

GOOD CONDUCT RULE REGULATION

The administrator or administrator's designee will be responsible for fair and equitable administration of Policy 503.4.

I. Penalties for Violation of the Good Conduct Policy

The following penalties prescribed for the first, second, and third violations will be minimum.- The actual period of suspension will be determined by the appropriate administrator or the administrator's designee on a case by case basis. Penalties will commence at the time a student is declared ineligible. If the penalty prescribed exceeds the minimum provided for by the violation, then the reason will be stated in writing:

1. First Violation - Not less than twenty-eight consecutive days of ineligibility from participation in all student activities as defined in Policy 503.4. A student who reports himself or herself for violation outside the school's jurisdiction, may have the penalty reduced to 14 days. Self-reporting must occur within the next business day. Violation while under school jurisdiction will be handled administratively on a case by case basis. Depending upon the circumstances, there may or may not be a penalty reduction for self-reporting.
2. Second Violation - Not less than fifty-six consecutive days of ineligibility from participation in all student activities as defined in Policy 503.4. No reduction for self-reporting.
3. Third Violation - Not less than one calendar year of ineligibility from participation in all student activities as defined in Policy 503.4. No reduction for self-reporting
4. Fourth or more - An additional year added onto the remainder of ineligibility already in place.

Students, whether enrolled in middle schools (grades 7-8) or high school (grades 9-12) are subject to the above stated penalties. However, a middle school student's violation record will terminate at the close of his/her eighth grade school year. The same schedule of penalties will recommence and be applicable during his/her high school enrollment, with Good Conduct violations carried for the student's entire high school enrollment. For example, if a student violates the policy during the 9th grade year, and again during subsequent years, the "second violation" provisions would apply.

Activity advisors may establish more restrictive rules and regulations for their respective students, but such rules and regulations will not be inconsistent with Policy 503.4, Good Conduct Rule. Such rules and regulations **will be approved in advance** by the administrator who supervises the activities advisor **and be communicated to all student participants by the activity advisor, both verbally and in writing, at the beginning of the activity period or season. Such communication will also be afforded the parents and guardians through meetings, mailings, handouts, or any other approved method of dissemination.**

II. Enforcement - Good Conduct Rule

1. When interpreting rules of student eligibility for activities, this school district will endeavor to be consistent with policies and guidelines adopted by the Iowa Department of Education and state activity associations.
2. It will be the duty of each activity advisor to promptly notify the appropriate administrator or administrator's designee of any alleged violation of the Good Conduct Policy and to

GOOD CONDUCT RULE REGULATION

implement the rules and regulations. Upon notification, the administrator or administrator's designee will investigate the alleged violation, and as soon as possible, make a determination of whether a violation has occurred.

3. Upon determining that a violation of the Good Conduct Policy or rules and regulations has occurred, the administrator or administrator's designee will impose a temporary suspension of the student's eligibility in conformity with the schedule of penalties described earlier. The date of the imposed temporary suspension will begin when the student is formally notified.
4. The suspension of student eligibility will prohibit the student from performing, traveling, or appearing publicly in any manner where the student would represent the Mason City School District in a student activity. Students will be allowed to continue to practice during the period of suspension unless the administrator or administrator's designee has expressly excluded the student from practice. Exclusions from practice will be imposed only if it has been established that continued participation would not be in the best interest of the activity group or the student.

III. Appeal Procedures

The following procedures will be followed in implementing and enforcing the Good Conduct Policy and supporting rules and regulations. All appeal proceedings short of the Board of Education will be conducted informally, with the purpose of providing students and their representatives opportunities to provide additional or new information about the alleged violation(s).

1. A student who is found to be in violation of the Good Conduct Policy or rules and regulations will have the right to request a hearing before the building administrator. This request for a hearing will be in writing, made by the student or an appropriate representative of the student on his/her behalf and will be personally delivered to the student's administrator within three days following receipt of the notice of suspension.

A hearing on the request will be held as soon as possible following the filing of a student's written request. Prior to the hearing, the student's administrator will furnish the following, in writing, to the student or his/her representative:

- a. Date, time, and place for hearing.
 - b. A short statement summarizing the substance of the allegation(s) of violation(s) against the student and the source(s) of those allegations.
 - c. The right to have parent(s), legal guardian, and/or legal counsel present at the hearing.
 - d. The opportunity to present witnesses and other evidence in response to the allegations.
 - e. The range of penalties for the violation(s).
2. The filing of a notice of appeal will not stay the imposition of the suspension of student eligibility from student activities.
 3. If the administrator affirms the decision which establishes a suspension of student eligibility, the penalty will be carried out from the date set by the administrator.

GOOD CONDUCT RULE REGULATION

- 4. The student or the student's representative may appeal the decision of the administrator to the Superintendent of Schools by certified mail or by delivering the request to the Superintendent's office, not more than five days after the date of the decision of the administrator.
- 5. An appeal to the Superintendent of Schools will be heard and considered by the Superintendent as follows. The Superintendent will set a time and place for hearing and promptly advise the student or that student's representative. Both the administrator, or the administrator's designee, and the student will be permitted to present evidence and testimony of witnesses at the hearing. The Superintendent will conduct the hearing, but will make at least a tape recording for use by the Board of Education if there is an additional appeal. Within ten days after the hearing, the Superintendent will render a written decision to the administrator, who will send a copy to the student or the student's representative by certified mail.
- 6. A student or the student's representative may appeal the Superintendent's decision to the Board of Education of the district by a written notice of appeal delivered to or mailed by certified mail to the Superintendent's office not more than ten days after the mailing of the Superintendent's decision.
- 7. When an appeal is made to the Board of Education, a hearing will be conducted. The Superintendent, the student, or the student's representative may request the hearing before the Board be held in closed session. The Board may determine by affirmative roll call vote of two-thirds (2/3) of its members present that the matter before it is an exceptional reason so compelling as to override the general public policy in favor of public meetings and hold the hearing in closed session. At the conclusion of the hearing, the Board of Education will make its decision (which must be made by a majority vote of its members present taken by roll call) to declare ineligible or to reinstate the student in activities. Such decision will be made on a case by case basis.

Legal Reference: Bunger v. Iowa High School Athletic Assn., 197 N.W.2d 555 (Iowa 1972).
In re Jason Clark, 1 D.P.I. App. Dec. 167 (1978).
Iowa Code §§ 280.13, .13A (2009).
281 I.A.C. 12.3(6); 36.15(1).

Cross Reference: 502 Student Rights and Responsibilities
503 Student Discipline
504 Student Activities

Approved 10-78 Reviewed 1987, 1989, 1991, 1994, 1995, Revised 12-18-89, 01-20-91, 07-18-94, 08-14-95,
1995, 1999, 2002, 2005, 2011 06-21-99, 05-16-05, 03-21-11