

Student Discipline Code

Discipline within our school community will reflect the core values that we hold as the essential behaviors needed to become a positive, productive, and independent citizen within our global society.

HSTS Core Values

Students and staff are encouraged to demonstrate behavior and attitudes that represent each core value as it relates to the overall community.

1. Respect – Having concern for harmonious relationships; honoring yourself, your peers, your family, your elders, your ancestors, your teachers, your school, your community, your tribe/nation. Having courteous regard for others’ feelings and values. Respect helps people get along better with each other.

2. Responsibility – We are responsible to our People; past, present and future, as well as our environment and other living things. Being responsible is a form of trustworthiness; being accountable for your words, actions, and conduct in all that you do.

3. Community/Service – We belong to the HSTS community as well as the communities of our neighborhoods, cities, tribes, and nations. This means that, along with rights, we have the responsibility to provide service to make our community a better place for all.

4. Culture – We honor and value our own cultures and those of others. We recognize we are influenced by many cultures, including Indigenous, youth, and contemporary western cultures and are mindful in how this impacts the development of identity.

5. Perseverance – Indigenous people have endured because of the perseverance and determination of those that came before. We make our ancestors proud by remaining constant to a purpose, idea or task in spite of obstacles. We engage our innate strengths and build relationships with others that support us in developing to our full potential.

6. Reflection – Indigenous thinking and learning is a reflective process involving a deliberate looking inward, self-awareness and contemplation of deeper meanings. We support this reflective practice to encourage thoughtfulness, personal growth, profound learning and meaningful change.

The code of conduct in the Student Discipline Handbook applies to any student:

- who is on school property at any time;
- who is in attendance at school or any school-sponsored activity, whether on or off school grounds;
- who is en route to and from school on a school bus or other school operated vehicle;
- whose conduct at any time or in any place has a direct and immediate effect on maintaining order and discipline in Haliwa-Saponi Tribal School or violates the core values of the school.

Extenuating, Mitigating or Aggravating Circumstances

The Board confers upon the principal and his/her designee the authority to consider extenuating, mitigating or aggravating circumstances that may exist in a particular case of misconduct. The principal and his/her designee should consider such circumstances in determining the most appropriate sanction.

Levels of Consequences

Lunch Detention

- Lunch detention is isolation from the other students during the lunch period. Students will be provided lunch but must eat in a teacher's room. There will be no talking or making noises during the lunch detention. Students will not be allowed to leave the detention room.

After-school Detention with the teacher

- Detention will be held after school Monday, Tuesday, and Thursday each week.
- Unexcused absence from detention will result in additional discipline, which may include suspension.
- Students must report to detention on the date or period assigned by the teacher or principal.
- The student is responsible for bringing assignments to the detention room.
- Students must bring books or necessary school supplies to use for study.
- The students must observe strict silence while in detention.
- The students will not be allowed to leave the room during the detention period.
- The students must behave in an acceptable manner while in detention. Failure to comply will result in removal from detention and referral to the principal for further disciplinary action, which may include suspension.
- **PARENTS WILL BE REQUIRED TO PICK THEIR CHILD UP AT 4:00 FROM THE DETENTION ROOM AT SCHOOL.**

After-school Community Service supervised by the custodian

- Students may be assigned to community service based on their "Core Values Reflection Sheet" or by the Haliwa-Saponi Tribal School Council. The HSTS Council will be made up of a body of students who are their peers and will serve as a jury in deciding the consequences for students who are committing low-level discipline violations up to category three offenses in school. The student(s) who is(are) assigned to community service will be monitored by the custodian while completing their community service. **PARENTS WILL BE REQUIRED TO PICK THEIR CHILD UP AT 4:30 FROM THE MAIN OFFICE AT SCHOOL.**

In-School Suspension

- In-School Suspension means a student will be expected to arrive at school and report immediately to the Principal's Office. The student will be isolated from all other students for the day and will be supplied assignments from the class teacher(s) for completion. Behavior of the student will be consistent with after-school detention rules. Students will not be assigned I.S.S. for more than three situations. After that they will receive out of school suspension. **PARENTS WILL BE REQUIRED TO PICK THEIR CHILD UP AT 4:00 FROM THE MAIN OFFICE AT SCHOOL.**

Out-of-School Suspension

- Out-of-school suspension means the student cannot attend school or be on school property, cannot attend any school-related events or activities on or off campus, and cannot ride a school bus. A student that is suspended is expected to turn in all missed work upon return to school. Tests and major projects must be made up within the time frame given by the principal, which shall be no longer than three (3) school days. A student may be suspended for any reasons listed in the Student Handbook for generally up to 10 school days for any one offense. When a student is suspended, the parents or legal guardian of the pupil shall be notified in writing of the reasons for such suspension and of a time and place when the administrator who initiated the suspension is available for a conference with the parents or guardian. Extended out of school suspensions will be discussed with the Board of Education.

