

## **STUDENT DISCIPLINE**

### **Section 1. Purpose**

**Section 1.1** It is essential that Hawthorn maintain a classroom environment that allows teachers to communicate effectively with all students in the class that allows all students in the class to learn. Hawthorn's discipline policy sets out the rules of student behavior applicable to all students and the procedures for imposing discipline on students who violate these rules. In general, discipline is designed to correct a student's misconduct and to encourage the student to be a responsible citizen of the school community. Disciplinary actions will be in proportion to the severity of the unacceptable behavior, its impact on the school environment, the student's age and grade level, the student's previous discipline history, and other relevant factors.

Parental notification and parental involvement are essential to any effort to modify a student's inappropriate behavior. The intent of this policy will only be effective if parents and guardians, teachers, and school administrators work together to improve student behavior and enhance academic performance.

**Section 1.2** Hawthorn's discipline policies and procedures will apply to all students in attendance at Hawthorn instructional and support programs as well as at school-sponsored activities. Off-campus misconduct that adversely affects the educational climate will also be subject to these policies and procedures, to the extent allowed by law. Students who have been charged, convicted or pled guilty in a court of general jurisdiction for commission of a felony may be suspended in accordance with law.

**Section 1.3** No student may be confined in an unattended locked space except in an emergency situation while awaiting the arrival of law enforcement personnel. For the purpose of this policy, a student is unattended if no person has visual contact with the student, and a locked space is a space that the student cannot reasonably exit without assistance.

### **Section 2. Enforcement**

**Section 2.1** Teachers have the authority and responsibility to make and enforce necessary rules for internal governance in the classroom, subject to review by the Head of School/Head of School. The Board expects each teacher to maintain a satisfactory standard of conduct in the classroom. All Hawthorn staff are required to enforce Hawthorn policies and procedures in a manner that is fair and developmentally appropriate and that considers the student and the individual circumstances involved.

**Section 2.2** Hawthorn employees shall annually receive instruction related to the specific contents of the Hawthorn's discipline policy and any interpretations necessary to implement the provisions of the policy in the course of their duties including, but not limited to, approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

### **Section 3. Detention and In-School Suspension**

**Section 3.1** Students may be assigned detention during lunch or after school as a disciplinary consequence. If students are detained more than one-half hour after dismissal time, parents should be notified one day in advance of such detention.

**Section 3.2** Students with disruptive behavior patterns may not be allowed to remain in regular classrooms. Any student who engages in disruptive behavior and who, in the opinion of the Head of School or designee, would benefit from in-school suspension may be so disciplined. Students will be assigned to a specific classroom where they will be adequately supervised at all times. The Head of School or designee will attempt to notify the parents by telephone if their child has been placed in in-school suspension, and will follow up this verbal notification in writing. Reasons for the in-school suspension will be given, and a conference may be scheduled prior to the student's readmission to regular class. The student's teachers send class assignments to in-school suspension. The student may not attend or participate in extracurricular activities while assigned to in-school suspension. Any disruptions by the student in the in-school suspension room may result in additional disciplinary action.

## **Section 4. Suspension and Expulsion**

### **Section 4.1 General**

Hawthorn administration may exclude a student from school because of violation of school rules and procedures, conduct which materially or substantially disrupts the rights of others to an education, or conduct which endangers the student, other students or the property of the school. Furthermore, if a student poses a threat to self or others, as evidenced by the prior conduct of such student, the Head of School or designee may immediately remove the student from school. Such actions will be taken in accordance with due process and with due regard for the welfare of both the student and the school.

The terms "suspension" and "removal" refer to an exclusion from school that will not exceed a specific period of time and shall be subject to the due process procedures set forth for "suspensions" in this policy. The term "expulsion" refers to exclusion for an indefinite period.

Students who are suspended or expelled may not be present on school property during the term of suspension or while expelled, and will not be allowed to participate in any school-sponsored activities, if these occur during the period of suspension or expulsion.

