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**AURORA PUBLIC SCHOOLS**

**APS Code: JK.1**

**Adopted July 1975**

**Revised August 1993**

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This policy and its accompanying regulation, along with policies JKD/JKE, Suspension/Expulsion of Students; policy JICI, Weapons in School; JICH, Drug and Alcohol Use by Students; JKD.1, Disciplinary Classroom Removal by Teacher (Suspension from Class); JBC, Prevention of Bullying; and policy JICF, Secret Societies/Gang Activity constitute the Aurora Public Schools District Conduct and Discipline Code. The Code is based on the principle that every student is expected to follow accepted rules of conduct and to show respect for and to obey persons in authority in the schools. Respect for school personnel and obedience to such personnel is an essential lesson to qualify one for the duties of citizenship.

This Conduct and Discipline Code shall be in effect in all schools in the District, from kindergarten through high school, and shall apply to all other programs including preschool, post-secondary and T.H. Pickens Technical College. This Code applies to conduct at any school, on District property, in District vehicles, at any school-related activities (whether or not the school-related activity is on or off campus), and **under circumstances where off campus behavior has a connection to school or any District curricular or noncurricular activity or event and is detrimental to the welfare or safety of other pupils or school personnel.**

The Conduct and Discipline Code shall be enforced in a manner consistent with policies ADH\*, District Philosophy Statement on Student Discipline and ADHA\*, District Statement on Shared Responsibilities in Promoting Safe Schools. Students, staff members and parents are expected to become familiar with those policies. In light of the principles described in these policies, one of which is that discipline should be used as a tool for learning, whenever feasible students shall be given make-up assignments for work taking place while they are out of school on suspension. In addition, students who complete such assignments in a timely manner shall be given credit for that work.

**Remedial discipline plans**

The principal may develop a remedial discipline plan for any student who causes a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities

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or events. The goal of the remedial discipline plan shall be to address the student's disruptive behavior and educational needs while keeping the child in school.

**Distribution of conduct and discipline code**

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

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Administrators should plan for the use of prevention and intervention strategies such as restorative justice, peer mediation, counseling or other approaches to address student misconduct and should impose proportionate disciplinary interventions and consequences in response to student misconduct.

Violations of the District Conduct and Discipline Code shall subject the violator to discipline consistent with these policies. Violations may also result in referrals to law enforcement agencies.

**I. General Categories of Misconduct**

By Colorado law, a student may be suspended or expelled for behavior which constitutes any of the following:

- A. continued willful disobedience or open and persistent defiance of proper authority;
- B. willful destruction or defacing of school property;
- C. behavior on or off school property which is detrimental to the welfare or safety of other pupils or of school personnel, including behavior which creates a threat of physical harm to the child or other children;
- D. committing one of the following offenses on school grounds, in a school vehicle, or at a school activity or sanctioned event;
  - 1. Possession of a dangerous weapon without the authorization of the school or school district;

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2. the use, possession, or sale of a drug or controlled substance as defined in section C.R.S. 18-18-102(5);
  3. the commission of an act by a student at least ten (10) years of age which, if committed by an adult would be robbery pursuant to title 18, article 4, part 3 of the Colorado Revised Statutes;
  4. the commission of an act by a student at least ten (10) years of age which, if committed by an adult would be assault pursuant to title 18, article 3, part 2 of the Colorado Revised Statutes (other than third degree assault);
  5. carrying, using, actively displaying, or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm in a school building or in or on school property; AND
  6. pursuant to C.R.S. 22-12-105(3), making a false accusation of criminal activity against an employee of an educational entity to law enforcement authorities or school district officials or personnel.
- E. declaration as an "habitually disruptive student", (which is defined in this regulation); and/or
- F. repeated interference with a school's ability to provide educational opportunities to other students.

NOTE: Where a student brings, carries, possesses or uses a firearm as defined in policy JICI

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under Colorado law, this is the only offense that is a mandatory expulsion.

**II. Specific Examples of Misconduct and Consequences**

If discipline is suspension or expulsion, the due process procedures of district policy JKD/JKE, Suspension/Expulsion of Students will be followed. Where the proposed discipline is expulsion, a student is entitled to a hearing under policy JKD/JKE at which s/he may contest the finding that an offense was committed and/or the consequences. This list does not cover everything that a student might do which could result in discipline; it is meant to identify many of the offenses which might be committed by students and to illustrate the sort of conduct which is not allowed. Individual schools may identify additional offenses and outline consequences for such offenses so long as they are not inconsistent with district policy and the school takes appropriate steps to inform students and parents/guardians of these additional offenses and consequences.

Schools are encouraged to consider which of the consequences listed in the discipline action levels below are most appropriate for a given situation but are not required to utilize any specific disciplinary consequence except where specifically so provided in district policy or regulation.

**Discipline Action Levels**

**Level 1 -- Conferences**

- conference with student and/or staff
- conference with parent/guardian and student
- contract with student
- written warning

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- restorative justice
- peer counseling
- peer mediation
- other similar actions

**Level 2 -- Interventions**

- in-school suspension
- exclusion from extra-curricular activities
- assignment to another class or teaching teammate
- referral to intervention classes offered within or outside the school district (information about drug, alcohol use, addictions, anger management, conflict management, etc.)\*
- referral to alcohol/drug assessment outside the school district (program to assist student and parent/guardian to determine if student has an alcohol/drug problem)\*
- Saturday school
- work detail/community service
- after school detention
- confiscation of unauthorized materials
- financial settlement -- payment of damages by student to one who was harmed
- restorative justice
- counseling
- other similar actions

[\* = school funds will not be used to pay for such interventions unless specifically authorized by the principal]

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**Level 3 -- Suspension / Emergency Removal / Reassignment**

- emergency removal -- immediate danger or serious disruption presented (due process procedures follow soon after)
- suspension out-of-school (up to 10 days)
- alternative placement within the school district
- other similar action

**Level 4 – Expulsion**

- suspension out-of-school pending expulsion
- expulsion

**Level 5 -- Mandatory Expulsion**

- mandated by federal law, state law or Aurora Public Schools Board of Education policy.

