Student Misconduct and Disciplinary Consequences

2013-2014

All students attending school in District schools will be expected to accept the obligation and responsibility to attend school on a regular basis and to comply with the District's discipline code set forth in Regulation 2610. Those students who choose not to fulfill their responsibilities at school will be held accountable for their conduct. Consequences for individual acts of misconduct are calculated to discipline the student, to deter future misconduct and to provide a safe and positive environment in which students can learn. Students, who engage in significant acts of misconduct off campus which materially and adversely impact the educational environment of district students to the extent allowed by law, will be subject to discipline up to and including expulsion*. (Wentzville School District Policy 2610 and Regulation 2610)*

The discipline code set out in this regulation is intended to be illustrative but not an exclusive listing of acts of misconduct and the consequences for each. Misconduct, which is not specifically listed in this regulation, may be deemed to warrant discipline up to and including expulsion following provision of all due process procedures. In addition, the disciplinary consequence listed for each offense may be increased or decreased by the Administration or the Board of Education due to mitigating or aggravating circumstances.

For certain violations of the discipline code set out in this regulation, the applicable teacher (or other certified staff member) may use reasonable discretion in determining whether the appropriate consequence/intervention can be facilitated by the teacher/staff member or if the circumstances warrant that a major referral be submitted to school administration for disposition.

Factors to be considered include severity of violation, grade level of the student, a student's prior behavior and violation history, and any other background information that the teacher/staff member may have that would indicate that a teacher-managed response would be appropriate.

Copies of this regulation as well as the District's corporal punishment policy will be provided to each student at the beginning of each school year. Copies of these documents will also be available for public inspection during normal business hours in the Superintendent's office.

When a student is suspended out of school, the student will qualify to make up missed assignments and receive credit in all situations. The principal or assistant principal, with input from appropriate teachers, will monitor the expected date for make up work to be complete.

1. **Academic Dishonesty**-Academic dishonesty will not be tolerated in schools. It is unfair to those who complete work appropriately, but more importantly; it prevents teachers from truly assessing a student's knowledge and capabilities. Disciplinary action for academic dishonesty is in response to the ethical violation, but should also seek to assess student's knowledge of the subject. With this in mind, the following guidelines will apply for cases of cheating, stealing answers, plagiarizing, and other forms of academic dishonesty in any form

   First Offense:

   Elementary Schools: Conference with principal, detention and/or loss of school privileges and an opportunity to complete the assignment or an alternative assignment

   Middle Schools: Detention or in-school suspension and the student will have to redo the assignment, test, or an alternative for reduced credit earning up to 70 percent of the assigned points possible

High Schools: For daily work or small activities, detention and the student will have to redo the assignment for reduced credit earning up to 60 percent of the assigned points possible. For large projects or tests, In-school suspension and the student will have to redo the project, test, or an alternative for reduced credit earning up to 60 percent of the assigned points possible

Subsequent Offenses:

Elementary Schools: Conference with principal, detention or in-school suspension or loss of school privileges and an opportunity to complete the assignment or an alternative assignment

Middle and High Schools: For daily work or small activities, detention and the student will not be allowed to redo the assignment. For large projects or tests, In-school suspension and the student will not be allowed to redo the project or test

2. **Alcohol**-Possession, use, distribution, consumption and/or being under the influence of alcoholic beverages or substances represented to be an alcoholic beverage while at school, on school district property, on a school bus, or at a school activity whether on or off of school property

   First Offense: 10-180 days out-of-school suspension or expulsion and notice to law enforcement officials

   Subsequent Offense: 11-180 days out-of-school suspension or expulsion and notice to law enforcement officials

3. **Arson**-Intentionally causing or attempting to cause a fire or explosion

   First Offense: 1-180 days out-of-school suspension or expulsion and notice to law enforcement officials

   Subsequent Offense: 11-180 days out-of-school suspension or expulsion and notice to law enforcement officials

4. **Assault of Student or Staff Member**-Attempting to cause injury to another person; intentionally placing a person in reasonable apprehension of imminent physical danger; causing physical injury to another person when there is no immediate confrontation or provocation

   First Offense: 1-180 days out-of-school suspension or expulsion and notice to law enforcement officials

   Subsequent Offense: 5-180 days out-of-school suspension or expulsion and notice to law enforcement officials

5. **Automobile/Vehicle Misuse**-Discourteous or unsafe driving on school district property, or at a school activity whether on or off of school property, unregistered parking, failure to move vehicle at the request of school officials, failure to follow directions given by school officials or failure to follow established rules for parking or driving on school property

   First Offense: Principal/student conference, detention, in-school suspension, 1-180 days of out-of-school suspension or expulsion and/or loss of parking privileges

   Subsequent Offense: Principal/student conference, detention, in-school suspension, 1-180 days of out-of-school suspension or expulsion and/or loss of parking privileges

6. **Bullying**-Repeated and systematic intimidation and/or attacks on a student or multiple students, perpetuated by individuals or groups. Bullying includes, but is not limited to physical violence, verbal taunts, name-calling and put-downs, threats, extortion or theft, damaging property, ~~and~~ exclusion from a peer group *(see Policy 2655 included in this packet)*

   First Offense: Principal/student conference, detention, in-school suspension, 1-180 days out-of-school suspension or expulsion and notice to law enforcement officials

Subsequent Offense: In-school suspension, 1-180 days out-of-school suspension or expulsion and notice to law enforcement officials

7. **Dangerous Behavior**–Behavior by the student that is a threat to the safety of the student and/or others

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

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

8. **Disrespectful Conduct or Speech**-Verbal, written, pictorial or symbolic language or gesture that is directed at any person that is rude, ~~or~~ defiant, vulgar, or obscene, and that is considered inappropriate in educational settings

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

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

9. **Disruptive Behavior**-Conduct which has the effect of disturbing education, the school environment, or the safety of a student

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

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

10. **Drugs/Controlled Substance**

    Possession, Use, Consumption, Being Under the Influence of a controlled substance or substance represented to be a controlled substance while at school, on school district property, on a school bus, or at a school activity whether on or off of school property

    First Offense: 10-180 days out-of-school suspension or expulsion and notice to law enforcement officials

    Subsequent Offense: 11-180 days out-of-school suspension or expulsion and notice to law enforcement officials

    Sale or Transfer or Intent to Sale or Transfer a controlled substance or substance represented to be a controlled substance while at school, on school district property, on a school bus, or at a school activity whether on or off of school property

    First Offense: 11-180 days out-of-school suspension or expulsion and notice to law enforcement officials

    Subsequent Offense: 11-180 days out-of-school suspension or expulsion and notice to law enforcement officials

11. **Electronics**–Possession and/or use of electronic equipment including, but not limited to MP3 technology, CD players, cellular telephones, computers and video games/systems is strongly discouraged. Students may only create digital images that have been authorized and/or do not disrupt the educational environment or pose the potential to disrupt the educational environment.

