

Discipline Procedures for District-Approved Student Transportation

All students eligible for district-approved student transportation shall receive safety instruction and a code of conduct.

Violation of the code of conduct or conduct which jeopardizes the health/safety of self and/or others may result in the loss of district-approved transportation services.

The following procedures address:

- | | |
|-------------------------|--------------------------------|
| 1. Safety instructions; | 6. Right of appeal; |
| 2. Code of conduct; | 7. Reinstatement; |
| 3. Violations; | 8. Education; |
| 4. Suspension; | 9. Special education students. |
| 5. Expulsion; | |

I. Safety Instructions

- A. Each September and January the transportation supervisor will direct all bus drivers to conduct a safety review with all students who are regularly transported by the district.
 - 1. The drivers shall review the code of conduct that is to be posted.
 - 2. The drivers shall review the consequences of a violation as outlined in this procedure.
 - 3. The drivers shall conduct unloading, loading and emergency exit evacuation drills.
 - 4. The drivers shall review all hazards such as crossing a road and bus stop conduct.
- B. Each September the transportation supervisor will direct all bus drivers to conduct a safety review with all other students.
 - 1. The drivers shall review safe bus riding procedures.
 - 2. The drivers shall review use of emergency exits.
- C. The transportation supervisor will record dates and content of safety instructions by each driver. Such information shall be kept as a part of the district's records.

II. Code of Conduct

- A. Each year the district will include the following transportation rules in the student/parent handbook. The district will provide interpretation to those students/parents whose primary language is not English.

BUS CODE OF CONDUCT

While riding a school bus, students will:

1. Obey the driver at all times;
2. Not throw objects in the bus or out of the bus windows;
3. Not extend hands, head, feet or objects from windows or doors;
4. Not possess any weapon as defined by Board policy JFCJ – Weapons in the Schools;
5. Not stand up and/or move from seats while the bus is in motion;
6. Not fight, wrestle or scuffle;
7. Not possess matches, lighters, or other devices;
8. Use emergency exits only as directed by the driver;
9. Not damage school property or the personal property of others;
10. Not threaten or physically harm the driver or other riders;
11. Not do any disruptive activity, which might cause the driver to stop in order to reestablish order;
12. Not make disrespectful or obscene statements or gestures;
13. Not possess and/or use tobacco, alcohol or illegal drugs;
14. Not eat or chew gum, unless the driver grants special permission;
15. Not take onto the bus large objects that might pose barriers to safe entry and exit from the bus; or hazardous items such as skateboards, balloons, animals, glass containers, or other items prohibited by the driver, that might pose safety risks;
16. Accept assigned seats;

In addition, while off the bus, students will:

17. Stay away from the bus when it is moving;
18. Be at the bus stop five minutes before the scheduled pick up time (schedules will be posted on all buses);
19. Obey drivers, coaches, teachers, and chaperones who are responsible for maintaining order on trips;
20. Wait to cross road until driver signals that it is safe to cross.

Coaches, teachers, and chaperones must: 1) have a copy of the bus regulations and know them before going on a trip; and 2) position themselves on the bus as to be in control of discipline.

III. Violations

Each year the district will include the following progressive procedures for violations in the student/parent handbook or issue the procedures to all students and parents accompanied by a form to be signed as an acknowledgment of being read and understood. The district will provide interpretation to those students/parents whose primary language is not English.

PROGRESSIVE DISCIPLINARY PROCEDURES FOR VIOLATIONS

- 1. Verbal Warning: For minor bus conduct violation, verbal reprimands will be given by the driver. Consequences may include parent phone call, change of seat, conference with an administrator, development of an incentive program, loss of a recess and/or other privileges, etc.
- 2. First Referral: The driver verbally restates behavior expectations and issues a written referral. Future referrals will result in bus suspensions. A call to the parent from the driver is optional.
- 3. Second Referral: The student is suspended from the bus for 1-5 days and/or until a conference has been held. Participants may include the student, the parent, the bus driver, the transportation supervisor, and the administrator or designee.
- 4. Third Referral: The student receives a 5- to 10-day suspension and will not be able to ride the bus until a conference has been held. Participants may include the student, the parent, the bus driver, the transportation supervisor, and the administrator or designee. At this time a behavior contract may be made with the student and a bus seat may be assigned. Further violations of bus regulations will be considered a severe violation.
- 5. Severe Violations: Any severe violation will result in the immediate suspension of the student for a minimum of 10 days, and up to a 1-year expulsion from the bus. There will be a hearing at this time involving the student, the bus driver, the transportation supervisor, the parent and the principal.