**III. DISCIPLINE SUMMARY CHARTS**

Listed in the subsequent tables for middle/high schools and elementary schools are examples of misconduct, if committed by a student, may result in disciplinary action. The tables provide guidance as to the range of “discipline action levels” which may be considered for the specific offenses and to the requirement of referring offenses to school administrators. Although the list of offenses is not all inclusive, both offenses and consequences shall remain consistent with district policy and applicable law.

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**MIDDLE AND HIGH SCHOOL**

**Notes on interpreting the Discipline Summary Chart:**

- In the *Behavior* column, the type of behavior is categorized.
- In the *Occurrence* column, behaviors are determined to be minor or serious in nature. A behavior could be serious in nature on the first offense or could be considered serious if a student's minor behavior has occurred repeatedly.
- In determining whether a given offense should be considered "Minor" or "Serious," and what interventions and consequences are appropriate in that specific situation, schools should consider the following factors:
  - The age of the student;
  - The disciplinary history of the student;
  - Whether the student has a disability;
  - The seriousness of the violation committed by the student;
  - Whether the violation committed by the student threatened the safety of any student or staff member; and
  - Whether a lesser intervention would properly address the violation committed by the student.
- The numbers found in the *Discipline Minimum/Maximum* column refer to the Discipline Action Levels of intervention.
- In the *Referral to School Administration* column, staff members are required to refer those behaviors marked "always refer" to the school administration. With some identified



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behaviors, a referral may generally not be needed. Staff members may choose to refer other behaviors at their discretion

- Carrying, bringing, using or possessing a firearm on school grounds requires an expulsion and a referral to law enforcement.
- Other offenses which may be referred to law enforcement are designated by an asterisk (\*). However, if at any time law enforcement is needed for the safety of students and staff, police may be called.

**Definitions for each type of behavior may be found following the elementary school discipline summary charts.**

<i>MIDDLE &amp; HIGH SCHOOL Attendance &amp; Punctuality</i>			<i>Referral to School Administration</i>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Always refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Tardiness	Minor	1-1		X	
	Serious	1-2			X

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<b><i>MIDDLE &amp; HIGH SCHOOL</i></b> <b><i>Attendance &amp; Punctuality</i></b>			<b><i>Referral to School Administration</i></b>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Always refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Truancy	Minor	1-1	X		
	Serious	1-2	X		
Trespassing	Minor	1-2	X		
	Serious	2-4 *	X		
Loitering	Minor	1-2			X
	Serious	2-3 *	X		

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<b><i>MIDDLE &amp; HIGH SCHOOL</i></b> <b><i>Appropriate Learning Environment</i></b>			<b><i>Referral to School Administration</i></b>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level</b> <b>Minimum→</b> <b>Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Disobedience	Minor	1-2		X	
	Serious	2-4 *	X		
Defiance	Minor	1-2		X	
	Serious	2-4 *	X		
Disruptive – Habitual 1, 2 or 3	Serious	1-4 *	X		
Profane to Student	Minor	1-2			X
	Serious	2-4	X		
Profane to Adult	Minor	1-2	X		
	Serious	2-4	X		

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<b><i>MIDDLE &amp; HIGH SCHOOL</i></b> <b><i>Appropriate Learning Environment</i></b>			<b><i>Referral to School Administration</i></b>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level</b> <b>Minimum→</b> <b>Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Interference with School Personnel	Minor	1-2	X		
	Serious	2-4 *	X		
Academic Dishonesty	Minor	1-2			X
	Serious	2-4	X		
Dishonesty	Minor	1-2			X
	Serious	2-4			X
Computer – Internet Violations	Minor	1-2			X
	Serious	2-4 *	X		
Cell phone – Electronic	Minor	1-2			X

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<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level</b> <b>Minimum→</b> <b>Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Devices	Serious	2-3	X		
Bullying	Minor	1-2			X
	Serious	2-4 *	X		
Cyberbullying	Minor	1-2			X
	Serious	2-4*	X		
Sexting	Minor	1-2			X
	Serious	2-4*	X		

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<b>MIDDLE &amp; HIGH SCHOOL</b> <b>Protection of Physical Safety and Mental Well-Being</b>			<b>Referral to School Administration</b>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level</b> <b>Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Firearm	Serious	5 Must be reported to APD	X		
Firearm Facsimile	Serious	2-4 Must be reported to APD	X		
Dangerous Weapon	Serious	2-4 Must be reported to APD	X		
Weapon	Serious	2-4 *	X		
Ordinary Item as a Weapon	Minor	1-2	X		
	Serious	2-4 *	X		
Robbery	Serious	3-4	X		

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<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level</b> <b>Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
		Must be reported to APD			
Assault 1 <sup>st</sup> and 2 <sup>nd</sup> Degree	Serious	3-4 Must be reported to APD	X		
Sexual Violence	Serious	3-4 Must be reported to APD	X		
Fight/ Physical Aggression with Student	Minor	1-2	X		
	Serious	2-4 *	X		
Assault 3 <sup>rd</sup> Degree	Minor	2-3	X		
	Serious	2-4 *	X		
Disorderly Conduct	Minor	1-2			X
	Serious	2-4 *	X		

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<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level</b> <b>Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Physical Aggression with Adult	Serious	2-4 *	X		
Offense to Staff	Minor	1-2			X
	Serious	2-4 *	X		
Encouraging Fight/ Assault	Minor	1-2			X
	Serious	2-4 *	X		
Threat to Student	Minor	1-2			X
	Serious	2-4 *	X		
Threat to	Minor	1-2	X		



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<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Staff	Serious	2-4 *	X		
Reckless Wheels	Minor	1-2			X
	Serious	2-4 *	X		

