

**SWALLOW SCHOOL DISTRICT  
BOARD OF EDUCATION POLICY**

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**GUIDELINES FOR STUDENT RIGHTS, RESPONSIBILITIES, AND CONDUCT**

The purpose of this guideline is to identify and define basic student rights and responsibilities. It is important that students know both their rights and the consequences for unacceptable conduct or behavior. In addition, they should be made aware of the process for handling infractions of school policy. This guideline is available to parents and students through distribution at the beginning of each school year and is also available on the district website.

**I. Student Rights:** This section describes student rights at Swallow School. Students should recognize that while exercising these rights, they may not interfere with the rights of others.

- A. Student Council: Students have the right to establish and conduct a student council with maximum cooperation possible from the administration. When recommending action, the council will specify the reason the action is desired. When responding to council recommendations, the administration will specify reasons for the decision reached. The administration has the responsibility to respond to council recommendations promptly.
- B. Freedom of Speech: Each student has the right to form, hold and express opinions and beliefs so long as the expression does not disrupt the normal operations of the school.
- C. Lockers: All 5<sup>th</sup> through 8<sup>th</sup> grade students have the right to the use of the locker which has been assigned to him/her. The lockers remain the property of the school district. This policy does not preclude periodic inspections for the purposes of cleaning lockers or, for example such actions as recovering library materials and textbooks. School administrators or their designees may search lockers with or without prior notice to the student. The student must use the locker assigned to them by the professional staff of the school.
- D. Search and Seizure: Students shall have the right to be free from illegal search and seizure by school authorities. Search and seizure shall conform to the legal requirement of reasonable suspicion that a school rule, regulation or possible violation of a state law has occurred. The District reserves the right to search (whether through the consent of the student or by way of reasonable suspicion of illegal activity, activity which violates school rules, or possession of contraband) any property or items brought onto school property by students, including, but not limited to: bags, backpacks, purses, other containers, articles of clothing, and electronic communication devices.
- E. Mobile devices: Students may use mobile devices in accordance with district policy and staff directive. At no time may cell phones or other items be used in locker rooms or restrooms.
- F. Dress/Grooming: Among student rights is that of dressing and grooming themselves as they and their parents/guardians wish. Specifically, included within the scope of this right is the display of political statements and/or commercial messages on behalf of legal products and services. Clothing advertising alcohol, tobacco or other drugs are at a counter purpose with District Alcohol and other Drug Abuse

(AODA) programs and therefore deemed inappropriate. However, students are expected to exercise the above right responsibly, in accordance with accepted community standards regarding health and safety; vulgarity; board goals and objectives; and disruption of the educational process. Students shall have the right to wear buttons, armbands and other badges of symbolic expression provided these expressions are not obscene, libelous or disruptive of the educational environment.

G. Student Records: Access to student records will conform to state and federal laws and school board policy. A summary of school board policy concerning student records shall be made available in the principal's office.

**II. Student Responsibilities:** If the school is to function effectively and students are to be free to pursue their education, all students must accept responsibilities and meet certain expectations. Student conduct that interferes with the educational process or violates the rights or safety of others will not be tolerated. Students are expected to comply with school and classroom rules, school board policies and state and federal laws at all times.

The following is a listing of major responsibilities of each student at school, on school premises or at school-related functions, or under the supervision of a school authority. Furthermore, students who are active participants in co-curricular activities and athletics represent the Swallow School District and are, therefore, expected to follow these guidelines in all their actions in the community.

1. Being respectful and cooperative: Respectful students listen to all others in the school community, staff and students alike, and make sure they are adhering to the Swallow Way. Cooperative students listen to the needs of others and do their best to accommodate those needs when making decisions about conduct.
2. Being honest and making responsible decisions: Students who are honest do not unfairly advance their own academic performance or limit or impede the academic performance or intellectual pursuits of other students at Swallow. Honest and responsible students turn in work that is their own and cite relevant sources properly. Responsible students ensure that they are contributing to an overall positive school environment and tell school staff if they have a problem, concern, or need help.
3. Contributing to a safe and compassionate environment: A safe school environment is one where everyone is physically, mentally, and emotionally safe at all times. This means that a safe environment is without disorderly or disruptive conduct, fighting, foul or abusive language or the presence of weapons. Environments marked with compassion are supportive and void of harassment, bullying, and intimidation.
4. Being prepared and being on time: Prepared students have their assignments ready when they are due and are prepared with all of the things they may need to have a successful school day. Being on time shows respect for staff and other students and ensures that each student gets the most out of their academic experience.

### III. Interventions When Expectations are Not Met

Interventions and any disciplinary action should promote individual student growth, and foster future acceptance of responsibility. The goal is to eliminate behaviors and situations which interfere with the educational process. It should take place whenever possible at the most appropriate level, i.e. when or where the problem arises or occurs.