    Elementary Schools: Devices in this category are not to be visible, audible, or in use while at school from the time a student arrives to school prior to classes commencing to the time the student is dismissed from classes unless a teacher gives a student permission to utilize the device while in class. The items may be used on the way to and from school, after school and at activities or athletic events or with teacher/principal approval. Devices in this category should

otherwise be turned off during the school day. Students, who bring electronic items to school, do so at their own risk and are responsible to secure the item from theft or loss. If a student brings a device and it is visible and/or in use during the school day, the student is subject to consequences. Students who violate this expectation and guideline will have their electronic device confiscated.

Laser pointers are not allowed at any time. Possession of a laser pointer will result in a consequence

First Offense: The student's electronic equipment will be confiscated and returned at the end of the day and there will be contact made with the student's parent. The student may be assigned a detention and/or in-school suspension

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

Middle Schools: Devices in this category are not to be visible, audible, or in use while at school from the time a student arrives to school prior to classes commencing to the time the student is dismissed from classes unless a teacher gives a student permission to utilize the device while in class***.*** Items may be used on the way to and from school, after school and at activities or athletic events or with teacher/principal approval. Devices in this category should otherwise be turned off during the school day***.*** Students, who bring electronic items to school, do so at their own risk and are responsible to secure the item from theft or loss. If a student brings a device and it is visible and/or in use during the school day, the student is subject to consequences. Students who violate this expectation and guideline will have their electronic device confiscated.

Laser pointers are not allowed at any time. Possession of a laser pointer will result in a consequence

First Offense: The student's electronic equipment will be confiscated and returned at the end of the day and the administrator will contact the student's parent. The student may be assigned a detention and/or in-school suspension

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

High Schools: Devices in this category are not to be visible, audible, or in use while in class, unless a teacher gives a student permission to utilize the device. Students may use the device in assigned lunch periods and in the passing time between classes***.*** Devices in this category should be turned off during the school day with the exception of the students' assigned lunch periods. Students may use their cell phones during the assigned lunch period. The items may be used on the way to and from school, after school and at activities or athletic events or with teacher/principal approval. Students, who bring electronic items to school, do so at their own risk and are responsible to secure the item from theft or loss. If a student brings a device and it is visible and/or in use during the school day, the student is subject to consequences. Students who violate this expectation and guideline will have their electronic device confiscated.

Laser pointers are not allowed at any time. Possession of a laser pointer will result in a consequence

First Offense: The student's electronic equipment will be confiscated and returned at the end of the day and the administrator will contact the student's parent. The student may be assigned a detention and/or in-school suspension

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

12. **Extortion**-Verbal threats or physical conduct designed to obtain money or other valuables

    First Offense: Principal/student conference, detention, in-school suspension, 1-180 days out-of-school suspension or expulsion and notice to law enforcement officials

    Subsequent Offense: Principal/student conference, detention, in-school suspension, 1-180 days out-of-school suspension or expulsion and notice to law enforcement officials

13. **Failure to Serve Friday Detention**-Friday Detentions are three-hour detentions assigned by high school principals. When students attend a Friday Detention, they are to complete projects/assignments that support academics. Principals will inform parents of the scheduled detention in sufficient time for the parent to arrange transportation. Principals will send reminders to students regarding the Friday Detention during the week prior to the assigned date. If a student and/or parent chooses for the student to not attend the detention, the student will receive two days of in-school suspension.

14. **False Alarms**-Tampering with emergency equipment, setting off false alarms, making false reports

    First Offense: Principal/student conference, detention, in-school suspension, 1-180 days out-of-school suspension or expulsion and notice to law enforcement officials

    Subsequent Offense: In-school suspension, 1-180 days out-of-school suspension or expulsion and notice to law enforcement officials

15. **Fighting**-Physically striking another in a mutual contact as differentiated from an assault

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

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

16. **Harassment**-(*Refer to Policy and Regulation 2130-Harassment which are included in this packet*)

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

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

17. **Inappropriate Sexual Conduct**-Physical touching of another student in the area of breasts, buttocks, or genitals; using sexually intimidating language, objects, or pictures; displaying breasts, buttocks, and genitals

    First Offense: Principal/student conference, detention, in-school suspension, 1-180 days out-of-school suspension or expulsion and notice to law enforcement officials

    Subsequent Offense: Principal/student conference, detention, in-school suspension, 1-180 days out-of-school suspension or expulsion and notice to law enforcement officials

18. **Possession of a Firearm**-(*Defined in Policy and Regulation 2620 which are included in this packet)*

    First Offense: 1-180 days out-of-school suspension or expulsion and notice to law enforcement officials

    Subsequent Offense: 180 days out-of-school suspension or expulsion and notice to law enforcement officials

19. **Possession of a Weapon**-(*Defined in Policy and Regulation 2620 which are included in this packet)*

    First Offense: In-school suspension, 1-180 days out-of-school or expulsion and notice to law enforcement officials

    Subsequent Offense: 1-180 days out-of-school suspension or expulsion and notice to law enforcement officials

20. **Posturing/Aggressive Behavior**-The act of engaging in using gestures or physical contact, yelling, bumping, threatening body language and/or similar behaviors that are done in a manner that would reasonably be perceived by others to be aggressive

