

Exceptional Misconduct

I. Exceptional Misconduct

The Superintendent, following consultation with a representative ad hoc committee, has defined the types of misconduct that constitute exceptional misconduct. The appeal process for short and long-term suspensions will remain in effect for short and long range suspensions imposed as a result of this procedure. The following are prohibited on school or district premises, at school-sponsored events or activities, on school buses or vehicles provided by the District, or if conducted in a manner having a real and substantial relationship to the operation of school or educational programs, and represents exceptional misconduct that can be cause for discipline, suspension or expulsion. Exhibit A (Secondary School Discipline Matrix) and Exhibit B (Elementary School Discipline Matrix) are guidelines for sanctions and are strongly recommended to ensure consistency and continuity across the District for similar offenses. Discipline should be progressive, in terms of both the level of discipline as well as the number of days. When considering corrective actions and/or interventions, administrators should take into account cultural relevancy, the developmental level of the student and whether the behavior is related to a disability. If extenuating circumstances warrant it, a lesser or greater disciplinary consequence may be used if appropriate. When considering extenuating circumstances for a consequence greater than recommended, administrators will discuss the details with the Supervisor of Pupil Management or their Executive Director of Schools prior to issuing such discipline.

- A. Abusing (Physical or emotional) while carrying out their official duties.
- B. The Aiding and Abetting of Others in the commission of any of the acts prohibited under the exceptional misconduct section, as well as the attempt to commit any of these acts, may also be subject to the same disciplinary consequences as the person who committed the act.
- C. Arson meaning intentionally setting a fire or causing an explosion.
- D. Assault meaning being physically violent or using unwarranted force toward another person(s) resulting in physical harm or injury.
- E. Computer Misuse of a substantial nature, including but not limited to, use of Bellevue School District networking system that violates any part of the act prohibited under this policy, intentionally violating a school or Bellevue School District computer system or database including but not limited to:
 1. Stealing, hacking, deleting, interfering with, or copying software, systems, or programs.
 2. Intentionally transmitting a virus or other material that is wholly inconsistent with the fundamental values of public school education.
 3. Changing of school, District, or student records without authorization.
 4. Accessing a district or teacher's computer without authorization.
 5. Using a proxy site or other Internet site from a District computer to deliberately evade District filters.
- F. Possession, Handling, or Transmission of a Dangerous Weapon. "Dangerous Weapon" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than two and one-half inches in

length. Exceptions may be made as outlined in RCW 9.41.280. These include but are not limited to the following:

1. Any device commonly known as “nun-Chu-ka sticks”, consisting of two or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means.
 2. Any device, commonly known as "throwing stars", which are multi-pointed, metal objects designed to embed upon impact from any aspect.
 3. Any air gun, including any air pistol or air rifle, designed to propel a BB, pellet, or other projectile by the discharge of compressed air, carbon dioxide, or other gas.
 4. Any portable device manufactured to function as a weapon and which is commonly known as a stun gun, including a projectile stun gun which projects wired probes that are attached to the device that emit an electrical charge designed to administer to a person or an animal an electric shock, charge, or impulse.
 5. Any device, object, or instrument which is used or intended to be used as a weapon with the intent to injure a person by an electric shock, charge, or impulse.
 6. Slung shot device consisting of a weight, or “shot,” affixed to the end of a long cord.
 7. Sand club such as a bag of sand, which is used as a weapon.
 8. Metal knuckles.
 9. Spring blade knife, or any knife the blade of which is automatically released by a spring mechanism or other mechanical device, or any knife having a blade which opens, or falls, or is ejected into position by the force of gravity, or by an outward, downward, or centrifugal thrust or movement, or locks into an open position.
- G. Extortion/Blackmail/Coercion meaning obtaining or attempting to extort obtain money, property, or other consideration by violence or threat of violence, or forcing someone to do something against his or her will by force or threat of violence.
- H. Fighting which means engaging in or provoking mutual physical contact involving anger or hostility that results in physical harm or injury to one or more people.
Fighting includes, but is not limited to, the following:
1. Engaging in mutual physical contact involving anger or hostility.
 2. Teasing, harassing, threatening or intimidating others resulting in physical contact involving anger or hostility.
 3. Retaliating physically for teasing, harassing, threatening, or intimidating behavior.
 4. Verbally inciting or physically supporting a fight by one’s encouragement or presence, including, but not limited to, posturing, making verbal accusations or threats, or drawing spectator attention to a fight or recording and or broadcasting (See Aiding and Abetting).
- I. Fireworks/Explosives including the possession, handling or transmission of any form of firework and/or explosive, chemical or incendiary device. These devices include, but are not limited to, firecrackers, sparklers, smoke bomb or stink bomb, cherry bomb, M80, bottle rocket, other explosive, incendiary or poison gas, or gas pen/gas pencil.
- J. “Harassment, Intimidation or Bullying” means any intentional written message or image, including those that are electronically transmitted, verbal, or physical act, including but not limited to one shown to be motivated by race, color, religion, ancestry, national origin, culture, gender, socio-economic status, sexual orientation including gender expression or identity, mental or physical disability, or other distinguishing characteristics, when the intentional written, verbal, or physical act:
1. Physically harms any person or damages the person’s property.
 2. Has the effect of substantially interfering with a student’s education.

3. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment.
 4. Has the effect of substantially disrupting the orderly operation of the school.
- K. Hazing of any students or persons. “Hazing” includes initiating students into a school, group, grade level, or office through persecuting, harassing, or coercive behaviors that cause or are likely to cause social, emotional, or physical harm. Evidence of hazing may include but is not limited to, activities with any of the following components: degrading, disgraceful, or humiliating behaviors or treatment. The term “hazing” does not include school-authorized athletic events, contests, competitions or other activities that have express administrative approval.
- L. Lewd/Obscene Behavior including engaging in inappropriate sexual behavior, including sexual intercourse, oral sex, sexual touching, indecent exposure, or voyeurism, and/or sexual behavior that has the potential to substantially disrupt or obstruct any school function or operation.
- M. Look-Alike Weapons that can reasonably be considered a firearm, air soft gun, compressed air gun, or dangerous weapon and used for the commission of another exceptional misconduct act.
- N. Malicious Harassment is committing malicious and intentional acts because of one’s perception of the victim’s race, color, religion, ancestry, national origin, gender, sexual orientation, or mental, physical or sensory disability which:
- a. Causes physical injury to the victim or another person;
 - b. Causes physical damage to or destruction of the property of the victim or another person; or
 - c. Threatens a specific person or group of persons and places that person, or members of the specific group of persons, in reasonable fear of harm to the person or property.
- O. Possession, Handling or Transmission of Firearms on school property. This will result in a one-year mandatory expulsion, subject to appeal, with notification to parents and law enforcement.
- P. Possession, Handling, or Transmission of any Object with intent to carry out another exceptional misconduct act, which can reasonably be considered a Weapon.
- Q. Possession, Transmission, or Use of Personal Protection Spray Devices without prior written parental/guardian permission is prohibited. Students over 18 years of age and students between 14 and 18 years of age with written parental/guardian permission may possess personal protection spray devices. No one less than 18 years of age may transmit such devices nor may they be used other than in self-defense as defined by state law.
- R. Retaliation means any act of revenge against a person for reporting any violation of the acts prohibited under this policy, as well as any attempted act of revenge.
- S. Possession, Handling, or Transmission of a Small folding Knife- a small folding knife is defined as a blade length of 2-1/2 inches or less and with a blade width 1/2-inch or less with the intent to carry out another exceptional misconduct act
- T. Threat to Cause Bodily Harm by any means that causes a person to believe his or her or another person’s life, safety, or property is in danger.
- U. Vandalism/Property Damage, meaning intentionally causing damage to any district or personal property, including writing, painting, drawing, or otherwise marking graffiti on any district or personal property that is \$50 of damage or more.

- V. Any action, event or group of events, which constitutes a Violation of Federal, State or Local Law.
- W. The following Drug and Alcohol-related Conduct is prohibited at school or in the immediate vicinity of school property, in school vehicles, at school bus stops (including metro stops used for school transportation) and at school-sponsored activities:
1. Possess, use, or be under the influence of any drug or look alike drug, except as authorized by valid prescription.
 2. Possess, use, or be under the influence of alcohol.
 3. Use or be under the influence of any other intoxicant.
 4. Sell, purchase, barter, trade, exchange, give, or transmit any drug, alcohol, or intoxicant, look alike drug or offer to do so.
 5. Possess or use of drug paraphernalia including but not limited to electronic cigarettes (also known as E-devices, E-pens, E-hookahs, hookah pens, vape-pipes, vape-pens and vaporizers)
 6. In addition, students shall not use any drug (except as authorized by valid prescription), alcohol, or intoxicant before attending school or any mandatory school-sponsored activity, and they shall not attend any optional school-sponsored activity after using any drug (except as authorized by valid prescription), alcohol, or intoxicant.
 7. Specific corrective measures and definitions for violations of drug and alcohol-related conduct are found in section III of procedure 3241.

The district reserves the right to refer to the appropriate non-school agency any act or conduct of its students which may constitute a crime under federal, state, county or local law.

Date: 9.17