

2021-2022

STUDENT DISCIPLINE AND CONSEQUENCES

*Pertaining to
All Rockwood
Students*

STUDENTS AND
PARENTS ARE
ENCOURAGED TO
READ THIS
THOROUGHLY





Policies, Regulations, Procedures and Consequences: Student Discipline

This special publication of the specific policies pertaining to students, enacted by the Rockwood School District Board of Education, has been prepared as a means to better inform students and parents of existing policies as related to student discipline. It is hoped that this information will provide a basis of understanding between the home, school and community.

Again this year, the handbook will be available online. The move to this online handbook will save the district printing and processing costs. It also aligns with district efforts to conserve resources and limit paper use. Families who wish to have a printed handbook may request one from their school principal.

All policies and regulations included in this publication were recently reviewed and revised by various school administrators. Recommended changes in existing and new policies have been approved by the Rockwood Board of Education. In addition, the Rockwood Board of Education has approved a behavioral code for students attending Rockwood Schools.

This booklet does not include special rules developed by the principal and staff of an individual building. It is the responsibility of the principal of each building to keep students and their parents or guardians informed of any special rules developed for the operation of that particular school. Such rules will be consistent with the policies of the Rockwood Board of Education. Parents and students who have questions about the intent or meaning of any of these policies are urged to contact school officials.

Board of Education Rockwood School District

Find information on the Rockwood website

www.rsdmo.org/parent/Pages/StudentHandbook.aspx

Contact Rockwood's Assistant Supt, Supervision of Schools

Phone: (636) 733-2104

STUDENT DISCIPLINE: Policy 2605

The Board has the legal authority to make all needed policies, rules and regulations for organizing and governing the district. This includes the power to suspend or expel a student for conduct which is prejudicial to good order and discipline in the schools or impairs the morale or good conduct of the student. These policies, rules and regulations will apply to all students in attendance in District instructional and support programs, as well as at school sponsored activities and events. School officials are authorized to hold students accountable for misconduct away from school or in non-school activities which negatively affects the educational environment to the extent allowed by law. The district recognizes the rights of students to off-campus expressive activities, including on the internet, to the extent permitted by law. Students who have been charged, convicted or pled guilty in a court of general jurisdiction for commission of a felony may be suspended in accordance with law.

STUDENT DISCIPLINE: Regulation 2605

Building principals are responsible for the development of rules and regulations regarding student conduct needed to maintain proper behavior in schools under their supervision. Principals, subject to appropriate due process procedures, may summarily suspend any student for up to ten (10) school days for violation of these policies, rules and regulations. Notice of suspension shall be given immediately to the parent/guardian and to the Superintendent/ designee. In cases where student discipline is appealed to a higher District authority, such an appeal shall be considered on a fair, unbiased, deliberate and non-deferential basis.

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

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

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

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

No student may be confined in an unattended locked space except in an emergency situation while awaiting the arrival of law enforcement personnel. For the purpose of this policy, a student is unattended if no person has visual contact with the student, and a locked space is a space that the student cannot reasonably exit without assistance.

A copy of the District's comprehensive discipline policy will be provided to every student and parent/guardian at the beginning of each school year and will be available in the Superintendent/ designee's office during normal business hours.

Suspension: Policy 2662

Alternative learning placement, suspension and/or expulsion may be utilized and/or recommended by the principal in accordance with the discipline policy. Students under suspension or expulsion are not allowed on school property and may not attend or participate in school activities (home or away) without special permission from the principal. The superintendent/designee may suggest or require any other follow-up professional services deemed appropriate for any level of discipline.

Suspension: Regulation 2662**In-School Suspension/Student Support Center:**

This placement is defined as an alternative learning environment within the student's own school for support in the areas of discipline, social or emotional learning, or other student support needs. The student shall be assigned for ten (10) school days or less to an alternative learning environment. The student may make up work for credit.

Long Term In-School Suspension:

This placement is defined as removal of the student from his/her assigned classrooms and daily schedule for disciplinary purposes.

The student shall be assigned for more than ten (10) school days to an alternative learning environment located in one of the district's schools as designated by the district. The student is allowed to make-up written work and labs for credit wherever possible as determined by the administration. When the consequence for a misbehavior states there may be a recommendation to the superintendent/designee for an additional 170 school days, the superintendent/designee may desire to give the student the option to participate in this program.

Out-of-School Suspension:

This type of suspension is defined as removal of the student from the school premises for disciplinary purposes. The principal may suspend for ten (10) school days. To suspend for more than ten (10) school days, a recommendation must be made to the superintendent/designee who may suspend up to 180 school days. On all suspensions for more than ten (10) school days, the student has the right to appeal the decision by requesting a hearing before the Board.