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

    Subsequent Offense: Principal/student conference, detention, in-school suspension, or 1-180 days out-of-school suspension

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

    First Offense: Principal/student conference, detention, in-school suspension, 1-180 days out-of-school suspension or expulsion and/or loss of user privileges

    Second Offense: In-school suspension, 1-180 days out-of-school suspension or expulsion and/or loss of user privileges

22. **Theft**-Nonconsensual taking or attempt to take the property of another or possession of property taken from another

    First Offense: Principal/student conference, detention, in-school suspension, 1-180 days out-of-school suspension or expulsion and restitution and notice to law enforcement officials

    Subsequent Offense: Principal/student conference, detention, in-school suspension, 1-180 days out-of-school suspension or expulsion and restitution and notice to law enforcement officials

23. **Threatening Language**-Use of verbal, physical, or written threats to do bodily harm to a person or personal property

    First Offense: Principal/student conference, detention, in-school suspension, or 1-180 days out-of-school suspension or expulsion and notice to law enforcement officials

    Subsequent Offense: In-school suspension, 1-180 days out-of-school suspension or expulsion and notice to law enforcement officials

24. **Tobacco**-Possession or use of tobacco or tobacco products

    First Offense: Principal/student conference, detention, in-school suspension and notice to law enforcement officials

    Subsequent Offense: In-school suspension, or out-of-school suspension, or expulsion and notice to law enforcement officials

25. **Truancy**-Absent or tardy from class or classes without authorization (*See Policy and Regulation 2340 which are included in this packet)*

    First Offense: Principal/student conference, detention, in-school suspension

    Second Offense: Principal/student conference, detention, in-school suspension

    Subsequent Offense: In-school suspension

26. **Vandalism**-Intentional damage or attempt to damage property belonging to the staff, students, or the district

    First Offense: Principal/student conference, detention, in-school suspension, 1-180 days out-of-school suspension or expulsion and restitution and notice to law enforcement officials

    Subsequent Offense: 11-180 days out-of-school suspension or expulsion and restitution and notice to law enforcement officials

Tardies *(Middle School only)*

Students will be allowed two tardies per class per semester. On the third tardy to a class, the teacher will contact the student's parents via a telephone call or email. On the fourth tardy to a class per semester, the teacher will assign after-school detention and contact the student's parents via telephone or email. The fifth tardy for a class in a semester will be referred to the appropriate principal who will assign two after-school detentions. A sixth tardy to a class in a semester will be referred to the appropriate principal who will assign one day of in-school suspension. Tardies beyond six per class per semester will be referred to the appropriate principal who will assign a consequence.

Tardies *(High School only)*

Each student will be allowed two tardies per class per quarter. On the third and fourth tardy per class, the principal will assign a one-hour detention to be served after school in the detention classroom. On the fifth tardy and each subsequent tardy violation in that class during the quarter, the teacher will notify the appropriate principal. The principal will assign the student a Friday Detention. Students who are late to school will be considered tardy.

Bullying

The District is committed to maintaining a learning and working environment free of any form of bullying or intimidation by students toward District personnel or students on school grounds, or school time, at a school sponsored activity or in a school related context. Bullying is the intentional action by an individual or group of individuals to inflict physical, emotional or mental suffering on another individual or group of individuals.

Bullying occurs when a student:

- Communicates with another by any means including telephone, writing, cyberbullying, or via electronic communications, intention to intimidate, or inflict physical, emotional, or mental harm without legitimate purpose, or
- Physically contacts another person with the intent to intimidate or to inflict physical, emotional, or mental harm without legitimate purpose. Physical contact does not require physical touching, although touching may be included.

Students who are found to have violated this policy will be subject to the following consequences depending on factors such as: age of student(s), degree of harm, severity of behavior, number of incidences, etc. Consequences: loss of privileges, detention, conference with administrator or teacher, parent contacted, in-school suspension, out-of-school suspension, expulsion and/or law enforcement contacted.

District employees are required to report any instance of bullying of which the employee has first-hand knowledge. Moreover, the District will provide training for employees relative to enforcement of this policy. (*Board Policy 2655*)

Corporal Punishment: Prohibited

No person employed by or volunteering for the School District shall administer or cause to be administered corporal punishment upon a student attending District schools.

A staff member may, however, use reasonable restraint against a student without advance notice to the principal, if it is essential for self-defense, the preservation of order, or for the protection of other persons or the property of the School District.

Although corporal punishment is prohibited, the use of reasonable force for a District employee to protect persons or property is not abuse within the meaning of Chapter 210, RSMO. *(Board of Education Policy 2670)*

Firearms and Weapons in School

The District recognizes firearm and weapon possession as a potential threat to the health, safety and security of students, employees, and other persons. The District will not tolerate the presence of firearms or weapons on the premises of our schools. This prohibition includes possession of firearms and weapons on school playgrounds, school parking lots, school buses, and at school activities, whether on or off school property. The District complies with the provisions of the Improving America's Schools Act of 1994 and other applicable federal and state law.

Nothing in this policy shall prohibit the District from permitting a Civil War re-enactor to bring a Civil War era weapon to school for educational purposes so long as the weapon is not loaded.

Students who violate this policy will be suspended for no less than one (1) year and are subject to permanent expulsion. However, the Superintendent may recommend to the Board a modification of the suspension on a case-by-case basis. Students with disabilities under the Individuals Act and/or Section 504 of the rehabilitation Act are entitled to the protections of those laws.

This policy will be annually submitted to the Department of Elementary and Secondary Education together with a report of disciplinary action taken for possession of a "firearm" or "weapon" as defined in *Regulation 2620.*

Definition of Firearm

The term firearm includes, but is not limited to, such items as:

1. Any item which is a loaded or unloaded weapon, weapon frame, or weapon barrel and which is designed to, or may be readily converted to, expel a projectile by action of an explosive, or
2. Any item which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has a barrel with a bore of at least one-half inch in diameter, or
3. Any explosive, incendiary, or poison gas, such as: bombs; grenades; rockets with a propellant charge of greater than four ounces; and other similar devices as recognized under federal law, or
4. Any combination of parts either designed to or intended for use in converting any device into a device as described in paragraphs above.