The principal may offer the following as an alternative to Out-of-School Suspension:

- A parent may opt to shadow his/her child for one day instead of any 1 day of suspension. A parent is not to be an active participant in the class and is to be an observer only.
- The principal may limit the number of times that shadowing is allowed instead of suspension.
- The principal may assign In School Suspension as an alternative to Out of School suspension.

Expulsion

- Expulsion means the student is no longer enrolled in our school and cannot attend school or be on school property, cannot attend any school related events or activities on or off campus, and cannot ride a school bus. **Expulsion is determined by the school's governing body and will be permanent.**

School Level Procedures:

When a student is sent to the Principal for any disciplinary action the student will complete a Core Value Reflection assignment. It will ask them to answer the following questions:

1. What core value(s) have you violated as a result of this incident being discussed with you? What does that core value mean? 2. How could you have handled yourself differently that would demonstrate an understanding of our core values? 3. What community service should you have assigned to you to make our community a better place for all? 4. Why do you think you acted the way you did? How will you change your actions? 5. How does your violation of this core value negatively impact you and/or your fellow classmates and/or other school community members? 6. For our school to persevere (overcome obstacles or problem) we need to have every student developing to their full potential or ability. What do you need to do to help this school become an amazing place to learn?

Students will then be given the opportunity to call their parents to report the incident to their parent, the consequence for their actions, and if the parent has any questions, they may immediately speak to the principal. Parents who do not agree with a disciplinary decision have the right to due process and will need to follow the steps for an appeal of the principal's decision.

Catalog of Offenses and Consequences

Category I: Minor Offenses

- General classroom misconduct (talking, sleeping in class, leaving seat without permission, etc.)
- Failure to follow general instructions.
- Continually unprepared for class
- Eating/drinking in class (gum included)
- Loitering in an unauthorized area
- No hall pass
- Running, playing, or horseplay (hall or grounds) that may endanger self or others
- Improper displays of affection
- Unauthorized sale of items (candy, etc.) The items will also be confiscated and held until picked up by a parent/guardian
- Minor disrespect (talking back, rolling eyes, etc.)
- Other minor offenses

The above offenses will be dealt with at the teacher/classroom level. A teacher should have the student complete a “Core Values Reflection” worksheet to document the incident, counsel the student regarding the behavior and their reflection, and then provide the student time to self-correct their behavior. Other examples of disciplinary measures students may be given by the teacher are: a verbal warning, phone call or letter to parent/guardian, and/or lunch or afterschool detention. Should these prove ineffective and the behavior continues, a parent/guardian conference will be required and the student will be asked to sign a behavior contract. Repeated actions at the minor level will escalate the problem to Category II.

Category II: Major Offenses

- Cheating (giving or accepting assistance). Academic dishonesty in the form of forgery, plagiarism, cheating on homework. For further explanations see the section “Plagiarism and Other forms of Academic Cheating”.
- Violation of the dress code
- Tardiness (to school) - after 3 tardies to school, the student will be assigned an afterschool detention and a parent letter will be sent home
- Inappropriate use of an electronic device; phone, camera, IPOD, etc. (including, taking pictures, making inappropriate videos and/or posting them on the internet).
- Abusive, profane, or obscene language, gestures, or material (student to student)
- Forging or falsifying information (written or verbal)
- Failure to report to an assigned area – The consequences for this offense are further addressed in the section “Class cuts or Cutting school”
- Leaving class without permission
- Failure to follow a direct order given by a staff member
- Violation of the Haliwa-Saponi School Technology User Agreement Policy
- Unlawful assembly
- Disrupting a lawful assembly
- Gambling
- Any activity that endangers self or others while at school

