



Riverview Gardens
SCHOOL DISTRICT
SY 2022-2023



BEHAVIOR GUIDE & DISCIPLINE PROCEDURES

Approved by SAB September 27, 2022

SAFE SCHOOLS HOTLINE NUMBER
314-889-SAFE (7233)

1370 Northumberland Drive, St. Louis, MO 63137
(314) 869-2505 | www.rgsd.k12.mo.us

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Special Administrative Board

Ms. Veronica Morrow-Reel, Master C.B.M.	Board President
Mr. Reggie Jones	Vice President
Ms. Mary Oswald, C.B.M	Treasurer
Dr. Niketia Coleman	Secretary
Mr. Tommie Harsley III	Member
Mr. Shannon Holt	Member
Ms. Wanda Lane	Member

Central Office Administration

Dr. Joylynn Pruitt-Adams	Superintendent of Schools
Dr. Stacey Nichols	Assistant Superintendent of Curriculum & Instruction
Ms. Monica Williams	Assistant Superintendent of Human Resources
Dr. Tanya Patton	Assistant Superintendent of Support Services
Dr. Lavon Singleton	Chief Financial Officer
Mr. Ishmael Sistrunk	Executive Director of Communications
Dr. Phil Kennedy	Executive Director of Assessment
Ms. Shannon Ebron	Director of Food Services
Dr. Jesolyn Larry	Director of Technology
Mr. Warren Newton	Director of Safety and Security
Ms. LaKena Curtis	Director of Federal Programs
Ms. Barbara Sharp	Executive Director of Continuous Improvement / Title IX
Ms. Tiffany Hunter	Science Curriculum Coordinator
Ms. Kimberly Mott	Math Curriculum Coordinator
Ms. Tonya Ross	ELA Curriculum Coordinator
Dr. Chad Lent	Director of Special Education
Ms. Sha Fields	Coordinator of Board Governance

Riverview Gardens School District

Riverview Gardens School District does not discriminate in treatment, admission or access and participation in district programs and activities on the basis of sex, race, color, age, national origin or disability. The Assistant Superintendent for Human Resources has been designated to coordinate the district's effort to comply with the regulations as it relates to adults, and the Assistant Superintendent of Student Services as it relates to students, to comply with the regulations implementing Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973. These administrators may be reached at 314- 869-2505.

Riverview Gardens Schools

Michelle Obama Early Childhood Center
Home of the Little Explorers
1111 St. Cyr Rd, St. Louis, MO 63137
(314) 869-3211
Director: Dr. E'mita Meeks-Williams

Danforth Elementary
Home of the Dragons
1134 St. Cyr Rd, St. Louis, MO 63137
(314) 868-9524
Principal: Dominic LeNoir

Gibson Elementary
Home of the Geckos
9926 Fonda Drive, St. Louis, MO 63137
(314) 869-4845
Principal: Dr. Crystal Henderson

Glasgow Elementary
Home of the Cheetahs
10560 Renfrew Drive, St. Louis, MO 63137
(314) 868-4680
Principal: Kasia Landa

Highland Elementary
Home of the Huskies
174 Shepley Drive, St. Louis, MO 63137
(314) 868-4561
Principal: Travis Ford

Koch Elementary
Home of the Cougars
1910 Exuma Drive, St. Louis, MO 63136
(314) 868-3029
Principal: LaShanda Johnson

Lemasters Elementary
Home of the Lions
1825 Crown Point Drive, St. Louis, MO 63136
(314) 868-8192
Principal: Travis Brown, Jr.

Lewis & Clark Elementary
Home of the Junior Rams
10242 Prince Drive, St. Louis, MO 63136
(314) 868-5205
Principal: Keesha Fife

Meadows Elementary
Home of the Mustangs
9801 Edgefield Drive, St. Louis, MO 63136
(314) 868-2454
Principal: Dr. Windy Winfield

Moline Elementary
Home of the Trailblazers
9865 Winkler Drive, St. Louis, MO 63136
(314) 868-9829
Principal: Amber White

Central Middle School
Home of the Jr. Rams
9800 Patricia Barkalow Dr., St. Louis, MO 63137
(314) 867-2603
Principal: Rachel Clark

Westview Middle School
Home of the Eagles
1950 Nemnich Drive, St. Louis, MO 63136
(314) 867-0410
Principal: Nakia King

Riverview Gardens High School
Home of the Rams
1218 Shepley Drive, St. Louis, MO 63137
(314) 869-4700
Principal: Traci Nave

RIVERVIEW GARDENS

SCHOOL DISTRICT

A Message from the Superintendent

To Parent, Guardians, and Scholars of the Riverview Gardens School District,

As we begin the 22-23 school year, we want to first of all thank you for entrusting your child to us. We are committed to ensuring their safety while with us. Your partnership with us is important. The faculty, staff, and administration of the Riverview Gardens School District is committed to providing an environment conducive to learning. We continue to hold high expectations for improving academic performance for all scholars and regaining full accreditation for the District. The 22-23 Behavior Guide and Discipline Procedures not only outlines the District's behavioral expectations and consequences, but is also a means to building community.

In order to accomplish this, we are implementing restorative practices (RJ) district-wide. Restorative practices focus on resolving conflict, repairing harm, and healing relationships. RJ supports a positive and safe school climate, prevents bullying, and reduces disciplinary incidents. A restorative culture can also mitigate the negative effects of punitive discipline policies that exacerbate inequity.

Through restorative practices, all scholars will have the opportunity to be successful and achieve their goals. Restorative practices are used globally in schools to foster an equitable and positive school culture that focuses on strengthening relationships and connections between individuals, both youth and adults, in a school community.

Included in this document are public notices that comply with requirements from the Missouri Department of Elementary and Secondary Education, the U.S. Department of Education, and Missouri Statutes. Additionally, all aspects of the document are aligned to the policies and procedures of the Riverview Gardens School District.

We appreciate you as our partner and look forward to our building a stronger community of learners together.

Sincerely,

Dr. Joylynn Pruitt-Adams
Superintendent of Schools
Riverview Gardens School District
There's A New View on the Horizon

RIVERVIEW GARDENS

SCHOOL DISTRICT

A Message from RGSD Principals:

Dear Parents, Guardians, and Students,

We believe students do their best learning, and teachers do their best instruction, in an atmosphere where appropriate behavior is expected and demonstrated. We believe students choose their behaviors and can learn to make appropriate choices. The responsibility for school conduct involves students, teachers, parents, administrators and the community to ensure an effective discipline program.

This behavior guide includes policies and procedures approved by the Special Administrative Board. Please review the discipline procedures, along with the consequences, to help your child understand his or her responsibility.

Sincerely,

RGSD Principals

Rights and Responsibilities

Students have the right:

- To a quality education
- To an environment conducive to learning
- To a safe environment
- To be treated well and respected as individuals
- To communicate with school staff

Students have the responsibility:

- To abide by the laws of the United States of America, the State of Missouri and the policies of the School District of Riverview Gardens.
- To come to school on time and ready to learn with appropriate learning tools such as books, materials, homework when assigned, and the desire to learn and achieve.
- To be courteous and respectful of themselves and others.
- To abide by staff members' requests and procedures.
- To follow the established rules within the classroom.
- To conduct themselves in a manner that benefits the class and the school.
- To complete assignments to the best of their abilities.

Parents have the right:

- To expect a quality education for their children.
- To receive information regarding the progress of their children.
- To review their children's educational records and to have these records kept confidential.
- To hear and appeal decisions made regarding their children.
- To be treated in a respectful manner

Parents have the responsibility:

- To abide by the laws of the United States of America, the State of Missouri and the policies of the School District of Riverview Gardens.
- To send their children to school on time and ready to learn
- To abide by the policies of the Riverview Gardens School District.
- To respect school rules and to help their children understand these rules.
- To assist in making the educational experience as meaningful as possible for their children.
- To communicate with and treat school staff members in a respectful manner.