Definition of Weapons

The term weapon shall mean a "firearm" as defined above, and shall also include the items listed below, which are defined as "weapons" in section 571.010, RSMo.

1. Blackjack
2. Concealable firearm
3. Explosive weapon
4. Firearm
5. Firearm silencer

6. Gas gun
7. Knife
8. Machine gun
9. Knuckles
10. Projectile weapon
11. Rifle
12. Shotgun
13. Spring gun
14. Switchblade knife

Other weapons:

1. Mace spray
2. Any knife, regardless of blade length
3. Items customarily used, or which can be used, to inflict injury upon another person or property.

Students Who Bring Firearms or Weapons to School

The District will take the following action upon determining that a student has brought a firearm or weapon to school:

1. The District will refer the student to the appropriate criminal justice or juvenile delinquency system, and
2. The District will suspend the student from school for a period of not less than one year (365 days) from the date of the infraction, and may, at its discretion, expel the student from school permanently. This suspension provision may be modified on a case-by-case basis upon recommendation of the Superintendent if the Superintendent determines that circumstances justify such a modification.
3. The District may, at its discretion, provide a student suspended under this Regulation with educational services in an alternative setting.

Applicability of Regulation to Students with Disabilities

If the student with a disability under the Individuals with Disabilities Education Act carries or possesses a weapon, as defined by 18 U.S.C. 930(g) (2), to or at school, on school premises, or to or at a school function under the District's authority, school administrators may remove that student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability. If a school administrator removes a student with an IDEA disability to an interim alternative educational placement, the District must convene the student's multidisciplinary and/or IEP team to conduct a manifestation determination within the statutory time frame and the student's IEP team must determine the interim alternative educational placement and the services that the student will be provided in order to receive a free appropriate public education and access to the general curriculum. *(Board Policy and Regulation 2620)*

Harassment

Nondiscrimination and Student Rights

It is the policy of the District to maintain a learning environment that is free from harassment because of an individual's race, color, sex, national origin**,** age, ethnicity, disability, sexual orientation, or perceived sexual orientation. The School District prohibits any and all forms of unlawful harassment and discrimination because of race, color, sex, national origin, age**,** ethnicity, disability, sexual orientation, or perceived sexual orientation.

It shall be a violation of District policy for any student, teacher, administrator, or other school personnel of this District to harass or unlawfully discriminate against a student through conduct of a sexual nature, or regarding race, color, sex, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation as defined by this Policy.

It shall also be a violation of District policy for any teacher, administrator, or other school personnel of this District to tolerate sexual harassment or harassment because of a student's race, color, sex, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation, as defined by this Policy, by a student, teacher, administrator, other school personnel, or by any third parties who are participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the School District.

For purposes of this Policy, the term "school personnel" includes school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the District.

The school system and District officials, including administrators, teachers, and other staff members will act to promptly investigate all complaints, either formal or informal, verbal or written, of unlawful harassment or unlawful discrimination because of race, color, sex, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation; to promptly take appropriate action to protect individuals from further harassment or discrimination; and, if it determines that unlawful harassment or discrimination occurred, to promptly and appropriately discipline any student, teacher, administrator, or other school personnel who is found to have violated this Policy, and/or to take other appropriate action reasonably calculated to end the harassment/discrimination.

The District prohibits retaliation against a person who files a complaint of discrimination or harassment, and further prohibits retaliation against persons who participate in related proceedings or investigations.

DEFINITIONS AND EXAMPLES

Sexual Harassment

For purposes of this Regulation, sexual harassment of a student consists of sexual advances, requests for sexual favors, sexually-motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:

1. A school employee causes a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity, or when an employee or third party agent of the District causes a student to believe that the employee will make an educational decision based on whether or not the student submits to unwelcome sexual conduct; or

2. When the unwelcome sexual conduct of a school employee or classmate is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment.

Examples of conduct which may constitute sexual harassment include:

- sexual advances;
- touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
- coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
- coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another;
- graffiti of a sexual nature;
- sexual gestures;
- sexual or dirty jokes;
- touching oneself sexually or talking about one's sexual activity in front of others;
- spreading rumors about or rating other students as to sexual activity or performance;
- unwelcome, sexually motivated or inappropriate patting, pinching, or physical contact. This prohibition does not preclude legitimate, non-sexual physical conduct such as the use of necessary restraints to avoid physical harm to persons or property, or conduct such as a teacher's consoling hug of a young student, or one student's demonstration of a sports move requiring contact with another student. (NOTE: Where the perpetrator is an adult and the victim is a student, welcomeness is generally not relevant.)

- other unwelcome sexual behavior or words, including demands for sexual favors, when accompanied by implied or overt threats concerning an individual's educational status or implied or overt promises of preferential treatment.

Harassment Because of Race or Color

For purposes of this Regulation, racial harassment of a student consists of verbal or physical conduct relating to an individual's race or color when:

1. The harassing conduct is sufficiently severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of race or color include:

- graffiti containing racially offensive language;
- name-calling, jokes, or rumors;
- threatening or intimidating conduct directed at another because of the other's race or color;
- notes or cartoons;
- racial slurs, negative stereotypes, and hostile acts, which are based upon another's race or color;
- written or graphic material containing racial comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race or color;
- other kinds of aggressive conduct such as theft or damage to property, which is motivated by race or color.

Harassment Based Upon National Origin or Ethnicity

For purposes of this Regulation, ethnic or national origin harassment of a student consists of verbal or physical conduct relating to an individual's ethnicity or country of origin or the country of origin of the individual's parents, family members, or ancestors when:

1. The harassing conduct is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of national origin or ethnicity include:

- graffiti containing offensive language, which is derogatory to others because of their national origin or ethnicity;
- jokes, name-calling, or rumors based upon an individual's national origin or ethnicity;
- ethnic slurs, negative stereotypes, and hostile acts, which are based upon another's national origin or ethnicity;
- written or graphic material containing ethnic comments or stereotypes, which is posted or circulated, and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, ethnicity or national origin;
- other kinds of aggressive conduct such as theft or damage to property, which is motivated by national origin or ethnicity.