Expulsion: Policy 2663

This type of suspension is defined as removal of the student from school premises for disciplinary purposes for an indefinite period of time from the district schools. This action requires that the principal suspend the student for ten (10) school days. The principal may recommend to the superintendent/designee that the student is expelled and the superintendent/designee may then make a recommendation to the Board that such action be taken. The superintendent/designee may also make a recommendation to the Board for expulsion without the principal's recommendation. The Board must act on this recommendation, but the student has a right to a hearing before the Board if requested.

Student Code of Conduct: Policy 2610

The Student Code of Conduct is designed to foster student responsibility, respect for the rights of others, and to ensure the orderly operation of District schools. No code can be expected to list each and every offense which may result in the use of disciplinary action. However, it is the purpose of this code to list certain offenses which, if committed by a student, will result in the imposition of a certain disciplinary action. Any conduct not included herein, or any aggravated circumstance of any offense or action involving a combination of offenses may result in disciplinary consequences that extend beyond this code of conduct as determined by the principal, superintendent/designee and/or Board.

Student Discipline Policies and Regulation apply to all school sponsored activities and modes of transportation. Discipline records will be sent to Colleges/Universities if requested.

Any and all suspension for assault, weapons or 10 days or more must be documented in the student's permanent records.

Schools are not responsible for lost or stolen personal items.

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Regulation 2610 - Student Code of Conduct

Assault- Secondary

Intentionally causing or attempting to cause serious injury or bodily harm to another person, intentionally threatening to place or placing a person in reasonable apprehension of imminent physical injury, applying physical force on another person or physically attacking an individual, recklessly engaging in conduct that creates a grave risk of serious injury or bodily harm to another person, or causing physical contact with another person knowing the other person will regard the contact as offensive or provocative.

First Offense: 5-180 days out-of-school suspension, or expulsion, notice to law enforcement officials, and documentation in the student's discipline record.

Subsequent Offense(s): 11-180 days out-of-school suspension or expulsion, notification to law enforcement officials, and documentation in student's record.

Any student who assaults district personnel (including a District SRO) will be suspended for ten (10) school days out of school with a recommendation for a suspension of an additional 170 days and/or expulsion and the matter will be referred to legal authorities.

Assault - Elementary

Intentionally causing or attempting to cause serious injury or bodily harm to another person, intentionally threatening to place or placing a person in reasonable apprehension of imminent physical injury, applying physical force on another person or physically attacking an individual, recklessly engaging in conduct that creates a grave risk of serious injury or bodily harm to another person, or causing physical contact with another person knowing the other person will regard the contact as offensive or provocative.

First Offense: Up to 10 days out-of-school suspension, or expulsion, notice to law enforcement officials, and documentation in the student's discipline record.

Subsequent Offense(s): 5-180 days out-of-school suspension or expulsion, notification to law enforcement officials, and documentation in student's record.

Any student who assaults district personnel (including a District SRO) will be suspended for ten (10) school days out of school with a recommendation for a suspension of an additional 170 days and/or expulsion and the matter will be referred to legal authorities.

Bullying/Cyberbullying:

The intimidation, unwarranted 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 exceptions; or substantially disrupts the orderly operation of the school. Bullying may consist of physical actions, including gestures, or oral, cyber-bullying, electronic, or written communication, and any threat of retaliation for reporting such acts. (Refer to Policy 2612 - Bullying)

Cyberbullying is defined as bullying under this policy 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 not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.

First Offense: Up to ten (10) days out-of-school suspension.

Subsequent Offense(s): In-School suspension/Student Support Center, 3-180 days out-of-school suspension, or expulsion, and possible documentation in student's discipline record.

Bus Misconduct

Any offense committed by a student on a district owned or contracted bus shall be punished in the same manner as if the offense had been committed at the student's assigned school. In addition, bus riding privileges may be suspended or revoked. (Refer to Policy 2652- Student Transportation.)

Damaging/Defacing Property

Any damage to school property due to willful or inappropriate behavior will result in payment for damages. In addition, the student will be suspended up to ten (10) days out-of-school and a referral to legal authorities may result. There may also be an additional 170-day suspension recommended and a referral to legal authorities may result.

Any willful damage to staff property resulting from a school related situation will result in payment for damages. In addition, the student will be suspended 1-10 school days and a referral to legal authorities may result.

Discriminatory or Demeaning Language/Conduct; Harassment

Use of words or actions, verbal, written, or symbolic, meant to harass, cause emotional distress to, discriminate against or injure another person; i.e., threats of violence or harassment or defamation of a person's race, color, national origin, ethnicity, religion, disability, sexual orientation, or perceived sexual orientation, consistent with Policy and Regulation 2130.

First Offense: Up to ten (10) days out-of-school suspension.

