

## STUDENTS

## Regulation 2610

### Discipline

#### Misconduct and Disciplinary Consequences

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

Copies of this regulation or the student handbook which includes the code of student conduct and disciplinary consequences, as well as the District's corporal punishment policy, if any, will be provided to each student at the beginning of each school year. Copies of these documents will also be available for public inspection during normal business hours in the Superintendent's office.

### **Archie R-5 School District Student Discipline Guide for Grades 6-12**

Revised June 28, 2010

A Student Code of Conduct is designed to foster student responsibility, respect for the rights of others, and to ensure the orderly operation of the Archie R-5 Schools. No code can list each and every offense that may result in the use of disciplinary action. Students can, however, expect to be held accountable for any action which disrupts the learning environment or contributes to an unsafe atmosphere in school, on any property of the school, on any school bus going to or returning from school or during any school sponsored activities. Clear expectations, limits and appropriate consequences for the following behaviors are provided to give information and guidance to Archie R-5 students and their parents/guardians.

Unusual situations not covered in this policy will be handled as deemed appropriate by the building administrator or referred to the Superintendent of Schools as the circumstance may warrant in order to maintain general school discipline for the educational benefit of all students. A student's prior history of discipline incidents, attitude and length of time since the last occurrence will be considered when determining the appropriateness of discipline consequences. Students who show evidence of being chronic repeat offenders will be subject to more severe disciplinary consequences including out-of-school suspension. First time occurrences of such severity of behaviors involving violence or threats of violence, will be disciplined at the individual discretion of the building and/or district level administrators. Depending on the severity of disciplinary infraction increased disciplinary action may be required.

#### **ALCOHOL, DRUGS or NARCOTICS or any substances represented to be controlled or alcoholic**

Under the Influence/Use/Possession/Distribution of Alcohol or Drugs: The use, sale, transfer, possession or being under the influence of alcoholic beverages or controlled substances on any school property, on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities: or off school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district is prohibited and will not be tolerated. Students in violation of this policy will be suspended from attendance at and participation in all extra-curricular activities for up to 180 school days. For the purpose of this policy a controlled substance shall include any controlled substance, counterfeit substance or imitation controlled substance as defined in the Narcotic Drug Act, Section 195.010, RSMo.

<b>First Offense</b>	Up to 180 days OSS <u>or</u> 30 days OSS/ISS + SAR Contract (See Below) and report to Juvenile Authority
<b>Second Offense</b>	Refer to Superintendent for 90-180 days OSS or Expulsion and report to Juvenile Authority
<b>Repeat Offense</b>	Report to Law Enforcement (or Juvenile Authorities per Safe Schools Act)

**(SAR) SUBSTANCE ABUSE REHABILITATION CONTRACT** The SAR contract includes the following stipulations that may be modified by the District as an acceptable alternative to the long-term OSS approach. As a condition of the SAR Contract, the student's attendance record may be reconsidered if the student and legal guardian agree to be responsible for the cost and adherence to the following criteria:

- 1) The student will undergo an independent behavioral or psychological evaluation by a licensed agency to determine the students' extent of addiction. The District will receive a copy of the written independent evaluation.
  - 2) The student and parents agree that the student will successfully and fully participate in a licensed drug rehabilitation program and/or participate in the school-based educational program. This treatment will continue until it is agreed by the parents and school officials that the desired behavioral modifications have been achieved.
  - 3) A comprehensive drug screen (urinalysis) as determined or approved by the District will be conducted at student expense prior to being admitted back to school on a probationary basis. If the test is negative for drugs the student may return to school and will submit to random drug screening at the discretion of the principal for a period of up to 180 school days.
  - 4) Should the student fail to meet the requirements of the SAR Contract, the District will consider all factors involving the disciplinary and rehabilitation process and take the appropriate disciplinary action including the enforcement of the original suspension.
- ALL Rehab and screening expenses are to be borne by the student's family or legal guardian.

