



## **Student Misconduct and Disciplinary Consequences 2020-2021**

The District has the authority to discipline for student conduct that is prejudicial to good order and discipline in the schools as provided by state law. School officials are authorized to hold students accountable for misconduct in school, on school property, and during school-sponsored activities. Students who engage in significant acts of misconduct off campus which materially and adversely impact the education of District students will be subject to discipline up to and including expulsion. However, no student will be confined in an unattended locked space except for emergency situations while awaiting the arrival of law enforcement officials.

Students forfeit their right to a public school education by engaging in conduct prohibited in Regulation 1300, the code of student conduct, and/or state or federal law. Disciplinary consequences include, but are not limited to, withdrawal of school privileges (athletics, intramurals, student clubs and activities and school social events); the reassignment of the student to another school; removal for up to ten (10) school days by building principals; extension of suspensions for a total of 180 days by the Superintendent; and longer term suspension and expulsion from school by the Board of Education. See also Policies 2610, 2662, and 2663.

Removal of any student who is a student with a disability under Section 504 of the Rehabilitation Act of 1973 or the Individuals with Disabilities Education Act is subject to state and federal procedural due process rights. (*see Policy 2672 and its corresponding regulation*)

The District will provide annual in-service training to all employees concerning the District's discipline regulations and their implementation. Annual training will also include, but will not be limited to, approved methods of dealing with school violence, discipline of students with disabilities, and the requirements of student confidentiality. (*Policy 2600*)

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 will be provided to each student at the beginning of each school year. Copies of this document 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 completed.

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:** Conference with principal, detention or in-school suspension and the student will have to redo the assignment, test, or an alternative assignment 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 the opportunity 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 assignment for reduced credit earning up to 60 percent of the assigned points possible

Subsequent Offense:

**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

\*Students who have possession and/or are under the influence of drugs and/or alcohol will be expected to participate in the Substance Abuse Intervention Program at Pearce Hall. Students who decline this option will be disciplined per the Student Misconduct and Disciplinary Consequences.

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: 1-180 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: Loss of privileges, classroom detention, conference with teacher, parents contacted, conference with principal, in-school suspension, out-of-school suspension, expulsion and/or law enforcement contacted

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, 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

\*Students who have possession and/or are under the influence of drugs and/or alcohol will be expected to participate in the Substance Abuse Intervention Program at Pearce Hall. Students who decline this option will be disciplined per the Student Misconduct and Disciplinary Consequences.

**Possession of Paraphernalia** which can be used for the consumption of a controlled substance

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\*

\* Students who have possession and/or are under the influence of drugs and/or alcohol will be expected to participate in the Substance Abuse Intervention Program at Pearce Hall. Students who decline this option will be disciplined per the Student Misconduct and Disciplinary Consequences.

**Sale or Transfer or Intent to Sell 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. **Electronic Cigarettes/E-cig**-Possession or use of electronic cigarettes/vaping devices, electronic cigarette/vaping paraphernalia, and similar objects used in conjunction with electronic cigarettes/vaping or items that resemble electronic cigarettes/vaping products

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

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

12. **Electronics**-Possession and/or use of electronic equipment including, but not limited to MP3 technology, CD players, cellular telephones, computers, headphones 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 may have their electronic device confiscated by an administrator.

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

13. **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
14. **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.
15. **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
16. **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
17. **Harassment**-(Refer to Policy and Regulation 1300) - Equal Opportunity (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
18. **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
19. **Missing from Class** – Absent or tardy from class without administrative approval  
First Offense: Principal/student conference, detention, in-school suspension  
Second Offense: Principal/student conference, detention, in-school suspension  
Subsequent Offense: In-school suspension
20. **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
21. **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
22. **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

23. **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

24. **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, 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, restitution and notice to law enforcement officials

25. **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

26. **Tobacco**-Possession or use of tobacco/nicotine, tobacco products/nicotine products, items that resemble tobacco/nicotine products, cigarettes excluding electronic cigarettes, or items that resemble tobacco products

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

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

27. **Truancy**-Absent from class or classes and not present at school 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

28. **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, restitution and notice to law enforcement officials

Subsequent Offense: 11-180 days out-of-school suspension or expulsion, 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. Students who are late to school will be considered tardy.

## **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. Bullying is strictly prohibited 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 intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property; substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school. Bullying may consist of physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation of reporting acts of bullying.