Hawthorn may honor suspensions and expulsions from another in-state or out-of-state school, including a private, charter or parochial school or public school district, pursuant to law and Hawthorn's Student Admissions Policy. Before making any decision to honor such suspensions or expulsions, the Head of School or designee will consider whether the student has received the due process required by law.

### **Section 4.2 Suspensions**

The Head of School, for the well-being of a student or of the school environment, may suspend a student from school for a period of ten days. The student will be afforded the

opportunity of an informal hearing. The notice and informal hearing should precede removal of the student from school. There need be no delay between the time notice is given and the time of hearing. Notice of an informal hearing need not be given prior to removal from school when a student's presence poses a continuing danger to persons or property or threatens disruption of the academic process. The Head of SchoolHead of School will notify the student's parent(s) or guardian of his or her decision. The Head of School also has the authority to extend the suspension up to 180 school days . Suspension will generally be used for the chronic and more serious types of offenses.

Procedures for suspending a student are outlined below.

1. Before suspending a student, Head of SchoolHead of School, Associate Head of School, or designee must (a) tell the student, either orally or in writing, what misconduct she is accused of; (b) if the student denies the accusation, explain, either orally or in writing, the facts that form the basis of the proposed suspension; and (c) give the student an opportunity to present her version of the incident.
2. If the Head of SchoolHead of School concludes that the student has engaged in misconduct punishable by suspension, the procedures described below apply. If the student has a disability as defined in the Individuals with Disabilities Education Act (IDEA) as amended or Section 504 of the Rehabilitation Act, additional procedural safeguards regarding the discipline of students with disabilities apply.
3. The Head of SchoolHead of School should determine whether the student should be suspended or whether alternative measures would be appropriate.
4. If suspension is imposed, the student's parents or guardians must be promptly notified of the suspension and the reasons for the action.
5. Head of SchoolHead of School
7. Students under suspension are not allowed to be on or around the school campus unless:
  - a. The parent/guardian calls and makes arrangements through the Head of SchoolHead of School.
  - b. The parent/guardian accompanies the student to the campus.
8. Students under suspension are not allowed to participate in or attend any extracurricular activities sponsored by the school until they have attended classes on the first day after the suspension.
9. If a student is suspended for more than ten school days, the following rules also apply:

- a. The student, her parents, guardians or others having custodial care have a right to appeal the Head of School's decision to the Board or a committee of the Board appointed by the Board president.
- b. If the student gives notice that she wishes to appeal the suspension to the Board, the suspension shall be stayed until the Board renders its decision, unless in the Head of School's judgment, the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process.
- c. All notices of appeal shall be transmitted, either by the appealing party or by the Head of School, to the secretary of the Board. Oral notices, if made to the Head of School, shall be reduced to writing and communicated to the secretary of the Board. The notice of appeal should be submitted in writing to the Head of School or secretary of the Board prior to the end of the suspension period.
- d. The Head of School, when notified of an appeal, shall promptly transmit to the Board a full written report of the facts relating to the suspension, the action taken by the Head of School, and the reasons for the action.
- e. Upon receipt of a notice of appeal, the Board will schedule a hearing and within a reasonable time in advance of the scheduled date, will notify, by certified mail, the appealing party of the date, time and place of the hearing and of the right to counsel, to call witnesses, and to present evidence at the hearing.
- f. Hearings of appealed suspensions will be conducted as described in the section of this policy dealing with student disciplinary hearings.

#### **Section 4.3 Suspensions For More Than 180 School Days and Expulsions**

Action taken to permanently deprive a student of the privilege of attending Hawthorn shall be considered expulsion. Only the Board may expel a student or suspend a student for more than 180 school days. However, the Head of School is empowered to handle student violations of school regulations in a manner that will support the maintenance of school discipline and school morale. If a student consistently refuses to conform to school policies and regulations, or is responsible for any behavior that endangers other students or substantially disrupts the educational process, the Head of School may recommend to the Board of Directors that the student be expelled from school. The Board will be notified and will set a date for the hearing. The parents will be notified as well as the student. The Board will expect the Head of School in each case to be present and make oral and written reports and statements concerning the student's misconduct. The number of previous suspensions of the student may be a factor in the Board's decision to expel or in the Head of School's decision to recommend expulsion. The applicable procedures are outlined below.

