

**Doral Academy of Nevada**  
**Progressive Discipline Policy**

<b>Infraction</b>	<b>Level I Intervention/Consequence</b>	<b>Level II Intervention/Consequence</b>	<b>Level III Intervention/Consequence</b>	<b>Level IV Intervention/Consequence</b>
<b>Absence from School/Truancy</b>	DORAL ACADEMY OF NEVADA notification in mail Administrative Conference 1 <sup>st</sup> Truancy Notice	DORAL ACADEMY OF NEVADA notification in mail RPC 2 <sup>nd</sup> Truancy Notice	DORAL ACADEMY OF NEVADA notification in mail RPC 3 <sup>rd</sup> Truancy Notice/Citation Law enforcement will be notified	<b>Refer to Habitual/Subsequent Truant</b> Grade Retention possible Additional Citation Law enforcement will be notified
<b>Alcohol or Substance Represented to be Alcohol (use/possession of)</b>	School Based Consequences Administrative Conference/RPC Suspension Expulsion Drug Intervention Program Law enforcement will be notified	-----	-----	-----
<b>Assault (Verbal-Including Threats-On DORAL ACADEMY OF NEVADA Employee)</b>	Administrative Conference/RPC Suspension	Administrative Conference/RPC Suspension Law enforcement will be notified	Administrative Conference/RPC Progressive Suspension Law enforcement will be notified	Administrative Conference/RPC Progressive Suspension and/or Expulsion Law enforcement will be notified
<b>Assault (Student)</b>	Administrative Conference/RPC Suspension	Administrative Conference/RPC Progressive Suspension Law enforcement will be notified	Administrative Conference/RPC Progressive Suspension Law enforcement will be notified	Administrative Conference/RPC Progressive Suspension and/or Expulsion Law enforcement will be notified
<b>Arson</b>	Administrative Conference/RPC Suspension Expulsion Law enforcement will be notified	-----	-----	-----
<b>Battery (Physical - On DORAL ACADEMY OF NEVADA Employee)</b>	Administrative Conference/RPC Suspension possible Expulsion depending severity of any injuries Law enforcement will be notified	-----	-----	-----
<b>Battery-Student</b>	Administrative Conference/RPC Suspension	Administrative Conference/RPC Progressive Suspension	Administrative Conference/RPC Progressive Suspension Possible Habitual Discipline Expulsion	-----
<b>Campus Disruption - Major (includes incitement)</b>	Administrative Conference/RPC Suspension	Administrative Conference/RPC Suspension	Administrative Conference/RPC Progressive Suspension	Administrative Conference/RPC Progressive Suspension Possible Habitual Discipline Expulsion
<b>Campus Disruption - Minor</b>	School Based Consequence Parent Notification RPC	Administrative Conference/RPC Suspension	Administrative Conference/RPC Progressive Suspension	Administrative Conference/RPC Progressive Suspension

<b>Continual Disregard of School Rules</b>	Administrative Conference/RPC School Based Consequence Counselor Referral	Administrative Conference/RPC Suspension	Administrative Conference/RPC Progressive Suspension	Administrative Conference/RPC Progressive Suspension
<b>Controlled Substance / Substance Abuse / Substance Represented to be a Controlled Substance: Use/ Possession/ Sale/ Distribution</b>	Administrative Conference/RPC Suspension Expulsion Law enforcement will be notified	-----	-----	-----
<b>Controlled Substance Paraphernalia</b>	Administrative Conference/RPC Suspension Expulsion Law enforcement will be notified	-----	-----	-----
<b>Defiance of School Personnel</b>	Administrative Conference/RPC School Based Consequence	Administrative Conference/RPC Suspension	Administrative Conference/RPC Progressive Suspension	Administrative Conference/RPC Progressive Suspension
<b>Dress Code Violation (SSA)</b>	School Based Consequence	School Based Consequence Parent Notification Detention	Parent Notification RPC	Administrative Conference/RPC Suspension
<b>Extortion/Robbery</b> *law enforcement will be notified	Administrative Conference/RPC Restitution Suspension Expulsion	-----	-----	-----
<b>Fighting</b>	Administrative Conference/RPC Suspension 1 <sup>st</sup> Fight Notice	Administrative Conference/RPC Suspension Second Fight Habitual Discipline Expulsion	-----	-----
<b>Forgery</b> *law enforcement may be notified	School Based Consequence Administrative Conference/RPC	Administrative Conference/RPC Suspension	Administrative Conference/RPC Progressive Suspension	Administrative Conference/RPC Suspension
<b>Gambling</b>	School Based Consequence Administrative Conference/RPC Suspension	Administrative Conference/RPC Suspension	-----	-----
<b>Gang Activity</b> *law enforcement may be notified	Administrative Conference/RPC Suspension	Administrative Conference/RPC Suspension Expulsion	-----	-----
<b>Habitual Discipline Problem (having been deemed HDP per NRS 392.4655)</b>	Administrative Conference/RPC Suspension Expulsion	-----	-----	-----
<b>Harassment</b>	Administrative Conference/RPC School Based Consequence	Administrative Conference/RPC Suspension	Administrative Conference/RPC Suspension	Administrative Conference/RPC Suspension
<b>Horseplay</b>	School Based Consequence	Administrative Conference/RPC Suspension	Administrative Conference/RPC Progressive Suspension	Administrative Conference/RPC Progressive Suspension
<b>Illegal Conduct</b> *law enforcement will be notified	Administrative Conference/RPC Suspension Possible Expulsion	Administrative Conference/RPC Suspension Possible Expulsion	-----	-----