Staff members have the right:

- To teach and conduct the educational process in an atmosphere conducive to learning.
- To a safe environment.
- To expect that students will follow the rules of the school and classroom.
- To expect that students will arrive in class on time and ready to learn with appropriate tools such as books, materials, and homework when assigned, and the desire to learn and achieve.
- To give and expect cooperation from parents.
- To be treated in a respectful manner

Staff members have the responsibility:

- To abide by the laws of the United States of America, the State of Missouri and the policies of the School District of Riverview Gardens.
- To provide a quality education for students.
- To encourage in each student the desire to achieve his or her full potential.
- To open lines of communication and keep students and parents informed of expectations and students' progress.
- To foster appropriate behaviors and to maintain a positive learning environment for all students.
- To be fair and consistent with all students.
- To implement the curriculum as prescribed by the Board of Education.
- To be respectful of students, their needs and their individual differences.
- To inspect school lockers, desks, student vehicles parked on school parking lots and any other district property whenever there is reasonable suspicion of a violation of district rules, policy or law. This would be conducted by building administrators or law enforcement officials.
- To communicate with and treat parents in a respectful manner.

Disciplinary and Restorative Justice Interventions

The discipline interventions are defined below. TYPE I infractions are defined as illegal activities, possible life-threatening activities or activities that affect individuals or school community. TYPE II infractions are defined as activities that disrupt the learning environment or that may lead to TYPE I activities. Consideration is given to the age and maturity of the student in developing a range of consequences to be given at the elementary and secondary grade levels.

The restorative interventions below engage learners in community building and problem solving. When conflict occurs, a restorative approach focuses less on rules and punishment, instead emphasizing the importance of relationships and repair. **The exact disciplinary consequence assigned is at the discretion of district officials.**

PROACTIVE INTERVENTIONS

Assignment of Extra Work

Depending on the nature of the behavior infraction, duties or extra work may be assigned to match the nature of the offense and are to be completed by the student on his or her own time. The extra work shall be meaningful activities assigned and evaluated by a teacher or administrator. At the discretion of the teacher or administrator, extra work may or may not be credited to the student's academic record.

Behavioral Contract

The administrator, counselor or teacher, in consultation with the parent and student, may develop a behavioral contract. A behavioral contract identifies a specific behavior, describes strategies for behavior modification and clearly specifies the consequences of any continued misbehavior.

Check-In/Check Out

Learners assigned to a CICO intervention check in with a coach/mentor at the beginning of the day to set goals for the day. This adult can be a counselor or other staff member who is not an instructor for that learner. For example, the learner uses a "points card" that spells out the goals for each part of the day. As the learner progresses through the day, their teachers work with the learners to *collectively evaluate behavior and assign points together for meeting the learners' daily goals (1-5). Learners will review their reflection card with CICO at the end of the day.

*Staff must work collectively with learners to assign points for the day for this to be a Restorative approach

Classroom Circle

Staff can use the Circle process for culture building, opinion sharing, and curriculum review. The circle process includes:

- A talking piece
- Circle norms agreed upon by the group
- A centerpiece
- Pre-written rounds (questions)

Collaborative Class Agreement

Staff can engage their learners by building some or all classroom norms together, using this 4-square:

Teacher-Learner Norms:	Learner-to-Learner Norms:
Learner-Teacher Norms:	All of Us to Classroom:

Community/Neighborhood Accountability Board: This process is facilitated by a Restorative Justice Coordinator or Center for Conflict Resolution representative. This process is larger and more formal than a mediation and is used to discuss chronic harmful behavior or an incident that caused harm to two or more parties. This process brings together every party affected by a learners' actions and stakeholders in the learner's life. All participants will be able to share what happened from their perspective, who was affected, and what they believe needs to happen to make things right. The board, including the learner, creates an Accountability Agreement.

Confiscation

Items not allowed in school or items that are being used inappropriately will be taken. Such items may be returned to the parent, student, or the police depending on the nature of the item.

Cool-Down Space

Whether in the classroom or in an alternative space in the school, learners can utilize a cool-down space. For example, schools can use a cool-down card system (2-5 cool-down cards a semester). When a learner is dysregulated, a staff member would ask “Would you like to use one of your cool down cards?” The learner then gets 5-10 minutes to cool down in a safe space. This teaches learners to monitor their emotions and ask for assistance when needed.

*Safe space/calm corner for Pre-K available as needed.

Detention

Students may receive a detention at the discretion of the teacher and/or principal. Parents are to be notified by the principal or teacher if the student is to be detained after school hours or on Saturdays. The parent is responsible for the student’s transportation. Students who are assigned extended detention but fail to attend may be issued a suspension from school.

Expulsion

Expulsion is the permanent removal of a student from the district by action of the School Board. Only the School Board can expel a student from school. The district will honor an out-of-school suspension or expulsion imposed by other school districts.

Extended Detention

At the discretion of the principal, students may be assigned to attend an extended detention. Extended detention will be held after school and/or on Saturday morning under the supervision of a staff member. Students who are assigned extended detention but fail to attend may be issued a suspension from school. Parents will be notified.

Group Conferences

Group conferences are held for students with similar harmful behavior (excessive tardies, on-going conflict in classrooms, academic struggles) – group of 5-8. The circle process brings together vested peers and staff members to share their perspective and help the students create an action plan.

In-Class Restorative Circle

In-class circles include the entire class, 15-30. Everyone in the class has a chance to share how the event impacted them and what they need to move forward.

In-School Suspension/Alternative Learning Environment

A principal or teacher may determine that a student be placed in an alternative learning environment for a specified number of days during regular school hours. This means that a student is suspended from attending classes and all extracurricular privileges are suspended until he or she is allowed to return to the classroom. While the student is in the alternative learning environment, he or she is required to complete class assignments and may earn credit for work completed. Inappropriate behavior while in the alternative learning environment may result in additional days or an out-of-school suspension. The parent or guardian of the student will be notified in writing of such actions.

Loss of Privileges

Extracurricular activities are special privileges offered to enhance the student’s overall learning experience. Field trips, attendance at assemblies and other special events are privileges. Any or all of these privileges may be revoked. The student’s parent or guardian will be notified.

Mindfulness

Practices that focus on learning to train your attention to the present moment without dwelling on what has happened in the past or worrying about the future. This could include Restorative Yoga, Mindfulness Monday in Advisory, Gratefulness Minutes during Morning Circles, etc.

Out-of-School Suspension

Students under such suspension and found on school property without permission will be subject to trespassing charges and additional disciplinary actions.

A building principal may suspend a student for a period of time not to exceed ten (10) school days. Only the superintendent of schools, or designee, may suspend a student for a period of time up to, but not exceeding one-hundred eighty (180) school days. A building principal may request a district-level hearing for Type I infractions. Students receiving an out-of-school suspension are prohibited from any school or extra-curricular activity during the term of the suspension. Students under such suspension and found on school property without permission will be subject to trespassing charges and/or additional disciplinary actions.

Homework assignments during suspensions up to 30 days will be assigned by school level personnel. A student under suspension will be provided the opportunity to make up any major test or project, or any work that would significantly impact a student's grade thus causing him/her to fail. Actions taken, and results attained are recorded in the administrative disciplinary log. A student who has received multiple suspensions may be referred to the superintendent for consideration of further action.

Overnight Suspension (Parental Appearance)

An overnight suspension occurs from the time school is dismissed until the start of the next school day. It is designed so that the student will not lose any instructional time provided that parental involvement occurs to address the student's inappropriate behavior. An absence of parent involvement may result in suspension from school.

Parent Involvement

Parent(s) and/or legal guardian(s) are notified of disciplinary action by telephone, personal contact, letter, or certified letter. A conference may be conducted between the student, his or her parents, a school administrator, and/or teacher as appropriate.