Harassment Because of Disability

For the purposes of this Regulation, harassment because of the disability of a student consists of verbal or physical conduct relating to an individual's physical or mental impairment when:

1. The harassing conduct is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. The harassing conduct otherwise adversely and substantially affects an individual's learning opportunities.

Examples of conduct, which may constitute harassment because of disability include:

- graffiti containing offensive language, which is derogatory to others because of their physical or mental disability;
- threatening or intimidating conduct directed at another because of the other's physical or mental disability;
- jokes, rumors, or name-calling based upon an individual's physical or mental disability;
- slurs, negative stereotypes, and hostile acts, which are based upon another's physical or mental disability;
- graphic material containing comments or stereotypes, which is posted or circulated, and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, an individual's physical or mental disability;
- other kinds of aggressive conduct such as theft or damage to property which is motivated by disability.

Harassment Because of Gender

For purposes of this Regulation, gender harassment of a student consists of verbal or physical conduct relating to an individual's gender when:

1. The harassing conduct is sufficiently persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, creates an intimidating, threatening, or abusive educational environment; or
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct, which may constitute harassment because of gender include:

- graffiti containing offensive language;
- name-calling, jokes, or rumors;
- threatening or intimidating conduct directed at another because of the other's gender;
- notes or cartoons;
- slurs, negative stereotypes, and hostile acts, which are based upon another's gender;
- written or graphic material containing comments or stereotypes, which is posted or circulated, and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to gender;
- other kinds of aggressive conduct such as theft or damage to property, which is motivated by gender.

Harassment Because of Sexual Orientation or Perceived Sexual Orientation

For purposes of this Regulation, harassment of a student because of sexual orientation or perceived sexual orientation consists of verbal or physical conduct relating to an individual's sexual orientation or perceived sexual orientation when:

1. The harassing conduct is sufficiently persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, or abusive educational environment; or
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct, which may constitute harassment because of sexual orientation or perceived sexual orientation include:

- graffiti containing offensive language;
- name-calling, jokes, or rumors;
- threatening or intimidating conduct directed at another because of the other's sexual orientation or perceived sexual orientation;
- notes or cartoons;
- slurs, negative stereotypes, and hostile acts, which are based upon another's sexual orientation or perceived sexual orientation;
- written or graphic material containing comments or stereotypes, which is posted or circulated, and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, sexual orientation or perceived sexual orientation;
- other kinds of aggressive conduct such as theft or damage to property, which is motivated by sexual orientation or perceived sexual orientation.

REPORTING PROCEDURES

The following procedures are applicable to any student who believes he or she has been the victim of sexual harassment or harassment/discrimination based on race, color, sex, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation by a student, teacher, administrator, or other school personnel of the School District, or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the School District.

Such individuals are encouraged to immediately report the alleged acts to an appropriate District official(s) designated by this Regulation.

Any teacher, administrator, or other school official who has or receives notice that a student has or may have been the victim of unlawful discrimination, sexual harassment or harassment based on race, color, sex, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation by a student, teacher, administrator, or other school personnel of the District, or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the District, is required to immediately report the alleged acts to an appropriate District official(s) designated by this Regulation.

Any other person with knowledge or belief that a student has or may have been the victim of unlawful discrimination, sexual harassment or harassment based on race, sex, color, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation as set forth above, is encouraged to immediately report the alleged acts to an appropriate District official(s) designated by this Regulation.

The School District encourages the reporting party or complainant to use the report form available from the principal of each building or available from the School District office, but oral reports shall be considered complaints as well. Use of formal reporting forms is not mandated. Nothing in this Regulation shall prevent any person from reporting harassment directly to the Compliance Officer or to the Superintendent. The District will respond to male and female students' complaints of discrimination and harassment promptly, appropriately, and with the same degree of seriousness.

1. In each school building, the building principal is the person responsible for receiving oral or written reports of discrimination, sexual harassment, or harassment based on race, sex, color, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation at the building level. Any adult School District personnel who receives a report of discrimination, sexual harassment, or harassment based on race, sex, color, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation shall inform the building principal immediately.

   Upon receipt of a report, the principal must notify the District Compliance Officer immediately, without screening or investigating the report. The principal may request but may not insist upon a written complaint. If the report was given verbally, the principal shall personally reduce it to written form and forward it to the Compliance Officer within twenty-four (24) hours. Failure to forward any harassment report or complaint as provided herein will result in disciplinary action against the principal.

   If the complaint involves the building principal, the complaint shall be made or filed directly with the Superintendent or the School District Compliance Officer by the reporting party or the complainant.

2. The School Board has designated the Assistant Superintendent of Human Resources as the District Compliance Officer with responsibility to identify, prevent, and remedy unlawful discipline and harassment. The District Compliance Office shall:

- receive reports or complaints of unlawful discrimination, sexual harassment, or harassment based on race, sex, color, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation;
- oversee the investigative process;
- be responsible for assessing the training needs of the District's staff and students in connection with the dissemination, comprehension, and compliance with this Regulation;
- arrange for necessary training required for compliance with this Regulation; and
- insure that any investigation is conducted by an impartial investigator who has been trained in the requirements of equal educational opportunity, including harassment, and who is able to apply procedural and substantive standards which are necessary and applicable to identify unlawful harassment, recommend appropriate discipline and remedies when harassment is found, and take other appropriate action to rectify the damaging effects of any prohibited discrimination, including interim protection of the victim during the course of the investigation.

If any complaint involves the Compliance Officer, the complaint shall be filed directly with the Superintendent.