<i>MIDDLE &amp; HIGH SCHOOL</i> <i>Protection of Physical Safety and Mental Well-Being</i>			<i>Referral to School Administration</i>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Harassment-Sexual	Minor	1-2	X		
	Serious	2-4 Must be reported to APD	X		

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<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Harassment- Discriminatory	Minor	1-2	X		
	Serious	2-4*	X		
Dress Code Violation	Minor	1-2		X	
	Serious	2-4	X		

<b><i>MIDDLE &amp; HIGH SCHOOL</i></b> <b><i>Protection of Property</i></b>			<b><i>Referral to School Administration</i></b>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Vandalism	Minor	1-2			X

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<b>MIDDLE &amp; HIGH SCHOOL Protection of Property</b>			<b>Referral to School Administration</b>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
	Serious	2-4 *	X		
Theft	Minor	1-2			X
	Serious	2-4 *	X		
Stolen Property Possession	Minor	1-2			X
	Serious	2-4 *	X		
Breaking and Entering School Property	Serious	2-4 *	X		
Arson	Serious	3-4 Must be reported to APD	X		
False Fire Alarm	Serious	2-4 Must be reported to APD	X		

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<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Fire Extinguisher	Minor	1-2	X		
	Serious	2-4 *	X		
Bomb Threat	Serious	3-4 Must be reported to APD	X		
Fireworks	Minor	1-2	X		
	Serious	2-4 *	X		

<i>MIDDLE &amp; HIGH SCHOOL Controlled Substances</i>			<i>Referral to School Administration</i>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Controlled Substance – Marijuana - Sale	Serious	2-4 Must be reported to APD	X		

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<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Controlled Substance – Other Than Marijuana - Sale	Serious	2-4 Must be reported to APD	X		
Controlled Substance – Marijuana – Purchase/ Acceptance	Serious	2-4 *	X		

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<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Controlled Substance – Other Than Marijuana – Purchase/ Acceptance	Serious	2-4 *	X		
Controlled Substance – Marijuana - Possession	Minor	1-2	X		
	Serious	2-4 *	X		
Controlled Substance – Other Than Marijuana – Possession	Serious	2-4 *	X		
Counterfeit Drugs	Minor	1-2	X		

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<i>MIDDLE &amp; HIGH SCHOOL</i> <i>Controlled Substances</i>			<i>Referral to School Administration</i>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
	Serious	2-4 *	X		
Drug Paraphernalia - Possession	Minor	1-2	X		
	Serious	2-4 *	X		
Alcohol	Minor	1-2	X		
	Serious	2-4 *	X		
Tobacco	Minor	1-2			X
	Serious	2-4 *	X		

**An asterisk (\*) indicates that an offense may be referred to law enforcement.**

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**ELEMENTARY SCHOOL**

**Notes on interpreting the Discipline Summary Chart:**

- In the *Behavior* column, the type of behavior is categorized
- In the *Occurrence* column, behaviors are determined to be minor or serious in nature. A behavior could be serious in nature on the first offense or could be considered serious if a student's minor behavior had occurred repeatedly.
- In determining whether a given offense should be considered "Minor" or "Serious", schools may consider the following factors:
  - degree of disruption to the educational process or the school; generally (but not always) misbehavior that occurs in the classroom or in the course of a school-related activity will be more disruptive than that which occurs during unstructured time such as in hallway/playground/cafeteria)
  - age of the student
  - maturity level of the student
  - special needs of the student
  - whether the student stops the misbehavior when told to do so
  - whether the misbehavior has been engaged in many times
  - discipline history
  - number of students involved
  - seriousness of the threat
  - number of adults necessary to deal with the immediate incident
  - whether the incident presented a credible threat to the safety (physical or emotional) to any person



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- The numbers found in the *Discipline Minimum/Maximum* column refer to the Discipline Action Levels on intervention.
- In the *Referral to School Administration* column, staff members are required to refer those behaviors marked “always refer” the school administration. With some identified behaviors, a referral would generally not be needed. Staff members may choose to refer behaviors at their discretion.
- Carrying, bringing, using or possessing a firearm on school grounds requires an expulsion and a referral to law enforcement.

An asterisk (“\*”) indicates offenses which may be referred to law enforcement.

However, if at any time law enforcement is needed for the safety of students and staff, police may be called.

**Definitions for each type of behavior may be found following the elementary school discipline summary charts.**

<b><i>ELEMENTARY SCHOOL</i></b> <b><i>Attendance &amp; Punctuality</i></b>			<b><i>Referral to School Administration</i></b>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Tardiness	Minor	1-1		X	
	Serious	1-2			X

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<b><i>ELEMENTARY SCHOOL</i></b> <b><i>Attendance &amp; Punctuality</i></b>			<b><i>Referral to School Administration</i></b>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Truancy	Minor	1-1			X
	Serious	1-2	X		
Trespassing	Minor	1-2			X
	Serious	2-4*	X		
Loitering	Minor	1-2			X
	Serious	1-3	X		

<b><i>ELEMENTARY SCHOOL</i></b> <b><i>Appropriate Learning Environment</i></b>			<b><i>Referral to School Administration</i></b>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Disobedience	Minor	1-2		X	

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<b><i>ELEMENTARY SCHOOL</i></b> <b><i>Appropriate Learning Environment</i></b>			<b><i>Referral to School Administration</i></b>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
	Serious	2-4	X		
Defiance	Minor	1-2		X	
	Serious	2-4	X		
Disruptive – Habitual 1, 2 or 3	Serious	1-4*	X		
Profane to Student	Minor	1-2		X	
	Serious	2-4			X
Profane to Adult	Minor	1-2	X		
	Serious	2-4	X		
Interference with School Personnel	Minor	1-2	X		
	Serious	2-4*	X		

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<i><b>ELEMENTARY SCHOOL</b></i> <i><b>Appropriate Learning Environment</b></i>			<i><b>Referral to School Administration</b></i>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Academic Dishonesty	Minor	1-2		X	
	Serious	2-3	X		