*This policy procedure may be abandoned and/or the length of the suspension may be modified by the principal based upon the individual merits of each student's situation.*

<b>ACTIONS THAT COMPROMISE THE SAFETY OF OTHERS: VIOLENT BEHAVIOR/THREATS OF VIOLENCE/TERRORISTIC ACTS/THREATS OF TERRORISTIC ACTS INCLUDING THREATS TO HARM OTHERS OR ONESELF, TO INCLUDE BOMB THREATS:</b>	
<b>Any Offense</b>	Immediate Out-of-School Suspension for up to 180 days OSS or expulsion upon referral to superintendent. Notification to law enforcement. Documentation in student's discipline record.

<b>WEAPON(S) - POSSESSION, USE or ATTEMPTED USE:</b>	
Bringing onto the school grounds or property any item that is ordinarily considered to be a weapon such as defined in The Safe Schools Act of 1996, section 571.010, RSMo: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a bladed instrument, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife and others not named. School property includes, but is not limited to district owned buildings, leased or rented facilities; school-sponsored activities; field trips, school vehicles and buses and any school bus stops. This policy is in effect before, during and after school. (This policy shall not be construed to prohibit the Board of Education from allowing a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded.) <i>This violation will be reported to the appropriate law enforcement agencies.</i>	
<b>Any Offense</b>	Expulsion or suspension of not less than one year and Contact Law Enforcement

<b>ARSON:</b>	
Starting or attempting to start a fire or causing or attempting to cause an explosion	
<b>Any Offense</b>	Up to 180 days OSS or expulsion: notification to law enforcement. Documentation in student's discipline record.

<b>FALSE ALARM:</b>	
Setting off alarm when there is no cause to do so, including fire alarms, 911 calls, or other acts causing evacuation of the building which could endanger the welfare of others. "Making a false bomb report is a Class D felony and is subject to immediate suspension. This violation will be reported to the appropriate law enforcement agencies.	
<b>First Offense</b>	Up to 10 days OSS
<b>Repeat Offense</b>	Refer to Superintendent for suspension

**GANG RELATED ACTIVITIES:**

Any activity characteristic of or identified by the individual's admission to gang membership or by the exhibiting of any item of clothing which is common to gang members, the display of mannerisms which identify the individual as a gang member, visible tattoos that indicate gang membership, admitting to detailed knowledge of gang activity, admitting to or being known by a moniker, displaying jewelry or other paraphernalia common to gang members.

<b>First Offense</b>	Parent contact. Removal of gang related items and notify Juv. Law.
<b>Second Offense</b>	Up to 5 days OSS. Removal of gang related items and notify Juv. Law
<b>Repeat Offense</b>	Up to 10 days OSS. Removal of gang related items and notify Juv. Law

**ASSAULT:**

Knowingly causing physical injury to another person; or with criminal negligence, causing physical injury to another person by means of a **deadly weapon**; or **recklessly** engaging in conduct which creates a grave risk of death or serious injury to another person or knowingly causing physical contact with another person knowing the other person will regard the contact as offensive or provocative. The act or acts described above occur on school or school district property, or in a vehicle that at the time of the act was in the service of a school or school district, or arose as a result of a school or school district-sponsored activity. This violation is a **CLASS D FELONY** and will be reported to the appropriate law enforcement agencies.

**\*VERBAL THREAT: A Class C misdemeanor and in addition to school consequences, will be reported to Law Enforcement.**

<b>First Offense</b>	Up to 180 days OSS or expulsion
<b>Repeat Offense</b>	Refer to Superintendent for expulsion and contact law enforcement.

**FIGHTING:**

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

<b>First Offense</b>	Up to 3 days OSS
<b>Second Offense</b>	Up to 5 days OSS
<b>Repeat Offense</b>	Up to 10 days OSS

**POSSESSION OR USE OF DISRUPTIVE/HARMFUL DEVICES OR ITEMS:**

(i.e. any propellant or explosive device, firecrackers, water balloons, snowballs, rocks, peashooters, stink bombs, water gun, pocket knife, etc.)