1. Before recommending to the Board that a student be expelled or suspended for more than 180 school days, the Head of School must (a) tell the student, either orally or in writing, what misconduct she is accused of; (b) if the student denies the accusation,

explain, either orally or in writing, the facts that form the basis of the proposed suspension/expulsion; and (c) give the student an opportunity to present her version of the incident.

2. If the Head of School concludes that the student has engaged in misconduct and should be expelled or suspended for more than 180 school days, the procedures described below apply. In the case of a student with a disability, the procedures will be subject to the procedural safeguards applicable to students with disabilities in accordance with law.
  - a. The Head of School will recommend to the Board that the student be expelled or suspended for more than 180 school days. The Head of School may also immediately suspend the student for up to 180 school days.
  - b. Upon receipt of the Head of School's recommendation, the Board will follow the procedures described in the section of this policy dealing with student disciplinary hearings.
3. If the student is expelled, she may later apply to the Board for readmission. Only the Board can readmit an expelled student.

#### **Section 4.5 Student Discipline Hearings**

The Board may originate student discipline hearings upon recommendation of the Head of School. In such cases, the Board will review the Head of School's report and determine whether to conduct a discipline hearing. In addition, student discipline hearings also will be held upon written request of the student or the student's parents, to consider appeals from student suspensions in excess of ten school days. A discipline hearing will always be held in cases of suspensions in excess of 180 school days or expulsions, unless after meeting with the Head of School or designee, the parent or guardian waives, in writing, the right to an expulsion hearing.

The hearing shall be heard by the Board or a committee thereof, which shall have full authority to act in lieu of the Board. A decision of the Board committee shall be considered the decision of the Board. In conducting a discipline hearing, the Board, or its designated committee, will carefully consider the information presented by the administration and by the parent/guardian and student. Generally, the hearing will be informal; however, the Board or the designated committee, in its discretion, may decide to conduct the hearing as a contested case proceeding in accordance with Chapter 536 of the Missouri Revised Statutes.

The following procedures apply to all hearings before the Board:

1. The student and the student's parents/guardians will be provided written notice of the date, time and place of the hearing.
2. The parent/guardian may represent their student or may retain an attorney to act as a representative of the student. If the parent/guardian elects to have the student represented

by an attorney at the hearing, the parent/guardian shall notify the Board of such representation at least forty-eight hours prior to the scheduled time of the hearing.

3. The student and parent/guardian will be advised of the charges against the student, and will be given the opportunity to respond to those charges. Prior to the hearing, the student and parent/guardian, or their attorney, may review the student's file, the discipline report, and related records.
4. The hearing will be closed unless the Board or its designated committee decides otherwise. The hearing may only be open with parental consent.
5. The student and the student's parents/guardians will be provided written notice of the Board's decision.

When the Board of Directors or its designated committee elects to conduct a contested case hearing, the following procedures will also apply:

1. The student, student's parents/guardians, or their representative will be provided written notice of the date, time and place of the hearing, and their right to call witnesses, enter exhibits and cross-examine adverse witnesses during the hearing.
2. Prior to the hearing, the student and the student's parents/guardians will be advised of the identity of the witnesses to be called by the administration. In addition, the student and the student's parents/guardians will be provided copies of the documents to be introduced at the hearing by the administration.
3. At the hearing, the administration or their counsel will present the charges and such testimony and evidence to support such charges. The student, the student's parents/guardians or their representatives shall have the right to present witnesses, introduce exhibits, and to cross-examine witnesses called in support of the charges.
4. At the conclusion of the hearing, the Board or the designated committee shall deliberate in executive session and shall render a decision to dismiss the charges, to suspend the student for a specified period of time, or to expel the student from Hawthorn. The administration or its counsel, by direction of the Board or the designated committee, shall promptly prepare and transmit to the student and the student's parents/guardians written notice of the Board's decision.