<i><b>ELEMENTARY SCHOOL</b></i> <i><b>Appropriate Learning Environment</b></i>			<i><b>Referral to School Administration</b></i>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Dishonesty	Minor	1-2			X
	Serious	2-3			X
Computer – Internet Violations	Minor	1-2			X
	Serious	2-3*	X		
Cell phone – Electronic	Minor	1-2			X

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<b><i>ELEMENTARY SCHOOL</i></b> <b><i>Appropriate Learning Environment</i></b>			<b><i>Referral to School Administration</i></b>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Devices	Serious	2-3	X		
Bullying	Minor	1-2			X
	Serious	2-4*	X		
Cyberbullying	Minor	1-2			X
	Serious	2-4*			
Sexting	Minor	1-2	X		
	Serious	2-4*	X		

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<b><i>ELEMENTARY SCHOOL</i></b> <b><i>Protection of Physical Safety and Mental Well-Being</i></b>			<b><i>Referral to School Administration</i></b>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Firearm	Serious	5 Must be report to APD	X		
Firearm Facsimile	Serious	2-4 Must be reported to APD	X		
Dangerous Weapon	Serious	2-4 Must be reported to APD	X		
Weapon	Minor	1-2	X		
	Serious	2 -4*	X		
Ordinary Item as a Weapon	Minor	1-2	X		
	Serious	2-4*	X		
Robbery	Serious	2-4 Must be reported to APD if 10 years of age or older	X		

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<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Assault 1 <sup>st</sup> and 2 <sup>nd</sup> Degree	Serious	3-4 Must be reported to APD	X		
Sexual Violence	Serious	3-4 Must be reported to APD	X		
Fight/Physical Aggression with Student	Minor	1-2			X
	Serious	2-4*	X		
Assault 3 <sup>rd</sup> Degree	Minor	1-2	X		
	Serious	3-4*	X		
Disorderly Conduct	Minor	1-2			X
	Serious	2-4*	X		
Physical Aggression with Adult	Minor	1-2			X

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<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
	Serious	2-4*	X		

<b><i>ELEMENTARY SCHOOL</i></b> <b><i>Protection of Physical Safety and Mental Well-Being</i></b>			<b><i>Referral to School Administration</i></b>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Offense to Staff	Minor	1-2			X
	Serious	2-4*	X		
Encouraging Fight/ Assault	Minor	1-2			X
	Serious	2-4*	X		
Threat to	Minor	1-2			X



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<b><i>ELEMENTARY SCHOOL</i></b>			<i>Referral to School Administration</i>		
<b><i>Protection of Physical Safety and Mental Well-Being</i></b>					
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Student	Serious	2-4*	X		
Threat to Staff	Minor	1-2			X
	Serious	2-4*	X		
Reckless Wheels	Minor	1-2			X
	Serious	2-4*	X		
Harassment – Sexual	Minor	1-2	X		
	Serious	2-4 Must be reported to APD	X		

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<b><i>ELEMENTARY SCHOOL</i></b> <b><i>Protection of Physical Safety and Mental Well-Being</i></b>			<i>Referral to School Administration</i>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Harassment-Discriminatory	Minor	1-2	X		
	Serious	2-4*	X		
Dress Code Violation	Minor	1-2		X	
	Serious	2-4			X

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<b><i>ELEMENTARY SCHOOL</i></b> <b><i>Protection of Property</i></b>			<i>Referral to School Administration</i>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Vandalism	Minor	1-2			X
	Serious	2-4*	X		
Theft	Minor	1-2			X
	Serious	2-4*	X		

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<b><i>ELEMENTARY SCHOOL</i></b> <b><i>Protection of Property</i></b>			<i>Referral to School Administration</i>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Stolen Property Possession	Minor	1-2			X
	Serious	2-4*	X		
Breaking and Entering School Property	Serious	2-4*	X		
Arson	Serious	2-4 Must be reported to APD if 10 years of age or older	X		
False Fire Alarm	Serious	2-4 Must be reported to APD if 10 years of age or older	X		
Fire Extinguisher	Minor	1-2	X		
	Serious	2-4*	X		

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<b><i>ELEMENTARY SCHOOL Protection of Property</i></b>			<i>Referral to School Administration</i>		
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Bomb Threat	Serious	2-4 Must be reported to APD	X		
Fireworks	Minor	1-2	X		
	Serious	2-4*	X		

<b><i>ELEMENTARY SCHOOL Controlled Substances</i></b>					
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Controlled Substance – Marijuana - Sale	Serious	2-4 Must be reported to APD	X		
Controlled	Serious	2-4	X		

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<b><i>ELEMENTARY SCHOOL</i></b>					
<b><i>Controlled Substances</i></b>					
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Substance – Other Than Marijuana - Sale		Must be reported to APD			
Controlled Substance – Marijuana - Purchase/ Acceptance	Serious	2-4  Must be reported to APD	X		
Controlled Substance – Other Than Marijuana - Purchase/ Acceptance	Serious	2-4  Must be reported to APD	X		
Controlled Substance – Marijuana - Possession	Minor	1-2	X		
	Serious	2-4*	X		

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<b><i>Controlled Substances</i></b>					
<b>Behavior</b>	<b>Occurrence</b>	<b>Discipline Action Level Minimum→ Maximum</b>	<b>Must refer</b>	<b>Generally do not refer</b>	<b>Staff discretion</b>
Controlled Substance – Other Than Marijuana-Possession	Serious	2-4 Must be reported to APD	X		
Counterfeit Drugs	Minor	1-2	X		
	Serious	2-4*	X		
Drug Paraphernalia Possession	Minor	1-2	X		
	Serious	2-4*	X		
Alcohol	Minor	1-2	X		
	Serious	2-4*	X		
Tobacco	Minor	1-2	X		
	Serious	2-4	X		

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**IV. Attempting to Commit an Offense**

In addition, schools have the authority to impose disciplinary action for an attempt to commit an offense, where in the judgment of the school administration it is appropriate to do so under the circumstances. "Attempt" for purposes of the preceding sentence includes an attempt to commit, aiding, or abetting the commission of, conspiring to commit, or participating in any manner, even though unaccomplished, in the commission of any of the offenses designated.