The District shall conspicuously post this Regulation against unlawful discrimination and harassment in each school in a place accessible to students, faculty, administrators, employees, parents, and members of the public. This notice shall include the name, mailing address, and telephone number of the Compliance Officer, the name, mailing address, and telephone numberof the Missouri Commission for Human Rights, the state agency responsible for investigating allegations of discrimination in educational opportunities, and the mailing address and telephone number of the United States Department of Education, Office for Civil Rights, and the United States Department of Justice.

3. A copy of Policy 2130 shall appear in the student handbook and shall be made available upon request of parents, students, and other interested parties.

4. The School Board will develop a method of discussing this Regulation with students and employees. Training on the requirements of nondiscrimination and the appropriate responses to issues of harassment will be provided to all school personnel on an annual basis, and at such other times as the Board in consultation with the District Compliance Officer determines is necessary or appropriate.

5. This Regulation shall be reviewed at least annually for compliance with state and federal law.

6. The District will respect the privacy of the complainant, the individuals against whom the complaint is filed, and the witnesses as much as possible, consistent with the District's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

INVESTIGATION

Upon receipt of a report or complaint alleging unlawful discrimination, sexual harassment, or harassment based upon race, color, sex, national origin, age, ethnicity, disability, sexual orientation, or perceived sexual orientation, the Compliance Officer shall immediately undertake or authorize an investigation. That investigation may be conducted by District officials or by a third party designated by the District.

The investigation may consist of personal interviews with the complainant, the individual against whom the complaint is filed, and others who have knowledge of the alleged incident or circumstances giving rise to the complaint. The investigation may also consist of the evaluation of any other information or documents, which may be relevant to the particular allegations.

In determining whether the alleged conduct constitutes a violation of this Regulation, the District shall consider:

- the nature of the behavior;
- victim's statements;
- how often the conduct occurred;
- mandatory written witness statements or interview summaries;
- whether there were past incidents or past continuing patterns of behavior;
- opportunity for the complainant to present witnesses and provide evidence;
- evaluation of all relevant information and documentation relating to the complaint of discrimination or harassment;
- the relationship between the parties involved;
- the race, color, sex, national origin, age, ethnicity, disability, sexual orientation or perceived sexual orientation of the victim;
- the identity of the perpetrator, including whether the perpetrator was in a position of power over the student allegedly subjected to harassment;
- the number of alleged harassers;
- the age of the alleged harassers;
- where the harassment occurred;
- whether there have been other incidents in the school involving the same or other students;
- whether the conduct adversely affected the student's education or educational environment;
- the context in which the alleged incidents occurred.

Whether a particular action or incident constitutes a violation of this Regulation requires a determination based on all the facts surrounding the circumstances.

The investigation shall be completed no later than fifteen (15) days from receipt of the complaint. If the complaint involves the Superintendent, the written report may be filed directly with the School Board. The written report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this Regulation. The Compliance Officer's obligation to conduct this investigation shall not be extinguished by the fact that a criminal investigation involving the same or similar allegations is also pending or has been concluded.

SCHOOL DISTRICT RESPONSE

1. Upon receipt of a report that a violation has occurred, the District will within 15 days, take prompt, appropriate formal or informal action to address, and where appropriate, remediate the violation. Appropriate actions may include, but are not limited to, counseling, awareness training, parent-teacher conferences, warning, suspension, exclusion, expulsion, transfer, remediation, or

discharge. District action taken for violation of this Regulation shall be consistent with the requirements of applicable collective bargaining agreements, state and federal law, and District policies for violations of a similar nature of similar degree of severity. In determining what is an appropriate response to a finding that harassment in violation of this Regulation has occurred, the District shall consider:

- what response is most likely to end any ongoing harassment;
- whether a particular response is likely to deter similar future conduct by the harasser or others;
- the amount and kind of harm suffered by the victim of the harassment;
- the identity of the party who engaged in the harassing conduct.
- whether the harassment was engaged in by school personnel, and if so, the District will also consider how it can best remediate the effects of the harassment.

In the event that the evidence suggests that the harassment at issue is also a crime in violation of a Missouri criminal statute, the Board shall also direct the District Compliance Officer to report the results of the investigation to the appropriate law enforcement agency charged with responsibility for handling such crimes.

2. The results of the District's investigation of each complaint filed under these procedures will be reported in writing to the complainant and other parties by the District within 15 days of the Compliance Officer's receipt of the complaint, in accordance with state and federal laws regarding data or records privacy, and consistent with the privacy rights of the alleged harasser.

3. If the District's evaluation of a complaint of harassment results in a conclusion that a school employee has engaged in unlawful discrimination or harassment in violation of this Regulation, or that a school employee(s) has failed to report harassment as required herein, that individual may appeal this determination by presenting a written appeal within 10 school days of receiving notice of the District's conclusion, by use of established School Board procedures for appealing other adverse personnel actions.

4. If the District's evaluation of a complaint of harassment results in a conclusion that no unlawful harassment has occurred, an individual who was allegedly subjected to harassment and believes that this conclusion is erroneous may appeal this determination by presenting a written appeal to the Superintendent within 10 school days of receiving notice of the District's conclusion. The grievant may request a meeting with the Superintendent or his/her designee. The Superintendent or his/her designee has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Superintendent or his/her designee within 10 working days after receiving the written appeal.

5. If the complainant believes the Superintendent has not adequately or appropriately addressed the appeal, he or she may present a written appeal to the President of the Board of Education, within ten (10) working days after the grievant receives the report from the Superintendent. The grievant may request a meeting with the Board of Education. The Board of Education has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Board of Education at their next regularly scheduled meeting or no later than 45 calendar days from the District's receipt of the complainant's appeal to the Board. The grievant will be notified in writing of the decision within five (5) working days after the Board of Education meeting.

6. An individual who was allegedly subjected to unlawful discrimination or harassment may also file a complaint with the Missouri Commission for Human Rights, the United States Department of Education, Office for Civil Rights, or the United States Department of Justice. In addition, such individual may choose to file suit in the United States District Court or the State Circuit Court.

7. Copies of all complaints of harassment and the investigations conducted pursuant to them shall be maintained at the main administrative offices of the School District.