- Invasion of privacy via electronic devices or in person (as determined by the administrator)
- Threatening, intimidating, taunting, bullying, or harassing another student (verbally, physically, or written) (Grades K-5 only)
- Minor Vandalism, including graffiti (\$25 or less) (Restitution required)
- Minor Theft (\$25 or less) (Restitution required)

Category II offenses result in a teacher communicating with the administration to determine consequences. Students will be mandated to complete a “Core Values Reflection” sheet before discussing the issue with the principal or principal designee. Possible sanctions for Category II offenses may include, but are not limited to, one or more of the following actions:

Referral 1: After-school detention and/or In-School Suspension

Referral 2: 1 to 3 days Suspension

Referral 3: 3 to 5 days Suspension

Referral 4: 5 days suspension and referral to a pre-expulsion hearing where a behavior contract will be developed.

Referral 5: 5-10 days Suspension and referral for expulsion.

Category III: Serious Offenses

- Cheating (giving or accepting assistance). Academic dishonesty in the form of forgery, plagiarism, cheating on standardized tests or turning in another student's or person's work as their own (e.g. test, quiz, or paper) as their own will not be tolerated. (A grade of zero (O) will be assigned for the assignment) For further explanations see the section “Plagiarism and Other forms of Academic Cheating”
- Possession or use of tobacco products or related paraphernalia (lighters, matches, rolling paper, etc.). For a full explanation on consequences for tobacco use/possession refer to the section "Tobacco Products"
- Deliberate disobedience/refusal to obey school personnel (Insubordination)
- Possessing a weapon or look-a-like weapon that does not violate state or federal law
- Trespassing by a suspended student
- Major disrespect to school personnel
- Theft (\$25 to \$99) (restitution required)
- Vandalism (\$25 to \$99) (restitution required)
- Threatening, intimidating, taunting, bullying, or harassing another student (verbally, physically, or written) (Grades 6 -12)
- Truancy – The consequences for this offense are further addressed in the section “Class Cuts or Cutting School”
- Leaving school grounds without administrative permission (also includes failure to sign out)
- Fighting at school or at any school sanctioned event. It is considered a fight when two people are exchanging blows or exerting physical abuse and punishment. When one person is the total aggressor and the other person does not hit back, this will be considered an assault and will be treated accordingly. First offense automatically starts at referral 2, the consequences for fighting are further explained in the section "Violation of Fighting, Assault, Injury Policy".

Students will be mandated to complete a “Core Values Reflection” sheet before discussing the issue with the principal. Possible sanctions for Category III offenses may include, but are not limited to, one or more of the following actions:

Referral 1: 3 days Out-of-School Suspension

Referral 2: 5 days Out-of-School Suspension and referral to pre-expulsion hearing where a behavior contract will be developed

Referral 3: Students will be assigned 5-10 days Out-of School Suspension and recommended for expulsion. Law enforcement may be notified by either school officials or parents, as appropriate.

Category IV: Severe Offenses

❖ **Category IV offenses are those actions that violate state or local laws.**

- Students of any age or grade will not possess, handle, transmit or conceal an object commonly classified as a weapon or a dangerous object. (e.g. bullet, shell casing, gun (of any type), knife (of any type), razor cutting instrument, brass knuckles, rat tail comb, ice pick, fireworks, etc.) or other object that violates state or federal law
- Threatening, intimidating, or act of physical or verbal abuse to school personnel
- Setting off false fire alarm or setting a fire
- Unprovoked physical abuse (student(s) attack another student without provocation). The consequences for this offense are further addressed in the section "Violation of Fighting, Assault, Injury Policy". Invasion of privacy (includes molestation, areas off limits to that sex/gender, and any applicable violations)
- No student shall possess, use, transmit, distribute, conceal or be under the influence of narcotics, vapor or e-cigarettes, alcoholic beverages, hallucinogenic drugs, amphetamines, barbiturates, marijuana, inhalants, anabolic steroids, intoxicants or any prohibited or illegal substance. No student shall possess or transmit any paraphernalia that could be used with any of the above. The consequences for this offense are further addressed in the section "Illegal Drugs and Alcohol" or "Tobacco Products"
- Gang attack (two or more students attack, threaten, or intimidate another student)
- Possession, manufacture, or discharge of any type of bomb or facsimile/fireworks; also includes the making of bomb threats and/or making improper 911 calls.
- Any student engaging in reckless or unlawful operation of a motor vehicle on school property
- No student shall intimidate or be a party to the intimidation of another student for the purpose of sexual interest, engage in any form of exhibitionism, or engage in any act of sexual misconduct during school or school sponsored activities, on school grounds, the bus, or in transit to or from school.
- No student shall possess or distribute sexually explicit materials of any kind. Major theft (\$100 or more) (Restitution required) Use of obscene or profane language, gestures, or material to school personnel.