**V. Referral to Law Enforcement**

Offenses requiring referral to law enforcement are indicated in the Discipline Summary Charts. Other offenses may be referred to law enforcement as indicated by an asterisk. However, if at any time law enforcement is needed for the safety of students and staff, police may be called. Referral to law enforcement is defined as communication between a school administrator, teacher, or other school employee and a law enforcement agency which is initiated by an employee, concerns behavior, and requests law enforcement involvement or investigation.

**VI. Habitually Disruptive Students**

A disruptive act is one involving behavior which causes a material and substantial disruption in the classroom, on school grounds, in school vehicles, or at school activities or sanctioned events.

Before determining that an act is disruptive, the student should be given an opportunity to explain her/his side of the story regarding the incident. Whether a given act is disruptive



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shall be determined by the school administration in consultation with the staff member(s) who observed or know about the conduct. For an act to be counted as one of the three disruptive acts leading to declaration as an habitually disruptive student, both the student and the parent/guardian must be notified in writing and by phone (or other means) of the definition of an habitually disruptive student, that the act will be counted as one of the three disruptive acts potentially leading to being labeled as habitually disruptive, and that a student who commits three or more disruptive acts during a school year may be expelled.

In most disruptive acts which may lead to the status of a habitually disruptive student, progressive discipline will be employed, i.e. progressively more severe consequences for each successive disruptive act will be implemented. In such cases, the school should put a behavior support plan in place immediately after the first habitual disruptive offense. The behavior support plan should be revised as appropriate if the student continues to misbehave. All interventions which have been utilized to assist the student should be documented by the school throughout the habitually disruptive process.

However, the nature of the discipline imposed in each case and whether progressive discipline is appropriate for a given case is up to the administrator to determine. A single disruptive act may be serious enough to warrant expulsion, but in such cases the expulsion will be brought on grounds other than that the student is "habitually disruptive" (for example, the ground for expulsion might be "continued willful disobedience or open and persistent defiance of proper authority", or "behavior which is detrimental to the welfare or safety of other pupils or of school personnel").

Students with disabilities (either Section 504 or IDEIA) may only be expelled as habitually disruptive students where a staffing team or building intervention team has determined that each disruptive act counted toward declaring the student "habitually disruptive" and that the behaviors are not a manifestation of the student's disability.

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**VII. Use of Reasonable Force**

Teachers and other district employees shall have the responsibility to determine and enforce consequences to ensure the proper management of their classes and the appropriate behavior of pupils. All teachers, administrators and other district personnel are authorized to use reasonable and appropriate acts of physical force in compliance with policy JKA, Physical Intervention.

**VIII. Procedural Issues**

- A. Misconduct away from school.** Misconduct which does not take place at a school or at a school-related function may, in some cases result in student discipline if the misconduct is detrimental to the welfare or safety of other pupils or of school personnel. Conduct which is disruptive to the school's educational process, or to the ability of a given child to concentrate on her/his studies, may be found to be detrimental to the welfare of pupils. In summary, something that happens away from school may result in discipline at school.
- B. Consequences.** The consequences described in this regulation are those which will most likely be imposed in the usual case for a given offense. However, unless a specific consequence is mandated by law, a greater or lesser consequence may be imposed in a given case because of the specific circumstances of the case, such as the age and/or maturity of the student.
- C. Standard of proof.** The standard of proof in determining whether acts of students constitute violations under the District Conduct and Discipline Code shall remain at all times one of substantial evidence (i.e. whether there is substantial evidence to

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support the charge), whether or not the definition of such acts is taken from the criminal law.

**IX. Distribution and Education Regarding the Code**

This Code shall be available for review for each student and family in the school district. The Code shall also be available for review in each school in the district, as well as on the district Web site at [aurorak12.org](http://aurorak12.org). In addition, each school in the district shall take reasonable measures to ensure that each student is familiar with the Code.

**DEFINITION OF OFFENSES**

The behaviors and various terms listed in this regulation are defined as indicated below.

***ATTENDANCE & PUNCTUALITY***

- **TARDINESS:** Students who are late to class and have missed less than ½ of the class period shall be counted as tardy. Students who are late to class and have missed ½ day or more of the class period shall be counted as absent.
- **TRUANCY:** Failure of students to attend classes to which they are assigned (unless otherwise excused by school authorities). Note: A student may not be suspended for truancy. Other consequences may be imposed, including the filing of truancy petitions in District Court for those students who are considered to be habitually truant.
- **TRESPASS:** No student shall be on the campus of any school except the one to which the student is assigned during the school day without the knowledge and consent of the officials

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of that school or in connection with a public event. Nor shall a student under suspension or expulsion be on the grounds of any District school or other property, or attend any school-related activities without the permission of the school which imposed the discipline.

- **LOITERING:** Loitering is defined as standing idly around; lingering; delaying or wandering about. Students who loiter at any school after the close of the school day without special need or proper supervision are trespassing and may be prosecuted by law if they do not leave when instructed to do so.

***APPROPRIATE LEARNING ENVIRONMENT***

- **DISOBEDIENCE:** A student's deliberate failure or refusal to comply with the directions of authorized school personnel or with school rules.
- **DEFIANCE:** Disobedience coupled with a serious verbal challenge or challenge of some other kind.
- **HABITUALLY DISRUPTIVE STUDENT:** A student who has, on three or more occasions during a school year, caused a material and substantial disruption in the classroom, on school grounds, on school vehicles, or at school-related activities. Once a student is declared "habitually disruptive," the student may be expelled. No child shall be declared to be "habitually disruptive student" unless the student and parent/guardian have been notified in writing and by telephone (or other means) of the definition "habitually disruptive student."
- **PROFANE TO STUDENT:** Profane, lewd or vulgar communications directed to any other student by any method or means, including verbally, electronically or by written words,

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photographs or drawings. (Racial or sexual slurs, if severe in nature, may lead to an offense considered to be racial or sexual harassment. [See definitions for discriminatory or sexual harassment]).

