

5115.12 GROUNDS FOR SUSPENSION FOR STUDENTS INVOLVED IN EXTRA CURRICULAR ACTIVITIES OF THE SOUTH CENTRAL NEBRASKA UNIFIED SCHOOL DISTRICT #5

Extracurricular Activity - Grounds for Suspension

This policy is supplemental to the South Central NE USD #5 policy entitled Grounds for Short-Term Suspension, Long-Term Suspension, Expulsion or Mandatory Reassignment, and any action taken hereunder may be in addition to any action under said policy.

These rules will be enforced from the official starting day of the fall co-curricular activity season as established by the NSAA and extends to the last day of the spring co-curricular activity season as established by the NSAA. A student must comply with these rules whether or not the student is a participant in an activity at the time of the student's questioned conduct.

Students who engage in the following conduct may be suspended from practices, participation in interscholastic competition, or other participation in co-curricular activities and competitions:

1. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
2. Use of violence, force, coercion, threat, intimidation, or similar conduct in a manner that constitutes may reasonably be expected to cause a substantial interference with school purposes.
3. Sexual assault or attempting to sexually assault any person.
4. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, or repeated damage or theft involving property.
5. Threatening or intimidating any student for the purpose of, or with the intent of, obtaining money or anything of value from such student.
6. Knowingly possessing, handling, using, or transmitting any object or material that is ordinarily or generally considered a weapon, explosive device, or firearm if such possession, handling, use, or transmission is prohibited by law.
7. Engaging in the selling, using, possessing or dispensing of alcoholic beverages, tobacco, vapor products such as e-cigarettes, electronic nicotine delivery systems, narcotics, drugs, controlled substance, inhalant or being under the influence of any of the above, or possession of drug paraphernalia.

8. Engaging in the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401, of the Nebraska statutes, or material represented to be alcoholic beverages, narcotics, drugs, controlled substance or inhalant.
9. Truancy or failure to attend assigned classes or assigned activities.
10. Tardiness to school, assigned classes or assigned activities.
11. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, national origin, or religion.
12. Public indecency as defined in Nebraska statutes, except that this subdivision shall apply only to students at least twelve (12) years of age but less than nineteen (19) years of age.
13. Repeated violation of any of the rules adopted by the School District or the school.
14. Engaging in any unlawful activity as determined by the United States or the State of Nebraska.
15. Dressing or grooming in a manner wherein such dress is dangerous to the student's health and safety or to the health and safety of others or is distracting or indecent to the extent that it interferes with the learning and educational process.
16. Willfully violating the behavioral expectations for those students riding South Central NE USD #5 buses.
17. The knowing and intentional use of force in causing, or attempting to cause, personal injury to a school employee, school volunteer, or student, except if caused by accident, self-defense, or on the reasonable belief that the force used was necessary to protect some other person and the extent of force used was reasonably believed to be necessary.
18. Failure to report for the activity at the beginning of each season; reporting for one activity may count as reporting on time if there is a change in activity within the season approved by the coach or the supervisor.
19. Failure to participate in regularly scheduled classes on the day of an athletic/activity event.
20. Failure to attend all scheduled practices and meetings. If circumstances arise to prevent the participant's attendance, the validity of the reason will be determined by the coach. Every reasonable effort should be made to notify the coach or supervisor prior to all missed practices or meetings.
21. All other reasonable rules or regulations adopted by the coach or supervisor of a co-curricular activity shall be followed, provided that participants shall be advised by the coach or supervisor of such rules and regulations by written handouts or posting on bulletin boards prior to the beginning of the season.

22. Failure to comply with any rule established by the Nebraska School Activities Association, including, but not limited to, the rules relating to eligibility.
23. Receipt of a criminal citation by law enforcement for any reason.
24. Conviction of a crime in adult court or the adjudication of a criminal charge in juvenile court.
25. Any conduct that substantially interferes with the educational process or disrupts the activity or event.
26. Possession, use, distribution, or being at parties in the presence of alcohol, illicit drugs, or controlled substances without parental supervision or under the influence of alcohol, illicit drugs, or tobacco.
27. Hazing, defined as any activity expected of someone joining a group, team, or activity that humiliates, degrades or risks emotional and/or physical harm, regardless of the person's willingness to participate. Hazing activities are generally considered to be: physically or verbally abusive, hazardous, and/or sexually violating and include but are not limited to the following: personal servitude; sleep deprivation and restrictions on personal hygiene; yelling, swearing and insulting team members; being forced to wear embarrassing or humiliating attire in public; consumption of vile substances or smearing of such on one's skin; branding; physical beatings; binge drinking and drinking games; sexual simulation and sexual assault.
28. Bullying which shall include cyber-bullying, defined as the use of the internet, including but not limited to social networking sites such as Facebook, cell phones or other devices to send, post or text message images and material intended to hurt or embarrass another person. This may include, but is not limited to; continuing to send e-mail to someone who has said they want no further contact with the sender; sending or posting threats, sexual remarks or pejorative labels (i.e., hate speech); ganging up on victims by making them the subject of ridicule in forums, and posting false statements as fact intended to humiliate the victim; disclosure of personal data, such as the victim's real name, address, or school at websites or forums; posing as the identity of the victim for the purpose of publishing material in their name that defames or ridicules them; sending threatening and harassing text, instant messages or emails to the victims; and posting or sending rumors or gossip to instigate others to dislike and gang up on the target.
29. Using any Internet or social networking websites to make statements, post pictures, or take any other actions that are indecent, vulgar, lewd, slanderous, abusive, threatening, harassing or terrorizing.
30. Sexting (a combination of sex and texting) - the act of sending sexually explicit messages or photos electronically

Reporting of Incident. Students, including victims, witnesses and perpetrators, shall report any violation of these rules to the coach, any staff member, the principal, or superintendent within the next two days that school is in session after the violation has occurred. The report may be written or verbal. Failure to report an incident will constitute a violation of these rules and will be taken into consideration in making disciplinary determinations under this policy.