Subsequent Offense(s): In-school suspension or 3-180 days out-of-school suspension, or expulsion, and possible documentation in student's discipline record.

Disrespectful Conduct or Speech

Disrespectful verbal, written or symbolic language or gesture which is inappropriate to public settings directed at students or staff members.

First Offense: Up to ten (10) days out-of-school suspension.

Subsequent Offense(s): 11-180 days out-of-school suspension, or expulsion, and possible documentation in student's discipline record.

Disruptive Speech or Conduct

Conduct or verbal, written or symbolic language which materially and substantially disrupts classroom work, school activities or school functions.

First Offense: Up to ten (10) days out-of-school suspension.

Subsequent Offense(s): 1-180 days out-of-school suspension, or expulsion, and possible documentation in student's discipline record.

Dress Code and Personal Appearance

The general atmosphere of a school must be conducive to learning. If a student's general appearance attracts undue attention to the extent that it becomes a disruptive factor in the school, a building administrator will ask the student to make the necessary changes. In the event that the change does not take place in the time allowed, the administrator will prescribe the action to be taken.

Clothing that promotes disruptive behavior, and or displays images, including but not limited to, drugs, alcohol, tobacco and/or its products, violence, sex or hate groups is prohibited from campus and must be covered or removed.

Technology Devices

For Early Childhood - Grade 5/Middle School - Grade 6-8

Students in Early Childhood and grades K-8 may possess and use personal technology devices at school only in accordance with the conditions set below:

Personal technology devices may be used on school premises before the school day begins and after the school day ends. Use of these devices on school premise during the school day is prohibited unless they are used for instructional purposes only as deemed appropriate and necessary by staff.

Classroom teachers and building administrators will determine when and how technology devices can be used. There will be times when use of these devices will not be allowed.

Students are prohibited from using devices in dressing rooms, locker room or restrooms. Cameras recording devices may not be used at any time at school or on school busses.

Use or display of these items other than described may result in up to three days in-school suspension. Repeated offenses could result in increased consequences. If such items are used in such a way as to substantially disrupt the school environment, the student may be suspended for up to ten (10) school days out-of-school with a possible recommendation for a suspension up to 180 school days or expulsion. School administrators will investigate the reason for use of an electronic device by a student to determine if other district policies are also applicable, which could result in an increase in the discipline. (i.e. using a personal technology device for the purpose of cheating on a test would also be subject to policies governing academic dishonesty). Laser pointers are allowed only demonstration purposes. The district will not be responsible or liable for any damage, loss or theft of personal technology devices (Regulation 6320)

The administration may search personal technology devices if they have reasonable suspicion that a search would reveal school rules have been violated.

For the High School

Students in grades 9-12 may possess and use technology devices at school in accordance with the conditions set below:

Technology devices may be used on school premises before the school day begins and after the school day ends. Use of these devices on school premises during the school day is prohibited unless they are used for instructional purposes only as deemed appropriate and necessary by staff.

Classroom teachers and building administrators will determine when and how technology devices can be used. There will be times when use of these devices will not be allowed.

Students are prohibited from using devices in dressing rooms, locker room or restrooms. Cameras recording devices may not be used at any time at school or on school busses.

Use or display, of these items other than described may result in up to three days in-school suspension. Repeated offenses could result in increased consequences. School administrators will investigate the reason for use of an electronic device by a student to determine if other district policies are also applicable, which could result in an increase in the discipline. (i.e. using personal technology device for the purpose of cheating on a test would also be subject to policies governing academic dishonesty). Laser pointers are allowed only for demonstration purposes. The district will not be responsible or liable for any damage, loss or theft of personal technology devices. (Regulation 6320)

The administration may search personal technology devices if they have reasonable suspicion that a search would reveal school rules have been violated.

Extortion

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

First Offense: 3-10 days out-of-school suspension.

Subsequent Offense(s): 5-180 days out-of-school suspension, or expulsion, and possible documentation in student's discipline record.

Failure to Serve Office Detention

A failure to serve an office detention.

First Offense: Up to three (3) days out-of-school suspension.

Subsequent Offense(s): Possible out-of-school suspension.

False Alarms

Tampering with emergency equipment, setting *off* false alarms, making false reports.

First Offense: 10-180 days out-of-school suspension, or expulsion, and possible documentation in student's discipline record and referral to proper legal authorities.

Subsequent Offense(s): 10-180 days out-of-school suspension, or expulsion, and possible documentation in student's discipline record and referral to proper legal authorities.

Fighting

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

First Offense: 3-180 days out-of-school suspension, or expulsion, and possible documentation in student's discipline record.

Subsequent Offense(s): 6-180 days out-of-school suspension, or expulsion, and possible documentation in student's discipline record.