- **PROFANE TO ADULT:** Profane, lewd or vulgar communications directed to any adult by any method or means, including verbally, electronically or by written words, photographs, or drawings.
- **INTERFERENCE WITH SCHOOL PERSONNEL:** Preventing or attempting to prevent school personnel from engaging in their responsibilities through any means including threats, physical force or violence. Interference with school personnel may also constitute a crime under C.R.S. 18-9-109.
- **ACADEMIC DISHONESTY:** Untruthful or deceptive behavior in connection with academics, including plagiarism, cheating on tests or assignments or changing grades without authorization. Plagiarism is the taking of someone else's words, ideas, or findings and intentionally presenting them as your own without properly giving credit to their source.
- **DISHONESTY:** Being untruthful or deceptive to a district employee (other than being academically dishonest), including forging an absence excuse, lying about one's identity, using false identification when asked, or refusing to identify oneself.
- **COMPUTER – INTERNET:** Violation of rules adopted by a school relating to the proper use of computers or the Internet.
- **CELL PHONES – ELECTRONIC DEVICES:** Aurora Public Schools believes in “providing environments that optimize learning and teaching and are safe, secure, and well-

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maintained.” As such, and except for approved educational purposes, all personal electronic devices shall not be seen, used, nor heard during the school day on Aurora Public Schools property by students grades K-12. Cell phones and electronic devices include, but are not limited to, cell phones, iPods, MP3 players, tablets, cameras, electronic games, etc. Schools may develop protocols to address the implementation of the electronic device regulation.

- **BULLYING:** Any written or verbal expression, or physical or electronic act or gesture, or a pattern thereof, that is intended to coerce, intimidate, or cause any physical, mental, or emotional harm to any student. Bullying against any student for any reason is prohibited, including but not limited to any such behavior that is directed toward a student on the basis of his or her academic performance or against whom federal and state laws prohibit discrimination upon any of the bases described in Section 22-32-109 (1)(LL)(I). This definition is not intended to infringe upon any right guaranteed to any person by the First Amendment to the United States Constitution or to prevent the expression of any religious, political, or philosophical views.
- **CYBERBULLYING:** Students will also be subject to school or legal disciplinary actions for cyberbullying. This involves the use of information and communication technologies such as e-mails, cell phone and pager text messages, instant messaging, defamatory personal websites, social network websites and defamatory online personal polling websites. Cyberbullying actions include:
  - Sending mean, vulgar or threatening messages or images;
  - Posting sensitive, private information about another person;
  - Pretending to be someone else in order to make that person look bad; and
  - Intentionally excluding someone from an online group

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Cyberbullying will not be tolerated and will constitute the same levels of disciplinary action as other types of bullying.

- **SEXTING:** Sexting is sending, sharing, viewing, or possessing pictures, text messages, emails or other material of a sexual nature in electronic or any other form on a computer, cellphone, or other electronic device. Sexting is prohibited. Parents and the police will be contacted. Sexting maybe reported as suspected child abuse/ neglect or child pornography.

***PROTECTION OF PHYSICAL SAFETY AND MENTAL WELL-BEING***

- **DANGEROUS WEAPON:** Bringing, carrying, possessing, and/or using any of the following:
  1. A firearm, as defined in section 18 U.S.C. sec 921(a)(3), is any (A) any weapon (including starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.
  2. Any pellet or “BB” gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air;
  3. Knives
    - a. Any fixed-blade knife with a blade that measures longer than three inches; or
    - b. A spring-loaded or pocketknife with a blade that measures longer than three and one-half inches; or
    - c. Any object, device, instrument, material or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury including but not limited to bludgeon, brass knuckles or artificial knuckles of any kind.

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- **FIREARM FACSIMILE** Bringing, carrying, possessing, and/or using, a firearm facsimile that could reasonably be mistaken for an actual firearm in a school building or in or on school property. This charge does not include a student carrying, bringing, using, or possessing a firearm facsimile on school property for either a school-related or a non-school-related activity with prior authorization of school principal/designee.
- **WEAPON:** Bringing, carrying, possessing, and/or using an item, (other than an item classified as a “dangerous weapon”) whose intended purpose is to harm or injure another. Examples of weapons include:
  - a. Knives which are not considered “dangerous weapons” by definition;
  - b. Nunchukus;
  - c. Chinese stars
  - d. Slingshots.
- **ORDINARY ITEM AS A WEAPON:** Bringing, carrying possessing, and/or using an everyday item whose intended purpose is not normally in inflict harm on a person, that is used to threaten, intimidate, frighten or injure another. Examples of such items may include:
  - a. Padlocks on ropes, strings, chains, etc.;
  - b. Baseball and softball bats, sticks, pipes and clubs;
  - c. Chemical, including mace, pepper gas, tear gas, etc.;
  - d. Lighters;
  - e. Shoes, especially military-style boots;
  - f. Rocks, bottles, pop cans.



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- **ROBBERY:** Commission of an act by a student which, had it been committed by an adult, would be robbery as defined by C.R.S. Section 18-4-301. “A person who knowingly takes anything of value from the person or presence of another by the use of force, threats or intimidation commits robbery.”
  