<b>Immoral/Lewd Conduct-Sexual</b>	Administrative Conference/RPC Suspension Expulsion Law enforcement will be notified	-----	-----	-----
<b>Immoral/Lewd Conduct *non Sexual</b>	Administrative Conference/RPC School Based Consequence Possible Suspension Law enforcement may be notified	Administrative Conference/RPC Suspension Possible Expulsion Law enforcement may be notified	-----	-----
<b>Insubordination</b>	Parent Notification School Based Consequence	Administrative Conference/RPC Suspension	Administrative Conference/RPC Progressive Suspension	Administrative Conference/RPC Progressive Suspension
<b>Nuisance Items</b>	Confiscation Parent Notification	Confiscation Parent Notification Counselor Referral School Based Consequence	Confiscation Administrative Conference/RPC School Based Consequence	Confiscation Administrative Conference/RPC Suspension
<b>Profanity</b>	Parent Notification School Based Consequence	Administrative Conference RPC	Administrative Conference/RPC Suspension	Administrative Conference/RPC
<b>Racially Derogatory Remarks</b>	Parent Notification RPC	Administrative Conference Suspension	Administrative Conference Progressive Suspension	Administrative Conference Progressive Suspension
<b>Scholastic Dishonesty *Including Plagiarism</b>	Parent Notification School Based Consequence	Administrative Conference/RPC School Based Consequence Suspension	Administrative Conference/RPC Progressive Suspension	Administrative Conference/RPC Progressive Suspension
<b>Tardiness</b>	Detention	Detention School Based Consequence	Detention School Based Consequence	Detention Administrative Conference/RPC Suspension
<b>Theft (includes possession of stolen property)</b>	Administrative Conference/RPC Restitution School Based Consequence Suspension Law enforcement may be notified	Administrative Conference/RPC Restitution Suspension Law enforcement will be notified	Administrative Conference/RPC Restitution Suspension Expulsion Law enforcement will be notified	-----
<b>Threats, Bullying, Cyberbullying, and Intimidation to Student</b>	Administrative Conference/RPC School Based Consequence Suspension Law enforcement may be notified	Administrative Conference/RPC Progressive Suspension Law enforcement will be notified	Administrative Conference/RPC Progressive Suspension Expulsion Law enforcement will be notified	-----
<b>Threat – Against the School</b>	RPC, Suspension, Possible Expulsion			
<b>Tobacco (use/possession)</b>	Confiscation Administrative Conference/RPC School Based Consequence Counselor Referral	Confiscation Administrative Conference/RPC Suspension	Confiscation Administrative Conference/RPC Suspension	-----

<b>Vandalism/Destruction or Defacement of Property</b> *less than 500 dollars	Administrative Conference/RPC Restitution Suspension Law enforcement will be notified	Administrative Conference/RPC Restitution Suspension	-----	-----
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<b>Vandalism/Destruction or Defacement of Property</b> *more than 500 dollars	Administrative Conference/RPC Restitution Suspension Expulsion Law enforcement will be notified	-----	-----	-----
<b>Verbal Altercation</b>	Administrative Conference/RPC Suspension	Administrative Conference/RPC Progressive Suspension	Administrative Conference/RPC Suspension	-----
<b>Weapons (firearms, knives, explosives, inflammable materials, or other items that may cause bodily injury or death) as defined by NRS or Gun Free School Act</b> <b>Spray Propellants (use/possession of tear gas/pepper spray/mace)</b>	Administrative Conference/RPC Suspension Expulsion Law enforcement will be notified	-----	-----	-----

