



**Today's Learners.
Tomorrow's Leaders.**

Code of Conduct

July 2023

The Berlin Area School District (BASD) has developed the Code of Student Conduct (Code) to help students, parents/guardians, and school personnel understand how we ensure a safe and positive learning environment. As a teaching and learning institution, it is our responsibility to teach students social-emotional skills while holding them accountable to expectations necessary for a safe and positive learning environment.

The Code applies to all BASD students in Early Childhood through Grade 12, including high school and school-age students attending either a technical center in a dual-enrollment program or a community school program for high school credit. The Code is applicable for students while on school grounds and parking lots; while being transported to or from school at public expense; during school-sponsored activities, including, but not limited to distance learning, field trips, athletic functions, and similar activities; and when acts near or related to the school could harm the health, safety, or welfare of the student, other students, school, or school personnel.

The intention of the Code is not to provide an exhaustive list of expectations, behaviors, and consequences but rather to provide consistency around districtwide discipline procedures and re-teaching opportunities for the most commonly observed behaviors. The Board of Education has confidence and trust that school administrators will utilize their best judgment to implement the Code in alignment with our district's mission and vision.

While the Code provides potential consequences for violations, it also provides expectations to promote the optimal environment for learning. These expectations include:

- Treating our fellow students, teachers, administrators, and school staff with courtesy and respect.
- Treating each other with kindness.
- Taking responsibility for our own actions.
- Cooperating with each other, following instructions, and being honest with those who have authority.
- Using school-appropriate language.
- Being in the proper place on time and ready to learn.
- Demonstrating respect for the personal property of staff and students as well as the property of BASD.
- Treating everyone the same regardless of race, color, ethnicity, religion, gender, sexuality, or disability.

Level Descriptions, Responses, and Consequences

The Code separates violations into levels based on severity. Repeated violations progressively elevate the level and consequences of a behavior.

Level 1 violations are minor behaviors that can be resolved with logical consequences and reteaching of expectations. Level 1 violations are managed by the BASD employee who observes the behavior.

Consequences and responses focus on logical consequences and may include, but are not limited to parent/legal guardian outreach, verbal correction, reteaching and role-playing, loss of privileges connected to the behavior and situation, behavior contracts, time owed back to school, and restorative practices.

Level 2 violations are often referred to as major or office-managed behavior. These consequences and responses aim to correct behavior by stressing its severity and acknowledging potential implications for future harm, while still keeping the student in school. These responses may involve the short-term removal of a student from the classroom. Such removal should be limited as much as practical without undermining its ability to adequately address the behavior. Responses may include but are not limited to

in-school suspension (ISS), bus suspension, Behavior Intervention Plan (BIP) creation or review, loss of privileges including parking permit, no contact contract between students, restorative practices, social-emotional or conduct learning modules, and referral to the building's Pupil Services department.

Parent/guardian notification of an in-school suspension will occur by phone or email including a description of the violation and any relevant information that contributed to the determination to assign in-school suspension as a consequence.

Level 3 violations are serious infractions and, when necessary due to the nature of the behavior or potential implications for future harm, may remove a student from the school environment for up to three (3) days. These violations promote the safety of the school community by addressing self-destructive and dangerous behavior.

Consequences and responses may include but are not limited to ISS, out-of-school suspension (OSS), Individual Education Plan (IEP) review for students with disabilities, BIP creation or review, behavior contract, and referral to the building's Pupil Services department.

Parent/guardian notification of an out-of-school suspension will occur by phone or email including a description of the violation and any relevant information that contributed to the determination to assign suspension as a consequence and will also include a letter sent by email/mail outlining procedural safeguards and the appeal process.

Level 4 violations may remove a student from the school environment for an extended period of time because of the severity of the behavior and potential implications for future harm. These responses promote the safety of the school community by addressing self-destructive and dangerous behavior.