Misrepresentations. Any misrepresentation of fact by a student regarding any alleged violation of these rules shall be considered a separate violation of these rules, and the student shall be subject to additional disciplinary action.

Additionally, students who are found to be in violation of sub-paragraphs 8 and/or 9 of this policy shall be subject to the following disciplinary action.

First Violation – Suspension from co-curricular program for designated activities for one (1) calendar year from the date the violation is discovered by or reported to the coach, any staff member, the principal, or the superintendent;

Or

Students and parents agree to participate in a school-approved program for chemical dependency. Said program must be administered by a certified alcohol and drug abuse professional and be approved by the school authorities. The student will need to successfully complete an approved chemical dependency program. Proof of successful completion of program will be submitted in writing to school's Activities Director. Failure to participate and successfully complete the approved chemical dependency program may cause the participating student to be suspended from co-curricular activities for one (1) calendar year from date of finding of violation. The student must not compete, or participate in the designated activities for four (4) calendar weeks from the date the violation is discovered by or reported to the coach, any staff member, the principal, or the superintendent. All costs associated with the program are to be borne by the student/parent or guardian.

Second Violation – Suspension from co-curricular program for designated activities for the remainder of high school eligibility;

Or

Students and parents agree to participate in a minimum 8 week outpatient program for chemical dependency. Said program must be administered by a certified alcohol and drug abuse professional and be approved by the school authorities. The student will need to successfully complete the approved outpatient chemical dependency program. Proof of successful completion of

program will be submitted in writing to school's Activities Director. Failure to participate and successfully complete the approved outpatient chemical dependency program may cause the participating student to be suspended from co-curricular activities for the remainder of his or her high school eligibility. The student must not compete, or participate in the designated activities for eight (8) calendar weeks from the date the violation is discovered by or reported to the coach, any staff member, the principal, or the superintendent. All costs associated with the program are to be borne by the student/parent or guardian.

Third Violation – Upon finding of violation, the student shall be suspended from all designated activities for the remainder of high school eligibility from the date the violation is discovered by or reported to the coach, any staff member, the principal, or the superintendent.

A student who possesses, dispenses, delivers, or administers anabolic steroids shall be subject to the following sanctions:

First Offense: The student shall be prohibited from participating in any extracurricular activities for 30 consecutive days.

Second or Any Subsequent Offense: The student shall be prohibited from participating in any extracurricular activities for one (1) calendar year from date of finding of violation.

Students may be suspended by the principal or designee from practices or participation in interscholastic competition or participation in co-curricular activities for violation of rules and standards of behavior adopted by the South Central NE USD #5 Board of Education or the administrative staff of the school.

Disciplinary action may include a probationary period and conditions that must be satisfied prior to or following reinstatement. Administrators and coaches will take the following into consideration when making disciplinary decisions:

1. Any prior or additional misconduct;
2. The nature and seriousness of the offense including, but not limited to possible criminal implications of the misconduct;
3. The motivation for the offense;
4. The amount of violence involved;
5. The student's demeanor and attitude regarding the violation;
6. The actual, threatened, or potential risk to the student and others due to the student's behavior;
7. The student's willingness to make restitution for the consequences for his/her misbehavior including, but not limited to, compensating the victim in the event of property damage, issuance of a genuine apology,

- willingness to speak to other student groups about the student's misconduct and the like;
8. Whether the circumstances of the violation are likely to recur;
 9. The student's and family's willingness to participate in evaluations, counseling, or other programs;
 10. The cooperation and support of the student's family
 11. Any mitigating factors;
 12. Any other relevant factors.

The following procedures shall be followed with regard to suspension:

1. The party considering the suspension shall make a reasonable investigation of the facts and circumstances. In addition, suspension shall be made only after a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purpose.
2. Prior to commencement of the suspension, the student shall be given oral or written notice of the charges against the student. The student shall be advised of what the student is accused of having done, and the basis of the accusation, and an explanation of the evidence the authorities have.
3. The student shall be afforded the opportunity to explain the student's version of the facts to the person making the suspension decision.
4. Within twenty-four (24) hours or such additional time as is reasonably necessary following suspension, the principal or designee shall send a written statement to the student, student's parents, or guardian describing the student's conduct, misconduct or violation of the rule or standard and the reason for the action taken and the right to a hearing upon request on the specified charges.
5. An opportunity shall be afforded the student, parents, or guardian of the student to confer with regard to the matter with the principal or administrator ordering the suspension.
6. If the student or student's parents/guardian are not satisfied with the determination, an informal hearing may be requested before the superintendent. A form or a request for hearing must be signed by such parties and delivered to the superintendent in person or by registered or certified mail. This request must be received by the building principal within five (5) days of receiving notice of suspension.

7. If a hearing is requested, it shall be held within a reasonable amount of time of the request and a notice of the time and place of the hearing will be given to the participants, and parents or guardian within a reasonable amount of time of receiving the request. The notice shall contain an outline of the alleged infraction. There shall be no stay of the penalty imposed pending an appeal.
8. Upon conclusion of the hearing, a written decision will be rendered within five (5) school days. The statement of finding of fact and decision will be mailed to the participant, parents or guardian. A record of the hearing shall be kept by the school.
9. Nothing contained in this regulation shall prevent the participant, parents, guardian or representative from discussing and settling the matter with the appropriate school personnel at any stage provided here

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