#### **Section 4.6 Remedial Conference**

Prior to the readmission or enrollment of any student who has been suspended out of school or expelled in accordance with this policy for any "act of school violence" as defined in § 160.261.2, RSMo., a conference must be held to review the student's conduct that resulted in the suspension or expulsion and any remedial actions needed to prevent future occurrences of such conduct or related conduct. The conference shall include the appropriate school officials including any teacher directly involved with the conduct that resulted in the suspension or

expulsion, the student, and the parent or guardian of the student or any agency having legal jurisdiction, care, custody or control of the student. The Head of School shall notify, in writing, the parents or guardians and all other parties of the time, place and agenda of any such conference. Failure of any party to attend this conference shall not preclude holding the conference. This requirement applies to enrolling students transferring from another school as well, regardless of whether the "act of school violence" was committed at a public school or at a private school in Missouri.

## **Section 5. Offenses and Consequences**

### **Section 5.1 Reporting to Law Enforcement**

It is the policy of Hawthorn to report all crimes occurring on school grounds to law enforcement, including, but not limited to, the crimes Hawthorn is required to report in accordance with law.

The following acts, regardless of whether they are committed by juveniles, are subject to this reporting requirement:

1. First degree murder under § 565.020, RSMo.
2. Second degree murder under § 565.021, RSMo.
3. Kidnapping in the first degree under § 565.110, RSMo.
4. First degree assault under § 565.050, RSMo.
5. Rape in the first degree under § 566.030, RSMo.
6. Sodomy in the first degree under § 566.060, RSMo.
7. Burglary in the first degree under § 569.160, RSMo.
8. Burglary in the second degree under § 569.170, RSMo.
9. Robbery in the first degree under § 570.023, RSMo.
10. Manufacture of a controlled substance under § 579.055, RSMo.
11. Delivery of a controlled substance under § 579.020, RSMo.
12. Arson in the first degree under § 569.040, RSMo.
13. Voluntary manslaughter under § 565.023, RSMo.
14. Involuntary manslaughter in the first degree under § 565.024, RSMo.
15. Involuntary manslaughter in the second degree under § 565.027, RSMo.
16. Second degree assault under § 565.052, RSMo.
17. Kidnapping in the second degree under § 565.120, RSMo.
18. Property damage in the first degree under § 569.100, RSMo.
19. The possession of a weapon under chapter 571
20. Child molestation in the first, second, or third degree pursuant to §§ 566.067, .068, .069, RSMo.
21. Sodomy in the second degree under § 566.061, RSMo.
22. Sexual misconduct involving a child under § 566.083, RSMo.
23. Sexual abuse in the first degree under § 566.100, RSMo.
24. Harassment in the first degree under § 565.090, RSMo.
25. Stalking in the first degree under § 565.225, RSMo.

The Head of SchoolHead of School shall also notify the appropriate law enforcement agency if a student is discovered to possess a controlled substance or weapon in violation of Hawthorn's policy.

In addition, Hawthorn shall notify the appropriate division of the juvenile or family court upon suspension for more than ten days or expulsion of any student who the school is aware is under the jurisdiction of the court.

### **Section 5.2. Documentation in Student's Discipline Record**

The Head of SchoolHead of School or designee will maintain all discipline records as deemed necessary for the orderly operation of the schools. In addition, any of the following offenses a serious violation of the school's policy and must be documented in the student's discipline record in accordance with law:

1. Any act of school violence or violent behavior.
2. Any offense that occurs on school property, on school transportation or at any school activity and that is required by law to be reported to law enforcement officials.
3. Any offense that results in an out-of-school suspension for more than ten school days.