Responses may include but are not limited to safety plan creation or review, BIP creation or review, IEP review for students with disabilities, OSS up to five (5) days, behavior contract, pre-expulsion agreement, alternative placement, and recommendation for an expulsion hearing.

While students may receive consequences for violations at any level according to Code, please be aware that there could be additional consequences through **law enforcement** for acts that violate the law.

Specific examples of Code violations and assignment of levels are given below.

Disruptive/Disrespectful Behavior: Behavior...		
Level 1	Level 2	Level 3
<p>that upsets the classroom, normal school day, or any school activity.</p> <p>such as saying or doing something that puts down, annoys, insults, or embarrasses a person.</p>	<p>that is repeatedly disruptive.</p> <p>that conveys insubordination.</p>	<p>that conveys insubordination in front of others which causes a disruption to the school including refusing to turn over a personal communication device to an administrator.</p>

Bullying: Any deliberate or intentional behavior using words or actions, intended to cause fear, intimidation, or harm...

Harassment: Any deliberate or intentional behavior using words or actions, intended to cause fear, intimidation, or harm based on a student's protected class...

Level 1	Level 2	Level 3	Level 4
including teasing, name calling, gossiping, spreading or starting rumors, and/or purposefully embarrassing another person.	including acts that interfere with another student's learning or disrupt the school.	including physical contact with a minor injury, sharing or giving inappropriate texts/pictures/videos to others as well as repeated level 2 violations.	including stalking or physical contact which seriously hurts another as well as repeated level 2 or 3 violations.

Students are encouraged to immediately report incidents of bullying/harassment to the building principal for investigation.
Reference board policies 5517.01 Bullying and 5517 Student Anti-Harassment.

Sexual Harassment: Saying or doing something that reflects on another's gender or sexuality which has the purpose of interfering with another student's learning or disrupting the school creating an offensive educational environment...

Level 2	Level 3	Level 4
including unpleasant comments, jokes, or movements that are sexual in nature.	including mooning, sharing/sending/showing images or videos that have no private body parts showing but are taken in a private area or room, and/or minor touching.	including sharing/sending/showing images or videos that have private body parts showing, grabbing/rubbing/feeling private body parts.

Intimidation/Threats: Threatening words or actions to do harm to a peer or property...

Level 2	Level 3	Level 4
that does not have specific details and can be easily resolved.	that has some specific details and there is some thought that was given as to how the threat will be carried out.	that is detailed and specific suggesting steps have been made to carry out the threat.

If level 3 or 4, a threat assessment will be completed to determine the level of risk posed by the student's threat. This threat assessment follows the guidance from the Department of Justice, Green Lake County Department of Health and Human Services, and the Berlin Police Department.

Fighting/Physical Aggression: Physical contact with another...		
Level 2	Level 3	Level 4
that is disruptive but stops when an adult asks the students to stop.	that requires an adult to physically break up the fight or someone gets hurt and needs medical attention provided by school personnel.	that results in serious bodily harm. including any sexual act against another person, forcibly, and/or against the person's will.

Horseplay: Any rough uncontrolled play or prank that involves two or more students...		
Level 1	Level 2	Level 3
that stops when directed by an adult.	who refuse to stop when directed by an adult and there is a risk of injury.	who refuse to stop when directed by an adult and there is injury.

Illegal and Contraband Materials:	
Level 3	Level 4
possession of tobacco or vaping nicotine products and/or devices.	possession of tobacco or vaping nicotine products and/or devices on three separate incidents. distribution of tobacco or vaping nicotine products and/or devices. being under the influence of alcoholic beverages. being under the influence of any drugs or any other substance that can change your mood or behavior. weapons and firearms.
If a student refuses to comply with the directions given by an administrator as part of the search process, after reasonable attempts, the administration can infer a student's guilt. Reference board policies 5512 Use of Tobacco and Nicotine by Students and 5771 Search and Seizure.	