Parent/Guardian Observation

The student's parent or guardian attends class with the student.

Parent/Guardian Restorative Conference

Parent/Guardian(s) will take part in a Restorative Circle. Learners and Parent/Guardian(s) will be able to share what happened from their perspective, how they were affected by the action and what they collectively believe is needed to make things right.

Probation

A student who chronically fails to follow school rules or the reasonable directives of school personnel, or a student who commits other acts of misconduct detrimental to the good order and discipline of the school, at the professional judgment of the administrator, will be placed on disciplinary probation for up to one (1) calendar year.

Problem Solving Anchor Chart

Staff will facilitate learners in filling out a Problem-Solving Anchor Chart. This is a more formal version of a Restorative Conversation. This can be facilitated with an individual learner, with a small group or with a full class.

What happened?	Who all was affected?
What needs to happen to make it right?	When will those action steps take place?

Restorative Justice Mediation

This conference brings together the two parties harmed by the action. Mediations require:

1. A written reflection by both parties

2. A pre-conference with both parties
3. Both parties agreeing to be present
4. Guidelines written by both parties
5. Restorative Justice Coordinator or Center for Conflict Resolution-trained Mediator

Restorative Classroom Temp Checks:

This proactive approach can be done at the beginning of every class or one time a week. Ask learners to share how they're feeling on a scale from 1-10. The "why" is optional. Ask the classroom what their "class average" is.

Follow up:

- What type of energy should we bring to class today if our average is a 4?
- Staff should be sure to check in with any learner below a "5". These numbers are often representations of the learner's "Window of Tolerance" for the day and can be a predictor of future stress responses.

Referral to Counselor/Social Worker

Students may be required to meet with an assigned counselor or district social worker on a periodic basis. The counselor or social worker will help students find ways to improve their behavior. The counselor or social worker may recommend special projects to students, including reading and attending individual or group sessions.

Referral to Law Enforcement Agencies

Students may be referred to the appropriate law enforcement agency for inappropriate behavior. Students will be referred to the appropriate law enforcement agency for all felony offenses. Parents will be notified of such action.

Referral to Other Agencies

Students, with parental notification, may be referred to other agencies as appropriate; i.e., Special School District, Division of Family Services, and substance abuse assessment programs.

Restitution

Parents will be responsible for the payment and/or restoration of school or personal property or articles that have been vandalized, damaged, lost, or stolen. The parent or guardian will be notified.

Suspension

In accordance with MO state law statute 160.261, any student suspended for any offense listed in this handbook is not allowed within 1,000 feet of the school property or any activity of the district, regardless of whether or not the activity takes place on district property. The suspended student must obtain written permission from the superintendent or superintendent's designee to be on school property.

Student Conference

A formal conference is held between the student and one or more school officials. During this conference, the student must agree to correct his or her behavior.

Teacher-Learner/Restorative Conference

This can be a formal or informal process. Teacher will ask the learner:

- "What happened"
- "What were you feeling at the time?"
- "Who was affected?"
- "What can be done to make it right or better?"

Temporary/Permanent Removal from Class

A student may be temporarily or permanently removed from a class. A conference between the student, parent, teacher, principal, and/or other personnel may be held if deemed necessary by the principal.

STUDENT DISCIPLINE

The Student Code of Conduct is designed to foster student responsibility, respect for others, and to provide for the orderly operation of district schools. 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 code of conduct as determined by the principal, superintendent and/or Board of Education. In extraordinary circumstances where the minimum consequence is judged by the superintendent or designee to be manifestly unfair or not in the interest of the district, the superintendent or designee may reduce the consequences listed in this policy, as allowed by law. This code includes, but is not limited to, acts of students on district property, including playgrounds, parking lots and district transportation, or at a district activity, whether on or off district property. The district may also discipline students for off-campus conduct that negatively impacts the educational environment, to the extent allowed by law.

Reporting to Law Enforcement

It is the policy of the Riverview Gardens School District to report all crimes occurring on district property to law enforcement including, but not limited to, the crimes the district is required to report in accordance with law. A list of crimes the district is required to report is included in policy JGF.

The principal shall also notify the appropriate law enforcement agency and superintendent if a student is discovered to possess a controlled substance or weapon in violation of the district's policy.

In addition, the superintendent 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 district is aware is under the jurisdiction of the court.

Documentation in Student's Discipline Record

The principal, designee or other administrators or school staff will maintain all discipline records as deemed necessary for the orderly operation of the schools and in accordance with law and policy JGF.

Conditions of Suspension, Expulsion and Other Disciplinary Consequences

All students who are suspended or expelled, regardless of the reason, are prohibited from participating in or attending any district-sponsored activity or being on or near district property or the location of any district activity for any reason, unless permission is granted by the superintendent or designee. In addition, the district may prohibit students from participating in activities or restrict a student's access to district property as a disciplinary consequence even if a student is not suspended or expelled from school, if appropriate.

In accordance with law, any student who is suspended for any offenses listed in 160.261, RSMo., or any act of violence or drug-related activity defined by policy JGF as a serious violation of school discipline shall not be allowed to be within 1,000 feet of any district property or any activity of the district, regardless of whether the activity takes place on district property, unless one of the following conditions exist:

1. The student is under the direct supervision of the student's parent, legal guardian, custodian or another adult designated in advance, in writing, to the student's principal by the student's parent, legal guardian or custodian, and the superintendent or designee has authorized the student to be on district property.
2. The student is enrolled in and attending an alternative school that is located within 1,000 feet of a public school in the district.
3. The student resides within 1,000 feet of a public school in the district and is on the property of his or her residence.

If a student violates the prohibitions in this section, he or she may be suspended or expelled in accordance with the offense, "Failure to Meet Conditions of Suspension, Expulsion or Other Disciplinary Consequences," listed below.

Impact on Grades

As with any absence, absences due to an out-of-school suspension may result in the student earning a lower grade in accordance with the district's policy on absences.

Prohibited Conduct

The following pages show the types of disciplinary action that will be taken for each disciplinary violation. Building-level administrators are authorized to more narrowly tailor potential consequences as appropriate for the age level of students in the building. All consequences must be within the ranges established in this regulation. 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. In each instance, a minimum and a maximum action is listed as well as an action for the first violation and subsequent violations. Following is an explanation of some of the terms used

Student Conference - Administrator discusses the incident in question with the accused student

Parent Involvement - Administrator discusses the student's actions with the student's parent or guardian

Detention - Before school, After School, and/or Saturdays

I.S.S. - In-School Suspension

Short-Term Suspension - 1-5 days

Long-Term Suspension - 6-10 days

Extended Suspension - 11-180 days

Important Related Board Policies

JG	STUDENT DISCIPLINE
JG-R1	STUDENT DISCIPLINE
JG-R2	STUDENT DISCIPLINE
JGA-2	CORPORAL PUNISHMENT
JGB	DETENTION AND/OR IN-SCHOOL SUSPENSION OF STUDENTS
JGD	STUDENT SUSPENSION AND EXPULSION

TYPE 1 INFRACTIONS

Restitution, if appropriate, must be made. Type 1 Infractions may result in a referral to a law enforcement agency. Items will be confiscated.

Arson

✓ ARSN Arson

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

- District-Level Hearing
- Out-of-School Suspension
- Detention
- Family Conference

Assault

✓ ASLT Assault

1. Using physical force, such as hitting, striking, or pushing, to cause or attempt to cause physical injury; placing another person in apprehension of immediate physical injury; recklessly engaging in conduct that creates a grave risk of death or serious physical injury; causing physical contact with another person knowing the other person will regard the contact as offensive or provocative; or any other act that constitutes criminal assault in the third degree.
 - District-Level Hearing
 - Out-of-School Suspension
 - Detention
 - Family Conference
 - Mediation or Restorative Process
2. Knowingly causing or attempting to cause serious bodily injury or death to another person, recklessly causing serious bodily injury to another person, or any other act that constitutes assault in the first or second degree.
 - District-Level Hearing
 - Out-of-School Suspension

Bullying and Cyberbullying (see Board policy [JFCF](#))

✓ BULL Bullying

Bullying– In accordance with state law, bullying is defined as intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property; that substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or that substantially disrupts the orderly operation of the school. Bullying includes, but is not limited to: physical actions, including violence, gestures, theft, or property damage; oral, written, or electronic communication, including name-calling, put-downs, extortion, or threats; or threats of reprisal or retaliation for reporting such acts.