### **Section 5.3. Prohibition against being on or near School Property during Suspension**

All students who are suspended or expelled are prohibited from being on school property for any reason unless permission is granted by the Head of School or designee. Any student who is suspended for any offenses listed in § 160.261, RSMo., or any act of violence or drug-related activity shall not be allowed to be within 1,000 feet of Hawthorn unless one of the following conditions exist:

1. The student is under the direct supervision of the student's parent, legal guardian or custodian.
2. The student is under the direct supervision of another adult designated by the student's parent, legal guardian or custodian, in advance, in writing, to the Head of SchoolHead of School.
3. The student is in an alternative school that is located within 1,000 feet of Hawthorn.
4. The student resides within 1,000 feet of Hawthorn and is on the property of her residence.

If a student violates this prohibition, she may be subject to additional discipline, including suspension or expulsion, in accordance with the offense, "Failure to Meet Conditions of Suspension," listed below.

### **Section 5.4. Prohibited Conduct**

The following are descriptions of prohibited conduct as well as potential consequences for violation. No code can be expected to list each and every offense that may result in disciplinary action; however it is the purpose of this code to list certain offenses which, if committed by a



student, will result in the imposition of a certain disciplinary action. Any conduct not included herein, any aggravated circumstance of any offense, or any action involving a combination of offenses may result in disciplinary consequences that extend beyond this policy as determined by the Head of School/Head of School and/or the Board. In addition to the consequences specified here, school officials will notify law enforcement and document violations in the student's discipline file pursuant to law and Board policy.

Arson – Starting or attempting to start a fire or causing or attempting to cause an explosion.

First Offense:	Head of School/Head of School/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion. Restitution if appropriate.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion. Restitution if appropriate.

#### Assault

1. Hitting, striking and/or attempting to cause injury to another person; placing a person in reasonable apprehension of imminent physical injury; physically injuring another person.

First Offense:	Head of School/Head of School/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	In-school suspension, 1-180 days out-of-school suspension, or expulsion.

2. Attempting to kill or cause serious physical injury to another; killing or causing serious physical injury to another.

First Offense:	Expulsion.
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Automobile/Vehicle Misuse – Discourteous or unsafe driving on or around school property, unregistered parking, failure to move vehicle at the request of school officials, failure to follow directions given by school officials or failure to follow established rules for parking or driving on school property.

First Offense:	Head of School/Student conference, suspension or revocation of parking privileges, detention, in-school suspension, or 1-10 days out-of-school suspension.
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Subsequent Offense:	Revocation of parking privileges, detention, in-school suspension, or 1-180 days out-of-school suspension.
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Bullying – Intimidation, harassment and attacks on a student or multiple students, perpetuated by individuals or groups. Bullying includes, but is not limited to: physical violence, verbal taunts, name-calling and put-downs, threats, extortion or theft, damaging property, cyber-bullying, and exclusion from a peer group.

First Offense:	Head of School/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension or expulsion.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

Bus or Transportation Misconduct– Any offense committed by a student on, while waiting for, or entering transportation provided by or through the school shall be punished in the same manner as if the offense had been committed at the student's assigned school. In addition, transportation privileges may be suspended or revoked.

Dishonesty – Any act of lying, whether verbal or written, including forgery.

First Offense:	Nullification of forged document. Head of School/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.
Subsequent Offense:	Nullification of forged document. Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Disrespect to Staff– Willful or continued willful disobedience of a directive or request by a Hawthorn staff member or disrespectful verbal, written, pictorial, or symbolic language or gesture that is directed at a Hawthorn staff member and that is rude, vulgar, defiant, in violation of Hawthorn policy or considered inappropriate in educational settings.

First Offense:	Head of School/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.
Subsequent Offense:	Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Disruptive Conduct or Speech – Verbal, written, pictorial or symbolic language or gesture that is directed at any person and that is disrespectful, rude, vulgar, defiant, in violation of Hawthorn

policy or considered inappropriate in educational settings or that materially and substantially disrupts classroom work, school activities or school functions. Students will not be disciplined for speech in situations where it is protected by law.

First Offense:	Head of School/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.
Subsequent Offense:	Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

### Drugs/Alcohol

1. Possession, sale, purchase or distribution of any over-the-counter drug, herbal preparation or imitation drug or herbal preparation.