Never should additional persons enter a fight. If this happens, the additional persons entering the fight will be suspended out-of-school 5-10 days with a possible recommendation for a suspension up to 180 additional school days.

Students instigating, disrupting or failing to disperse (immediately) when instructed will be suspended out-of-school 3-10 days with a possible recommendation for a suspension up to 180 days. Instigating fights includes recording, videotaping, and/or electronically sharing or posting images, audio, or video of fights. The district has jurisdiction over electronic sharing and posting that uses the district's technology resources or that originates on district property, at a district activity or on district transportation. Even when electronic sharing or posting does not involve district property, activities or technology resources, the district will impose consequences and discipline for those who engage in such activities if there is a sufficient nexus to the educational environment, the behavior materially and substantially disrupts the educational environment, the communication involves a threat as defined by law, or the district is otherwise allowed by law to address the behavior.

Fire

A student who intentionally sets a fire, attempts to set a fire, or participates in an act which results in a fire on school property, buses or at a school-sponsored activity *off* school property will be suspended for up to ten (10) school days out-of-school, with a possible recommendation for a suspension up to 180 school days and/or expulsion. A report may be filed with the fire and/or police departments. Any damage to school property due to a fire which has been intentionally set by a student will result in the assessment of damages.

Subsequent Offense(s): Expulsion, notification to law enforcement officials, and documentation in student's discipline record. Any damage to school property will result in the assessment of damages.

Fireworks/ Explosives/ Ammunition

The use of fireworks, explosives or ammunition creates a hazard to both life and property. Therefore, any student setting *off* a firework, explosive or ammunition anywhere on school property, buses or at a school sponsored activity *off* school property will be suspended up to ten (10) school days out-of-school, with a possible recommendation for a suspension up to 180 school days and/or expulsion. Legal authorities may be contacted. The possession or sale of a firework, explosive or ammunition anywhere on school property, buses or at a school sponsored activity *off* school property will result in an out-of-school suspension of up to ten (10) school days for the first offense. A longer suspension may be given by the superintendent/designee in the event that sale or possession takes place more than once. Legal authorities may also be contacted.

The following consequences apply to possession and/or use of Snap-N-Pops:

Possession: One (1) day in-school suspension.

First Offense setting off "Snap-N-Pops": Two (2) school days in-school suspension.

Subsequent Offense(s): 1-3 school days out-of-school suspension.

Gambling

Any student found gambling will be referred to the office. The consequences of gambling may include up to ten (10) days out-of-school suspension.

Gangs/Hate Groups/Cults

In order to prevent disruption and violence, gang/hate group/cult membership and activities are strictly forbidden at school, on school grounds, school buses or any school sponsored activity off school grounds. Students who intentionally use gang type language and/or gang type symbols, or students who intentionally wear particular colors or clothing with the purpose of gang identification may be suspended from school for up to five (5) school days. Such behavior which creates a severe disruption to the school environment may result in a suspension for a longer period of time.

Habitual Behavioral Referrals to the Office

Behavioral referrals in excess of ten (10) for the year may result in increasing consequences of three (3) days in-school suspension up to ten (10) days out-of-school suspension.

Hazing

Any activity, on or off school property, 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 include those actions that subject a student to extreme mental stress including, but not limited to, sleep deprivation, physical confinement, forced conduct that could result in extreme embarrassment or criminal activity, or other stress inducing activities. Hazing can occur even when all students involved are willing participants.

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

First Offense: In-school suspension, or 1-10 days out-of-school suspension with possible recommendation for out-of-school suspension up to 180 days.

Subsequent Offense(s): 1-10 days out-of-school suspension with possible recommendation for out-of-school suspension up to 180 days, and/or expulsion, and possible documentation in student's discipline record.

Insubordination

Insubordination is defined as willful or continued willful disobedience of any reasonable request or regulation, or voicing of disrespect to those in authority.

Students involved in such behavior may receive up to ten (10) days in-school or out-of-school suspension. Repeated offenses may result in a recommendation to the superintendent/designee for an additional penalty up to 170 school days and/or expulsion, and legal authorities may be contacted.

Matches or Cigarette Lighter

Any student in possession of a match or cigarette lighter will be disciplined as follows:

First Offense: Confiscation and minimum of one (1) day in-school suspension or until satisfactory parent/guardian conference.

Subsequent Offense(s): Two (2) days suspension out-of-school.

Any student who strikes a match or lights a cigarette lighter while on school property will be suspended three (3) days in-school suspension or until a satisfactory parent/guardian conference for the first offense. Additional offenses will result in three (3) school days out-of-school suspension.

Money, Students in Possession of Large Amounts

Students are strongly discouraged from having large amounts of money at school and the school cannot be held responsible for money which is lost, misplaced or taken. Since it is felt that generally there is no good reason for having large amounts of money at school, a conference will be held with the parent/guardian of the student who has large amounts of money in his/her possession.

