

Manitowoc Public School District - Secondary Code of Conduct



Introduction

All members of the MPSD Secondary learning communities (students, staff, parents/guardians, and community) are essential to creating and maintaining a positive learning environment knowing that:

1. The school environment must be physically, socially, and emotionally safe for everyone.
2. The Code of Conduct is a framework to facilitate teaching and learning by establishing clear, consistent expectations and developmentally appropriate consequences.
3. Conflicts will be handled with respect for the rights of all involved.

Behavior Levels

Level I

Staff Managed - parent/guardian collaboration is encouraged and shall be documented in the Contact Log. Actions that are categorized as a Level 1 may interfere with the orderly operation of the classroom, a school function, extracurricular/co-curricular program or approved transportation.

Level II

Staff or Administrator managed (depending on frequency and/or intensity) - Collaboration with the student's parent/guardian is required and documented in the Contact Log. These actions are chronic examples of the infractions in Level I, are more intense in nature, or demonstrate a lack of response to interventions.

Level III

Administrator managed and documented - parent/guardian contact is required. These infractions are serious offenses and potentially jeopardize the health and/or safety of self or others. They include repeated misconduct acts from Level II; serious disruptions of school order; threats to the health, safety, and property of others; and other acts of serious misconduct.

Level IV

These acts of misconduct are the most serious. Level IV acts can result in consultation with law enforcement and/or a 5-day out-of-school suspension with consideration for a recommendation for expulsion**. If a student commits an offense or offenses that are serious enough to warrant a recommendation for expulsion, parents/guardians will be referred to School Board Policy 5670. Expulsion from school means being removed from school for an extended period of time, possibly until the age of 21. Rights and privileges of attending class and other school functions are removed by School Board action.

NOTE: Students with IEPs/504s may have personalized plans that supplement the guidance provided in this document (please be sure to consult with your school's Administrator for more information).

Code of Conduct

Behaviors	Level 1 Primarily teacher managed; includes parent communication.	Level 2 Teacher, support staff, or administrator managed; parent communication is required	Level 3 Administrator managed; parent communication is required	Level 4 Administrator managed and will involve consultation with law enforcement; parent communication is required
Academic Honesty	<p>Cheating/plagiarism: Willful or deliberate unauthorized use of the work of another person(s) for academic purposes, or unauthorized use of notes or other material in the completion of a formative or practice activity.</p> <p>The student may need to provide additional evidence of proficiency (ie: re-doing/retaking the assessment).</p> <p>Lying: Intentionally providing false or misleading information to or withholding valid information from a school employee. This includes falsifying attendance information.</p> <p>Forgery: The making of a false or misleading written communication to a school staff member with either the intent to deceive the staff member or under circumstances which would be reasonably calculated to deceive the staff member.</p>	<p><i>(Repeated or more serious offenses of any of the level 1 behaviors)</i></p> <p>Repeated offense: Failure to follow established Academic Honesty Expectations..</p>	<p><i>(Repeated or more serious offenses of any of the level 2 behaviors)</i></p> <p>Habitual offenses: Multiple infractions of failure to follow established expectations.</p>	No Level 4
Alcohol/Drugs <u>Policy #5530</u>	No Level 1	<p>If a student voluntarily surrenders possession of drugs, alcohol or paraphernalia.</p>	<p><i>(Repeated or more serious offenses of any of the level 2 behaviors)</i></p> <p>Possession and/or being under the influence of any beverage containing alcohol, other intoxicants, marijuana, drug paraphernalia, or any tobacco product.</p> <p>Note: Law enforcement may be involved at administrator's discretion.</p>	<p>Distributing a drug or drugs, including marijuana, to another student (including look-alikes).</p> <p>Distribution of a beverage containing alcohol or over-the-counter, or including "Triple C", and medication containing dextromethorphan (DXM). Possession of any tobacco products.</p> <p>Possession and/or being under the influence of any drug other than marijuana or other drug paraphernalia (including look-alikes).</p> <p>Repeated purchasing, possession or under the influence of any intoxicant or drug.</p> <p>Note: Law enforcement will be consulted.</p>
Assigned Location	<p>Leaving the assigned instructional locations without the permission of a staff member.</p>	<p><i>(Repeated or more serious offenses of any of the level 1 behaviors)</i></p>	<p><i>(Repeated or more serious offenses of any of the level 2 behaviors)</i></p>	<p>Loitering: Students who are repeatedly found in the hallways during instructional</p>