<b>First Offense</b>	Up to 5 days ISS
<b>Second Offense</b>	Up to 5 days OSS
<b>Repeat Offense</b>	Up to 10 days OSS

**EXTORTION and/or BULLYING:**

Threatening or intimidating any student to include such behaviors for the purpose of, or with the intent of obtaining money/anything of value from student. This offense in conjunction with physical force is grounds for immediate OSS. This also refers to any activity that a reasonable person believes could pose a negative impact on the mental or physical health or safety of a student or put the student in adverse situation is prohibited. This includes, but is not limited to hazing, bullying, cyber-bullying, student intimidation, physical violence, taunting, name-calling, put downs, threats, extortion and exclusion from a peer group. Students who have been subjected to hazing or bullying are instructed to promptly report such incidents to a school official.

<b>First Offense</b>	Up to 5 days OSS and restitution
<b>Second Offense</b>	Up to 10 days OSS and restitution
<b>Repeat Offense</b>	Refer to Superintendent for Expulsion

<b>SEXUAL HARASSMENT</b>	
Inappropriate behavior which portrays sex or sexual conduct in a manner offensive to community standards, including words, spoken or written, touching, or other physical contact of a sexual nature.	
<b>First Offense</b>	Student conference + ISS or 180 days of OSS
<b>Repeat Offense</b>	1-180 days of OSS, or expulsion

<b>SEXUAL MISCONDUCT:</b>	
Engaging in any sexual behavior or sexual acts on school grounds, in or on any property belonging to the school, or on school sponsored trips or activities. This also applies to behavior which subjects another person to sexual contact with or without the person's consent including acts covered by the Safe Schools Act 1-113 1301 & 1298 such as forcible rape (566.030 RSMo), forcible sodomy (566.060 RSMo), sexual assault (566.040 RSMo)	
<b>First Offense</b>	Up to 30 days OSS
<b>Repeat Offense</b>	Refer to Superintendent for expulsion and report to law enforcement

<b>Posturing</b>	
The physical and verbal acts that could potentially lead to an altercation	
<b>First Offense</b>	Up to 3 days ISS
<b>Second Offense</b>	Up to 5 days ISS
<b>Repeat Offense</b>	Up to 5 days OSS

<b>PROFANITY DIRECTED TOWARD A STAFF MEMBER:</b>	
<b>First Offense</b>	Up to 5 days OSS
<b>Second Offense</b>	Up to 10 days OSS
<b>Repeat Offense</b>	Up to 10 days OSS

<b>DISRESPECT, DEFIANCE or INSUBORDINATION:</b>	
Displaying a lack of cooperation, disrespectful language (other than profanity), willful dishonesty, disobedience or defiance of the authority of the principal, assistant principal, teacher, bus driver or other school employee. Disrespect also includes any gestures, actions or speech interpreted as degrading or demeaning. Any threats and/or physical aggression toward a school official will be grounds for expulsion.	
<b>First Offense</b>	Up to 5 days ISS
<b>Second Offense</b>	Up to 10 days ISS
<b>Repeat Offense</b>	Up to 10 days OSS

<b>LARCENY THEFT:</b>	
(Larceny) stealing or attempting to steal private or school property valued at \$750.00 or more.	
<b>First Offense</b>	Up to 10 days OSS and refer to law enforcement
<b>Second Offense</b>	Refer to Superintendent for suspension and refer to law enforcement
**Severity of first offense may be referred to the Superintendent for long term suspension/ expulsion	

<b>TOBACCO/VAPOR/ELECTRONIC CIGARETTES - USE or POSSESSION:</b>	
Including but not limited to cigarettes vapor/electronic, cigars, chewing tobacco, snuff, matches, lighters or similar items. Students are not to use or have possession of tobacco products at school activities or on school property. <u>All tobacco will be confiscated.</u> Students in extra-curricular activities may also have additional consequences according the athletic/activities handbook.	
<b>First Offense</b>	Parent Contact and up to 3 days ISS
<b>Second Offense</b>	Parent Contract and up to 5 days ISS
<b>Repeat Offense</b>	Parent Contact and up to 10 days OSS

