

## **STUDENTS**

### **Discipline**

#### **Misconduct and Disciplinary Consequences**

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.

Copies of this regulation or the student handbook which includes the code of student conduct and disciplinary consequences, as well as the District's corporal punishment policy, if any, 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.

#### **Reporting to Law Enforcement**

It is the policy of the Schuyler County R-I School District to report all crimes occurring on district property to law enforcement, including, but not limited to, the crimes the district is required to report in accordance with law.

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

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

#### **Documentation in Student's Discipline Record**

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

#### **Conditions of Suspension, Expulsion and Other Disciplinary Consequences**

All students who are suspended or expelled, regardless of the reason, are prohibited from participating in or attending any district-sponsored activity, or being on or near district property or the location of any district activity for any reason, unless permission is granted by the superintendent or designee. In addition, the district may prohibit students from participating in

activities or restrict a student's access to district property as a disciplinary consequence even if a student is not suspended or expelled from school, if appropriate.

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

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

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

### **Prohibited Conduct**

The following are descriptions of prohibited conduct as well as 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. All consequences must be within the ranges established in this regulation. In addition to the consequences specified here, school officials will notify law enforcement and document violations in the student's discipline file pursuant to law and Board policy.

**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 or attempting to start a fire, or causing or attempting to cause an explosion.

First Offense:	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 (Refer to Policy and Regulation 2673 – Reporting of Violent Behavior)**

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

First Offense:	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. Attempting to kill or cause serious physical injury to another; killing or causing serious physical injury to another.

First Offense:	Expulsion.
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**Automobile/Vehicle Misuse** – 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 2655)** – Intimidation or harassment of a student or multiple students perpetuated by individuals or groups. Bullying includes, but is not limited to: physical actions, including violence, gestures, theft, or damaging property; oral or written taunts, including name-calling, put-downs, extortion, or threats; threats of retaliation for reporting such acts; sending or posting harmful or cruel text or images using the Internet or other digital communication devices; sending or posting materials that threaten or raise concerns about violence against others, suicide or self-harm. Students will not be disciplined for speech in situations where the speech is protected by law.

First Offense:	Detention, in-school suspension, or 1-180 days out-of-school suspension.
Subsequent 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, transportation privileges may be suspended or revoked.

**Dishonesty** – Any 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** – 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**

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.

First Offense:	In-school suspension or 1-180 days out-of-school suspension.
Subsequent Offense:	11-180 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 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.
Subsequent Offense:	11-180 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 Meet Conditions of Suspension, Expulsion or Other Disciplinary Consequences** – Violating the conditions of a 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	Verbal warning, detention, in-school suspension, 1-180
Subsequent Offense:	Verbal warning, detention, 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.

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 (Refer to policy 2130-Harassment)**

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

First Offense:	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 toys, games, MP3 players and other electronic devices (other than mobile phones) 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, 1-180 days out-of-school suspension, or expulsion.

**Sexual Activity** – Acts of sex or simulated acts 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**

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 electronic communication devices during the regular school day, including instructional class time, class change time, breakfast or lunch.

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

3. Violations of Board policy and regulation 6320 other than those listed in (1) or (2) above.

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 2420 & 2655.

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 knowing 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 products on district property, district transportation or at any district activity.

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

2. Use of any tobacco products on district property, district transportation or at any district activity.

First Offense:	Confiscation of tobacco product. Principal/Student conference, detention, in-school suspension, or 1-3 days out-of-school
Subsequent Offense:	Confiscation of tobacco product. In-school suspension or 1-10 days out-of-school suspension.

**Truancy or Tardiness (see also Policy and Regulation 2340 – Truancy and Educational Neglect.)** – Absence from school without the knowledge and consent of parents/guardians 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** – 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 (Refer to Policy and Regulation 2620 – Firearms and Weapons in school)**

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 (1) calendar year suspension or expulsion, unless modified by the Board upon
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.