Multiple Acts of Misconduct

Students who engage in multiple acts of misconduct may receive 11-180 days of suspension or expulsion. Multiple offenses are defined as more than three (3) serious violations that require out-of-school suspension occurring within a period of two school years.

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

Students may not possess, display, send or receive, electronically or otherwise, obscene, 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 of relevant material and/or electronic device. Conference with principal and student, detention, or in-school suspension. Law enforcement authorities will be notified where appropriate.

Subsequent Offense(s): Confiscation of relevant material and/or electronic device. Detention, in-school suspension, 1-10 school days out-of-school suspension with a possible recommendation for out-of-school suspension up to 180 school days and/or expulsion. Law enforcement authorities will be notified where appropriate.

Sexual Harassment

Sexual harassment is defined as sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when the unwelcome sexual 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. Sexual harassment also includes gender based harassment. Gender based harassment consists of verbal or physical conduct relating to an individual's gender when the harassing conduct: (i) 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; (ii) has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or (iii) otherwise substantially and adversely affects an individual's learning opportunities. (Refer to Regulation 2130 – Harassment)

Students involved in such behavior will be suspended for 3-10 school days out-of-school with a possible recommendation for a suspension up to 180 school days, and/or expulsion.

Sexual Misconduct

A student, while on school grounds, school buses or while attending a school-sponsored activity, shall not forcibly and/or intentionally touch another person's sex organs or any other body part in a way which constitutes sexual contact whether or not such touching occurs through clothing. Nor shall a student knowingly expose the sex organs or body parts under circumstances in which such conduct is likely to be offensive or otherwise inappropriate. Nor shall a student(s) knowingly enter or cause others to enter an area reserved for a person of the opposite sex. Nor shall a student use a camera, camera cell phone, or other imaging device to take pictures or record any image of students or others in locations or under circumstances (1) where such persons are or may be partially clothed, including but not limited to, rest rooms or locker rooms and other changing areas; (2) when such images otherwise violate commonly held standards of privacy, including but not limited to, taking or attempting to take pictures underneath the clothing of another person; or (3) where students or others have some other reasonable expectation of privacy with respect to their person or conduct, including but not limited to, receipt of health care (and/or special education) or other services related to a disability, even if not directly related to sexual misconduct). Nor shall a student use a camera, cell phone, or other device to take or record sexually explicit pictures, videos, or audio, regardless of whether all individuals involved are willing participants.

Students involved in such behavior will be suspended for 3-10 school days out-of-school with a possible recommendation for a suspension up to an additional 170 school days, and/or expulsion.

Stealing/Possession of Stolen Property

A student while on school property, while using school transportation or attending a school sponsored activity off school property who steals an object or is in possession of stolen property will be required to return the object to the rightful owner. If this is not possible, an assessment of the value of the object will be made and payment required. Disciplinary action may include up to ten (10) days out-of-school suspension, and/or a recommendation to the superintendent/designee for an additional penalty up to 170 days. Also, a referral may be made to legal authorities.

Student Alcohol and Drug Policy

The Board of Education's most important priority is the health, safety, and welfare of district students. Therefore, students may not possess, consume, use, transfer, sell, distribute, deliver, manufacture, produce or attempt to possess, consume, use, transfer, sell, distribute, deliver, manufacture or produce or possess with intent to transfer, sell, distribute, deliver, manufacture, or produce and/or be under the influence of alcoholic beverages, controlled substances, drugs, or other substances prohibited under this regulation, nor may they use, possess, sell, transfer, distribute, deliver, manufacture, produce or attempt to possess, consume, use, transfer, sell, distribute, deliver, manufacture or produce or possess with intent to transfer, sell, distribute, deliver, manufacture, or produce drug paraphernalia while on school property; in any school owned or operated vehicle or any other school approved vehicle being used to transport students to and from school activities; or while participating in any school sponsored or school approved activity, event, or function, including but not limited to field trips and athletic events, whether on or away from school property; or at any other time when students are under the care, custody, control and/or supervision of the district.

Definitions, Related Policies, Procedures

For purposes of this regulation, "controlled substance" shall include any controlled substance, counterfeit substance, or imitation controlled substance as defined in Chapter 195 RSMo.

"Drug paraphernalia" shall have the same meaning as that term is used in Chapter 195 RSMo.

All medications prescribed by an authorized prescriber, as well as all nonprescription medication shall be administered in accordance with Policy 2870 - Administering Medications to Students.

The school administration or teacher shall have the right to conduct searches, as permitted by law applicable to public schools, of persons reasonably suspected to be in violation of this regulation at any time or location to which this regulation is applicable. Such searches shall be conducted in accordance with Policy 2150- Searches by School Personnel.