- Out-of-School Suspension
- Family Conference
- Mediation or Restorative Process
- Counseling for Student that Bullied
- Counseling for the Targeted Student

****Students need to know how to advocate for themselves if they are the target**

Cyberbullying – A form of bullying committed by transmission of a communication including, but not limited to, a message, text, sound or image by means of an electronic device including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager. The district has jurisdiction over cyberbullying

that uses the district's technology resources or that originates on district property, at a district activity or on district transportation. Even when cyberbullying does not involve district property, activities or technology resources, the district will impose consequences and discipline for those who engage in cyberbullying if there is a sufficient nexus to the educational environment, the behavior materially and substantially disrupts the educational environment, the communication involves a threat as defined by law, or the district is otherwise allowed by law to address the behavior.

- Out-of-School Suspension
- Family Conference
- Mediation or Restorative Process
- Counseling for Student that Bullied
- Counseling for the Targeted Student

**Students need to know how to advocate for themselves if they are the target

Drugs/Alcohol (see Board policies [JFCH](#) and [JHCD](#))

✓ **ALCO** **Alcohol - Consumption/Possession**

✓ **DRGU** **Drug Use**

✓ **DRGP** **Drug-Possession**

✓ **DRGD** **Drugs - Distribution or Sale of**

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

- Confiscation
- Family Conference

2. Possession of or attendance while under the influence of or soon after consuming any unauthorized prescription drug, alcohol, narcotic substance, unauthorized inhalants, counterfeit drugs, imitation controlled substances or drug-related paraphernalia, including controlled substances and illegal drugs defined as substances identified under schedules I, II, III, IV or V in section 202(c) of the Controlled Substances Act.

- Out-of-School Suspension
- Drug Counseling
- Sober Plan/Drug Testing
- Family Conference

3. Sale, purchase or distribution of any prescription drug, alcohol, narcotic substance, unauthorized inhalants, counterfeit drugs, imitation controlled substances and/or drug-related paraphernalia, including controlled substances and illegal drugs defined as substances identified under schedules I, II, III, IV or V in section 202(c) of the Controlled Substances Act.

- District-Level Hearing
- Out-of-School Suspension
- Drug Counseling
- Sober Plan
- Family Conference
- School Service after school

Extortion

✓ **EXTN** **Extortion**

Threatening or intimidating any person for the purpose of obtaining money or anything of value.

- District-Level Hearing
- Out-of-School Suspension

- Family Conference
- Restitution
- Mediation or Restorative Process

False Alarms

✓ FFAL False Fire Alarm/911 Call

Tampering with emergency equipment, setting off false alarms, making false reports; communicating a threat or false report for the purpose of frightening or disturbing people, disrupting the educational environment or causing the evacuation or closure of district property.

- District-Level Hearing
- Out-of-School Suspension
- Family Conference
- School Service after school

Fighting (see also, "Assault" and "Group Fighting")

✓ FIGH Fighting

Mutual combat in which both parties have contributed to the conflict either verbally or by physical action.

- Out-of-School Suspension
- Family Conference
- Mediation or Restorative Process
- Counseling to Understand Why
- Restriction of Attendance at School-Sponsored Activities

Fireworks, Explosives, or Incendiary Devices

✓ EXPL Fireworks; Explosive Devices

The possession or use of fireworks, explosive devices, matches, lighters and other incendiary devices is forbidden.

- District-Level Hearing
- Out-of-School Suspension
- Confiscation
- Family Conference
- Counseling
- Restriction of Attendance at School-Sponsored Activities

Gambling

✓ GAMB Gambling

Betting on an uncertain outcome, regardless of stakes; engaging in any game of chance or activity in which something of real or symbolic value may be won or lost. Gambling includes, but is not limited to, betting on outcomes of activities, assignments, contests and games.

- In-School Conference with Learner
- Teacher/Learner Conference
- Parent/Guardian/Caregiver Contact
- Restriction of Attendance at School-Sponsored Activities

Gang-Related Activities

✓ GANG Gang Related Activities

Students are prohibited from promoting or participating in any gang-related activity. Students are prohibited from displaying or wearing any secret organization or gang logos, from writing or distributing any gang-related symbols or literature or communicating in any kind of gang sign language.

- In-School Conference with Learner

- Teacher/Learner Conference
- Parent/Guardian/Caregiver Contact
- Restriction of Attendance at School-Sponsored Activities

Group Fighting (see also, "Assault" and "Fighting")

✓ GFIG Group Fighting

Group fighting is defined as any time more than two participants are involved in a physical confrontation. **More serious if 2:1, 3:1, etc.

- Out-of-School Suspension
- Family Conference
- Mediation or Restorative Process
- Referral to Counselor/Social Worker
- Restriction of Attendance at School-Sponsored Activities

Harassment, (see Board policy [AC](#)) (see also "Bullying")

✓ HARR Harassment

Harassment – A form of discrimination, as defined above, that occurs when the school or work environment becomes permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive enough that it unreasonably alters the employment or educational environment.

Behaviors that could constitute illegal harassment include, but are not limited to, the following acts if based on race, color, religion, sex, sexual orientation, national origin, ancestry, disability, age, genetic information or any other characteristic protected by law or based on a belief that such a characteristic exists: graffiti; display of written material, pictures or electronic images; name calling, teasing or taunting; insults, derogatory remarks or slurs; jokes; gestures; threatening, intimidating or hostile acts; physical acts of aggression, assault or violence; theft; or damage to property.

- District-Level Hearing
- Out-of-School Suspension
- Family Conference
- Mediation or Restorative Process
- Harassment Training
- Counseling

Sexual Harassment (see Board policy [AC](#))

✓ HAR Sexual Harassment

Sexual Harassment – A form of discrimination, as defined above, on the basis of sex. Sexual harassment is unwelcome conduct that occurs when a) benefits or decisions are implicitly or explicitly conditioned upon submission to, or punishment is applied for refusing to comply with unwelcome sexual advances, requests for sexual favors or conduct of a sexual nature; or b) the school or work environment becomes permeated with intimidation, ridicule or insult that is based on sex or is sexual in nature and that is sufficiently severe or pervasive enough to alter the conditions of participation in the district's programs and activities or the conditions of employment. Sexual harassment may occur between members of the same or opposite sex. The district presumes a student cannot consent to behavior of a sexual nature with an adult regardless of the circumstance. "Sexual Harassment under Title IX" is a subset of this definition, and the district's response to qualifying allegations is set forth in policy ACA.

Behaviors that could constitute sexual harassment include, but are not limited to:

1. Sexual advances and requests or pressure of any kind for sexual favors, activities or contact.
2. Conditioning grades, promotions, rewards or privileges on submission to sexual favors, activities or contact.

3. Punishing or reprimanding persons who refuse to comply with sexual requests, activities or contact.
4. Graffiti, name calling, slurs, jokes, gestures or communications of a sexual nature or based on sex.
5. Physical contact or touching of a sexual nature, including touching of intimate parts and sexually motivated or inappropriate patting, pinching or rubbing.
6. Comments about an individual's body, sexual activity or sexual attractiveness.
7. Physical sexual acts of aggression, assault or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking) against a person's will or when a person is not capable of giving consent due to the person's age, intellectual disability or use of drugs or alcohol.
8. Gender-based harassment and acts of verbal, nonverbal, written, graphic or physical conduct based on sex or sex stereotyping, but not involving conduct of a sexual nature.
 - District-Level Hearing
 - Out-of-School Suspension
 - Family Conference
 - Mediation or Restorative Process
 - Harassment Training
 - Counseling

Hazing (see Board policy [JFCG](#))

✓ HAZE 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 district-sponsored activity. Hazing may occur even when all students involved are willing participants.