## GENERAL INFORMATION

1. Contact parent with student present whenever possible on all offenses.
2. Give student the opportunity to tell what happened. Take written statements.
3. Utilize search methods in accordance with district regulation.
4. Explain the offense to the student, the appropriate behavior, the consequences of the offense, and the future action, which may occur should the behavior not improve.
5. Check and discuss the student's attendance record regardless of the offense.
6. Do not make deals.
7. Complete the appropriate paperwork accurately and in a timely manner.
8. Contact the appropriate law enforcement agency when a violation of law is thought to have occurred.
9. Explain the expectations in detention, on RPC, or on suspension.
10. Read and initial the trespassing warning on the RPC and suspension notices.
11. Immediately communicate with the principal over unusual circumstances or crisis situations.
12. Severity of infraction will determine severity of consequence.

\*Continual disregard for school rules and regulations will result in being designated as a Habitual Disciplinary Problem (HDP) and recommended for alternative placement.

## SIGNIFICANT DISCLAIMERS FOR THE AREA 3 PROGRESSIVE DISCIPLINE PLAN:

- **Students are disciplined in a progressive manner. It is not individual disciplinary events that are consequential; students are disciplined after careful consideration of their disciplinary history. Continued disregard for school rules is a key factor for all disciplinary consequences. Disciplinary action is also commensurate to the severity of the offense.**
- For referrals initiated by the classroom teacher, consequence levels are based upon the teacher having followed all classroom progressive discipline steps.
- In-school consequences/interventions are not documented on the progressive plan. School Administration reserves the discretionary right to administer in-school consequences and/or interventions at any level. Some of these interventions may include, but are not limited to: after-school detention, in-school suspension, required parent conference, suspension, school beautification program, attendance notification, daily attendance checks, counselor referral, RPC with in-school suspension for special education students, behavior contract, attendance contract, no contact/harassment contract, student intervention program, Drug Education Program, and Parenting Solutions.
- Administrator Conference/RPC means that a student/parent/administrator conference will take place.

- Every attempt will be made to contact a parent/guardian for each significant offense. Parents will receive written notification of all in-school consequences, RPCs, suspensions, referrals, and expulsion referrals.
- Suspensions may be assigned starting at a minimum of three 3 days, then increasing to five, seven, and ten.
- If the infraction has broken the law, law enforcement will be notified.
- For special education students, IEP behavior plans and modifications will be followed. If current BIP is insufficient, IEP team will re-convene and review placement, interventions, etc.
- Students' disciplinary records will be reviewed regularly. Students who meet the Habitual Discipline Problem designation (threatening or extorting another student or DORAL ACADEMY OF NEVADA employee, 5 suspensions in one school year, initiating two fights) will be dealt with as per regulation.

#### **CRIMINAL OFFENSES** (As defined in applicable statutes or ordinances)

Violations of local, state or federal laws shall be enforced on school properties or at activities sponsored by charter schools. Examples of such laws are indicated below:

1. ALCOHOL: The possession of, sales, and furnishing alcoholic beverages.
2. ARSON: The intentional setting of fire.
3. ASSAULT: Physical or verbal threats with the intent and the ability to carry through with same.
4. BATTERY: An unconsented-to touching or application of force to another person.
5. BOMB THREAT/FALSE: Willfully conveying by mail, written notes, telephone, telegraph, radio or any other means of communication, any threat knowing it to be false.
6. BURGLARY: Illegal entry with the intent to commit a crime.
7. DESTRUCTION OF PROPERTY: Willfully and maliciously destroying or injuring real or personal property of another.
8. DISTURBING THE PEACE: Maliciously and willfully disturbing the peace of any person; maliciously and willfully interfering with or disturbing persons in the school.
9. EXPLOSIVE DEVICES: The possession of explosive or incendiary devices.
10. FALSE FIRE ALARMS: False reporting of, or transmission of, signal knowing same to be false.
11. FIREWORKS: The possession of, sales, furnishing, use or discharge of fireworks.
12. INDECENT EXPOSURE: An open indecent or obscene exposure of his person or the person of another.
13. LARCENY: Stealing, taking, carrying away property of another.
14. LIBEL: A malicious defamation expressed to impeach a person's honesty, integrity, virtue or reputation.
15. MARIJUANA: The possession of, sales, or furnishing marijuana.
16. NARCOTICS: The possession of, sales, or furnishing a controlled substance.
17. NARCOTICS PARAPHERNALIA: The possession of, sales, furnishing, or use of.