Any student who, after being given an opportunity to present his/her version of an alleged violation of this regulation, is found by the administration and/or staff to be in violation of this regulation shall be subject to disciplinary action up to and including suspension, expulsion or other discipline as provided by Board policy, and shall be referred to law enforcement authorities. Strict compliance is mandatory. All controlled and any other illegal substances shall be turned over to the local law enforcement agency.

A student may be separately charged with attempting to engage in conduct constituting any violation listed in this section when, with the purpose of committing the violation, a student does any act which is a substantial step towards the commission of the offense. A "substantial step" is conduct which is strongly corroborative of the firmness of the student's purpose to complete the infraction. It is no defense under this section that the infraction attempted was, under the actual attendant circumstances, factually or legally impossible of commission, if such violation could have been committed had the attendant circumstances been as the student believed them to be.

Alcohol and Drug Process and Prevention

The district, pursuant to the requirement of the 1989 amendments to the Drug-Free Schools and Communities Act, and for the purpose of preventing the use of illicit drugs and alcohol by students, shall provide age appropriate developmentally based drug and alcohol education and prevention programs to all students in all grades from early childhood level through grade 12.

Such programs shall (a) inform students that drugs and alcohol are harmful and dangerous; (b) address the legal, social and health consequences of drug and alcohol use; and (c) provide information about effective techniques for resisting peer pressure to use illicit drugs or alcohol. The district shall provide information about any drug and alcohol counseling and rehabilitation and re-entry programs that are available to students. Students may be required to participate in such programs in order to avoid suspension or expulsion if they are found to be in violation of this regulation. All parents/guardians and students shall be provided with this information.

The district shall certify that it has adopted and implemented the drug prevention program described in this regulation in the form required by the Missouri Department of Elementary and Secondary Education or the United States Department of Education. The district shall conduct a biennial review of such program to determine its effectiveness, to implement necessary changes and to ensure that the disciplinary sanctions are consistently enforced.

Discipline

The district believes that school is a special place. Possession, use or transfer of alcohol, cereal malt beverages and/or drugs or drug paraphernalia is inconsistent with the district's educational objectives. To create a drug and alcohol free environment, the district will develop and maintain appropriate policy and procedures to address the areas of prevention, discipline and intervention.

General Prohibitions

Students may not possess, consume, use, transfer, sell distribute, deliver, manufacture, produce or attempt to possess, consume, use, transfer, sell, distribute, deliver, manufacture or produce or possess with intent to transfer, sell, distribute, deliver, manufacture, or produce and/or be under the influence of alcoholic beverages, controlled substances, drugs, or other substances prohibited under this regulation - nor may they use, possess, sell, transfer distribute, deliver, manufacture, produce or attempt to possess, consume, use, transfer, sell, distribute, deliver, manufacture or produce or possess with intent to transfer, sell, distribute, deliver, manufacture, or produce drug paraphernalia while on school property; in any school owned or operated vehicle or any other school approved vehicle being used to transport students to and from school activities; or while participating in any school sponsored or school approved activity, event, or function, including but not limited to, field trips and athletic events, whether on or away from school property; or at any other time when students are under the care, custody, control and/or supervision of the district.

Applicability of Prohibitions

The prohibitions set forth in this regulation does not include the possession and use of prescription medication by the student for whom the prescription was filled, so long as such possession and use conform to Board Policy 2870 Administering Medicines to Students.

The prohibitions also do not extend to ordinary, unadulterated, food or beverages (such as candy or soda) solely because they may contain substances (such as caffeine or sugar) otherwise prohibited under this regulation if such substances are used, possessed, or transferred in a different or more concentrated form (such as glucose or caffeine pills or tablets.)

The prohibitions set forth in this regulation do include but are not limited to all drugs, controlled substances, narcotics, stimulants, depressants, and/or other prohibited substances that are in a form commonly associated with medication (whether prescription, non-prescription, controlled, over-the-counter, legal, and/or illegal), including but not limited to pills, capsules, tablets, and/or liquids, whether in diluted or concentrated form (such as glucose or caffeine pills). The purpose of this regulation is to prohibit the possession, use, consumption, transfer, and/or sale of all substances represented to be a controlled, prescription, or illegal, as well as substances that are inherently dangerous and/or unlawful.

Under the Influence/Possession of or Possession of Related Paraphernalia

The possession, use, consumption, or attempt thereof, or being under the influence of alcohol, controlled substances, narcotics, counterfeit or imitation drugs, depressants, stimulants, hallucinogens, or other substances identified under this policy and the possession and/or use or attempt thereof, of drug paraphernalia at any time or location to which this regulation is applicable is expressly prohibited.