Cyberbullying means bullying as defined above through the transmission of a communication including, but not limited to, a message, text, sound, or image by means of an electronic device including, but limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. The District may prohibit and discipline for cyberbullying that originates on any District campus or at a District activity if the electronic communication was made using the school's technological resources. If there is a sufficient nexus to the educational environment, or if the electronic communication was made on the District's campus or at a District activity using the student's own personal technological resources. Further, students who engage in significant acts of misconduct off campus which materially and adversely impact the education of District students will be subject to discipline.

Bullying, as defined in this policy, is strictly prohibited. Students are encouraged to report any incident of bullying which they have witnessed or incurred, by contacting their building principal. District employees are required to report any instance of bullying of which the employee has witnessed within two (2) school days of the occurrence. Employees shall report the occurrence to the building principal, who is the person the District designates to receive reports of incidents of bullying. A principal who receives a report of an incident of bullying shall initiate an investigation into the allegations within two (2) school days of receipt of the report. The principal may assign other employees to assist in the investigation, or request that the superintendent assign an outside investigator. The investigation shall be completed within ten school days from the date of the written report of bullying unless good cause exists to extend the investigation. No employee or student who reports an act of bullying shall be subject to reprisal or retaliation for making such a report. Any person who engages in reprisal or retaliation against an employee or student who reports and act of bullying shall be subject to disciplinary action.

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. Possible consequences to a student for a violation of this policy include: loss of privileges, classroom detention, conference with teacher, parents contacted, conference with principal, in-school suspension, out-of-school suspension, expulsion and/or law enforcement contacted.

The District shall give annual notice of the policy to students, parents or guardians, and staff. This policy shall be included in all student handbooks. This policy shall also be posted on the District's web page (as a Board policy) and a copy shall be placed in the District Administrative Office.

The District shall provide information and appropriate training to District staff who have significant contact with students regarding the policy. All staff with significant student contact shall be trained on the requirements of this policy on an annual basis.

The District shall provide education and information to students regarding bullying, including information regarding this policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to address bullying, including student peer-to-peer initiatives to provide accountability and policy enforcement for those found to have engaged in bullying, reprisal, or retaliation against any person who reports an act of bullying. The District shall instruct its school counselors, school social workers, licensed social workers, mental health professionals, and school psychologists to educate students who are victims of bullying on techniques for students to overcome bullying's negative effects. Such techniques include but are not limited to, cultivating the student's self-worth and self-esteem; teaching the student to defend himself or herself assertively and effectively; helping the student develop social skills or encouraging the student to develop an internal focus of control. District administrators will implement programs and other initiatives to address

bullying, to respond to such conduct in a manner that does not stigmatize the victim, and to make resources or referrals available to victims of bullying.

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 with Disabilities 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           | 8. Machine gun        |
| 2. Concealable firearm | 9. Knuckles           |
| 3. Explosive weapon    | 10. Projectile weapon |
| 4. Firearm             | 11. Rifle             |
| 5. Firearm silencer    | 12. Shotgun           |
| 6. Gas gun             | 13. Spring gun        |
| 7. Knife               | 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**

The District is committed to maintaining a workplace and educational environment that is free from discrimination, harassment, and retaliation in admission or access to, or treatment or employment in, its programs, services, activities and facilities. The District is committed to providing equal opportunity in all areas of education, recruiting, hiring, retention, promotion and contracted service. In accordance with law, the District does not discriminate on the basis of race, color, national origin, ancestry, religion, sex, disability, age, genetic information, or any other characteristic protected by law in its programs and activities. In addition, the District provides equal access to the Boy Scouts of America and other designated youth groups. Further, no person shall be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination based on the above listed characteristics under a school nutrition program for which the District receives federal financial assistance from the U.S. Department of Agriculture (USDA Food and Nutrition Service).

The following person has been designated as the District's Compliance Officer and Title IX Coordinator to handle inquiries or complaints regarding the District's non-discrimination policies:

Dr. Jennifer Hecktor  
Assistant Superintendent of Human Resources  
280 Interstate Drive  
Wentzville, MO 63385  
[jenniferhecktor@wsdr4.org](mailto:jenniferhecktor@wsdr4.org) (636) 327-3800, Ext. 20349

For information regarding how to report a claim of discrimination, harassment, or retaliation, see Board of Education Regulation 1300. Policy and Regulation 1300 shall govern all complaints and concerns by parents, patrons, employees, or students of the District related to discrimination, harassment, or retaliation on the basis of race, color, national origin, ancestry, religion, sex, disability, age, genetic information, or any other characteristic protected by law.

## **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.

### **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*)

### **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.

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 Student Misconduct and Disciplinary Consequences.
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) Children's Division; 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 Children's Division 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 will be notified at least three times a year or more often 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.
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 Children's Division 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 Children's Division 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*)

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