	Students not in their assigned area during instructional periods. Student provides falsified pass.	Repeated leaving the classroom without the permission of a staff member. Students who are found in the hallways during instructional time and do not return to class when directed by school staff members. Repeated use of a falsified pass.	Fleeing: Intentionally hiding or leaving campus without permission. Chronic leaving the classroom without the permission of a staff member.	time and do not return to class as directed by school staff members. Note: Will include consultation with law enforcement for potential loitering fine.
Bullying/ Hazing Policy #5517.01 & Policy # 5516		Bullying /cyber bullying (first offense): Bullying is deliberate or intentional behavior using words or actions, intended to cause fear, intimidation, or harm. Bullying may be a repeated behavior and involves an imbalance of power. The distinction between bullying and harassment is that bullying is NOT based on a protected class. Bullying includes the following aspects: <ul style="list-style-type: none">• Power and control• Actions that hurt or harm another person physically or emotionally• An imbalance of power between the target and the individual demonstrating the negative behavior• The target having difficulty stopping the action directed at them	<i>(Repeated or more serious offenses of any of the level 2 behaviors)</i> Bullying (repeated offense) Note: Law enforcement may be involved at administrator's discretion.	<i>Repeated or more serious offenses of any of the level III behaviors</i> Threats of Violence: Intent to harm any student or staff via email, text, notes, verbal communication, or illustrations. Note: Law enforcement will be consulted.
Cellphones Policy #5136 Age-appropriate use of/access to cell phones is defined by school expectations	See Middle School Handbook See High School Handbook			
Destruction or Misuse of Property Policy #5600		Accidental destruction of school system property or the property of others. Note: Replacement or repair of property may be required.	The willful or malicious destruction of school system property or the property of others. Note: Law enforcement may be involved at administrator's discretion.	<i>(Repeated or more serious offenses of any of the level 3 behaviors)</i> Note: Law enforcement will be consulted.
Disorderly Conduct	Disorderly conduct is any deliberate activity by an individual or a group, whether peaceful or violent, which is reasonably likely to disrupt the normal operation of the school.	<i>(Repeated or more serious offenses of any of the level 1 behaviors)</i> Physical Altercation/Fighting:	<i>(Repeated or more serious offenses of any of the level 2 behaviors)</i> Physical Altercation/Fighting:	<i>(Repeated or more serious offenses of any of the level 3 behaviors)</i> Battery:

Policy #5520	Minor Physical Contact:: Minor physical contact (bumping, shouldering, pushing, shoving, etc.) between two or more students that is harmful or disruptive, but is quickly de-escalated and does not result in injury. This includes play fighting that has the appearance of a minor physical altercation.	Fighting that is quickly deescalated and results in no injury.	Physical contact between two or more individuals which is harmful, has the potential to cause injury, and is disruptive to the orderly operation and safety of others within the school environment. More serious than "minor physical altercation" as a larger response is required to diffuse the situation. Note: Law enforcement may be involved at administrator's discretion.	Physical contact between two or more individuals which causes bodily injury. This is disruptive to the orderly operation and safety of others within the school environment. More serious than a "physical altercation" as a larger response is needed to diffuse the situation. Result in bodily injury and require SRO/Police involvement. Note: Law enforcement will be consulted.
Dress Code	See Middle School Handbook See High School Handbook			
Discrimination/ Harassment Policy #5517	No Level 1	No Level 2	Harassment (first offense): The distinction between bullying and harassment is that when the bullying behavior directed at the target is also based on a protected class, that behavior is then defined as harassment. Harassment means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student based on one or more of the student's Protected Characteristics including: <ul style="list-style-type: none"> • Race • Color • Religion • Sex • Age • Disability • National origin • Gender • Sexuality Harassment: <ul style="list-style-type: none"> • places a student in reasonable fear of harm to his/her person or damage to his/her property; • has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or • has the effect of substantially disrupting the orderly operation of a school. Discrimination: The unjust or prejudicial treatment of different categories of people or things, especially on the grounds of race, age, or sex.	<i>(Repeated or more serious offenses of any of the level 3 behaviors)</i> Hate Crime: A violent act motivated by bias against race, religion, disability, sexual orientation, ethnicity, gender, or gender identity. Note: Law enforcement will be consulted.