Category IV offenses will automatically result in a minimum of 5 days suspension. Additional possible sanctions will include, but are not limited to up to 10 days out-of-school suspension and/or a recommendation for expulsion. Further, regardless of the school sanction imposed, law enforcement will be notified as necessary.

Students who are expelled from HSTS may not reapply to return to our school.

Category V: Bus/Van Offenses

Riding a school bus/van is a privilege, not a right. Appropriate behavior is expected on the bus at all times. Failure to comply with the rules and regulations will result in the denial of transportation privileges and/or suspension or expulsion. The drivers shall have complete authority over and responsibility for the operation of the bus/van. They will maintain order and immediately report to the principal or other appropriate authority any misconduct.

- Safety offenses and refusal to listen to the driver. This offense includes any action that may cause the driver to stop the bus in order to correct the situation. It also includes actions that may cause the driver to lose concentration or take his or her eyes off the road. The following policy will be in effect for all students who ride school buses.
- Fighting while on the bus (refer to the section "Violation of Fighting, Assault, Injury Policy")

Students who create safety offenses or fight on the bus, no matter their age, will have the following consequences:

Referral 1: 5 days off the bus along with the same consequences for fighting during school

Referral 2: Permanent removal from bus and the same consequences for fighting during school.

Students who create an extreme safety hazard, such as opening the back door while the bus is moving, will be dealt with at the second referral level no matter if this is their first or second offense.

Additional Bus Rules

- The driver has a schedule and will not wait for tardy students. Missing the bus is not a valid reason for being absent or tardy from school.
- Follow the driver's rules for safe loading.
- Enter the bus in a safe manner. Check for traffic. Walk safely to the vehicle. Do not run.
- Seat belts must be worn at all times and students must sit with their backs touching the back of the seat, facing forwards.
- Students must remain seated while the bus is in motion.
- Only with the permission of the principal or other appropriate authority will a passenger be allowed to leave the bus/van at an undesignated stop.
- Profanity and other inappropriate language are not tolerated.
- Yelling out the windows is prohibited.
- Do not leave trash on the bus. No eating or drinking on the bus.
- No horseplay, hands to yourself.
- School Dress Code is in effect at all times on the bus.

Referral 1: Warning or other appropriate consequences

Referral 2: 1 day off the bus and parent notification

Referral 3: 3 days off the bus. Parent conference required at school for reinstatement of bus privileges.

Referral 4: 5 days off the bus. Parent conference required at school for reinstatement of bus privileges.

Referral 5: Loss of bus privileges for remainder of year. Parents will receive notification by registered letter.

Individuals who are not school personnel are not allowed to approach or enter any school bus or van. Local authorities will be contacted if this occurs.

Any behavior of a serious nature may result in an immediate removal from the bus for the remainder of the year at the discretion of the principal.

It will be the responsibility of the parent or guardian to see that the student is transported to and from school during times when a student has been suspended from the bus.

Regulations described in items above apply to any student during the regular school day (including field trips), or during school-sponsored after school functions. Disciplinary measures taken against students for violations of this policy will comply with the requirements of North Carolina Law. This authority to regulate student conduct may also extend beyond the boundaries of school property if the conduct in question has a sufficiently direct impact on school operation.