18. **PROFANITY:** Use of vile or indecent language.
19. **RESISTING OFFICER:** Willfully resisting, delaying or obstructing an officer in the performance of duty.
20. **ROBBERY:** The unlawful taking of personal property from the person of another or in his/her presence, against his/her will, by means of force or violence or fear of injury.
21. **ROUT/RIOT:** Two or more persons meeting to do an unlawful act/two or more persons actually doing an unlawful act with or without a common cause of quarrel.
22. **STOLEN PROPERTY:** Receiving or possessing property of another, knowing or under such circumstances as would cause a reasonable person to know they were so obtained.
23. **TAMPERING WITH MOTOR VEHICLES:** Willfully break, injure, tamper, remove parts, deface a vehicle; without consent of owner, climb into or upon a vehicle with intent to injure; to manipulate any levers while vehicle is at rest or unattended or to set vehicle in motion.
24. **THROWING SUBSTANCE AT VEHICLE:** To throw any stone, rock, missile or any substance at any motorbus, truck or other motor vehicle.
25. **TRESPASS:** To be upon the property of another without permission of the owner and to stay upon same after warning. To be on school property or at a school function while under suspension from school.
26. **WEAPONS:** “Dangerous weapon” includes, without limitation, a blackjack, slungshot, billy, sand-club, sandbag, metal knuckles, dirk or dagger, a nunchaku, switchblade knife or trefoil, as defined in [NRS 202.350](#), a butterfly knife or any other knife described in [NRS 202.350](#), or any other object which is used, or threatened to be used, in such a manner and under such circumstances as to pose a threat of, or cause, bodily injury to a person. “Firearm” includes, without limitation, any pistol, revolver, shotgun, explosive substance or device, and any other item included within the definition of a “firearm” in 18 U.S.C. § 921, as that section existed on July 1, 1995.
- a. Brandishing any dangerous weapon or firearm in a rude, angry or threatening manner or to use same in any fight or quarrel.
  - b. Concealed - it is unlawful for any person to carry any dangerous or firearm.
  - c. Possession - it is unlawful for any person to possess any dangerous weapon or firearm.
27. Violation of other federal or state criminal laws or local ordinances at school, at school-sponsored activities or on school-sponsored transportation is prohibited.

### **CHARTER SCHOOL OFFENSES**

The following activities may also lead to disciplinary action. Generally, these are acts that disrupt and interfere with the educational process or with the rights of other members of the educational community.

1. **ALCOHOLIC BEVERAGES:** Being on campus, on school-sponsored transportation or at a school-sponsored activity after having consumed an alcoholic beverage.
2. **DISOBEDIENCE, INSOLENT AND INSUBORDINATION:** Students must obey the instructions of school personnel.
3. **DISRUPTIVE CONDUCT:** Conduct that interferes with the educational process. Serious situations may be handled under criminal sanctions.



4. FIGHTING.
5. FORGING OR USING FORGED PASSES, EXCUSES OR OTHER SCHOOL DOCUMENTS.
6. GUM CHEWING AND EATING FOOD AT INAPPROPRIATE TIMES OR IN INAPPROPRIATE PLACES AS DETERMINED BY THE ADMINISTRATOR.
7. HAZING: Any act that forces another student to undergo a humiliating or abusive ordeal, as in initiations.
8. ILLEGAL SUBSTANCE: Being on campus, on school-sponsored transportation or at a school-sponsored activity after having used an illegal substance.
9. INAPPROPRIATE DRESS AND APPEARANCE: Dress and appearance must not present potential health or safety problems or cause disruptions.
10. MISCONDUCT ON SCHOOL VEHICLES: Any action that creates a safety hazard or distracts the attention of the driver.
11. PLAGIARISM AND CHEATING.
12. POSSESSION AND USE OF TOBACCO, CIGARETTES, CHEW, ETC., ON SCHOOL PROPERTY OR AT A SCHOOL-SPONSORED ACTIVITY.
13. CELLULAR PHONES: Students may possess or use electronic signaling devices, including but not limited to pagers, beepers, and cellular/digital telephones, provided that the use of such devices is before and/or after school hours or during lunch break. Inside school buildings and during the school day, electronic signaling devices shall be in the “off/silent” position at all times.
14. SEXUAL HARASSMENT: A student should not be sexually harassed, discriminated against, denied a benefit, or excluded from participation in any charter school educational program or activity as guaranteed by Title IX of the Educational Amendments of 1972. Sexual harassment is defined as the verbal or physical conduct of a sexual nature, imposed on the basis of sex, by an employee or agent of the school or by a student of the school. No student shall be denied or limited to the provision of aid, benefits, services or treatment protected under Title IX.
15. SPREADING FALSE OR UNSUBSTANTIATED INFORMATION IN WRITING OR VERBALLY ABOUT A PERSON AND HARMING HIS/HER REPUTATION.
16. TRAFFIC VIOLATIONS ON SCHOOL GROUNDS.
17. TRUANCY: Being absent from school without a valid excuse acceptable to the administrator.