			Incidents of Discrimination: Use of racial slurs, hate speech, or other incidents of injustice toward any member of the school community. <ul style="list-style-type: none"> • Slur • Hate Speech/Symbols • Bias or Hate Incident • White nationalism • Anti-Semitism • Racism Note: Law enforcement may be involved at administrator's discretion.	
Inappropriate Language	Inappropriate Language/Profanity: Language that is not appropriate for a school setting. Using profanity when not directed at another person or staff.	<i>(Repeated or more serious offenses of any of the level 1 behaviors)</i> Profanity: Repeated swearing, cursing, or making obscene gestures towards peers.	<i>(Repeated or more serious offenses of any of the level 2 behaviors)</i> Profanity: Repeated swearing, cursing, or making obscene gestures towards a staff member.	No Level 4
Insubordination	Insubordination (first or second offense): Refusal or failure to comply with a direction in a classroom setting that minimally disrupts the school environment.	<i>(Repeated or more serious offenses of any of the level 1 behaviors)</i> Insubordination (multiple settings or after second offense): Refusal or failure to comply with a direction given by a school staff in any school setting that disrupts the school environment or results in compromising the safety of one's self or others.	<i>(Repeated or more serious offenses of any of the level 2 behaviors)</i> Repeated Insubordination/Defiance: Refusal or failure to comply with a direction given by school staff in any school setting that disrupts the school environment or results in compromising the safety of one's self or others. Note: Law enforcement may be involved at administrator's discretion.	No Level 4
Internet use <u>Policy #7540/7540.03</u>	No Level 1	Unauthorized access and/or destruction of electronic data. Unauthorized use of a recording device. Violation of internet and other technology use agreement.	Use of the District's network to access inappropriate images or content or to send threatening or harassing messages. Violation of internet and other technology use agreement.	<i>(Repeated or more serious offenses of any of the level 3 behaviors)</i> Use of the District's network and/or devices to access and distribute sexual images. Note: Law enforcement may be involved at administrator's discretion.
Physical Force Against Staff	No Level 1	No Level 2	Accidental physical contact with a staff member as a result of inappropriate physical contact with a peer.	Premeditated or intentional use of physical force against a staff member, including the use of an object or bodily fluids. Note: Law enforcement will be consulted.
School Security	No Level 1	Failure to Identify Self:	<i>(Repeated or more serious offenses of level 2 behaviors)</i>	<i>(Repeated or more serious offenses of any of the level 3 behaviors)</i>

Policy #8410		Failure or refusal to identify self to school staff.	<p>Security Threat: Circumventing school safety protocols, including opening secured exterior door(s) to permit access to another person.</p> <p>Intentional False Alarm: Reporting a safety concern when no safety concern exists or making a false alarm call to 911 that activates the schoolwide fire and/or alarms system or pulling fire alarm system. Repeated reporting of false alarms that are isolated in nature.</p> <p>Possession of Pyrotechnic: (e.g. lighter, fireworks, combustibles)</p> <p>Other Serious Offenses: Any other intentional act which poses a realistic threat of serious harm to oneself or another person.</p> <p>Note: Law enforcement may be involved at administrator's discretion.</p>	<p>Setting a fire.</p> <p>Bomb Threat: Intentionally making any communication, potential threat or false report which has the effect of threatening an explosion. The threat has intent to do malicious, destructive harm to school district property at a school function, extra or co-curricular activity. This involves preparing, processing, or igniting explosives including unauthorized fireworks.</p> <p>Terroristic Threats: A person commits the crime of terroristic threats if the person communicates, either directly or indirectly, a threat to:</p> <ul style="list-style-type: none"> • Commit any crime of violence with intent to terrorize another • Cause evacuation of a school building, place of assembly, or facility of school transportation. • Otherwise cause serious disruption to the learning environment. <p>Other Serious Offenses: Any other intentional act which significantly harms oneself or another person. Note: Law enforcement will be consulted.</p>
<p>Sexual Misconduct/ Assault</p> <p>Policy #2266</p>	No Level 1	<p>Sexual Misconduct (first offense): Behavior characterized by the making of unwelcome and inappropriate sexual remarks.</p> <p>Consensual Inappropriate Touch: Consensual and intentional inappropriate touch or contact that occurs between students.</p>	<p><i>(Repeated or more serious offenses of any of the level 2 behaviors)</i></p> <p>Sexual Harassment: Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity.</p> <p>Non-Consensual Inappropriate Touch: Non-consensual physical advances; in some cases.</p> <p>Inappropriate Materials: Obscene or graphic materials that are printed or visual containing sexual organs or activity.</p> <p>Note: Law enforcement may be involved at administrator's discretion.</p>	<p><i>(Repeated or more serious offenses of any of the level 3 behaviors)</i></p> <p>Sexual Assault: Sexual assault means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault includes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape.</p> <p>Exposing Oneself or Others: Intentionally exposing genitalia or private parts of one's body (i.e. "mooning" and "flashing").</p> <p>Sexting: The sending of sexually explicit digital images through the use of cell phones, cellular "apps," videos, emails, text messages, or the internet.</p> <p>Note: Law enforcement will be consulted.</p>
Theft	No Level 1	No Level 2	<p>Attempting to steal school system property or personal property of others.</p> <p>Note: Law enforcement may be involved at administrator's discretion.</p>	<p><i>(Repeated or more serious offenses of any of the level 3 behaviors)</i></p>