- District-Level Hearing
- Out-of-School Suspension
- Family Conference
- Mediation or Restorative Process
- Student Conference/Parent Involvement
- Student Mediation (Guidance Support)
- Loss of Privilege
- Detention (Guidance Support/Parent Contact)
- Referral to Counselor/Social Worker
- In-School Suspension (Guidance Support/Parent Contact)

Inappropriate Public Display of Affection

✓ PDA Inappropriate Public Display of Affection

Physical contact that is inappropriate for the school setting including, but not limited to, kissing and groping.

- Verbal Warning
- Student Conference/Parent Contact
- Detention/Parent Contact
- Loss of Privilege
- In-School Suspension

Possession of Sexually Explicit Material

✓ PSEM Possession of Sexual Explicit Material

Students may not possess or display, electronically or otherwise, sexually explicit, vulgar or violent material including, but not limited to, pornography or depictions of nudity, violence or explicit death or injury. This prohibition does not apply to curricular material that has been approved by district staff for its educational value. Students will not be disciplined

for speech in situations where it is protected by law.

- Parent Involvement
- Guidance Support
- In-School Suspension
- Pending Possible Law Enforcement

Sexual Activity

✓ SACT Sexual Activity

Acts of sex or simulated acts of sex including, but not limited to, intercourse or oral or manual stimulation.

- Parent Involvement
- Guidance Support
- Pending Possible Law Enforcement
- Out-of-School Suspension

Sexual Misconduct

✓ SEXM Sexual Misconduct

Unwelcome physical contact of a sexual nature. Examples include, but are not limited to, touching or fondling of the genital areas, breasts or undergarments, regardless of whether the touching occurred through or under clothing.

- Parent Involvement
- Guidance Support
- Pending Possible Law Enforcement
- Out-of-School Suspension

Technology Misconduct (see Board policies [EHB](#) and [KKB](#) and procedure [EHB-AP](#))

✓ TECM

Attempting, regardless of success, to: gain unauthorized access to a technology system or information; use district technology to connect to other systems in evasion of the physical limitations of the remote system; copy district files without authorization; interfere with the ability of others to utilize district technology; secure a higher level of privilege without authorization; introduce computer viruses, hacking tools, or other disruptive/destructive programs onto or using district technology; or evade or disable a filtering/blocking device.

- (1) The possession and use of personally owned (or borrowed) electronic devices that disrupt the learning environment or substantially cause the disruption of school operations.
 - i. Examples may include the inappropriate photos of another student's body parts; cheating on school work or disregarding teacher instructions to turn off and put away technology during testing; making or taking telephone calls in class, texting in class; tape recording conversations without proper notice; counterfeiting currency and/or forging school documents; posting anyone's private pedigree information publicly without permission; excessively loud music; using earphones to block out administrator's verbal instructions; gang-related messages and images; violence on campus through technology; veiled or implied threats to intimidate staff and other such acts.

(2) Violations, other than those listed in above, of Board policy EHB, procedure EHB-AP or any policy or procedure regulating student use of personal electronic devices.

(3) Use of audio or visual recording equipment in violation of Board policy KKB.

- District-Level Hearing
- Out-of-School Suspension
- Family Conference
- Mediation or Restorative Process

- Student Conference/Parent Involvement
- Student Mediation (Guidance Support)
- Loss of Privilege
- Detention (Guidance Support/Parent Contact)
- Referral to Counselor/Social Worker
- In-School Suspension (Guidance Support/Parent Contact)

Theft (Major)

✓ THEF Theft

Theft is attempted theft or knowingly in possession of stolen property. Major theft is defined as property or cash exceeding the value of \$50.00. **Any person committing theft must return property or make restitution.**

- District-Level Hearing
- Out-of-School Suspension
- Family Conference
- Restitution
- Mediation or Restorative Process

Threats

✓ THRE Threat

Verbal, written, pictorial or symbolic language or gestures that create a reasonable fear of physical injury or property damage.

- District-Level Hearing
- Out-of-School Suspension
- Family Conference
- Mediation or Restorative Process

Trespassing

✓ TREP Trespassing

Trespassing is unauthorized presence on district property or refusing to leave when directed to do so by a person in authority. During the term of suspension from school, a suspended student is not allowed on any district property or allowed to participate in district-sponsored extracurricular activities.

- Parent Contact
- Out-of-School Suspension
- District-Level Hearing
- Family Conference
- Mediation or Restorative Process

Vandalism (see Board policy [ECA](#))

✓ VAND Vandalism

Willful damage to real or personal property belonging to the district, staff or students, with the cost of labor and materials exceeding \$100.

- Out-of-School Suspension
- Family Conference
- Mediation or Restorative Process
- Student Conference/Parent Involvement
- Student Mediation (Guidance Support)
- Loss of Privilege
- Detention (Guidance Support/Parent Contact)
- Referral to Counselor/Social Worker

- In-School Suspension (Guidance Support/Parent Contact)

Weapons (see Board policy [JFCJ](#))

- ✓ **WOTH** **Weapon - Other**
- ✓ **WKNF** **Weapon - Knife**
- ✓ **WOFR** **Weapon - Other firearm**

No student may possess a weapon on school property at any time, except as specifically authorized during a school-sponsored or school-sanctioned activity permitting weapons. The school district will provide secured storage of student firearms if necessary.

School property is defined as: Property utilized, supervised, rented, leased, or controlled by the school district including but not limited to school playgrounds, parking lots and school buses, and any property on which any school activity takes place.

A weapon is defined to mean one or more of the following:

1. A firearm as defined in 18 U.S.C. § 921.
 2. A blackjack, concealable firearm, firearm, firearm silencer, explosive weapon, gas gun, knife, knuckles, machine gun, projectile weapon, rifle, shotgun, spring gun, switchblade knife, as these terms are defined in § 571.010, RSMo.
 3. A dangerous weapon as defined in 18 U.S.C. § 930(g)(2).
 4. All knives and any other instrument or device used or designed to be used to threaten or assault, whether for attack or defense.
 5. Any object designed to look like or imitate a device as described in 1-4.
1. Possession or use of any weapon as defined in Board policy, other than those defined in 18 U.S.C. 921, 18 U.S.C. 930(g)(2) or 571.010, RSMo
 - Short-Term Suspension
 - School Resource Officer Involvement
 - Long-Term Suspension
 - District-Level Hearing
 - Counseling
 - Parent Involvement
 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).
 - Short-Term Suspension
 - School Resource Officer Involvement
 - Long-Term Suspension
 - District-Level Hearing
 - Counseling
 - Parent Involvement
 3. Possession or use of ammunition or a component of a weapon.
 - Short-Term Suspension
 - School Resource Officer Involvement
 - Long-Term Suspension
 - District-Level Hearing
 - Counseling
 - Parent Involvement

TYPE II INFRACTIONS

Serious or repeated violations of this section of the discipline code will be treated as a Type I offense. Items may be confiscated.

Academic Dishonesty

✓ ACAD

Cheating on tests, assignments, projects or similar activities; plagiarism; claiming credit for another person's work; fabrication of facts, sources or other supporting material; unauthorized collaboration; facilitating academic dishonesty; and other misconduct related to academics.

- Student Conference
- Grade Reduction
- Parent Conference
- Mediation or Restorative Process
- Counseling Referral

Driving Misconduct

✓ DRIV Driving Misconduct

Uncourteous or unsafe driving on or around district 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 district property. The student privilege may be suspended, if necessary.

- Student Conference
- Suspension of Parking Privilege
- Family Conference
- Short-Term Suspension
- Citation

Bus or Transportation Misconduct (see Board policy [JFCC](#))

✓ BUS Bus Misconduct

Any offense committed by a student on transportation provided by or through the district 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.

- Student Conference
- Suspension of Bus Privilege
- Family Conference
- Short Term Suspension
- Restorative Circle including the Bus Driver and School Personnel

Disrespectful Conduct or Speech (see Board policy [AC](#))

✓ DISR Disrespectful Speech or Conduct

Verbal, written, pictorial or symbolic language, gesture, or behavior that is in violation of district policy or is otherwise rude, vulgar, defiant, inappropriate conduct, defamation of a person's race, religion, gender, or ethnic origin, or considered inappropriate in educational settings. Students will not be disciplined for speech in situations where it is protected by law.

- Out-of-School Suspension
- In-School Suspension/Alternative Learning Environment
- Student Conference/Reflection Sheet
- Parent/Guardian/Caregiver Contact
- Family Conference
- Restriction of Attendance at School-Sponsored Activities

- Loss of Privileges
- Detention
- Restorative Circle/Process
- Behavior Contract

Disruptive Conduct or Speech (see Board policy [AC](#))

✓ DIS Disruptive Speech or Conduct

Verbal, written, pictorial or symbolic language, gesture or behavior that is in violation of district policy, is inappropriate conduct, defamation of a person's race, religion, gender, or ethnic origin, or considered inappropriate in educational settings that **materially and substantially disrupts classroom work**, district activities or district functions. Students will not be disciplined for speech in situations where it is protected by law.

- Out-of-School Suspension
- In-School Suspension/Alternative Learning Environment
- Student Conference/Reflection Sheet
- Parent/Guardian/Caregiver Contact
- Family Conference
- Restriction of Attendance at School-Sponsored Activities
- Loss of Privileges
- Detention
- Restorative Circle/Process
- Behavior Contract

Food Violation

✓ FOOD Food Violation

Food and beverages are not to be consumed in hallways, classrooms, or on school buses unless so authorized.

- In-School Suspension/Alternative Learning Environment
- Student Conference/Reflection Sheet
- Parent/Guardian/Caregiver Contact
- Loss of Privileges
- Detention
- Behavior Contract

Forgery

✓ FORG Forgery

Writing or impersonating another for the purpose of falsifying school-related information.

- Out-of-School Suspension
- In-School Suspension/Alternative Learning Environment
- Student Conference
- Reflection Sheet
- Parent/Guardian/Caregiver Contact
- Restriction of Attendance at School-Sponsored Activities
- Loss of Privileges
- Detention
- Referral to Outside Agency

Hallways/Locker Rooms/Restrooms

✓ HALL Hallway Violation

✓ REST Restroom Violation

**LRVI**

Locker Room Violation

Students should not be in hallways/restrooms during class time without proper authorization. Each school will establish a procedure and define what constitutes proper authorization.

- In-School Suspension/Alternative Learning Environment
- Student Conference
- Reflection Sheet
- Parent/Guardian/Caregiver Contact
- Restriction of Attendance at School-Sponsored Activities
- Loss of Privileges
- Detention
- Behavior Contract

Horseplay

**HPLA**

Horseplay

Horseplay is defined as rough, boisterous and/or playful behavior.

- Out-of-School Suspension
- In-School Suspension/Alternative Learning Environment
- Student Conference
- Reflection Sheet
- Parent/Guardian/Caregiver Contact
- Loss of Privileges
- Detention
- Behavior Contract

Instigation of a Fight

**INST**

Instigating a Fight

Students are not to encourage/incite/urge others to participate in a fight.

- Out-of-School Suspension
- In-School Suspension/Alternative Learning Environment
- Student Conference
- Reflection Sheet
- Parent/Guardian/Caregiver Contact
- Family Conference
- Loss of Privileges
- Detention
- Restorative Circle
- Mediation or Restorative Process
- Counseling for the Targeted Student
- Behavior Contract

Insubordination

**INSU**

Insubordination

Students are to obey the direct requests or orders of teachers, administrators, and other school personnel.

- Out-of-School Suspension
- In-School Suspension/Alternative Learning Environment
- Student Conference
- Reflection Sheet

- Parent/Guardian/Caregiver Contact
- Loss of Privileges
- Detention
- Restorative circle/process
- Behavior Contract

Dishonesty

✓ DISH Dishonesty

Dishonesty is the presenting of false information or the withholding of accurate information which leads students or school personnel to significant and substantially erroneous conclusions.

- Out-of-School Suspension
- In-School Suspension/Alternative Learning Environment
- Temporary/Permanent Removal from Classroom
- Parent/Guardian/Caregiver Contact
- Referral to Counselor/Social Worker
- Mediation or Restorative Process
- In-School Conference with Learner
- Teacher/Learner Conference

Tardiness

✓ TARD Excessive Tardiness

Arriving after the expected time class or school begins, as determined by the district. Students who arrive at school late or leave before the end of the school day are to officially check in/out with the school office. Students who leave school grounds without permission will be considered truant.

- Referral to Outside Agency
- Assignment of Extra Work (Missed Assignments)
- Detention
- Loss of Privileges
- Behavioral Contract
- Parent/Guardian/Caregiver Contact
- Referral to Counselor/Social Worker
- Teacher/Learner Conference

Theft (Petty)

✓ THFP Theft

Theft is the unauthorized acceptance, possession, selling, purchase, taking and/or transfer of property belonging to another. Petty theft is limited to property or cash not exceeding the value of \$50.00. **Any person committing theft must return property or make restitution.**

- Referral to Law Enforcement
- Out-of-School Suspension
- In-school Suspension/Alternative Learning Environment
- Temporary/Permanent Removal from Classroom
- Community Service
- Parent/Guardian/Caregiver Contact
- Referral to Counselor/Social Worker
- Mediation or Restorative Process
- In-School Conference with Learner

Throwing Objects

✓ THSB Throwing Objects

Students are not permitted to throw any objects with the intent to injure others, destroy property, or cause a disruption to the educational environment.

- Out-of-School Suspension
- In-School Suspension
- Student Conference
- Community Service
- Parent/Guardian/Caregiver Contact
- Loss of Privileges
- Referral to Counselor/Social Worker
- Mediation or Restorative Process
- Reflection Sheet
- Teacher/Learner Conference

Tobacco (see Board policy [JHCD](#))

✓ TBCO Tobacco

Possession or use of any tobacco products, electronic cigarettes, vape products, or other nicotine-delivery products on district property, district transportation or at any district activity. Nicotine patches or other medications used in a tobacco cessation program may only be possessed or used in accordance with district policy JHCD.

- District-Level Hearing
- Out-of-School Suspension
- In-School Suspension
- Family Conference
- Community Service
- Mediation or Restorative Process
- Health/Impact Training
- Parent/Guardian/Caregiver Contact
- Counseling
- Confiscation

Truancy (see Board policy [JED](#) and procedures [JED-AP1](#) and [JED-AP2](#))

✓ TRUA Truancy

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

- Referral to Law Enforcement
- Referral to Outside Agency
- Assignment of Extra Work (missed assignments)
- Detention
- Loss of Privileges
- Behavioral Contract
- Parent/Guardian/Caregiver Contact
- Referral to Counselor/Social Worker

Discipline of Students with Disabilities

AUTHORITY OF SCHOOL PERSONNEL

School personnel may consider any unique circumstances on a case by case basis when determining whether a change of placement, consistent with other requirements of this section, is appropriate for a student with a disability who violates a code of student conduct.

TEN (10) SCHOOL DAYS OR LESS

School personnel under this subsection may remove a student with a disability who violates a code of student conduct from their current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than ten (10) consecutive school days (to the extent such alternatives are applied to students without disabilities) without providing services. School personnel may also impose additional removals of not more than ten (10) school days consecutively in that same school year for separate incidents, as long as those removals do not constitute a change of placement. Once a student has been removed from his or her placement for a total of ten (10) school days in the same school year, the public agency must, during any subsequent days of removal in that school year, provide services to the extent required below under the subheading "Services."

LONG TERM SUSPENSION

If school personnel seek to order a change in placement that would exceed ten (10) school days consecutively and the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the student's disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner and for the same duration in which the procedures would be applied to students without disabilities, except services must be provided to ensure the student receives a free appropriate public education, although it may be provided in an interim alternative educational setting.

CHANGE OF PLACEMENT

A removal of a student with a disability from the student's current educational placement is a change of placement if:

- (1) The removal is for more than ten (10) school days in a row; or,
- (2) The student has been subjected to a series of removals that constitute a pattern because:
 - a. The series of removals total more than ten (10) school days in a school year;
 - b. The student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and,
 - c. Of such additional factors as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another.

The public agency determines whether a pattern of removals constitutes a change of placement on a case-by-case basis. That determination is subject to review through due process and judicial proceedings.

SERVICES

The services that must be provided to a student with a disability who has been removed from the student's current placement may be provided in an interim alternative educational setting.

A public agency is only required to provide services to a student with a disability who has been removed from his or her current placement for ten (10) school days or less in that school year, if it provides services to a student without disabilities who has been similarly removed.

A student with a disability who is removed from the student's current placement for more than ten

(10) school days must:

- (1) Continue to receive educational services, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP, and
- (2) Receive, as appropriate, a functional behavioral assessment, and behavior intervention services, and modifications that are designed to address the behavior violation so that it does not happen again.

After a student with a disability has been removed from his or her current placement for ten (10) school days in that same school year and, if the current removal is for ten (10) school days in a row or less and if the removal is not a change of placement (see definition below), then school personnel, in consultation with at least one (1) of the student's teachers, shall determine the extent to which services are needed to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP.

If the removal is a change of placement, the student's IEP Team shall determine the appropriate services to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP.

MANIFESTATION

Within ten (10) school days of any decision to change the placement of a student with a disability because of a violation of a code of student conduct, the public agency, the parent, and relevant members of the IEP Team (as determined by the parent and the public agency) shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents to determine if the conduct in question was caused by or had a direct and substantial relationship to the student's disability; or, if the conduct in question, was the direct result of the public agency's failure to implement the IEP.

If the public agency, the parent, and relevant members of the IEP Team (as determined by the parent and the public agency) determine that either the conduct in question was caused by or had a direct and substantial relationship to the student's disability; or, if the conduct in question, was the direct result of the public agency's failure to implement the IEP applicable for the student, the conduct shall be determined to be a manifestation of the student's disability.

DETERMINATION THAT BEHAVIOR WAS A MANIFESTATION

If the public agency, the parent, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the student's disability, the IEP Team shall conduct a functional behavioral assessment, and implement a behavioral intervention plan for such student, provided that the public agency had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement. If the student already has such a behavioral intervention plan, the IEP Team must review it and modify it, as necessary, to address the behavior.

Unless the removal is due to weapons, drugs, or serious bodily injury, the student must be returned to the placement from which the student was removed, unless the parent and the public agency agree to a change of placement as part of the modification of the behavioral intervention plan.

SPECIAL CIRCUMSTANCES

Whether or not the behavior was a manifestation of the student's disability, school personnel may remove a student to an interim alternative educational setting (determined by the student's IEP Team) for up to forty-five (45) school days, if the student:

- (1) Carries a weapon (see the definition below) to school or has a weapon at school, on school premises, or at a school function under the jurisdiction of DESE or a public agency;

(2) Knowingly has or uses illegal drugs (see the definition below) or sells or solicits the sale of a controlled substance (see the definition below) while at school, on school premises, or at a school function under the jurisdiction of DESE or a public agency; or,

(3) Has inflicted serious bodily injury (see the definition below) upon another person while at school, on school premises, or at a school function under the jurisdiction of DESE or a public agency.

On the date on which the decision to take that action is made, the parent must be notified of the decision and provided the Procedural Safeguards statement.

DETERMINATION OF SETTING (CFR 300.531)

The interim alternative educational setting must be determined by the IEP Team for removals that are changes of placement and forty-five (45) school day placements described under special circumstances.

EXPEDITED DUE PROCESS HEARING (34 CFR 300.532)

The parent of a student with a disability who disagrees with any decision regarding placement, or the manifestation determination under this subsection, or a public agency that believes that maintaining the current placement of the student is substantially likely to result in injury to the student or to others, may request an expedited due process hearing.

AUTHORITY OF COMMISSION IN EXPEDITED HEARINGS

The Administrative Hearing Commission will hold the due process hearing and make a decision. The Commission may:

- (1) Return the student with a disability to the placement from which the student was removed if the Commission determines that the removal was a violation of the requirements described under the heading Authority of School Personnel, or that the student's behavior was a manifestation of the student's disability, or
- (2) Order a change of placement of the student with a disability to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the hearing Commission determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others.

These expedited hearing procedures may be repeated, if the public agency believes that returning the student to the original placement is substantially likely to result in injury to the student or to others.

Whenever a parent or a public agency files a due process complaint to request such a hearing:

- (1) The Administrative Hearing Commission must arrange for an expedited due process hearing, which must occur within twenty (20) school days of the date the hearing is requested and must result in a determination within ten (10) school days after the hearing.
- (2) Unless the parents and the public agency agree, in writing, to waive the meeting or agree to use mediation, a resolution meeting must occur within seven (7) calendar days of receiving notice of the due process complaint. The hearing may proceed unless the matter has been resolved to the satisfaction of both parties within fifteen (15) calendar days of receipt of the due process complaint.

A party may appeal the decision in an expedited due process hearing in the same way as they may for decisions in other due process hearings.

The timeline for an expedited due process hearing may not be extended; however, the case may be withdrawn and refiled.

PLACEMENT DURING APPEALS (34 CFR 300.533)

When the parent or responsible public agency has filed a due process complaint related to disciplinary matters, the student must (unless the parent and DESE or public agency agree otherwise) remain in the interim alternative educational setting pending the decision of the Administrative Hearing Commission, or until the expiration of the time period of removal as provided for and described under the heading Authority of School Personnel, whichever occurs first.

PROTECTION FOR STUDENTS NOT YET ELIGIBLE FOR SPECIAL EDUCATION AND RELATED SERVICES (34 CFR 300.534)

Students who have not been identified as disabled may be subjected to the same disciplinary measures applied to students without disabilities if the public agency did not have prior knowledge of the disability. If the public agency is deemed to have knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action, the student may assert any of the protections for students with disabilities in the area of discipline. The public agency has knowledge of the disability when:

- (1) The parent has expressed concern in writing that the student needs special education services to supervisory or administrative personnel of the appropriate educational agency or a teacher of the student; or,
- (2) The parent has requested an evaluation; or,
- (3) The student's teacher or other school staff has expressed specific concern about a pattern of the student's behavior directly to the director of special education or to other supervisory personnel in accordance with the agency's established child find or special education referral system.

A public agency would not be deemed to have knowledge that the student is a student with a disability if the public agency conducted an evaluation and determined that the student was not a student with a disability; or determined that an evaluation was not necessary and provided proper Notice of Action Refused prior to the behavior incident; or, if the parent of the student has not allowed an evaluation of the student pursuant to IDEA or has refused services.

If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation will be expedited. Until the evaluation is completed (assuming the public agency is not deemed to have knowledge that the student is a student with a disability prior to the behavior that precipitated the disciplinary action), the student remains in the educational placement determined by the public agency, which can include suspension or expulsion without educational services. If the student is determined to be a student with a disability, the public agency shall provide special education and related services and follow all required procedures for disciplining students with disabilities.

REPORTING CRIMES COMMITTED BY STUDENTS WITH DISABILITIES

Nothing in this part shall be construed to prohibit a public agency from reporting crimes, to appropriate law enforcement and judicial authorities, or to prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by students with disabilities. An agency reporting a crime shall ensure copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom it reports the crime. Transmittal of records must be in accordance with Family Educational Rights and Privacy Act (FERPA).

DEFINITIONS

Controlled Substance: Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in Section 202(c) of the Controlled Substances Act (21 USC 812 (c)).

Illegal Drugs: Illegal drug means a controlled substance but does not include such a substance that is legally possessed or used under the supervision of a licensed healthcare professional or that is legally possessed or used under any other authority under that Act or under any other provision of federal law.

Substantial Evidence: Substantial evidence means beyond a preponderance of the evidence.

Weapon: Weapon means dangerous weapon as defined under paragraph (2) of the first subsection (g) of Section 930 of title 18, United States Code. The term “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 2½ inches in length.

Serious Bodily Injury: A serious bodily injury involves an injury with a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, protracted loss or impairment of the function of a bodily member, organ, or mental faculty (18 USC 1365 (h)(3)).

Listed below are the statutes of the state of Missouri which provide a legal basis for procedural safeguards in this state:

- (1) Section 162.962 RSMo
- (2) Section 162.963(1)(2), RSMo
- (3) Section 162.955, RSMo
- (4) Section 162.997(1)(2), RSMo
- (5) Section 162.958, RSMo
- (6) Section 162.998(1)(2), RSMo
- (7) Section 162.959, RSMo
- (8) Section 162.999(1)(2)(3)(4)(5)(6)(7)(8), RSMo
- (9) Section 162.961 (1)(2)(3)(4)(5), RSMo

District-Level Hearing Process

Rationale

District-level hearings are limited to Type I infractions and are held in order to consider the assignment of an extended suspension (11 to 180 days) or recommendation to the Special Administrative Board for expulsion (permanent removal). Any infraction considered to be an act of violence resulting in a 10-day suspension or that violates the Missouri Safe Schools Act also requires a district-level hearing.

Notification

Students and parents will be notified at the time of the suspension as to the necessity of a district-level hearing. Information will follow regarding the time and place of the hearing by mail.

Attendance

The student and his or her legal guardian are encouraged to attend the hearing. However, in most cases, the hearing will be held even in the absence of the student and the guardian. **Minor students may not attend the hearing alone or without his or her legal guardian.** The hearing will be conducted by the District Hearing Officer as the Superintendent's designee. The building administrator who held the due process conference with the student will be in attendance at the hearing. Other administrators, guidance counselors, special educators, social worker, security personnel, and deputy juvenile officers may also be in attendance as necessary. Attorneys are generally not involved at this level, but if the parent requests that their attorney attends, the district will also have its attorney present.

Purpose

The purpose of the district-level hearing is to determine the length of the student's suspension and his or her educational placement. The hearing officer will check facts related to the case and give the student the opportunity to share his or her account of the incident. The student's cumulative discipline, academic, and attendance records will be reviewed and considered in determining the outcome of the hearing. All attending parties will be given the opportunity to share information without interruptions. The hearing officer will conduct additional questioning as needed for clarification, counseling and fact finding. Recommendations will be developed and presented to the superintendent. The student and legal guardian will be contacted by phone with the results of the hearing. A formal letter will also be sent to the student's residence.

Appeals

According to district policy, the student, his or her parent, guardian or others having custodial care have a right to appeal the superintendent's decision to the Special Administrative Board. Appeals should be made in writing within 10 days of the date of the formal letter outlining the hearing outcome. Appeals should be delivered to the district's administrative offices at 1370 Northumberland Drive, St. Louis, MO 63137.

Key Points - Missouri Safe Schools Act

- Each district must develop a written discipline policy.
- School administrators must report acts of school violence to district employees with a "need to know."
- The policy must provide for a suspension of not less than one year or expulsion for a student who brings a weapon to school.
- Any student who is suspended for violation of a Safe Schools Act offense shall not be allowed within 1,000 feet of any public-school property unless residing within that distance or given prior permission by school district officials.
- School administrators must report the following acts occurring on school property, on a school bus, or during school activities to law enforcement: first- and second-degree murder, kidnapping, first and second-degree assault, forcible rape, forcible sodomy, first- and second-degree burglary, first-degree robbery, distribution of drugs, distribution of drugs to a minor, arson, voluntary and involuntary manslaughter, sexual assault, felonious restraint, property damage, the possession of a weapon, child molestation in the first degree, deviant sexual assault, sexual misconduct involving a child, or sexual abuse.
- Districts cannot readmit or enroll a student who has been charged with, convicted of, had a petition filed in juvenile court, or had a petition sustained alleging first- or second degree murder, first-degree assault, forcible rape, forcible sodomy, statutory rape, statutory sodomy, first-degree robbery, distribution of drugs to a minor, first-degree arson, or kidnapping.
- School principals must immediately report to law enforcement and the superintendent any of the following incidents occurring on school property, on a school bus, or during a school activity: first-, second-, or third-degree assault, sexual assault, deviant sexual assault against a pupil or school employee. The principal must also immediately report to law enforcement and the superintendent if any pupil has on his person, among his possessions, or placed elsewhere on school premises (including, but not limited to the school playground or parking lot, on a school bus, or at a school activity, whether on or off of school property) any controlled substance or weapon.
- **The Safe Schools Act** requires that a juvenile officer, the sheriff, chief of police, or other appropriate law enforcement authority notify the school superintendent or the superintendent's designee no later than five days after a petition is filed in juvenile court alleging that a student committed one of the following acts:
 - first- and second-degree murder,
 - kidnapping,
 - first- and second-degree assault,
 - forcible rape,
 - forcible sodomy,
 - first-degree burglary,
 - first-degree robbery,
 - distribution of drugs,
 - distribution of drugs to a minor,
 - first-degree arson,
 - sexual assault,
 - voluntary and involuntary manslaughter,
 - felonious restraint,
 - first-degree property damage,
 - possession of a weapon,
 - child molestation in the first degree,
 - deviant sexual assault,
 - sexual misconduct involving a child,

- o sexual abuse

- **Failure to report criminal offenses to law enforcement is considered a misdemeanor offense. It is imperative that all RGSD staff members are aware of this particular code**

Note: The full text of the Missouri Safe Schools Act can be accessed online at <https://dese.mo.gov/governmental-affairs/legislation/safe-schools-act>

Video Surveillance Cameras

The Special Administrative Board supports the use of surveillance cameras when necessary in its schools, buses, and on school grounds.

- Surveillance cameras will only be utilized in public areas where there is no reasonable expectation of privacy.
- Any video recording used for surveillance purposes shall be the sole property of the school district, and the superintendent or his designee will be the custodian of such recordings.
- Under no circumstances will the recordings be duplicated and/or removed from the district's premises unless in accordance with a court order and/or subpoena.
- Surveillance video may be used to assist in any district investigation.
- Surveillance cameras are not monitored twenty-four (24) hours a day. However, they will be randomly reviewed by the appropriate district personnel.

The superintendent or his designee has the sole authority to determine who may view the video.

Dress Code

The District shall establish the dress code for its student body. The dress code shall be enforced by personnel in each building. The dress code policy for each building can be found in that building's student handbook.

1. Students must wear designated school building uniforms.
2. Student pants must be secured at the waist (no undergarments showing). No sagging.
3. Shirts must be tucked inside of the waistband.
4. No wearing of caps or hats while inside of the school building. No wearing of any headgear during school hours unless otherwise authorized by a building administrator.

District-Level Probation

Students who are placed on district-level probation are required to have exemplary attendance, maintain punctuality to class, passing grades, and no violations of the Code of Conduct.