reading, writing, mathematics, science and social studies), and counseling services.

The failure of the school to identify a student for participation in an expulsion prevention program or the failure of such program to remediate a student's behavior shall not be grounds to prevent school personnel from proceeding with appropriate disciplinary measures including but not limited to suspension and/or expulsion.

Adopted:

LEGAL REFS.:

C.R.S. 22-14-101 *et seq. (dropout prevention and student re-engagement)*

C.R.S. 22-20-101 *et seq. (Exceptional Children's Educational Act)*

C.R.S. 22-32-109.1 (2)(a) *(adoption and enforcement of discipline code)*

C.R.S. 22-32-109.1 (2)(a)(I) *(policy required as part of safe schools plan)*

C.R.S. 22-32-109.1 (2)(a)(I)(A) *(duty to adopt policies on student conduct, safety and welfare)*

C.R.S. 22-32-109.1 (2)(a)(I)(C) *(discipline of habitually disruptive students is required part of conduct and discipline code)*

C.R.S. 22-32-109.1 (2)(a)(I)(E) *(policy required as part of conduct and discipline code)*

C.R.S. 22-32-109.1 (3) *(agreements with state agencies)*

C.R.S. 22-32-109.1 (9) *(immunity provisions in safe schools law)*

C.R.S. 22-32-144 *(restorative justice practices)*

C.R.S. 22-33-106 (1)(c.5) *(definition of a habitually disruptive student)*

C.R.S. 22-33-204 *(services for at-risk students)*

20 U.S.C. 1401 et seq. (Individuals with Disabilities Education Improvement Act of 2004)

34 C.F.R. 300.530-300.537 (IDEIA regulations)

C.R.S. 22-20-101 et seq. (Exceptional Children's Educational Act)