First Offense:	Head of School/Student conference, in-school suspension or 1-180 days out-of-school suspension.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

2. Possession, use of, or attendance while under the influence of or soon after consuming any unauthorized prescription drug, alcohol, narcotic substance, unauthorized inhalants, controlled substances, illegal drugs, counterfeit drugs, imitation controlled substances or drug-related paraphernalia.

First Offense:	Head of School/Student conference, in-school suspension, 1-180 days out-of-school suspension.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

3. Sale, purchase, transfer or distribution of any prescription drug, alcohol, narcotic substance, unauthorized inhalants, controlled substances, illegal drugs, counterfeit drugs, imitation controlled substances or drug-related paraphernalia.

First Offense:	Expulsion.
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Extortion – Threatening or intimidating any person for the purpose of obtaining money or anything of value.

First Offense:	Head of School/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.
Subsequent Offense:	In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Failure to Meet Conditions of Suspension – Coming within 1,000 feet of Hawthorn while on suspension for an offense that requires reporting to law enforcement or for an act of school violence or drug-related activity. See section of this policy entitled, "Prohibition against Being on or near School Property during Suspension."

In determining whether to suspend or expel a student, consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether the student's presence within 1,000 feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy.

First Offense:	Verbal warning, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	Verbal warning, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

False Alarms (see also "Threats or Verbal Assaults") – Tampering with emergency equipment, setting off false alarms, making false reports; communicating a threat or false report for the purpose of frightening, disturbing, disrupting or causing the evacuation or closure of school property.

First Offense:	Restitution. Head of School/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	Restitution. In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Fighting (see also, "Assault") – Mutual combat in which both parties have contributed to the conflict either verbally or by physical action.

First Offense:	Head of School/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.
Subsequent Offense:	In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Harassment/Discrimination– Use of verbal, written or symbolic language based on race, color, religion, sex, sexual orientation, national origin, ancestry, disability, age or any other characteristic that has the purpose or effect of unreasonably interfering with a student’s educational environment or creates an intimidating, hostile or offensive educational environment. Examples of illegal harassment include, but are not limited to, graffiti, display of written material or pictures, name calling, slurs, jokes, gestures, threatening, intimidating or hostile acts, theft or damage to property.

First Offense:	Head of School/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Hazing – Any activity that a reasonable person believes would negatively impact the mental or physical health or safety of a student or put the student in a ridiculous, humiliating, stressful or disconcerting position for the purposes of initiation, affiliation, admission, membership or maintenance of membership in any group, class, organization, club or athletic team including, but not limited to, a grade level, student organization or school-sponsored activity. Hazing may occur even when all students involved are willing participants.

First Offense:	Head of School/Student conference, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

Public Display of Affection – Physical contact that is inappropriate for the school setting including, but not limited to, kissing and groping.

First Offense:	Head of School/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.
Subsequent Offense:	Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

### Sexual Harassment/Discrimination

1. Use of unwelcome verbal, written or symbolic language based on gender or of a sexual nature that has the purpose or effect of unreasonably interfering with a student's educational environment or creates an intimidating, hostile or offensive educational environment. Examples of sexual harassment include, but are not limited to, sexual jokes or comments, requests for sexual favors and other unwelcome sexual advances.

First Offense:	Head of School/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	In-school suspension, 1-180 days out-of-school suspension, or expulsion.

2. Unwelcome physical contact based on gender or of a sexual nature when such conduct has the purpose or effect of unreasonably interfering with a student's educational performance or creates an intimidating, hostile or offensive educational environment. Examples include, but are not limited to, touching or fondling of the genital areas, breasts or undergarments, regardless of whether or not the touching occurred through or under clothing.

First Offense:	Head of School/Student conference, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

Sexual Misconduct – Exposing of body parts to another individual including, but not limited to, possession, transfer or exposure of images, electronic or otherwise, of the body parts or sexually explicit images of oneself or others, and/or initiating or participating in an act of a sexual nature.

First Offense:	Head of School/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	In-school suspension, 1-180 days out-of-school suspension, or expulsion.