<b>VANDALISM:</b>	
Willfully causing substantial damage or attempting to cause substantial damage to any property, real or personal, belonging to school, staff or students. <b>Institutional (school) vandalism is a Class A misdemeanor and will be referred to Law Enforcement Officials. If damage exceeds \$2,000, the offense is a Class D felony. Both of these classes of offenses will be subject to long-term suspension</b>	

<b>DISRUPTIVE SPEECH or CONDUCT:</b>	
Conduct or speech, whether verbal, written or symbolic, which materially and substantially disrupts classroom work, school activities or school functions; this also includes using obscenity, obscene gestures, swearing, cursing, etc. or words which are spoken solely to harass, bully, intimidate or injure other people, such as defamation of a person's race, religion or ethnic origin. Extreme disruptive behavior can be grounds for immediate OSS at all levels.	
<b>First Offense</b>	Up to 5 days ISS
<b>Second Offense</b>	Up to 10 days ISS
<b>Repeat Offense</b>	UP to 10 days OSS

<b>FAILURE TO APPEAR FOR AFTER SCHOOL DETENTION:</b>	
Students are allowed one reschedule for a missed detention per semester. Reschedules do not carry over if not used in the first semester.	
<b>First Offense</b>	1 day ISS
<b>Second Offense</b>	Up to 3 days ISS
<b>Repeat Offense</b>	Up to 5 days ISS

<b>FAILURE TO APPEAR FOR AFTER SCHOOL DETENTION:</b>	
Students are allowed one reschedule for a missed detention per semester. Reschedules do not carry over if not used in the first semester.	
<b>First Offense</b>	1 day ISS
<b>Second Offense</b>	Up to 3 days ISS
<b>Repeat Offense</b>	Up to 5 days ISS

<b>PUBLIC DISPLAY OF AFFECTION:</b>	
Hugging, kissing or any physical contact which is inappropriate in the school setting.	
<b>First Offense</b>	Student Conference/Parent Contact
<b>Second Offense</b>	Up to 3 days ISS
<b>Repeat Offense</b>	Additional ISS

<b>FAILURE TO OBSERVE THE CONDITIONS OF IN-SCHOOL SUSPENSION:</b>	
Student social privileges are revoked during ISS. Failure to act in a mature manner with respect for self and others will result in removal from ISS.	
<b>First Offense</b>	OSS for the duration of original ISS penalty
<b>Second Offense</b>	Original ISS penalty and up to 3 days OSS
<b>Repeat Offense</b>	Up to 5 days OSS or Saturday School

**BUS MISCONDUCT:**

Any offense committed by a student on a district owned or contracted bus which would be punished if the offense had been committed at the student's assigned school. The rules of good bus conduct are the same as expectations for good classroom conduct which include showing respect and obeying reasonable requests from the adult in charge. *Please remember that riding an Archie R-5 bus is a privilege, not a requirement. To insure good transportation service, students and parents should become familiar with the following safety rules.*

1. Do not extend any part of the body or belongings out of the bus windows.
2. All students are to sit in assigned seats on all regular route buses.
3. Leave the bus windows closed unless permission from the driver has been given to open them.
4. Keep voices at a normal conversational tone. Do not yell or make loud noises that may distract the driver.
5. Report any damage to the driver. Any acts of vandalism will be paid for by the student (s) responsible and may result in other assigned discipline.
  
6. Animals will not be transported on the bus.
7. Food and drink are not appropriate on the bus. Exceptions to this may be made on activity trips.
8. Inappropriate behaviors which will result in disciplinary action include: swearing, persistent refusal to submit to the driver's authority, or possession of tobacco, scuffling or fighting, littering and/or throwing objects from the bus, moving around while the bus in motion, being excessively loud, vandalism to the bus, etc.
9. Once loaded, students are to remain on the buses for the duration of the route and not enter other school buildings. Violation of the bus rules and disregard for the driver's authority will be reported to the building principal and may result in the following discipline being assigned.
10. Regulation of electronic devices on busses is regulated at the discretion of individual bus drivers.