Some or all of these progressive steps may be skipped in the case of a severe violation.
Some students' IEP's, 504 Plans, behavior/safety plans may include alternative steps.
All referrals must be signed by a parent and returned to the school. Failure to do so may result in a bus suspension or an extension of the current suspension.

I have read the above rules and have discussed them with my child. We understand the importance of this code of conduct. I also understand that my child's behavior may be monitored by a video on the bus.

Parent

Student

Date: _____

Date: _____

SCHOOL BUS INCIDENT REPORT

Date: _____ Route: _____ AM ___ PM ___ Student's Name: _____

Dear Parents: This report is to inform you of disciplinary action taken as a result of your child's actions that jeopardized his/her safety and/or the safety and well-being of other students on the bus. We urge you to support this corrective action by impressing upon your student the need for safety on our school buses.

	Description of incident:
1. Failed to obey driver.	
2. Threw an object(s).	
3. Extended self/objects from bus.	
4. Possessed weapon or dangerous object.	
5. Stood/changed seat while bus was moving.	
6. Fought, wrestled, or scuffled.	
7. Possessed matches, lighters, or other devices.	
8. Inappropriate use of emergency exit.	
9. Damage to school or personal property.	
10. Threatened/harmed driver or rider.	
11. Disruption causing driver to stop bus.	
12. Disrespectful and/or obscene statements.	
13. Possessed alcohol, tobacco, or drugs.	
14. Eating/chewing gum without permission.	
15. Large/hazardous items on bus.	
16. Did not accept assigned seat.	
17. Impeded movement of bus.	
18. Caused bus driver undue delay.	
19. Disobeyed coach/teacher/chaperone.	
20. Crossed road without driver's signal.	

(For Administrator Use Only)

CONSEQUENCE:

First Referral

Second Referral: Length of suspension 1 2 3 4 5 Days. Date(s) of suspension: _____

Third Referral: Length of suspension 5 6 7 8 9 10 Days. Date(s) of suspension: _____

Conference required prior to reinstatement of bus-riding privileges. Date of conference: _____

SEVERE VIOLATION: 10-day suspension to 1-year bus expulsion. Hearing date: _____

Some or all disciplinary steps may be skipped for a severe bus violation.

ALL REFERRALS MUST BE SIGNED BY A PARENT AND RETURNED TO THE SCHOOL. FAILURE TO DO SO MAY RESULT IN A BUS SUSPENSION OR AN EXTENSION OF THE CURRENT SUSPENSION.

Driver Signature: _____

Parent Signature: _____

Date: _____

Date: _____

Administrator's Signature _____ Date: _____

APPEAL PROCEDURE

If a student or parent wishes to appeal the application of the discipline policy, the steps outlined below should be used.

- STEP I The student or his/her representative will discuss the issue with the principal or designee.
- STEP II If the student is not satisfied with the outcome of the discussion, he/she may file a written statement with the transportation supervisor who will assign the appeal to a hearing's administrator. This is to be done within 10 school days of the act or condition that is the basis of the complaint. The hearing's administrator will, within three school days, arrange a conference with the student and the parent with the intent of resolving the issue.
- STEP III Within five school days, the hearing's administrator is to communicate, in writing, the decision to the student and the student's parents.
- STEP IV If, after five school days from receipt of the administrator's reply, the issue still remains unresolved, the student may submit the matter in writing to the superintendent. The superintendent will meet with the student within three school days and will respond to the issue, in writing, within five school days after the appeal.
- STEP V If the issue is still unresolved, the student may appeal to the Board. The Board will notify persons involved that a hearing will be held within 14 days of receipt of the appeal. The Board shall review correspondence, hear relevant facts and respond to the student within three school days following the hearing.

I. Suspension Procedures

- A. Due process procedures used by the district governing student behavior shall be applied. Normally the suspension process shall be in accordance with the following procedures:
1. Suspension hearings shall be conducted in private, and will be more informal than is the case of an expulsion hearing. The hearing will be conducted by the superintendent or designated representative. The procedure should be more of a conversation between the two parties than a formal hearing;
 2. The student will be informed of the violation(s) and given the opportunity to be heard and present his/her view of the occurrence;
 3. If suspension is to follow, the student will be given the reason(s) for the action, the duration of the suspension, and the tentative procedures for reinstatement;
 4. If possible, parents will be notified immediately by telephone of the suspension and given reasons for the action. The parents will be encouraged to conference with the building administrator. Arrangements should be made for the student's transportation to and from school and to other school activities;
 5. A written communication will be mailed to the student and parents within one workday restating the reasons for the action(s), the duration of the suspension and procedure for arranging a mutually satisfactory time for a conference for possible re-admittance;
 6. The written communication shall state that the parent may appeal the reason for suspension and the duration of suspension to the appropriate administrator;
 7. In special or emergency circumstances, a suspension may be continued until some specific pending action occurs, such as a physical or mental examination, incarceration by court action, or if there is a serious risk that substantial harm will occur if the suspension is terminated pending an intended expulsion.