RETALIATION

Submission of a good faith complaint or report of unlawful discrimination, sexual harassment, or harassment based upon race, sex, color, disability, national origin, age, ethnicity, or sexual orientation will not affect the complainant or reporter's future employment, grades, learning, or working environment, or work assignments.

The School District will discipline or take appropriate action against any student, teacher, administrator, or other school personnel who retaliates against any person who reports an incident of alleged harassment/discrimination, sexual, racial, ethnic, sexual orientation discrimination, disability-related harassment or violence, or any person who testifies, assists, or participates in a proceeding, investigation, or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. (*Board Policy and Regulation 2130)*

Misconduct Not Occurring on School Property or at a School-Sponsored Activity

The District reserves the right to suspend and/or expel any student who engages in misconduct that may occur off school property or that does not occur at a school-sponsored activity when such conduct has a direct relationship (1) to the health, safety or security of students or staff and/or (2) to good order and discipline in the schools. Off-campus conduct for which a student may be suspended or expelled includes, but is not limited to, the following:

1. Conduct that would be prohibited if the student were on school property or at a school sponsored event.
2. Conduct in which another student or student(s) in the District was the actual or intended victim.
3. Conduct in which the immediate family of another student or student(s) in the District was the actual or intended victim.
4. Conduct in which an employee in the District or a Board member was the actual or intended victim.
5. Conduct in which the immediate family of an employee in the District or the immediate family member of a Board member was the actual or intended victim;
6. Conduct that has resulted in the filing of criminal charges or a juvenile petition when the appropriate administrator has determined by a preponderance of the evidence (i.e., more likely than not) that the student engaged in the misconduct underlying the criminal charge or juvenile petition;
7. Conduct that has resulted in a finding by the Board that a student has been charged, convicted or pled guilty in a court of general jurisdiction for the commission of a felony criminal violation of state or federal law.
8. Such other conduct that, in the judgment of the appropriate administrator demonstrates that a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process.
9. Any student who is suspended under this policy may appeal the suspension to the Board through the procedures outlined in Policy and Regulation 2671 – Student Discipline Hearings. *(Board Policy 2665)*

Searches by School Personnel

School lockers and desks are the property of the Board of Education and are provided for the convenience of students, and as such, are subject to periodic inspection without notice, without student consent, and without a search warrant. The lockers and desks may be searched by school administrators or staff who have a reasonable suspicion that the lockers or desks contain drugs, alcohol, material of a disruptive nature, stolen properties, weapons, items posing a danger to the health or safety of students and school employees, or evidence of a violation of school policy. In addition, the Board of Education authorizes the use of trained dogs to sniff lockers or other school property to assist in the detection of the presence of drugs, explosives, and other contraband.

Students or student property may be searched based on reasonable suspicion of a violation of District rules, policy or state law. Reasonable suspicion must be based on facts known to the administration, credible information provided or reasonable inference drawn from such facts or information. The privacy and dignity of students shall be respected. Searches shall be carried out in the presence of adult

witnesses, if such witnesses are available. Students may be asked to empty pockets, remove jackets, coats, shoes and other articles of exterior clothing for examination if reasonable under the circumstances.

No employee shall perform a strip search of any student. The exception to this would be if a school administrator reasonably believes that a student possesses a weapon, explosive, or substance that poses an imminent threat of physical harm to himself or herself or another person, and if a commissioned law enforcement officer is not immediately available. Strip searches may be conducted by, or under the authority of, a commissioned law enforcement officer.

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains the authority to conduct routine patrols of the student parking lots. The interior of a student's automobile on school premises may be searched if a school administrator has reasonable suspicion to believe that illegal, unauthorized or contraband items or evidence of a violation of school policy is contained inside the vehicle.

Law enforcement officials shall be contacted if the search produces a controlled substance, drug paraphernalia, weapons, stolen goods or evidence of a crime, in any case involving a violation of law when a student refuses to allow a search, or where the search cannot safely be conducted. Parents may also be contacted. A student who refuses to submit to a search may be appropriately disciplined by school officials. *(Board Policy 2150)*

Student Conduct on Buses

The safety of students during their transportation to and from school is a responsibility which they and their parents/guardians share with the bus drivers and school officials. Therefore, the rules of student conduct will be issued to all students at the beginning of the school year, and to new students upon enrollment. Students who fail to observe these rules will be subject to immediate disciplinary actions.

Students using District transportation are under the jurisdiction of the school from the time they board the bus until they are released at school or at the stop nearest their home.

1. Students must present proper identification if requested to do so.
2. The bus driver is in complete charge of the bus and students are expected to comply with his/her requests at all times.
3. Students must obey and respect the orders of District employees.
4. Students must be on time; the bus cannot wait beyond its regular schedule for those who are tardy.
5. Students must never stand in the roadway while waiting for the bus.
6. Students are permitted to converse quietly with persons sitting near them.
7. Students must be seated and are not permitted to change seats when the bus is in motion or to annoy other riders on the bus.
8. Students must not, under any circumstances, put their heads or arms out of the windows.
9. Students will be held responsible for any and all damage to the bus perpetrated by them.
10. The use of profane or abusive language will not be tolerated on the bus.
11. Smoking, striking matches or lighting cigarette lighters is not permitted on the bus.
12. Fighting on the bus shall be considered a very serious offense.
13. Students must observe directions of the driver and other District employees when leaving the bus.
14. Any damage to the bus should be reported at once to the driver.
15. Students must ride the bus to which they are assigned. Any change must be cleared with the Director of Transportation Services in advance.
16. The school bus is an extension of the school and all school rules and regulations which pertain to student conduct in the schools are applicable to student conduct on a school bus. *(Board Policy and Regulation 2652)*

Student Dress

The Board expects student dress and grooming to be neat, clean and of good taste so that each student may share in promoting a positive, healthy and safe atmosphere within the school. The dress code creates in students a renewed sense of seriousness regarding school and school activities and should be followed on campus, at school activities and on school buses. Its purpose is to emphasize that school is

the student's place of work and that respect for other members of society and oneself places some restrictions on the nature of dress and grooming.