<b>First Offense</b>	Warning letter sent home and/or conference with parents
<b>Second Offense</b>	3-day bus suspension
<b>Third Offense</b>	5-day bus suspension
<b>Fourth Offense</b>	Bus suspension for the remainder of the semester
<b>***Serious violations could result in immediate and long-term suspension regardless of the number of previous violations</b>	

**CARELESS DRIVING**

Operating a vehicle on or about the school grounds and/or school property in a manner which would endanger persons or property. \*\*The privilege of operating a vehicle at school also carries with it the responsibility of securing a proper permit, observing speed limits, giving pedestrians walkers and busses the right of way, and entering and exiting through designated areas

<b>First Offense</b>	Up to 3 days ISS
<b>Second Offense</b>	Up to 5 days ISS
<b>Repeat Offense</b>	Loss of driving privileges

**CLOSED CAMPUS POLICY:**

Once students have entered their school, they do not have permission to leave the school campus during school hours unless properly supervised by school personnel.

<b>First Offense</b>	Up to 5 days ISS
<b>Second Offense</b>	Up to 10 days ISS
<b>Repeat Offense</b>	Up to 10 days OSS

**TRUANCY:**

Absence from school or class without the knowledge and/or consent of parent and school officials. This includes being on or off campus, but out of assigned area without permission of school officials or being absent and not having parent contact with the school and office upon returning to school.

<b>First Offense</b>	Parent contact and 1 day ISS
<b>Second Offense</b>	Parent contact and 3 days ISS
<b>Repeat Offense</b>	ISS/Saturday School

<b>FORGERY/MISREPRESENTATION:</b>	
Misrepresenting parent or guardian with the purpose of excusing from school, class or any other parental consent. This includes all written notes, phone calls, or correspondence. This includes academic dishonesty defined as any form of cheating that is blatant, repeated and serious in offense beyond the realm of the individual teacher's classroom management plan.	
<b>First Offense</b>	Parent Contact and up to 3 days ISS
<b>Second Offense</b>	Up to 5 days ISS
<b>Repeat Offense</b>	Up to 10 days ISS

<b>USE OF A PHONE or ELECTRONIC DEVICE ON SCHOOL PROPERTY:</b>	
During instructional time students are not allowed to use a cell phone, hand-held radio, remote modem devices, audio, video, music or game device or any other handheld communication device on school property during school hours. Teachers may grant approval inside the classroom.	
<b>First Offense</b>	Confiscation and after-school detention
<b>Second Offense</b>	Confiscation and up to 3 days ISS
<b>Repeat Offense</b>	Confiscation and up to 5 days OSS

<b>PETTY THEFT:</b>	
(Petty) stealing or attempting to steal private or school property valued at less than \$750.00	
<b>First Offense</b>	Parent contact, restitution, and up to 10 days ISS
<b>Repeat Offense</b>	Parent contact, restitution, and up to 10 days OSS

<b>COMPUTER / INTERNET / E-MAIL USE</b>	
All Archie R-5 students will be expected to follow the <b>District Acceptable Use policy</b> . The use of computers and computer services is a privilege which may be revoked by teachers, principals and/or district administrators at any time for abusive conduct. Such conduct would include, but is not limited to the placing of unlawful information on or through the computer system, and the use of obscene, abusive, or otherwise objectionable language or images in either public or private files or messages, to include any materials posted on the R-5 District website and anything that would be considered cyber-bullying. All <b>flash drives or other forms of data storage</b> from home must be virus-scanned before they can be loaded onto school computers. Tampering with computer data or theft of computer data may be considered a Class A Misdemeanor or Class D Felony and be prosecuted as such.	
<b>First Offense</b>	Suspension of computer privileges for a period of time determined by the building administrator and up to 10 days ISS
<b>Repeat Offense</b>	ISS and up to loss of privileges for 365 days and up to 10 days OSS

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