The exact nature of interventions and/or disciplinary action depends on the circumstances of each individual case. Consequences of actions which interfere with the educational process, violate the rights or safety of others, violate school or classroom rules, school board policies or state or federal laws may include, but are not limited to, any of

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the following:

1. Teacher or staff conference with student
2. Teacher-parent contact by phone or letter
3. Detention
4. Referral to a counselor, dean of students, etc.
5. Referral to principal
6. Administrator-parent contact by phone or letter
7. Restricted privileges including suspension from co-curricular or athletic events
8. Parental conferences at school with a teacher and/or a counselor and/or principal
9. Suspension, in-school and out-of-school
10. Recommendations for expulsion by the school board

In addition, those offenses that are violations of local ordinances or state law will be referred to law enforcement. Any student who is determined to have brought a gun to school will be brought before the Board of Education for an expulsion hearing.

If a student engages in inappropriate behavior not specifically cited in this document, the behavior shall be dealt with in a manner that reflects the spirit of this document.

**IV. Expectations for Conduct:** In the case that student conduct violates district expectations a student may need to be removed from class.

1. Behavior that violates the district's policies and could lead to on suspension and expulsion to include the following situations:
  - a. Possession of a weapon or look-alike weapon
  - b. Possession or use of drugs, alcohol, or controlled substances
  - c. Possession or use of tobacco products or nicotine delivery devices
  - d. Fighting or use of violence
  - e. Insubordination
  - f. Harassment, whether verbal, physical, or sexual
  - g. Possession of beepers or other communication devices without prior approval
  - h. Vandalism in the classroom or destruction of property
  - i. Repeated refusal to comply with classroom rules, procedures or expectations
  - j. Verbal abuse, including profanity, obscenities, or threats
  - k. Disrespect
  1. Repeated incidents of misconduct

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- m. Theft of school or other individual's property
  - n. Tampering with school equipment including computers, fire extinguishers, or other safety and health equipment
2. Behavior that is disruptive, dangerous, or unruly that includes, but is not limited to, the following:
- a. Inappropriate physical contact intended or likely to hurt or distract others
  - b. Inappropriate verbal statements intended or likely to upset or distract others.
  - c. Any form of a behavior reasonably construed as harassment.
  - d. Inappropriate verbal statements that disrupt the educational environment, particularly when others are talking or during study time.
  - e. Throwing any object that could cause harm or damage to person or property.
  - f. Inciting other students to act inappropriately or disobey the teacher or class rules.
  - g. Loud or obnoxious behavior.
  - h. Behavior that results in other students feeling unsafe or intimidated.
3. Behavior that interferes with the ability of the teacher to teach effectively including, but not limited to, the following:
- a. Repeated failure to respond to the requests of a teacher.
  - b. Repeated failure to pay attention in class.
  - c. Open defiance of the teacher, manifested verbally or overtly.
  - d. Open disrespect toward the teacher, manifested verbally or overtly.
  - e. Other behavior likely or intended to sabotage or undermine classroom instruction.

## V. Due Process and Disciplinary Procedures

Procedures for disciplining students will be consistent with state and federal laws. The Principal may establish other procedures to govern the school not specifically mentioned in the state and federal laws so long as they are not in conflict with those laws and rules.

1. Certain standards and procedures should be observed if there is to be a fair consideration of the application of rules and regulations.
  - a. Rules, regulations and penalties should be made readily available, in writing, to the student body.
  - b. The student has a right to be informed of specific reasons for an action.
  - c. Disciplinary action shall conform to the provisions set forth in the student responsibilities section of this document and in accordance with state law.
  - d. School authorities have an obligation to apply rules, regulations and discipline without prejudice and in a nondiscriminatory manner. If a teacher or administrator does not feel that he/she can handle a case on its merit, he/she shall pass the case to a suitable substitute or the next highest person in authority. In accordance with Board Policy #411, any student who believes that she or he has been discriminated against may file a complaint with the Superintendent.

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2. In order to provide consistent, flexible, and confident leadership in disciplinary matters, the Swallow School District provides an appeal procedure open both to students and/or their parents/guardians.
  - a. Students have the right to full and impartial review of disciplinary action resulting in out of school suspension or expulsion from school in accordance with state law.
  - b. If a satisfactory conclusion cannot be reached, the student may appeal a case within five days. Complaints involving policy, operations or programs, or procedures may be appealed to the Board of Education under its general complaint procedure Policy #870.

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**Wisconsin Statutes**

Section 118.13  
Section 118.164  
Section 120.13(1)

**Wisconsin Administrative Code**

PI 9.03 (1)

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Confirmed by: \_\_\_\_\_, President

\_\_\_\_\_, Clerk