II. Expulsion Procedures from Transportation

- A. Due process procedures used by the district governing student behavior shall be applied. Students will not be expelled without a hearing unless the student's parents waive the right to a hearing, either in writing or by failure to appear at a scheduled hearing. By waiving the right to a hearing, the student and parent agree to abide by the findings of the hearings officer.

When an expulsion hearing from Transportation Services is not waived, the following procedure is required:

1. Notice will be given to the student and the parent by personal service or by certified mail at least five days prior to the date of the hearing, and will include:
 - a. The specific charge or charges;

- b. The conduct constituting the alleged violation, including the nature of the evidence of the violation;
 - c. A recommendation for expulsion from Transportation;
 - d. The student's right to a hearing;
 - e. When and where the hearing will take place; and the right to representation.
2. The superintendent or designee will act as the hearings officer. The district may contract with an individual who is not employed by the district to serve as the hearings officer. The hearings officer will conduct the hearing and will not be associated with the initial actions of the building administrators;
 3. In case the parent or student has difficulty understanding the English language or has other serious communication disabilities, the district will provide a translator;
 4. The student will be permitted to have a representative present at the hearing to advise and to present arguments. The representative may be an attorney and/or parent. The school district's attorney may be present;
 5. The student will be afforded the right to present his/her version of the charge(s) and to introduce evidence by testimony, writings or other exhibits;
 6. The student will be permitted to be present and to hear the evidence presented by the district;
 7. The hearings officer will determine the facts of each case on the evidence presented at the hearing. Evidence may include the relevant past history and student education records;
 8. The hearings officer or the student may make a record of the hearing;
 9. The hearings officer's decision is final. However, this decision may be appealed to the Board. At its next regular meeting, the Board will review the hearings officer's decision and will affirm, modify, or reverse the decision. Parents or students who wish to appeal the hearings officer's decision will have the opportunity to be heard at the time the Board reviews the decision;
 10. Transportation expulsion hearings will be conducted in private and Board review of the hearings officer's decision will be conducted in executive session unless the student or the student's parents requests a public hearing. If an executive session is held by the Board or a private hearing by the hearing's officer, the following will not be made public:
 - a. The name of the minor student;
 - b. The issues involved;
 - c. The discussion;
 - d. The vote of the Board members, which may be taken in executive session.

B. Right of Appeal

1. At each step of the discipline procedures used in district-approved transportation services, parents, students, and/or a representative have a right to appeal.
2. All appeals must be in writing.
3. Appeals are to be made to the responsible person at the level of appeal.
4. Final appeal may be made to the Board.
5. Board decisions are final.

C. Reinstatement

1. A conference to discuss reinstatement shall be conducted under the following guidelines:
 - a. When deemed necessary, parent(s) and student shall be present at the conference;
 - b. The district shall fully explain matters and permit the parties involved to fully explain their positions;
 - c. The principal shall make a decision, which provides guidelines for the student to follow when transportation services are reinstated.

D. Education

1. Disciplinary action for violating the transportation code of conduct and/or transportation health and safety requirements shall be confined to district-approved transportation services.

Therefore, students who have lost district-approved transportation services through a disciplinary action shall be expected to continue with the district's educational requirements.

2. Student's academic grades will reflect academic achievement. Therefore, misconduct or absenteeism shall not be a sole criterion for grade reduction. Students will be expected to continue to meet the district's attendance and educational requirements.
3. Makeup work shall be provided:
 - a. If makeup work is needed, the district's policy and procedures will be followed.
4. Alternative education may be provided:
 - a. If alternative education is needed because of a student's suspension or expulsion from transportation, the district's policy and procedures will be followed.

E. Special Education Students

Special education students will be disciplined in accordance with Board policy JGDA/JGEA-Discipline of Disabled Students and accompanying Administrative regulations.