### Technology Misconduct

1. Unauthorized use of cellular telephones, personal computers, or unauthorized use of electronic devices during instructional time.

First Offense:	Teacher/Student conference, temporary confiscation of device, and/or detention.
Subsequent Offense:	Teacher/Student conference, Head of School/student conference, temporary confiscation of device, detention, or 1-180 days out-of-school suspension.

2. Attempting, regardless of success, to gain unauthorized access to technology system or information; to use Hawthorn technology to connect to other systems in evasion of the physical

limitations of the remote system; to copy Hawthorn files without authorization; to interfere with the ability of others to utilize Hawthorn technology; to secure a higher level of privilege without authorization; to introduce computer "viruses," "hacking" tools, or other disruptive/destructive programs onto or using Hawthorn technology; or to evade or disable a filtering/blocking device.

First Offense:	Restitution. Head of School/Student conference, loss of user privileges, detention, in-school suspension, or 1-180 days out-of-school suspension.
Subsequent Offense:	Restitution. Loss of user privileges, 1-180 days out-of-school suspension, or expulsion.

3. Other violation of Hawthorn's Technology Usage Policy or netiquette rules governing student use of Hawthorn technology.

First Offense:	Restitution. Head of School/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.
Subsequent Offense:	Restitution. Loss of user privileges, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

#### Theft

Theft, attempted theft or knowing possession of stolen property.

First Offense:	Return of or restitution for property. Head of School/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.
Subsequent Offense:	Return of or restitution for property. 1-180 days out-of-school suspension or expulsion.

#### Threats or Verbal Assault

Verbal, written, pictorial or symbolic language and/or gestures creating a reasonable fear of physical injury or causing school property damage. Threats by students, whether made on campus or off school grounds, which constitute a "true threat" against Hawthorn, its students or employees, will be immediately reported to law enforcement officials and will subject the student to suspension and a possible referral for expulsion. The definition of "true threat" shall be construed in accordance with applicable law and encompasses those statements that a reasonable recipient would view as a serious threat of violence or death.

First Offense:	Head of School/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
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Subsequent Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion.

### Tobacco

Defined as possession and/or use of any tobacco products on school grounds, school transportation or at any school-activity.

First Offense: Confiscation of tobacco product. Head of School/Student conference, detention, or in-school suspension.

Subsequent Offense: Confiscation of tobacco product. Detention, in-school suspension, or 1-10 day out-of-school suspension.

### Truancy

Defined as absence from school without the knowledge and consent of parents/guardians and/or the school administration; excessive non-justifiable absences, even with the consent of parents/guardians.

First Offense: Head of School/Student conference, detention, or 1-3 days in-school suspension.

Subsequent Offense: Detention or 3-10 days in-school suspension.

### Unauthorized Entry

Entering or assisting any other person to enter a Hawthorn facility, office, locker, or other area that is locked or not open to the general public; entering or assisting any other person to enter a Hawthorn facility through an unauthorized entrance; assisting unauthorized persons to enter a Hawthorn facility through any entrance.

First Offense: Head of School/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.

Subsequent Offense: 1-180 days out-of-school suspension or expulsion.

### Vandalism

Defined as the willful damaging or the attempt to cause damage to real or personal property belonging to the school, staff or students.



First Offense:	Restitution. Head of School/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	Restitution. In-school suspension, 1-180 days out-of-school suspension, or expulsion.

### Weapons

1. Defined as the possession or use of any instrument or device, other than those defined in 18 U.S.C. § 921, 18 U.S.C. § 930(g)(2) or § 571.010, RSMo, which is customarily used for attack or defense against another person; any instrument or device used to inflict physical injury to another person.

First Offense:	Head of School/Student conference, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

2. Possession or use of a firearm as defined in 18 U.S.C. § 921 or any instrument or device defined in § 571.010, RSMo., or any instrument or device defined as a dangerous weapon in 18 U.S.C. § 930(g)(2)

First Offense:	One calendar year suspension or expulsion, unless modified by the Board upon recommendation by the Head of School.
Subsequent Offense:	Expulsion.

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