Violation of Fighting, Assault, Injury Policy

- The first violation by a student during a school year shall result in a suspension of the student for up to five (5) days, and depending upon the severity of the offense, may result in a long-term suspension for up to the remainder of the school year. The student's parent or guardian must attend a parent conference before the student will be permitted to return to school. The second violation during a school year by a student may result in a ten (10) day suspension. The principal may waive the suspension for the remainder of the school year if the student and parent or guardian agrees to participate in a conflict resolution program, however the parent/guardian will be responsible for finding a program and any cost involved.
- Student who participate in a conflict resolution program and are involved in a third fight will be suspended for the remainder of the year.
- **Furthermore, the school will/may seek prosecution, under relevant statutes, of any students who fight on school property.**

Illegal Drugs and Alcohol

The possession and/or use of a controlled substance or alcoholic beverages on school property are prohibited. If any person is involved in the sale of an illegal substance or is found to be under the influence of an illegal substance, parents and the local authorities will be notified. Prescription drugs and over-the-counter drugs cannot be in the possession of any student. Students requiring medication will have that medication stored in the main office and dispensed by the HSTS designated personnel. Possessing, consuming, selling, attempting to sell, distributing, or exchanging alcoholic beverages, bath salts, synthetic drugs, or illegal and/or controlled substances, counterfeit and designer drugs, or paraphernalia for use of such drugs or be under the influence of any such substances on school property or at a school function are illegal. "Illegal substances" include, but are not limited to,

inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, drug paraphernalia, bath salts, synthetic marijuana, and any substances commonly referred to as “designer drugs.”

Possession of these substances shall result in the suspension of the student from the school for the remainder of the school year. The only exception to this policy shall be if on the first offense the principal determines that a long term suspension is not warranted the student shall be suspended from school for a period not to exceed 45 school days.

To maintain a drug-free environment, local sheriff’s department drug dogs may be brought in periodically to conduct school wide searches.

Tobacco Products

The Haliwa-Saponi Tribal School recognizes that the use of tobacco products is a health, safety and environmental hazard for students, employees, visitors and school. In North Carolina it is illegal for any person to sell or distribute in any way tobacco products to any person under the age of eighteen (18). In support of this State law, the Haliwa-Saponi School chooses to reinforce a clear and consistent message that strengthens the teaching of the harmful effects of tobacco use and provides a model of wholesome life habits, as well as a healthy working environment for all. The Haliwa-Saponi School therefore prohibits the use of any and all tobacco products (including e-cigarettes and hookahs) in or on all properties operated by the Haliwa-Saponi Tribal School.

The disciplinary consequences for students violating this policy are as follows:

- First Offense: Suspension for 1 day and the satisfactory completion of an assignment during the suspension relating to health problems associated with the use of tobacco products and a parent conference.
- Second Offense: Suspension for up to 3 days.
- Third and subsequent offenses: Suspension for up to 5 days, referral to a pre-expulsion hearing, and referral to law enforcement or other agency as needed.

Class Cuts or Cutting School

A teacher or other staff member will refer a student to the principal if the student is not in class but has not been reported as absent, or if a student is suspected to be cutting school.

Any student who cuts class will receive discipline consequence as follows:

- 1st class cut: The student will be assigned In-School Suspension for one (1) day.
- 2nd class cut: The student will be assigned In-School Suspension for three (3) days and a parent/guardian must attend a parent conference before the student may return
- 3rd class cut: The student will be out of school suspended for three (3) days and a parent/guardian conference will held with the possibility of expulsion.

Any student who cuts school will receive discipline consequence as follows:

- 1st cut from school: Three (3) days of In-School Suspension.
- 2nd cut from school: Three (3) days of Out-of-School Suspension.
- 3rd cut from school: Out of school suspension pending a student hearing with the Board of Education at the next regularly schedule meeting.

Plagiarism and Other forms of Academic Cheating

Instances of cheating and lying not only break down community, but also subvert the purpose of an academic institution and distract students, teachers and administrators from the tasks of teaching and learning. Therefore, it is vital to the academic community that all students and staff members understand and abide by the Haliwa-Saponi Tribal School Core Values.

Membership in a community carries responsibilities and rights and the Core Values serve to protect the rights of all by requiring standards of academic integrity. As a citizen of the Haliwa-Saponi Tribal School community, I understand that engaging in academic dishonesty, no matter the degree or form, undermines my character and that of the school at large. I will uphold the standard of academic integrity through my attitudes and actions.