Students who possess or attempt to possess any substance prohibited under this regulation, or who in the judgment of the administration and/or staff, show evidence of use, consumption, or being under the influence of alcohol, cereal malt beverage, or any other drug or substance prohibited under this regulation, may be suspended for a maximum of ten (10) days by the principal. A recommendation may be made to the superintendent/designee for additional days, up to and including expulsion. The matter will also be referred to the appropriate legal authorities. The suspension may be limited to 10 days if the student has an intake assessment conducted at an approved resource agency and provides the school a written report of that assessment.

Selling or Distributing or the Intent to Sell or Distribute Alcohol, Controlled Substances, Drugs and Related Paraphernalia

Any student who sells and/or transfers, distributes, delivers, manufactures, produces or attempts to sell, transfer, distribute, deliver, manufacture or produce or possesses with the intent to distribute, deliver, manufacture, or produce alcohol, cereal malt beverage, drugs, controlled substances, drug paraphernalia, narcotics, counterfeit drugs, over-the-counter medications, depressants, stimulants or hallucinogens of any type at any time or location to which this regulation is applicable may be charged with violating this Regulation.

Students involved in such activity will receive a 10 day out-of-school suspension and referral to the superintendent for additional days of suspension of one hundred seventy (170) school days and a recommendation will be made to the Board that such student be expelled from school (further attendance will not be allowed at any district school), and the matter will be referred to law enforcement authorities.

However, a student who sells or transfers an over-the-counter medication (including but not limited to substances such as Tylenol, Midol, Advil, cold remedies, glucose or caffeine pills, etc.) and who does not represent that the over-the-counter medication is a substance otherwise prohibited under this policy or any substance other than the actual medication may be placed in long-term in-school suspension "ISS". Such option shall depend upon the nature and severity of the misconduct at issue, as well as any prior misconduct. In the event the student is offered and the parent accepts enrollment in the ISS, the student will not be recommended for expulsion. Acceptance of such enrollment shall also constitute a waiver of the student's right to a hearing before the Board of Education regarding any long-term suspension (suspension of more than ten (10) days) that may have been imposed in connection with the transfer of the over-the-counter medication.

The administration will discuss any proposed suspension under the Student Drug and Alcohol Policy with the superintendent/designee.

Students Congregating

Students in groups who create an unsafe environment, are disruptive or impede the smooth flow of student traffic may be disciplined up to and including suspension from school.

Students on Campus While Suspended

Any student on out-of-school suspension will not be permitted on any district school property at any time. If a student serving an out-of-school suspension is found on school property or at a school sponsored activity (at home or away), the student will be suspended an additional day for each violation.

A student on out-of-school suspension for an act of school violence, violent behavior, or any drug related activity is not permitted to be within one thousand feet of any public school within the district or at the activity unless (1) the student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent/designee/principal has authorized the student to be on school property or any activity of the district, regardless of whether or not the activity takes place on district property; (2) the student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school that suspended the student and the superintendent/designee/principal has authorized the student to be on school property or at the activity; or (3) the student resides within one thousand feet of a school within the district or place of activity. A student who violates this provision will be subject to additional discipline, up to and including further suspension and/or expulsion.

Students on Campus While Assigned to In-School Suspension/Student Support Center

A student who has received an in-school suspension may be at the school housing the in-school suspension only during regular school hours. No in-school suspended student may be on any other school property or at a school sponsored activity (at home or away) during the time of suspension. Students who violate this regulation will be assigned a day of out-of-school suspension for each violation.

Technology

Student use of computers, computer hardware, software, networks and files contained therein which are property of the district is restricted to course related work unless prior approval is received from authorized staff. Unauthorized use of computers may result in detention, suspension, restricted use of computers and remuneration. Legal authorities may also be contacted.

Threats to Another Student/District Personnel

Any threat, verbal, physical or written, to another student or district personnel regarding life, physical well-being and/or personal property will result in a detention, parent conference, in-school suspension or out-of-school suspension with a possible recommendation for a suspension up to an additional 180 school days or expulsion. Referral may be made to legal authorities.

Any threat that includes the mention of a weapon or explosive device will result in 10-180 days out-of-school suspension with a possible recommendation for expulsion and legal authorities will be notified. K-5 students will be subject to an out-of-school suspension to up to 180 days, or expulsion.

Any proposed suspension under Threats to Another Student/District Personnel will be discussed with the superintendent or his designee.

Tobacco and Imitation Tobacco Products

Possession, use, sale or transfer of any tobacco products by students on district property, in district vehicles or at school sponsored functions both on and off district property is prohibited. The term "tobacco product" means any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means; including but not limited to: cigarettes, cigars, dry snuff, chewing tobacco, snus, dissolvables, electronic cigarettes, nicotine or alternative nicotine vapor products, hookah, and any other smoking product.