- **ASSAULT:** (1<sup>st</sup> and 2<sup>nd</sup> Degree): An act intended by the actor to cause some bodily injury, and which does cause some serious bodily injury, serious bodily injury or death to another person (though not necessarily the person intended) as defined by C.R.S. Section 18-3-204. This includes vehicular assault, defined as “driving a motor vehicle in a reckless manner, and this conduct is the proximate cause of serious bodily injury to another.”
  - a. 1<sup>st</sup> Degree Assault consists of intent to cause “bodily injury” which results in a substantial risk of death, or serious and permanent disfigurement, or protracted loss or impairment of the function of any part or organ of the body; or broken bones or burns of the second or third degree.
  - b. In general, the following types of injuries will be present where a second degree assault has been committed: 2<sup>nd</sup> Degree Assault consists of intent to cause a “bodily injury” which results in significant facial scars, broken bones, second or third degree burns, impairment of vision or hearing for an extended period of time or injuries resulting in impaired mobility for an extended time period.
  - c. Self-defense: self-defense is present where (1) a reasonable person under the same circumstance would have believed that it was necessary for him/her to use force to protect him/herself against an actual or apparent threatened harmful contact; (2) the person used no more force than a reasonable person would have used under the same circumstances; and (3) there was no way (such as by leaving the scene or calling for an adult) that a reasonable person could have avoided the altercation. Self-defense may be a defense to the offense of assault (not to the offense of fighting).

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- **SEXUAL VIOLENCE:** A physical sexual act perpetrated against a person's will or where a person is incapable of giving consent on school grounds, in a school vehicle, or at a school activity or sanctioned event.
- **ASSAULT (3<sup>rd</sup> Degree):** This crime is committed if a person knowingly or recklessly causes bodily injury (even slight injury) to another person.
- **FIGHT/PHYSICAL AGGRESSION WITH STUDENT:** Is present where: (1) a student acts with the intent of making physical contact with another person (or acts with the knowledge that physical contact could probably result); (2) physical contact with another person does result; and (3) the intended contact is significantly offensive to the other person. If a conflict appears to be likely, the student is, if at all possible under the circumstances, expected to make all possible efforts to avoid the conflict, including leaving the scene or seeking the help of a teacher, administrator, paraeducator or other school employee. Self-defense may be a defense to the offense of assault 1, 2, 3(not the offense of fighting).
  - Where horseplay may be involved, the administration must make a judgment about whether the incident was truly horseplay and, if so, whether it remained horseplay or escalated to a point where contact was significantly offensive to another person.
  - Fighting may also result in 3<sup>rd</sup> degree assault, which is defined as an act in which a person knowingly or recklessly causes bodily injury (even slight injury) to another person.

***EXPLANATORY NOTE REGARDING FIGHTING:***

Administrators shall determine interventions and/or consequences of a fight based upon a consideration of the following factors and any other factors relevant to the individual case.

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**Factors related to fighting consequences**

- The age and grade level of the students involved, especially if there are significant differences between students involved in the fight.
- The degree of injury inflicted
- The number of people involved (more people = more serious)
- Maturity level of the student
- Special needs of the student
- Discipline history
- The degree of disruption to the educational process or the school
- Compliance with directives and attitude toward staff when directed to stop, to go to the office, to explain what happened etc.
- Whether the student instigated the fight or, on the other hand, had taken some step(s) prior to the fight to avoid it, such as reporting the conflict to a school employee or attempted to use an intervention such as peer mediation, conflict resolution process, etc.
- The administration's judgment as to the potential for future disruption, including the degree to which the incident may cause further disruption to the school through attempted retaliation by the victim or those allied with the victim
- The location of the incident (school-related activity including classroom vs. unstructured time -- hallway/playground/cafeteria vs. during P.E class or an athletic activity)
- The student's sincere contrition: the administrators' judgment that the student truly regrets the conduct and it is unlikely to re-occur
- Intensity
  - Aggressiveness shown by the student (one shove vs. repeated or savage

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blows)

- Level of staff or police intervention necessary to resolve (shoving match which is over quickly vs. major brawl with police called to scene)

- **DISORDERLY CONDUCT:** Intentionally, knowingly, or recklessly disrupts the educational environment.
- **PHYSICAL AGGRESSION WITH ADULT:** No student shall act in a physically aggressive way toward an adult at school, on any district property, in any district vehicle, or at any school-related activities. Physical contact and/or physical injury is not a requirement of this offense.
- **OFFENSE TO STAFF:** Any assault upon, disorderly conduct toward, harassment of, knowingly making of a false allegation of child abuse against, or any alleged offense under the Colorado Criminal Code directed toward district staff or instances of damage occurring on the premises to the personal property of district staff by a student.
- **ENCOURAGING FIGHTING/ASSAULT:** Taking action, making comments or writing message in any media which might reasonably be expected to result in a fight or assault or which increase the likelihood that a fight or assault will occur. If a conflict appears to be imminent, students should try to remove themselves from the situation and immediately contact an administrator, teacher or other school employee.
- **THREAT TO STUDENT:** Threats of bodily injury, of damage to property or reputation, or of economic loss made against a student. Also, acts or words in any media (including hazing or initiation rites) sufficiently pervasive and severe to interfere with the learning of a student or their participation in school-related activities.

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- **THREAT TO STAFF:** Threats of bodily injury, of damage to property or reputation, or of economic loss made against a staff member of an educational institution. Also, acts or words in any media sufficiently pervasive and severe to interfere with the work of a staff member or their participation in school-related activities.
- **RECKLESS WHEELS:** Operation of a motor vehicle, bicycle, roller blades, skateboard, motorized skateboard or scooter, or similar device on school property so as to endanger the property, safety, health, and/or welfare of others.
- **HARASSMENT – SEXUAL:** Harassing another person through conduct or communications which are of a sexual nature or which, while not overtly sexual, would not have occurred except for the person’s gender or sexual orientation. The behavior must be unwelcome, offensive, and must have negative affects on the learning or work of others. (This is a summary of the information found in district policy JBB which contains a more complete description of the offense.)
- **HARASSMENT – DISCRIMINATORY:** Harassing another person through conduct or communications which are of race, creed, color, religion, national origin, ancestry, disability or need for special education services nature or which, would not have occurred except for the student’s race, color or national origin. Such conduct must have negative effects on the learning or work of others. (This is a summary of the information found in district policy AC which contains a more complete description of the offense.)
- **DRESS CODE VIOLATION:** Students shall not wear apparel that is deemed disruptive or potentially disruptive to the classroom environment or to the maintenance of a safe and orderly school. (This is a summary of the information found in policy JICA which contains a

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more complete description of the offense.)