				Stealing school system property or personal property of others or knowingly being in possession of stolen property . Note: Law enforcement will be consulted.
Trespassing	No Level 1	No Level 2	Being on school property when suspended or expelled from school. Note: Law enforcement may be involved at administrator's discretion.	<i>(Repeated or more serious offenses of any of the level 3 behaviors)</i> Note: Law enforcement will be consulted.
Vandalism	No Level 1	No Level 2	Attempting to damage any school property or private property while under school jurisdiction. Note: Law enforcement may be involved at administrator's discretion.	<i>(Repeated or more serious offenses of any of the level 3 behaviors)</i> Intentionally damaging any school property or private property while under school jurisdiction. Note: Law enforcement will be consulted.
Weapons/Look-Alikes <u>Policy #5772</u>	No Level 1	If a student voluntarily surrenders possession of a weapon, other than a firearm, which was brought to school inadvertently.	Possession of a toy weapon where the toy weapon may or may not be used to threaten, intimidate, or harm another person or cause a disruption. Possession of a look-alike weapon not used to make any threats, intimidate, harm or cause a disruption. Possession of a weapon, other than a firearm or other gun that can discharge. Note: Law enforcement may be involved at administrator's discretion.	Possession and threat to use a weapon or look-alike weapon toward another person or to cause disruption. Possession of a deadly weapon or firearm as defined by federal code. Possession of a gun of any kind, other than a firearm, whether loaded or unloaded, operable or inoperable. Examples include but are not limited to BB guns, pellet guns, flare guns, and air rifles. Note: Law enforcement will be consulted.

Responses and Interventions

For Level I violations, school personnel are expected to respond to the behavior by:

- Reteaching positive expectations
- Having an individual student conference to discuss the behavior
- Communication with a parent or guardian once development of a pattern occurs

Additional interventions that may be used in the classroom to address Level I behaviors include the following:

- Buddy room intervention/neutral site for reflection
- Creating a behavior contract that includes expected behaviors, consequences for infractions, and incentives for demonstrating positive behaviors
- Having the student choose a method of apologizing or making amends to those harmed or offended by the student's behavior

- Loss of privileges
- Mediation
- Nonverbal classroom management strategies
- Providing a reflective activity

If school personnel deem an office referral is warranted because a Level 1 situation has escalated, administration expects that the individual who made the referral will be able to explain, upon an administration's request, (1) what classroom interventions were implemented before the office referral was made; (2) why it was determined that additional classroom interventions would not be successful; and (3) the specific basis for why school personnel believed an office referral was necessary.

Below is a list of responses specific to Level II and Level III offenses - these outline a menu of strategies the building administrator or administrator designee will utilize to respond to Level II and Level III offenses.

- Administrative removal from school for less than one day
- Conference with student to discuss the behavior
- Initiation of a Student 360 Process
- Consultation with or direct service from support staff, such as a counselor, or behavior specialist
- In-School Suspension
- Out-of-School Suspension
- Referral for additional support services
- Referral to Student Intervention Team
- Consultation with law enforcement
- Restitution

Any of the responses outlined in the Level I grid may be utilized by building administrators in addition to the strategies above to address a Level II and Level III violation. These responses include, but are not limited to:

- Reteaching positive expectations
- Communicating with family

In addition to the above Level II and Level III interventions, the following could be utilized for Level IV offenses:

- Expulsion
- Interim Alternative Educational Placement