Violations will be defined as any of the following:

- 1.) Possession of any tobacco product.
- 2.) Smoke coming out of mouth or nose.
- 3.) Smoke coming from an area occupied by students.
- 4.) The smoking or possession of electronic, "vapor," or other nicotine delivering devices, substitute forms of cigarettes, or any other tobacco innovation.

First offense: Confiscation of tobacco products, notification of parents/guardians, and notification of police in accordance with St. Louis County Ordinance and a minimum of three (3) days in-school suspension. Students will be offered resources for available cessation programs.

Second offense: Confiscation of tobacco products, notification of parents/guardians, notification of police, and a minimum of three (3) days out-of-school suspension. Students will be offered resources for available cessation programs.

Third offense: Confiscation of tobacco products, notification of parents/guardians, parental conference, notification of police, and a minimum of five (5) days out-of-school suspension. Students will be offered resources for available cessation programs.

Bus Transportation: If a student is smoking or holding a lighted cigarette or an electronic "vapor" or other nicotine delivering device on the bus, he/she will be suspended from school for five (5) school days. A repeat of the offense may lead to permanent suspension from school transportation.

Refer to Policy and Regulation 1410- Tobacco-Free District

Truancy/Skipping Class

Any unauthorized absence from school or class is defined as truancy. Consequence may include detention, in-school suspension or out-of-school suspension. Notification of appropriate authorities will also be made.

Vandalism

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

First Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion, possible notification to law enforcement officials and possible documentation in student's discipline record. Possible remuneration for damages.

Subsequent Offense(s): 11-180 days out-of-school suspension or expulsion, notification to law enforcement officials and documentation in student's discipline record. Possible remuneration for damages.

Weapons in School

(Refer to Policy and Regulation 2620 - Firearms and Weapons in School)

The District recognizes firearms and weapon possession as a potential threat to health, safety and security of student, employees and other persons. The District will not tolerate the presence of firearms on the premises of our schools. In order to maintain this safety of the educational community, the District will strictly enforce the necessary disciplinary consequences. This prohibition includes possession of firearms and weapons on school playground, 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 Act of 1994, the Individuals with Disabilities Education Act, and other applicable federal and state law. Firearms and Weapons in School (Regulation 2620)

A firearm is defined as:

-Any item which is loaded or unloaded weapon, weapon frame, or weapon barrel and which is designed to, or may readily converted to, expel a projectile by action of an explosive, or

-Any item which will, or which may be readily converted to, expel a projectile by the action of any explosive or other propellant, and which has a barrel with a bore of at least one-half inch in diameter, or

-Any explosive, incendiary, or poison gas, such as: bombs; grenades; rockets with propellant charge of greater than four ounces; and other similar devices as recognized under federal law

-Any combination of parts either designed to or intended for use in converting any device into a device as described in paragraphs above.

Any weapon device defined as {section 571.010 RSMo),

Blackjack, concealable firearm, explosive weapon, firearm, firearm silencer, gas gun, knife, machine gun, knuckles, projectile weapon, rifle, shotgun, spring gun, switchblade, mace spray, knife with blade exceeding four (4) inches, any knife regardless of blade length. Items customarily used, or can be used, to inflict injury upon another person or property.

Any instrument or device customarily used for attack or defense against an opponent, adversary or victim; or any instrument or device used or could be used to inflict physical injury or harm to another person.

In accordance with federal and state law, any student who brings or possesses a firearm as defined in 18 U.S.C. 921 or a device as defined in 571.010, RSMo on school property or at any school activity will be suspended from school for at least one (1) calendar year or expelled and will be referred to the appropriate legal authorities. The suspension or expulsion may be modified on a case by case basis by the superintendent/designee.

This regulation shall not be construed to prohibit the Board from allowing a Civil War re-enactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded.

This regulation will be submitted annually to the State Department of Elementary and Secondary Education along with a report indicating any suspensions or expulsions resulting from the possession or use of a firearm as defined in 18 U.S.C. 921. The report will include the name of the school in which the incidents occurred, the number of students suspended or expelled and the types of weapons involved.

Students who use or possess weapons, or weapon replicas, other than those defined in RSD Regulation 2620, including a water gun or toy gun and including an ordinary pocket knife with no blade more than 4 inches in length, will be subject to an out-of-school suspension for up to 180 days, or expulsion. It may be documented in the student's discipline record and legal authorities may be contacted.

Students who use such weapons, toy guns, weapon replicas or other objects in a way as to threaten or intimidate someone will be subject to an out-of-school suspension for up to 180 days or expulsion. Any proposed suspension under Weapons in School will be discussed with the Superintendent of Schools or his designee. Legal authorities may be contacted.