***PROTECTION OF PROPERTY***

- **VANDALISM:** Intentionally or recklessly causing damage to or defacing school district property. Minor incidents are those which can be repaired with little or no expense (generally less than \$20 of materials and labor); other incidents are considered major. Actions that impair the use of school property are also included. Ruining bulletin boards, intentionally clogging a plumbing system, impairing the functions of a computer or computer system, breaking light bulbs or fixtures, and damaging school equipment to the point where repair is necessary are acts of property destruction.
- **THEFT:** Taking or “borrowing” property which belongs to someone else without permission. Minor theft involves items of less than \$20 value, except that theft of the following are considered major thefts: (a) items such as wallets and purses which often contain articles of significant monetary value; (b) items such as credit cards which may be used to acquire articles of significant value; and (c) items such as keys or computer access cards by which access may be gained to restricted property or areas. Theft shall also include causing another to be deceived by false or misleading information in order to obtain anything of value.
- **POSSESSION OF STOLEN PROPERTY:** Having in one’s possession or under one’s control (including in one’s locker) property which has been stolen or when the person has reasonable cause to believe that it has been stolen.
- **BREAKING/ENTERING SCHOOL PROPERTY:** A student shall not break and enter (or otherwise enter without authorization) property either on school grounds or at any school-related activity.

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- **ARSON:** Intentionally starting any fire or combustion on school property without authorization from a school official, whether or not damage occurs. Arson does not include lighting matches where there is no attempt to light anything else on fire.
- **FALSE FIRE ALARM:** Reporting a fire to authorities or setting off a fire alarm without a reasonable belief that a fire or other serious emergency appropriate for activation of the alarm exists.
- **FIRE EXTINGUISHER:** Tampering with or misuse of a fire extinguisher or other fire protection equipment.
- **BOMB THREAT:** Reporting to authorities by any form of media the presence of a bomb on or near school property (or at a school-related activity) without a reasonable belief that the report is true.
- **FIREWORKS:** The use or possession of firecrackers or other minor powder explosives. (Incendiary devices which meet the definition of “firearm” under 18 U.S. Code 921 require expulsion by federal law and are not “minor powder explosives”.)

***CONTROLLED SUBSTANCES AND TOBACCO***

For all offenses under this category, the terms “controlled substance” and “drug” shall be synonymous and shall be defined as in 21 USC sec 12 and include, but are not limited to certain narcotic drugs, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, cocaine, marijuana, prescription drugs and anabolic steroids and shall also synthetic drugs (k2, spice).

- **CONTROLLED SUBSTANCE – MARIJUANA -SALE:** The sale, exchange, distribution

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or gift of drugs including anabolic steroids and prescription drugs. As used in this definition, “drug” includes substances that are represented by or to the students to be a drug or what the student believes to be a drug. Distribution means the transfer of marijuana from one person to another.

- **CONTROLLED SUBSTANCE – OTHER THAN MARIJUANA- SALE:** The sale, exchange, distribution or gift of drugs including anabolic steroids and prescription drugs. As used in this definition, “drug” includes substances that are represented by or to the students to be a drug or what the student believes to be a drug. Distribution means the transfer of a controlled substance from one person to another.
- **CONTROLLED SUBSTANCE – MARIJUANA- PURCHASE/ACCEPTANCE:** Purchase means providing something of value in exchange for a controlled substance. Acceptance means freely receiving drugs without purchase or exchange for value.
- **CONTROLLED SUBSTANCE – OTHER THAN MARIJUANA - PURCHASE/ACCEPTANCE:** Purchase means providing something of value in exchange for a controlled substance. Acceptance means freely receiving drugs without purchase or exchange for value.
- **COUNTERFEIT DRUGS:** Sale, purchase, possession or use of a counterfeit drug. A counterfeit drug shall be defined as a substance which is not the controlled substance it purports to be but which, by appearance, by representations made by the owner or person in control of the substance, and by consideration of all relevant circumstances would lead a reasonable person to believe that the substance is the controlled substance that it is purported to be.
- **CONTROLLED SUBSTANCE – MARIJUANA- POSSESSION:** Students shall not



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possess, use, consume, have consumed or be under the influence of any drug on school grounds, in any District vehicles, or in connection with school-related activities. (Prescription medication and over the counter medication must be secured in the health office at all times. The exception is that high school students may have one day's worth of such medication for self-administration during the school day, provided such medication is not a controlled substance.)

- **CONTROLLED SUBSTANCE – OTHER THAN MARIJUANA -POSSESSION:** Students shall not possess, use, consume, have consumed or be under the influence of any drug on school grounds, in any District vehicles, or in connection with school-related activities. (Prescription medication and over the counter medication must be secured in the health office at all times. The exception is that high school students may have one day's worth of such medication for self-administration during the school day, provided such medication is not a controlled substance.)
- **DRUG PARAPHERNALIA - POSSESSION:** Possession, use, gift, purchase or acquisition, sale or other transmission of any equipment, products, and materials of any kind which are used, intended for use, or designed for use in producing, storing, analyzing, concealing, or assisting in introducing into the human body a controlled substance including hypodermic needles, syringes, pipes, roach clips and rolling papers is prohibited.
- **ALCOHOL:** Students shall not sell, purchase, exchange, purchase or use alcohol on school grounds, in any District vehicle, or in connection with school-related activities. The standard for being under the influence of alcohol shall not be the standard used under Colorado Motor Vehicle Law, but rather shall be whether the student is under the influence of alcohol, to any degree.
- **TOBACCO:** Use or sale of tobacco on district property, in a district vehicle or district

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sanctioned event is not allowed. Tobacco products are defined in C.R.S. 25-14.103.5 and District regulation ADC (Tobacco-Free Schools) and include cigarettes, cigars, and chewing tobacco, electronic cigarettes and vapor pens.