Other Misconduct: Any unexpected or unsafe behavior not otherwise defined in the Code...			
Level 1	Level 2	Level 3	Level 4
that is minor and can be easily resolved with re-teaching and logical consequences by the classroom teacher.	that is major due to potential implications for harm and may require removal from the classroom. that is a repeated level 1 violation.	which seriously disrupts the school or threatens the health/safety of others. that is a repeated level 2 violation.	that is a repeated level 3 violation.

Social Media

Social media conflicts that occur off-campus are only the authority of BASD administration in the event that the conflict adversely impacts the educational environment or there has been a threat or threatening behavior.

Social media conflicts that pose harm to the health, safety, or welfare of students will be investigated with potential consequences aligned to an intimidation/threat violation.

Social media conflicts that do not pose harm to the health, safety, or welfare of the students will be addressed with a “no contact contract” between all involved parties. Future incidents of continued social media conflict can result in progressive discipline labeled as bullying/harassment.

Personal Communication Devices

The ability to carry a personal communication device (PCD) is a privilege. Reference the building-level handbook for specifics as to when students may use PCDs. PCDs should not create a distraction, disruption, or otherwise interfere with the educational environment. Use of PCDs, except those approved by a teacher or administrator, at any other time is prohibited and they must be muted and stored out of sight. Refusal to turn over a PCD to an administrator will be treated as level 3 disruption/disrespect. Reference board policy 5136 Personal Communication Devices.

Student Dress

We recognize that each student’s mode of dress and grooming is a manifestation of personal style and individual preference. We will not interfere with the right of students and their parents to make decisions regarding their appearance, except when their choices interfere with the educational program of the schools or cause undue distraction. In the event that the school administration determines a student violates BASD dress guidelines, the student will be given the opportunity to correct the violation. If the student refuses to make the necessary corrections or adjustments, their actions may lead to consequences from the school labeled as disruption/disrespect. Reference board policy 5511 Dress and Grooming.

These minimal standards of dress apply to all students in BASD unless the principal grants a specific exemption.

Items not to be worn:

- Clothing or accessories that expose undergarments or the buttocks.
- Clothing that is see-through.
- Clothing or accessories that cover the student's face.
- Clothing or accessories with statements or images that are vulgar, obscene, or promote illegal drugs, alcohol, sex, violence, or gang activities.
- Clothing or accessories with words, pictures, or caricatures based on stereotypes of a specific gender, race, ethnicity, nationality, religion, sexual orientation, or disability.
- Clothing or accessories that could be used as a weapon or endanger students or staff.

Additional guidance:

- Face masks are allowed for health purposes.
- Clothing or accessories with sincerely held religious affiliations or purposes will be allowed.
- Shoes shall be worn at all times and should be safe for the school environment.

Attendance

Regular **attendance** at school is required by law [118.15(1)(a)]. Students are expected to be in school, in class, and ready to learn when the bell rings in order to contribute to a safe and positive school environment. Violations, when students are not in their assigned area or in the hallways without a pass, will be treated as level 2 other misconduct. The BASD attendance and truancy plan can be found on the district website.

Stealing/Destruction of Property/Vandalism

Students are expected to demonstrate respect for the personal property of staff and students as well as the property of BASD. Violations will result in restoration and/or restitution appropriate to the violation.

Search and Seizure

All BASD **parking areas and lockers** are the property of the school district. As such, behavior in the school parking lot is subject to consequences in alignment with the Code including revocation of parking privileges. School administrators have the right to inspect any student vehicle and/or lockers to protect students' health, safety, and welfare. Reference board policy 5771 Search and Seizure.

Reference the following board policies for additional information about student behavior in the school setting: 5500 Student Code of Classroom Conduct, 5610.02 In-School Discipline, 2260 Nondiscrimination and Access to Equal Educational Opportunity, 2266 Nondiscrimination on the Basis of Sex in Education Programs or Activities, 0123.1 Code of Civility.