## **SUSPENSIONS**

Suspension is the temporary removal of a student from school or from school-sponsored activities. For the purposes of declaring a student a Habitual Disciplinary Problem or for the purpose of escalating to possible expulsion, the suspensions must be no less than three (3) days and require a conference or other communications with the parent/guardian. Students may be suspended for the following reasons:

1. Violation of any state law or local ordinance in a school building, on school grounds, or at a school-sponsored activity.
2. Violation of rules, policies, and procedures established for charter schools as outlined in this manual.
3. Student actions or inactions at school or a school-sponsored activity that disrupt, interfere with, or pose a threat to the educational program, other students, staff, visitors, or the student personally.

The primary purpose of suspension is to give the student, his/her parent(s) or guardian(s), and the school the time needed to resolve a problem. The duration of suspension is related to a course of action designed to resolve the problem.

**TYPES OF SUSPENSION:**

1. Emergency Suspension: The administrator, or his or her designee, may suspend any student whose conduct is determined to be a clear threat to the physical safety of others or to the property interests of others. or is so extremely disruptive as to make the student's temporary removal necessary to preserve the right of the other students to pursue an education.
2. Long-Term Suspension: A student may be suspended from school or from an interscholastic activity for more than ten (10) days by the school's governing body.
3. Short-Term Suspension: A student may be removed from school and/or from interscholastic activities for no more than ten (10) days by the administrator.
4. In-School Suspension: A student may be removed from his/her classes and all school activities for no more than ten (10) days and during the term of suspension the student will remain in a separate supervised area of the school.

The primary intention of this action is to gain cooperation with the student's parent(s) or guardian(s) and to isolate the student from all regular academic and social activities. If this action seems warranted after an investigation and after consultation with the parent(s) or guardian(s), the administrator, or his or her designee, shall take action.

**SPECIAL CONDITIONS OF SUSPENSION:**

1. A student may not participate in extracurricular activities during the term of his/her suspension.
2. Suspensions may be reflected in the student's class citizenship or school citizenship grade.
3. Notations of suspensions from school will be made in the student's cumulative folder.
4. Schoolwork missed as a result of suspensions that last 10 days or less may be made up through the completion of make-up work. Any work that cannot be made up, or is not made up, will result in the lowering of the academic grade for the grading period, and it may result in loss of credit.

A pupil may be removed from school immediately for any of the following:

1. Posing a continuing danger to persons or property,
2. Posing an ongoing threat of disrupting the academic process,
3. Selling or distributing any controlled substance, or
4. Being found in possession of a dangerous weapon as provided in NRS 392.466.

When a student is removed for any of these reasons the student shall be given an explanation of the reasons for his or her removal. The student shall also be given an explanation of pending proceedings, to be conducted as soon as practicable after removal, for his or her suspension or expulsion. In all other cases involving suspension, the administrator shall:

