

STUDENT CONDUCT

Ohio Revised Code Section (RC) 3313.66 requires that students are provided with a written notice of intent to suspend prior to being suspended. The statute also requires that students and parents are provided with a written notice of intent to expel. The notices shall include: (1) a statement of intent to discipline; (2) a description of the acts which were in violation of the student code of conduct; (3) specific rules of the student code of conduct which were violated and (4) the dates of the suspension or expulsion.

The written notice of intent to suspend shall be given to the student at an informal hearing. The notice of intent to expel shall be sent to the student and his/her parents and the students and parents will be provided an opportunity for an informal hearing prior to a decision to expel.

Students will receive an unexcused absence for each school day missed as a result of a suspension and/or expulsion.

A student or his/her parents may appeal any decision of the Milford Exempted Village School District administration to suspend a student from school to the Superintendent/designee. A student or parent must request an appeal in writing within 10 days after the discipline measure takes effect. The student and his/her parent may be represented in all appeal hearings. Pursuant to Ohio law, a student or parent may further appeal an expulsion, suspension or denial of extracurricular activities to the Clermont County Court of Common Pleas.

It is the policy of the Milford Exempted Village School District Board of Education that students shall not be permitted to return to school pending any appeal process with the administration or the court. The school district will make every effort to promptly hear all appeals to minimize a student's absence from school. Should the Board, the Superintendent or their designees reverse or modify a discipline decision and permit a student to return to school, such student shall be permitted ample time to make up all assignments and work missed as a result of his/her absence.

This code of regulations is adopted by the Board of the Milford Exempted Village School District pursuant to RC 3313.661 and 3313.662.

Any student engaging in the following types of conduct whether specifically or generally like the kinds of conduct listed below is subject to expulsion, suspension, emergency suspension, removal or permanent exclusion from curricular activities pursuant to the Ohio Revised Code. Students are also subject to any additional penalties outlined within these regulations. This code of regulations applies while a student is in the custody or control of the school, on school grounds or closely proximate thereto, while at a school-sponsored function or activity or on school-owned or provided transportation vehicles. In addition, the student code of conduct governs student activities at all times, on or off school property, when such student conduct is reasonably related to the health, safety and welfare of students or such conduct would unreasonably interrupt the education processes of the Milford Exempted Village School District.

The types of conduct prohibited by this code or regulations are as follows:

1. Damage or destruction of school property on or off of school premises.
2. Damage or destruction of private property on school premises or in areas controlled by the school.
3. Damage or destruction of property belonging to a school employer or anyone connected with the school district, whether on or off school premises.
4. Assault on a school employee, student or other person.
5. Harassment of school personnel during school and/or non-school hours.
6. Fighting.
7. Hazing (to persecute or harass or humiliate another student and/or employee).
8. Chronic misbehavior that disrupts or interferes with any school activity.
9. Disregard of reasonable directions or commands by school authorities including school administrators and teachers.
10. Abuse of another. No student shall use or direct to, or about a school employee, or student, words, phrases, or actions which are considered to be slanderous or degrading in nature, and/or words or phrases which are obscene or profane as defined by the majority of our society. Name-calling and negative, uncomplimentary and offensive remarks related to physical handicaps or defects, mental handicaps, race, religion, nationality, appearance or other reason is prohibited. Bullying will not be tolerated. Bullying is defined as repeated behavior with intent to injure, intimidate, alienate, or threaten another student that results in physical harm, damage to or theft of property, substantial disruption of the orderly operation of a school or a hostile environment that substantially interferes with a student's educational benefits, opportunities, or performance.
11. Disrespect to a teacher or other school authority.
12. Refusing to take detention or other properly administered discipline.
13. Skipping detention.
14. Falsifying of information given to school authorities in the legitimate pursuit of their jobs.

15. Forgery of school or school-related documents.
16. Cheating or plagiarizing.
17. Gambling.
18. Extortion of a student or school personnel.
19. Theft or possession of stolen goods.
20. Arson or other improper use of fire.
21. Possession of matches or lighters or other similar devices.
22. Possession or use of dangerous weapons or ordnance or objects which look like weapons or ordnance, including, but not limited to, guns, firearms, ammunition, knives, grenades, sling shots, bows, arrows, machetes, brass knuckles, chains, studs, etc., or possession or use of objects which may render physical harm to another if improperly used, including, but not limited to, axes, hatchets, hammers, saws, ice picks, screwdrivers, knives, etc.
23. Buying, selling, transferring, using or possessing any substance containing tobacco, including, but not limited to, cigarettes, cigars, a pipe, a clove cigarette, chewing tobacco, snuff and dip, or using tobacco in any other form.