It is a mark of maturity when students can freely choose apparel that demonstrates individuality without deviating from the standard of appropriateness. Student dress and grooming will be the responsibility of the individual and his/her parents within the following guidelines:

1. Dress and grooming will be clean and in keeping with health, sanitary and safety requirements.
2. Students must wear acceptable footwear at all times.
3. No chains or spiked or studded jewelry may be worn.
4. Metal chains or swags are not acceptable.
5. Hats, caps, bandannas, hoods, dew rags, wave caps, or other non-therapeutic headgear are not to be worn in the school building. These items also may not be displayed hanging from belt, waistband or pocket.
6. Students shall not wear clothing or accessories bearing the following messages:
    a. Obscene or profane statements or pictures;
    b. Statements advocating immoral, illegal, sexual or violent behavior;
    c. Statements advertising, promoting or picturing alcohol, tobacco or drugs;
    d. Language or symbolism (including, but not limited to, swastikas, rebel flags, the occult or gang affiliation.)
7. Students shall not wear the following:
    a. Low cut muscle shirts, halter tops, midriffs, tube tops, spaghetti straps or backless shirts;
    b. Mesh or transparent shirts worn alone;
    c. Clothing with tears or holes in inappropriate places;
    d. Sagging or improperly fitted shorts or pants;
8. Shirts, shorts and pants must cover undergarments.
9. Dress and grooming will not be such as to disrupt the teaching/learning process or cause undue attention to an individual student in that it substantially disrupts the school environment.
10. Class activities that present a concern for student safety may require the student to adjust his/her hair and/or clothing during the class period in the interest of maintaining safety standards.
11. Additional dress regulations may be imposed upon students participating in certain extracurricular activities.
12. Regulations may be altered according to special school sponsored activities.

If, in the opinion of the administrators, any clothing or accessories are worn by students in violation of this policy, the students will be required to change or cover said clothing, or remove said accessories, or will be sent home to do so. Refusal to change or cover said clothing or accessories will result in the students not being allowed to attend class until they have complied with this policy. Violations will be addressed in accordance with the Student Behavioral Expectations and Guidelines. *(Board Policy 2651)*

Truancy and Educational Neglect

The Board of Education believes regular attendance is important to academic success. Therefore, the Board directs that problems with attendance on the part of any student be investigated and acted upon promptly.

Truancy is defined as deliberate absence from school on the part of the pupil with or without the knowledge of the parent/guardian and for which no justifiable excuse is given. When a pattern of truancy becomes evident, the principal will investigate and take such action as circumstances dictate.

Section 210.115 R.S.Mo. mandates reporting to the Division of Family Services when there is reasonable cause to suspect that a student's nonattendance is due to the educational neglect of the parents/guardians.

Any school official or employee who knows or has reasonable cause to suspect that a student is being subjected to home conditions or circumstances which would reasonably result in truancy will immediately report or cause a report to be made to the building principal, or his/her designee, who will then become responsible for making a report via the Student Abuse Hotline to the Missouri Division of Family Services

(DFS). The building principal shall inform the Superintendent/designee that a report has been made, and keep the Superintendent apprised of the status of the case. (*Board Policy 2340*)

Truancy

It is the responsibility of every parent/guardian to ensure that their child (ren) attend school regularly. When a pattern of truancy or excessive absence is identified by the school principal, the following procedures will be followed to address the concern.

Truancy is defined as absence from school (full or partial day) without the expressed consent or knowledge of the parent/guardian. Chronic truancy is defined as unexcused absence from school for ten (10) or more days per school year.

1. When a pattern of chronic truancy is identified, parents/guardians will be notified in writing of the concern and the disciplinary action to be taken as provided in the District Discipline Code of Conduct.
2. A personal conference with the building administrator and any other relevant school personnel (e.g., teacher, counselor, nurse) will be requested. At this conference**,** the administrator will assess the nature of the truancy concern and determine if referral to: 1) available school resources; 2) Division of Children's Services; or 3) Family Court is warranted.
3. If a parent/guardian does not participate in the school conference, the principal will determine appropriate action based on available information.
4. The Superintendent**/**designee will be notified of all referrals to Division of Children's Services and Family Court using the District Incident Report.

Excessive Absence

Excessive absence is defined as any absence from school for ten (10) or more days per school year. Parents/guardians are to verify all student absences either by phone contact with the school office or by written note. Unverified absence will be considered truancy.

1. Parents/guardians may be notified in writing of the school's concern about their child's attendance. The principal will consider the age, grade and circumstances creating the absence in determining the content of the parental notice. Parents/guardians will be informed of the number of days their child has been absent from school according to the following schedule:

   5 days
   10 days
   15 days
   20 days

   (See Forms 2340.1 – 2340.8)

2. If the school is notified that a significant health concern is preventing the child from attending school, doctor verification may be requested. Homebound educational services will be offered to the child when an extended or intermittent illness of ten (10) or more days is anticipated pending completion of a homebound application by the child's physician. (*See Policy 6275.)*

3. If it is determined that a child's excessive absence is not due to significant health concerns, and the child has been absent for fifteen (15) or more days, a personal conference with the building administrator and any other relevant school personnel (e.g., teacher, counselor, nurse) may be requested. At this conference, the administrator will assess the nature of the concerns contributing to the child's absence from school. If educational neglect is suspected, referral to Division of Children's Services and/or the Family Court will be made. Referrals should be made in writing directly to the District's assigned Juvenile Officer and should include the nature of the action requested (formal or informal Court intervention) and the facts supporting the referral. Referral to other available school resources will be considered.

4. If a parent/guardian does not participate in the conference, the administrator will determine appropriate action based on available information.

5. The Superintendent/designee will be notified of all referrals to the Division of Children's Services and Family Court using the District Incident Report.

School personnel have been notified by the Eleventh Circuit Family Court Judge that a referral from the school will result in the parent/guardian and child being summoned to appear before the Court.

School officials may be called to Court to testify about the student's absences. Parents/guardians may be charged with educational neglect for failing to ensure regular school attendance by their child. *(Board Policy and Regulation 2340)*