1. Tell the student you are meeting with him/her to investigate allegations that the student has violated laws, rule(s), state charter school policies, or the school's policies.
2. Tell the student the specific laws, rule(s), or policies that are alleged to have been violated and that, if the evidence supports the allegations, there will be consequences up to and including suspension from school. Ask if he/she understands the allegation(s).
3. Explain to the student the evidence you have regarding the alleged violation(s).
4. Ask the student if he/she admits or denies the allegation(s). If the student admits to violation(s), assign appropriate consequences. If the student denies the allegation(s), give him/her the chance to explain and present his/her side of the story. The administrator will consider the student's explanation and, if the administrator deems it appropriate, may investigate the matter further.  
(This does not mean that the student can secure counsel, confront, and cross-examine witnesses, or call witnesses on his/her behalf to present his/her case.)
5. After hearing the student's explanation and evidence, the administrator should determine if he/she needs more information and, if so, obtain it before a decision. If not, the administrator should determine what, if any, violations exist and assign appropriate consequences.
6. If the student has a behavior plan, the administrator should review the plan with the student. If the student does not have a behavior plan and the student is subject to the habitual discipline statute (NRS 392.4655), then a behavior plan may be written.
7. If suspension is appropriate, the administrator shall notify the student that he/she will be suspended for (number of days) and when it will be commencing (starting date).
8. The administrator shall notify the parents of the suspension as soon as possible by phone or in person and follow up that notification with a letter, which will be placed in the student's file

### **EXPULSION AND LONG TERM SUSPENSION**

When it is determined that a student's behavior seriously interferes with the educational program or the safety or welfare of school personnel or other students, the charter school's governing body may remove the student from further attendance in the charter school in accordance with NRS 386.585.

### **STATE-MANDATED SUSPENSIONS:**

A student shall be suspended for at least a period equal to one (1) semester from the school s/he attends if:

1. On the first occurrence, the student commits a battery that results in the bodily injury of an employee of the school while on the premises of any public school, at any activity sponsored by a public school, or on any school bus.
2. On the first occurrence, the student sells or distributes any controlled substance while on the premises of any public school, at any activity sponsored by a public school, or on any school bus.
3. On the first occurrence, the student is found in possession of a dangerous weapon while on the premises of any public school, at any activity sponsored by a public school, or on any school bus.

4. The student has been deemed a Habitual Disciplinary Problem through proper procedures as described in NRS 392.4655. Habitual Disciplinary Problem is determined if, in any one (1) school year (August through June):

- a. The student has threatened or extorted, or attempted to threaten or extort, another student, teacher or other personnel employed by the school;
- b. The student has been suspended for initiating, without provocation, at least two (2) fights on school property; OR
- c. The student has a record of five (5) suspensions from the school for any reason.

Any student who commits any the conduct described in 1 through 4 above will be placed on emergency suspension pending investigation and determination of final action to be taken in the matter.

## **STATE MANDATED EXPULSION**

### **ONE YEAR EXPULSION:**

The school must expel any student for a period of not less than one (1) year from the school he or she attends if at any time, the student is found in possession of a firearm or an explosive device while on the premises of any public school, at any activity sponsored by a public school, or on any school bus.

There is an exception for possession of a firearm with the prior approval of the administrator.

### **PERMANENT EXPULSION:**

The school must permanently expel a student from the school he or she attends if:

- a. On the second occurrence, the student commits a battery that results in the bodily injury of an employee of the school while on the premises of any public school, at any activity sponsored by a public school, or on any school bus;
- b. On the second occurrence, the student sells or distributes any controlled substance while on the premises of any public school, at any activity sponsored by a public school, or on any school bus;
- c. On the second occurrence, the student is found in possession of a dangerous weapon while on the premises of any public school, at any activity sponsored by a public school, or on any school bus.

Any student who commits the conduct described above, will be placed on emergency suspension pending investigation and determination of final action to be taken in the matter.

### **EXPULSION AND LONG TERM SUSPENSION HEARINGS:**

If after an investigation it is determined by the administrator that a long term suspension or expulsion is appropriate, the student will be provided a hearing before the school's governing body. The governing body will decide in accordance with procedures in NRS 392.467 whether or not the student shall be put on a long term suspension or be expelled as recommended by the school administrator.

The hearing shall be closed to the public. A tape recording of the hearing will be made by the governing body. Upon request the student may obtain a copy of the hearing recording. The student shall have the right to be represented by an advocate of his/her choosing. Both the student and the administrator may call witnesses and present evidence. The hearing officer shall not be required to observe the same rules of evidence observed by the courts. Hearsay testimony of students shall be admissible.

The standard of proof shall be that of a civil action: a preponderance of the evidence. The hearing officer's determination of the appropriate consequences shall be based on the seriousness of the conduct as well as the student's prior disciplinary record insofar as it affects the effectiveness, or ineffectiveness, of forms of discipline previously imposed.