Students violating section 23 will also be disciplined as follows:

- A. For every offense during one school year: attendance in a drug-awareness program.
 - B. For the first offense an ISA of three days.
 - C. For the second offense of the same school year: an out-of-school suspension of three days.
 - D. For the third and every subsequent offense of one school year: an expulsion hearing shall be arranged.
24. Buying, selling, transferring, using, possessing or being under the influence of any controlled substance (drugs, narcotics, marijuana, etc.) or inhalants, or buying, selling, using, possessing or being under the influence of any counterfeit controlled substance. (Any substance that is made to look like a controlled substance, or is represented to be a controlled substance, or that is believed to be a controlled substance.)

25. Buying, selling, transferring, using, possessing or being under the influence of any drug, medication, inhalant or other controlled substance which can be taken internally where the students involved cannot show a legitimate health or other reason for the use of such substance.
26. Buying, selling, transferring, using, or possessing any drug or alcoholic paraphernalia to include instruments, objects, papers, pipes, containers, etc.
27. Improper use of electronic devices according to Milford's Use of Electronic Devices Policy.
28. Buying, selling, transferring, using, possessing or being under the influence of any alcoholic beverage or intoxicant of any kind.
29. Cursing.
30. Use of indecent or obscene language in oral or written form.
31. Publication of obscene, pornographic or libelous material.
32. Placing of signs and slogans on school property without the permission of the proper school authority.
33. Distribution on school premises of pamphlets, leaflets, buttons, insignia, etc., without the permission of the proper school authority.
34. Demonstrations by individuals or groups causing disruption to the school program.
35. Truancy.
36. Tardiness.
37. Leaving school during school hours without permission of the proper school authority.
38. Upon initial arrival, leaving school property without permission.
39. Presence in areas during school hours or outside school hours where a student has no legitimate business without permission of the proper school authority.
40. Failure to abide by reasonable dress and appearance codes set forth in student handbooks or established by the administration or the Board. This includes the prohibition of all clothing, jewelry, signs, etc., which at the discretion of the administration is reasonably related to or represents gang or gang-like activity.

41. Improper or suggestive dress.
42. Indecent exposure.
43. Engaging in sexual acts, displaying excessive affection or other inappropriate behavior with a person of the same or opposite sex.
44. Taking, disseminating, transferring or sharing of obscene, pornographic, lewd or otherwise illegal images or photographs, whether by cellphones, smartphones, camera, email, electronic data transfer or otherwise (commonly called texting, emailing or sexting).

Any person that is found to be partaking in these acts will be reported to local law enforcement and/or other state or federal agencies, which may result in arrest and criminal prosecution.

45. Turning in false fire, tornado, bomb, disaster or other alarms.
46. Presence on school property with a communicable disease.
47. Failure to abide by rules and regulations set forth by the administration for student parking.
48. Disobedience of driving regulations while on school premises.
49. Convey, attempt to convey or knowingly possess a deadly weapon or dangerous ordnance onto any property owned or controlled by or to any activity held under the auspices of the Board.
50. Sell, offer to sell, or possess a controlled substance on school premises or at a school-related function (trafficking in drugs).
51. Carrying concealed weapons.
52. Aggravated murder.
53. Murder.
54. Voluntary manslaughter.
55. Involuntary manslaughter.
56. Felonious assault.
57. Aggravated assault.

58. Rape.
59. Gross sexual imposition.
60. Felonious sexual penetration.
61. Any disruption or interference with school activities.
62. Willfully aiding another person to violate school regulations.
63. Commission by a pupil of any crime in violation of the Ohio Criminal Code, Ohio Traffic Code or the Ohio Juvenile Code.
64. Any other activity by a pupil, which the pupil knows or should know, will disrupt the academic process or a curricular or extracurricular activity.
65. Any type of prohibited activity listed herein engaged in by a student shall be reason for expulsion, suspension, removal or permanent exclusion from school.
66. Graffiti of any type, be it on furniture, walls, books, tables or any other item(s) belonging to the District. The additional penalties shall apply:
 - A. For every offense the adult whose care the student is under will have to pay for all and every cost associated with the offense, including, but not limited to, labor, replacement of item (if needed), etc.
 - B. If applicable, the student will also have to paint the area(s) where he/she has placed the graffiti.
 - C. In addition to A. and B., the student will upon first offense be required to serve one after-school detention.
 - D. In addition to A. and B. the student will upon second offense be required to serve one day of I.S.A.
 - E. In addition to A. and B., the student will upon third offense be required to serve a Saturday school.
 - F. In addition to A. and B., the student will upon fourth to ninth offenses be required to serve an out-of-school suspension.

- G. In addition to A. and B., the student will upon tenth offense be required to attend an expulsion hearing.
- H. All offenses are per school year.