

# **DISCIPLINE**

## **CORPORAL PUNISHMENT**

Corporal punishment, as a measure of correction for maintaining discipline and order in schools, is permitted. However, it shall be used only when all other alternative means of discipline have failed and then only in reasonable form and upon the recommendation of the principal. If corporal punishment is necessary, ONLY the principal in the presence of a faculty witness shall administer it.

Corporal punishment shall be administered only by swatting the buttocks with a paddle. When it becomes necessary to use corporal punishment, it shall be administered so that there can be no chance of bodily injury or harm. Striking a student on the head or face is not permitted.

The principal shall submit a report to the superintendent, explaining the reason for the use of corporal punishment as well as the details.

A staff member may use reasonable physical force against a student without advance notice to the principal, if it is essential for self-defense, the preservation of other persons or the property of the school district.

## **STUDENT DUE PROCESS RIGHTS**

All students will be afforded due process as guaranteed by constitutional provisions. The process will be in accordance with state law, as well as with the provisions outlined in the Board's policies and regulations on student suspension and student expulsion.

## **DUE PROCESS**

Due process is defined below but not limited to:

1. Student has an opportunity to respond to the charges.
2. Notify parents and students of the offense and school policy.
3. Contacting the proper law enforcement officials as needed.
4. Instituting a written and signed statement as needed.
5. Providing for meeting or hearing with Board of Education.

## **ILLICIT DRUG STATEMENT**

The Braymer C-4 Board of Education believes that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful. Disciplinary action is specified for students' use of tobacco, illicit drugs and alcohol at school and/or extra curricular events.

## **DISCIPLINE DRUG-FREE SCHOOLS**

Pursuant to requirements of the 1989 amendments of the Drug-Free Schools and Communities Act, pursuant to the requirements of the Safe Schools Act, and for the purpose of preventing the use of illicit drugs and alcohol by students, the District 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 twelve (12).

Such programs address the legal, social and health consequences of drug and alcohol use, and 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 policy. All parents/guardians and students shall annually be provided with a copy of this policy.

The District certifies that it has adopted and implemented the drug prevention program described in this policy in the form required by the Department of Elementary and Secondary Education or the United States Department of Education. The District conducts 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: SUSPENSION

The term "suspension" refers to an exclusion from school for a specific period of time short of permanent exclusion. Building principals are authorized to suspend students for periods of time not to exceed ten (10) school days for violation of District Regulations. Building principals may also recommend extensions of suspension for periods of time up to one hundred eighty (180) days by the Superintendent. The Superintendent of schools may suspend students for periods up to one hundred eighty (180) days and recommend longer suspensions and expulsions to the Board of Education. Only the Board may impose suspensions in excess of one hundred eighty (180) days.

#### DISCIPLINE: EXPULSION

The term "expulsion" refers to permanent exclusion from school.

If a student consistently refuses to conform to school policies, rules and/or regulations, the Principal and Superintendent may recommend to the Board of Education that the student be expelled from school. The Board will review such recommendations and decide whether to proceed with an expulsion hearing.

No student shall be readmitted or permitted to enroll (except as required by law) following a suspension or expulsion from this District or from any other School District until the District has conducted a meeting to consider possible readmission. During the meeting, participants will consider the conduct that resulted in discipline and any remedial actions believed to be necessary to prevent future occurrences of similar conduct. However, no student will be readmitted or enrolled if the student was convicted of, charged as an adult or juvenile without final adjudication, or convicted of juvenile conduct which, if charged as an adult, would constitute one of the following offenses.

1. First degree murder (Mo. Rev. Stat. § 536.020)
2. Second degree murder (Mo. Rev. Stat. § 565.021)
3. First degree assault (Mo. Rev. Stat. § 565.050)
4. Forcible Rape (Mo. Rev. Stat. § 566.030)
5. Forcible sodomy (Mo. Rev. Stat. § 566.060)
6. Robbery in the first degree (Mo. Rev. Stat. § 569.020)
7. Distribution of drugs to a minor (Mo. Rev. Stat. § 195.212)

8. Arson in the first degree (Mo. Rev. Stat. § 569.040)
1. Kidnapping as a Class A felony (Mo. Rev. Stat. § 569.110)
2. Statutory rape
3. Statutory sodomy

Nothing in this policy shall be interpreted to prevent the District from imposing discipline under the District's Student Code of Conduct for conduct underlying the above listed offenses even if the adult charge or juvenile petition has been dismissed or acquitted of the specific act in a criminal or juvenile court, provided it is proven by a preponderance of the evidence that the student committed the underlying act.

## DEFINITION OF DISCIPLINE TERMS AND RULES

AFTER SCHOOL DETENTION(ASD): