

**JACKSON R-2 SCHOOL DISTRICT
DISCIPLINE POLICIES
Updated 5/2017**

INFORMATION FOR STUDENTS & PARENTS

**REGARDING STUDENT CONDUCT
FOR SCHOOL AND SCHOOL ACTIVITIES**

THIS UPDATE OF THE JACKSON R-2 SCHOOL DISTRICT STUDENT CODE IS IN RESPONSE TO THE REQUIREMENTS OF THE SAFE SCHOOLS ACT OF 1996 (HB1301/1298). IT IS VERY IMPORTANT THAT WE MAINTAIN OUR EXCELLENT TRADITION OF GOOD STUDENT BEHAVIOR. WE BELIEVE THAT THIS HIGH STANDARD OF BEHAVIOR WILL ONLY CONTINUE THROUGH THE COOPERATIVE EFFORTS OF STUDENTS, TEACHERS, ADMINISTRATORS, AND PARENTS. PLEASE CONTACT YOUR BUILDING PRINCIPAL IF YOU HAVE QUESTIONS REGARDING ANY AREA OF OUR STUDENT CODE OF CONDUCT.

**JACKSON R-2 SCHOOL DISTRICT
REVISED STUDENT POLICIES
(REFERENCE: SAFE SCHOOLS ACT, 1996-HB1301 & HB1298)**

STUDENT DISCIPLINE

The Board of Education has the legal authority to make all needed policies, rules and regulations for organizing and governing the school district. This includes the power to suspend or expel a student for conduct which is prejudicial to good order and discipline in the schools or impairs the morale or good conduct of the students. These policies, rules and regulations will apply to all students in attendance in district instructional and support programs, as well as at school-sponsored activities and events. Students who have been charged, convicted or pled guilty in a court of general jurisdiction for commission of a felony may be suspended in accordance with law.

The penalties and penalty ranges for the offenses and disciplinary issues described below are guidelines only. The Jackson R-2 School District expressly reserves the right to deviate from the guidelines as, in its sole discretion, it deems appropriate or necessary. The District also has the right to impose discipline for infractions or offenses in addition to those specifically described below to the extent allowed by law. Further, the District also reserves the right to contact or otherwise involve law enforcement even in circumstances not specifically referenced below.

Building principals are responsible for the development of rules and regulations regarding student conduct needed to maintain proper behavior in schools under their supervision. Principals, subject to appropriate due process procedures, may summarily suspend any student for up to ten (10) school days for violation of these policies, rules and regulations. Notice of suspension shall be given immediately to the parent or guardian, and to the superintendent.

Flagrant disregard for policies, rules and regulations, or continued truancy may result in suspension by the superintendent or expulsion by the Board, both subject to appropriate due process procedures. The superintendent may suspend a student for up to 180 school days; however, expulsion of students is a function only of the Board of Education.

Teachers shall have the authority to make and enforce necessary rules for the internal governance in the classroom, subject to review by the building principal. The Board expects each teacher to maintain a satisfactory standard of conduct in the classroom.

Student discipline records will go with the student from year to year.

Any time a referral that warrants formal disciplinary action is submitted, a reasonable effort will be made by the principal to either contact the parent or guardian by written notice delivered by the student, through the mail, or by direct telephone contact.

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

STUDENT DISCIPLINE OFFENSES

The Student Code of Conduct is designed to foster student responsibility, respect for the rights of others, and to ensure the orderly operation of district schools. No code can be expected to list each and every offense which may result in the use of 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, or an aggravated circumstance of any offense or an 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 addition, any suspension or expulsion may be modified by the superintendent on a case-by-case basis.**

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 are descriptions of prohibited conduct and potential consequences for violations. Building-level administrators are authorized to more narrowly tailor potential consequences as appropriate for the age level of students in the building 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.

Academic Dishonesty

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.

First Offense: No credit for the work, grade reduction, or replacement assignment.

Subsequent Offense: No credit for the work, grade reduction, course failure, or removal from extracurricular activities.

Arson

Starting a fire or causing an explosion with the intention to damage property or buildings.

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

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

Assault

1. *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 or fourth degree.*

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

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

2. *Knowingly causing or attempting to cause serious physical injury or death to another person, recklessly causing serious physical injury to another person, or any other act that constitutes assault in the first or second degree.*

First Offense: 10-180 days out-of-school suspension or expulsion.

Subsequent Offense: Expulsion.

Automobile/Vehicle Misuse

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.

First Offense: Suspension or revocation of parking privileges, detention, or in-school suspension.

Subsequent Offense: Revocation of parking privileges, detention, in-school suspension, or 1-10 days out-of-school suspension.

Bullying and Cyberbullying (see Board policy JFCF)

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. Cyberbullying is a form of bullying committed by transmission of a communication including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager.

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

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

Bus or Transportation 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 to other disciplinary actions, transportation privileges may be suspended or revoked. Parents will be notified of all student misconduct on district transportation.

Dishonesty

An act of lying, whether verbal or written, including forgery.

First Offense: Nullification of forged document. Principal/Student conference, detention, or in-school suspension.

Subsequent Offense: Nullification of forged document. Detention, in-school suspension, or 1-180 days out-of-school suspension.

Disrespectful or Disruptive Conduct or Speech (see Board policy AC if illegal harassment or discrimination is involved)

Verbal, written, pictorial or symbolic language or gesture that is directed at any person that is in violation of district policy or is otherwise rude, vulgar, defiant, considered inappropriate in educational settings or that materially and substantially disrupts classroom work, school activities or school functions. Students will not be disciplined for speech in situations where it is protected by law.

First Offense: Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

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

Drugs/Alcohol (see Board policies JFCH and JHCD)

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

First Offense: In-school suspension or 1-180 days out-of-school suspension.

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

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, while at school or at any school activity.*

First Offense: In-school suspension or 1-180 days out-of-school suspension.

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

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.*

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

Extortion

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

First Offense: Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

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

Failure to Care for or Return District Property

Loss of, failure to return, or damage to district property including, but not limited to, books, computers, calculators, uniforms, and sporting and instructional equipment.

First Offense: Restitution. Principal/Student conference, detention, or in-school suspension.

Subsequent Offense: Restitution. Detention or in-school suspension.

Failure to Meet Conditions of Suspension, Expulsion or Other Disciplinary Consequences

Violating the conditions of suspension, expulsion or other disciplinary consequence including, but not limited to, participating in or attending any district-sponsored activity or being on or near district property or the location where a district activity is held. See the section of this regulation titled, "Conditions of Suspension, Expulsion and Other Disciplinary Consequences."

As required by law, when the district considers suspending a student for an additional period of time or expelling a student for being on or within 1,000 feet of district property during a suspension, consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether the student's presence is disruptive to the educational process or undermines the effectiveness of the district's discipline policy.

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

Report to law enforcement for trespassing if expelled.

Subsequent Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion. Report to law enforcement for trespassing if expelled.

False Alarms (see also "Threats or Verbal Assault")

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.

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

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

Fighting (see also "Assault")

Mutual combat in which both parties have contributed to the conflict either verbally or by physical action. An unprovoked attack on another student will be viewed as an assault.

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

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

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.

First Offense: Principal/Student conference, loss of privileges, detention, or in-school suspension.

Subsequent Offense: Principal/Student conference, loss of privileges, detention, in-school suspension, or 1-10 days out-of-school suspension.

Harassment, including Sexual Harassment (see Board policy AC)

1. *Use of material of a sexual nature or unwelcome verbal, written or symbolic language based on gender, race, color, religion, sex, national origin, ancestry, disability or any other characteristic protected by law. Examples of illegal harassment include, but are not limited to, racial jokes or comments; requests for sexual favors and other unwelcome sexual advances; graffiti; name calling; or threatening, intimidating or hostile acts based on a protected characteristic.*

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

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

2. *Unwelcome physical contact of a sexual nature or that is based on gender, race, color, religion, sex, national origin, ancestry, disability or any other characteristic protected by law. 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; or pushing or fighting based on protected characteristics.*

First Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion.

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

Hazing (see Board policy JFCG)

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 can occur even when all students involved are willing participants.

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

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

Incendiary Devices or Fireworks

Possessing, displaying or using matches, lighters or other devices used to start fires unless required as part of an educational exercise and supervised by district staff; possessing or using fireworks.

First Offense: Confiscation. Warning, principal/student conference, detention, or in-school suspension.

Subsequent Offense: Confiscation. Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

Nuisance Items

Possession or use of items such as toys, games, and portable media players that are not authorized for educational purposes.

First Offense: Confiscation. Warning, principal/student conference, detention, or in-school suspension.

Subsequent Offense: Confiscation. Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

Public Display of Affection

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

First Offense: Principal/Student conference, detention, or in-school suspension.

Subsequent Offense: Detention, in-school suspension, or 1-10 days out-of-school suspension.

Sexting and/or Possession of Sexually Explicit, Vulgar or Violent 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.

First Offense: Confiscation. Principal/Student conference, detention, or in-school suspension.

Subsequent Offense: Confiscation. Detention, in-school suspension, or 1-180 days out-of-school suspension, or expulsion.

Sexual Activity

Consensual acts of sex or consensual simulations of sex including, but not limited to, intercourse or oral or manual stimulation.

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

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

Technology Misconduct (see Board policies EHB and KKB and procedure EHB-AP1)

1. *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.*

First Offense: Restitution. Principal/Student conference, loss of user privileges, detention, or in-school suspension.

Subsequent Offense: Restitution. Loss of user privileges, 1-180 days out-of-school suspension, or expulsion.

2. *Using, displaying or turning on pagers, phones, personal digital assistants, personal laptops or any other personal electronic devices during the regular school day, including class change time, mealtimes or instructional class time, unless the use is part of the instructional program, required by a district-sponsored class or activity, or otherwise permitted by the building principal.*

First Offense: Confiscation. Principal/Student conference, detention, or in-school suspension.

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

3. *Violations, other than those listed in (1) or (2) above, of Board policy EHB, procedure EHBAP1 or any policy or procedure regulating student use of personal electronic devices.*

First Offense: Restitution. Principal/Student conference, detention, or in-school suspension.

Subsequent Offense: Restitution. Loss of user privileges, 1-180 days out-of-school suspension, or expulsion.

4. *Use of audio or visual recording equipment in violation of Board policy KKB.*

First Offense: Confiscation. Principal/Student conference, detention, or in-school suspension.

Subsequent Offense: Confiscation. Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

Theft

Theft, attempted theft or willful possession of stolen property.

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

Subsequent Offense: Return of or restitution for property. 1-180 days out-of-school suspension or expulsion.

Threats or Verbal Assault

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

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

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

Tobacco

1. *Possession of any tobacco product, electronic cigarettes, 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 in accordance with district policy JHCD.*

First Offense: Confiscation of prohibited product. Principal/Student conference, detention, or in-school suspension.

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

2. *Use of any tobacco products, electronic cigarettes, 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 used in accordance with district policy JHCD.*

First Offense: Confiscation of prohibited product. Principal/Student conference, detention, in-school suspension, or 1-3 days out-of-school suspension.

Subsequent Offense: Confiscation of prohibited product. In-school suspension or 1-10 days out-of-school suspension.

Truancy or Tardiness (see Board policy JEDA)

Absence from school without the knowledge and consent of parents/guardian and the school administration; excessive non-justifiable absences, even with the consent of parents/guardians; arriving after the expected time class or school begins, as determined by the district.

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

Subsequent Offense: Detention or 3-10 days in-school suspension, and removal from extracurricular activities.

Unauthorized Entry

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

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

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

Vandalism (see Board policy ECA)

Willful damage or the attempt to cause damage to real or personal property belonging to the district, staff, or students.

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

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

Weapons (see Board policy JFCJ)

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.*

First Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion.

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

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

First Offense: One calendar year suspension or expulsion, unless modified by the Board upon recommendation by the superintendent.

Subsequent Offense: Expulsion.

3. *Possession or use of ammunition or a component of a weapon.*

First Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion.

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

Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

DISCIPLINE OF STUDENTS WITH DISABILITIES

Students with disabilities will be disciplined in accordance with the district's discipline code applicable to all students, subject to the modifications mandated by law. All students, including those with disabilities, will be referred for law enforcement action when required by law and/or when their conduct constitutes a crime.

The district will comply with all state and federal laws governing the discipline of students with disabilities, including the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, applicable regulations and state and local plans for compliance with the law. In addition to the process outlined in special education law, students with disabilities will receive the same due process afforded other students.

DETENTION AND/OR IN-SCHOOL SUSPENSION OF STUDENTS

The provisions of detention or an in-school suspension program for student violations of policies, rules and regulations shall provide principals with an additional alternative for dealing with disciplinary problems that occur in the schools. When this alternative is appropriate, students will be assigned to serve a specified time period in the in-school suspension program. These assignments, and the determination of the time period for them, shall be determined by the principal, or his or her designee. In-school suspension in Jackson R-2 School District is available for grades 6-12.

STUDENT SUSPENSION AND EXPULSION

The Board of Education believes that the right of a child to attend free public schools carries with it the responsibility of the child to attend school regularly and to comply with the lawful policies, rules and regulations of the school district. This observance of school policies, rules and regulations is essential for permitting others to learn at school.

Therefore, the administrative prerogative to exclude a student from school because of willful violation of school rules and regulations, willful conduct which materially or substantially disrupts the rights of others to an education, or willful conduct which endangers the student, other students or the property of the school is permitted, provided such action is taken in accordance with due process and with due regard for the welfare of both the student and the school.

The term "suspension" refers to an exclusion from school that will not exceed a specific period of time. The term "expulsion" refers to exclusion for an indefinite period.

Out of School Suspensions

In Missouri, a principal may suspend a student for up to ten (10) school days. A superintendent may suspend a student for up to 180 school days. Procedures for suspending a student are outlined below.

1. Before suspending a student, a principal or superintendent must (a) tell the student, either orally or in writing, what misconduct he or she is accused of; (b) if the student denies the accusation, explain, either orally or in writing, the facts that form the basis of the proposed suspension; and give the student an opportunity to present his or her version of the incident.
2. If the principal or superintendent concludes that the student has engaged in misconduct punishable by suspension, the procedures described below apply unless the student is disabled. (If the student is disabled, the procedures described in the policy dealing with the discipline of disabled children apply.)
3. The principal or superintendent should determine whether the student should be suspended or whether less drastic alternative measures would be appropriate.
4. If suspension is imposed, the student's parents or guardians must be promptly notified of the suspension and the reasons for the action.

5. Any suspension by a principal must be reported, immediately and in writing, to the superintendent, who may revoke the suspension, either part or in full, at any time.
6. If a student is suspended for more than ten (10) school days, the following rules also apply:
 - A. The student, his or her parents, guardians or others having custodial care have a right to appeal the superintendent's decision to the Board or a committee of the Board appointed by the Board president.
 - B. If the student gives notice that he or she wishes to appeal the suspension to the Board, the suspension shall be stayed until the Board renders its decision, unless in the superintendent's judgment, the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process.
 - C. All notices of appeal shall be transmitted, either by the appealing party or by the superintendent, to the secretary of the Board. Oral notices, if made to the superintendent, shall be reduced to writing and communicated to the secretary of the Board.
 - D. The superintendent, when notified of an appeal, shall promptly transmit to the Board a full written report of the facts relating to the suspension, the action taken by the superintendent, and the reasons for the action.
 - E. Upon receipt of a notice of appeal, the Board will schedule a hearing and within a reasonable time in advance of the scheduled date, will notify, by certified mail, the appealing party of the date, time and place of the hearing and of the right to counsel, to call witnesses, and to present evidence at the hearing.
 - F. Hearings of appealed suspensions will be conducted as described in the section of this policy dealing with student disciplinary hearings.

Suspensions for More Than 180 School Days and Expulsions

Only the Board may expel a student or suspend a student for more than 180 school days. The applicable procedures are outlined below.

1. Before recommending to the Board that a student be expelled or suspended for more than 180 school days, the superintendent or principal must (a) tell the student, either orally or in writing, what misconduct he or she is accused of; (b) if the student denies the accusation, explain, either orally or in writing, the facts that form the basis of the proposed suspension/expulsion; and give the student an opportunity to present his or her version of the incident.
2. If the superintendent concludes that the student has engaged in misconduct and should be expelled or suspended for more than 180 school days, the procedures described below apply unless the student is disabled. (In the case of a disabled student, the procedures described in the policy dealing with the discipline of disabled children shall apply.)
 - A. The superintendent will recommend to the Board that the student be expelled or suspended for more than 180 school days. The superintendent may also immediately suspend the student for up to 180 school days.
 - B. Upon receipt of the superintendent's recommendation, the Board will follow the procedures described in the section of this policy dealing with student disciplinary hearings.
3. If the student is expelled, he or she may later apply to the Board for readmission. Only the Board can readmit an expelled student.

Prior to the readmission or enrollment of any student who has been suspended out of school or expelled in accordance with this policy, a conference must be held to review the student's conduct that resulted in the suspension or expulsion and any remedial actions needed to prevent future occurrences of such conduct or related conduct. The conference shall include the appropriate school officials including any teacher directly involved with the conduct that resulted in the suspension or expulsion, the student, and the parent or guardian of the student or any agency having legal jurisdiction, care, custody or control of the student. The Board of Education shall notify, in writing, the parents or guardians and all other parties of the time, place and agenda of any such conference. Failure of any party to attend this conference shall not preclude holding the conference.

Student Discipline Hearings

The Board of Education may originate student discipline hearings upon recommendation of the superintendent. In such cases, the Board of Education will review the superintendent's report and determine whether to conduct a discipline hearing. In addition, student discipline hearings also will be held upon written request of the student or the student's parents, to consider appeals from student suspensions in excess of ten (10) school days. A discipline hearing will always be held in cases of suspensions in excess of 180 school days or expulsions, unless after meeting with the superintendent or designee, the parent or guardian waives, in writing, the right to an expulsion hearing.

In all hearings, whether initiated by the Board of Education or by appeal, the following procedures will be adhered to:

1. The student and the parents/guardians will be advised of the charges against the student; their right to a Board hearing; the date, time and place of the hearing; their right to counsel; and their procedural rights to call witnesses, enter exhibits and cross-examine adverse witnesses. All such notifications will be made by certified mail, addressed to the student's parents or guardians. The Board shall make a good-faith effort to have the parents or guardians present at the hearing.
2. The hearing will be closed unless the Board decides otherwise. The hearing will only be open with parental consent. At the hearing, the administration or their counsel will present the charges and such testimony and evidence to support such charges. The student, his or her parents/guardians or their counsel shall have the right to present witnesses, introduce exhibits, and to cross-examine witnesses called in support of the charges. A licensed court reporter may record the hearing and prepare a written transcript.

3. At the conclusion of the hearing, the Board of Education shall deliberate in executive session and shall render a decision to dismiss the charges; to suspend the student for a specified period of time; or to expel the student from the schools of the District. The administration or its counsel, by direction of the Board of Education, shall promptly prepare and transmit to the parents/guardians written notice of the decision.

DISCIPLINE REPORTING AND RECORDS

In compliance with state law, the Board of Education establishes explicit channels of communication between teachers, administrators, law enforcement officials and other schools concerning acts of school violence and other behaviors which endanger the welfare or safety of students, staff and patrons of the district. The purpose of this policy is to designate specific actions committed by students which must be reported to teachers, administrators and/or law enforcement officials as well as those actions which must be documented in a student's discipline record.

Definitions

The following definitions and terms apply to this policy:

1. **Act of School Violence/Violent Behavior** -- The exertion of physical force by a student with the intent to do serious physical injury to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities.
2. **Serious Physical injury** -- Physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of any part of the body.
3. **Serious Violation of District's Discipline Policy** -- One or more of the following acts if committed by a student enrolled in the district:
 - Any act of school violence.
 - Any offense which occurs on school grounds, on school buses or at any school activity which is required by law to be reported to law enforcement officials.
 - Any offense which results in an out-of-school suspension for more than ten (10) school days.
4. **Need to Know** -- Relates to school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties.

Reporting to School Staff

School administrators shall report acts of school violence to teachers and other school district employees with a need to know. In addition, any portion of a student's Individualized Education Program (IEP) that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other district employees with a need to know.

Teachers and other school district employees who have a need to know will also be informed by the superintendent or designee of any act committed by a student in the district which is reported to the district by a juvenile officer in accordance with state law. The report from the juvenile officer shall not be used as the sole basis for denying educational services to a student.

Any teacher who is aware of an incident in which a person is believed to have committed an act which if committed by an adult would be first, second or third degree assault, sexual assault or deviate sexual assault against a student or school employee, while on school property, buses or at school activities shall immediately report such incident to the principal. The teacher shall also inform the principal if a student is discovered to possess a controlled substance or weapon in violation of the district's policy.

Reporting to Law Enforcement Officials

Any felony listed in this section, or any act which if committed by an adult would be a felony listed in this section, that is committed on school property, on any school bus or at any school activity must be reported by the appropriate school administrator to the appropriate law enforcement agency as soon as reasonably practical. The following acts are subject to this reporting requirement in addition to other offenses as provided by law:

- First or second degree murder under §§ 565.020, .021, RSMo;
- Voluntary or involuntary manslaughter under § 565.024, RSMo;
- Kidnapping under § 565.110, RSMo;
- First, second, or third degree assault under §§ 565.050, .060, .070, RSMo;
- Sexual assault under §§ 566.040, .070, RSMo;
- Forcible rape or sodomy under §§ 566.030, .060, RSMo;
- Burglary in the first or second degree under §§ 569.160, .170, RSMo;
- Robbery in the first degree under § 569.020, RSMo;
- Possession of a weapon under chapter 571, RSMo;
- Distribution of drugs under §§ 195.211, .212, RSMo;
- Arson in the first degree under § 569.040, RSMo;
- Felonious restraint under § 565.120, RSMo;
- Property damage in the first degree under § 569.100, RSMo.

In addition, the superintendent shall notify the appropriate division of the juvenile or family court upon suspension for more than ten (10) days or expulsion of any student who the school district is aware is under the jurisdiction of the court.

The principal shall immediately report to the appropriate law enforcement agency and superintendent any incident in which a person is believed to have committed an act which if committed by an adult would be first, second or third degree assault, sexual assault or deviate sexual assault against a student or school employee, while on school property, buses or at school activities. 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.

Student Discipline Records

The Board of Education directs the superintendent or designee to compile and maintain records of any serious violation of the district's discipline policy for each student enrolled in the district. Such records shall be made available to teachers and other school district employees with a need to know, and shall be provided in accordance with state law to any school district in which the student subsequently attempts to enroll within five (5) business days of receiving the request. Personally identifiable student records will only be released or destroyed in accordance with state and federal law. Student discipline records will go with the students from year to year.

Confidentiality

Any information received by a school district employee relating to the conduct of a student shall be received in confidence and used for the limited purpose of assuring that good order and discipline is maintained in the schools.