Cheating is thus a serious offense. HSTS expects its students to be honest and to do their own work so that they may grow intellectually. Cheating, making use of someone else's work and passing it off as your own includes, but is not limited to;

- Copying test answers, homework, or other work from another student
- Having other persons, including students and family members, complete homework problems or other work on a student's behalf
- Making use of the Internet to seek assistance in completing homework assignments, or finding answers to textbook homework questions, without explicit permission from the teacher
- Asking students who took a test in a different class about the questions on the test

Plagiarism - literary theft - is also an offense against academic integrity. HSTS has adopted the following definition of plagiarism from the University of Indiana's plagiarism policy: "Plagiarism is defined as presenting someone else's work, including the work of other students, as one's own. Any ideas or materials taken from another source for either written or oral use must be fully acknowledged, unless the information is common knowledge. What is considered common knowledge may differ from course to course" and is defined by the teacher. When in doubt, please cite the source or consult with the teacher.

There are two types of plagiarism offenses.

1. Sloppy citation occurs when a student fails to include all necessary in-text citations or turns in a works- cited page that has errors or is incomplete. Depending upon the extent of the offense, the headmaster or his designee, after consulting with the teacher, may award the student at 0 or a reduced grade on the assignment or administer some other penalty at administrative discretion.

2. Fraud, the deliberate presentation of a source's ideas or words as one's own, is a serious offense. Fraud is a serious offense and includes, but is not limited to,

- Copying and pasting material from a source without quotation marks or citation (penalty: 0 on assignment)

- Copying and pasting material and changing a few words, again without quotation marks or citation, to make it sound as if the work is the student's own work (penalty: 0 on assignment)
- Other offenses, such as presenting a source's ideas as one's own without citation (penalty: following consultation with the teacher, 0 or reduced grade on the assignment, or some other penalty at administrative discretion, depending upon the extent and seriousness of the offense)

The Core Values exist to encourage academic integrity and extends to all subjects, media and assignments. The discipline manual addresses academic dishonesty in any form.

DUE PROCESS PROCEDURES RIGHTS OF APPEAL

The following procedure is to be followed whenever a parent disagrees with a particular discipline decision administered by the Principal, or his/her designee:

The parent must contact via phone or e-mail the school administration to schedule a Discipline Committee meeting at a mutually agreeable time, but no later than two school days from the request.

The Discipline Committee will consist of three HSTS staff members appointed by the principal. Teachers involved in the incident in question cannot serve on the Discipline Committee. No staff member may hear a matter involving his or her child or family member. The committee is charged with the following duties:

1 -----The committee will review (A) the disciplinary decision currently in effect and (B) the consequences imposed on the student according to the HSTS Student Handbook.

2-----In accordance with due process, the student will be provided the opportunity to offer objective information that provides factual evidence establishing a re-consideration of the disciplinary consequences in effect.

3 -----The disciplinary decision will be reviewed in the context of the consequences outlined in the Student Handbook. The parents/guardians will be informed of the responsibility of the administration to select from a number of consequences as outlined in the Student Handbook as (s)he deems appropriate. The Discipline Committee is responsible for providing any additional information that may influence the administration, with the support and confidence of HSTS Administration, to reconsider any disciplinary change.

4 -----The Discipline Committee will render its recommendation as to whether the decision and consequences stand, will be modified, or dismissed.

5 -----In the event that the decision and consequences stand affirmed, the parent/guardian will be informed of the option to continue the appeal, in writing, to the HSTS Board of Education as a final recourse. The parent may write a letter of grievance to the HSTS Board of Education to request a hearing. All such letters for grades K-12 should be addressed to the Board of Education Chair.

APPEAL FORM

Request for Appeal

Submit to the Principal at the time of parental notification of discipline.

Date: _____

Print Student's name: _____

I have reviewed the HSTS Discipline Manual and I am requesting a review of the decision on my child. This appeal form must be submitted to the Principal when I am notified of the discipline via e-mail or by phone prior to the decision becoming final. If by phone, the parent is obligated to provide a written appeal to the school within 24 hours. No consequence will be put into effect while waiting for the written appeal. After receipt of the Appeal Form the Principal will arrange a hearing date and time with the Discipline Committee to review only the original allegations.

At that hearing the individual(s) who issued the Discipline slip and the student charged will present their information to the three members of the Discipline Committee.

I have read and understand the rules regarding this appeal.

Parent's signature: _____

Student's signature: _____

Received (date) _____

by _____

Hearing scheduled for (date) _____ (time) _____

Parent contacted by _____ on (date) _____