1. Definitions
 - a. The district applies the following definitions when considering disciplinary action:
 - 1) "Behavioral intervention plan" means an individualized plan, including positive interventions, designed to assist a student to decrease inappropriate behavior and increase or teach an alternative appropriate behavior;

- 2) “Current educational placement” means the type of transportation placement of the student.
- 3) “Disciplinary removal” means suspension, expulsion or other removal from transportation for disciplinary reasons, including removals pending completion of a risk assessment. It does not include:
 - a) Removals by other agencies;
 - b) Removals for public health reasons (e.g., head lice, immunizations, communicable diseases, etc.);
 - c) In-school suspensions if the student continues to have access to the general curriculum and to special education and related services as described in the student’s individualized education program (IEP);
 - d) Bus suspensions, unless the student’s IEP includes transportation as a related service, the district makes no alternative transportation arrangements for the student and the student does not attend school as a result of the bus suspension.
- 4) “Functional behavioral assessment” means an individualized assessment of the student that results in a team hypothesis about the function of a student’s behavior and, as appropriate, recommendations for a behavior intervention plan;
- 5) “Suspension” means any disciplinary removal other than expulsion.

2. Within 10 school days of any decision to remove a special education student from school transportation because of a violation of a code of student conduct, the district, parent, and relevant members of the IEP team shall review all relevant information to determine:
 - a. If the conduct was caused by or had a direct and substantial relationship to the student’s disability; or
 - b. If the conduct was the direct result of the district’s failure to implement the IEP.

If the district, parent, and relevant members of the IEP team conclude that either of the above two is applicable to the student, the conduct shall be determined to be a manifestation of the child’s disability.

3. If the district, parent, and relevant members of the IEP team conclude that the misconduct is a manifestation of the student’s disability, the IEP team shall:
 - a. Conduct a functional behavioral assessment, and implement a behavior intervention plan for the student (provided that the district had not conducted such assessment prior to such determination before the behavior that resulted in the change of placement);
 - b. When a behavioral intervention plan has been developed, review and modify the plan as necessary to address the behavior; and

- c. Return the student to the placement from which the student was removed unless the parent and district agree to change the placement as part of the behavioral intervention plan.
4. If the IEP team determines that the student's behavior is not a manifestation of the student's disability, the district may proceed with disciplinary action as it would for a nondisabled student. In taking this action:
 - a. Ensure that the special education and disciplinary records of the student with a disability are transmitted for consideration by the school personnel making the final determination regarding the disciplinary action; and
 - b. As soon as practicable after developing a plan for conducting a functional behavioral assessment and completing the assessments required by the plan, the district will hold an IEP meeting to develop appropriate behavioral interventions to address the behavior and shall implement those interventions; and
 - c. If a student's transportation placement changes as a result of the IEP/placement reviews, the district will provide prior written notice of change in placement to the parents.
5. If a parent disagrees with the manifestation determination or any decision about placement related to the disciplinary removal, and requests a due process hearing, the student will remain in the current educational placement unless the student is removed to an interim alternative educational setting or unless the parent and district agree to another placement pending the hearing.

F. Manifestation Determination Regarding Removal from School Transportation

1. The district will complete a manifestation determination before a student is removed from transportation for disciplinary reasons for more than 10 school days if the removal constitutes a change in the student's educational placement. A change in placement is:
 - a. A removal for more than 10 cumulative days that constitutes a pattern;
 - b. A removal for more than 10 consecutive days; or
 - c. A removal to an interim alternative educational setting.
2. The manifestation determination will be conducted by the district, parent, and relevant members of the IEP team and, as appropriate, other qualified personnel. All relevant information related to the behavior subject to disciplinary action will be considered, including:
 - a. Evaluation and diagnostic results, including information from the parents;
 - b. Observations of the child; and
 - c. The students' IEP and placement.

3. The IEP team will determine that the student's behavior is not a manifestation of the student's disability only if:
 - a. The student's IEP and transportation placement were appropriate in relationship to the behavior subject to the disciplinary action;
 - b. The special education services, supplementary aids and services and behavior intervention strategies were provided consistent with the child's IEP and placement;
 - c. The student's disability did not impair the ability of the student to understand the impact and consequences of the behavior subject to disciplinary action; and
 - d. The student's disability did not impair the ability of the student to control the behavior subject to disciplinary action.

4. The IEP team and other qualified personnel will determine that the student's behavior is a manifestation of the student's disability if:
 - a. The student's IEP and placement were found to be inappropriate in relationship to the behavior subject to the disciplinary action; or
 - b. The special education services, supplementary aids and services and behavior intervention strategies were provided inconsistently with the student's IEP and placement; or
 - c. The student's disability impaired the ability of the student to control the behavior subject to disciplinary action.
 - d. If the conduct was the direct result of the district's failure to implement the IEP.

5. If, in conducting the manifestation determination review, deficiencies in the student's IEP, placement or implementation are identified, the district will take immediate steps to remedy those deficiencies.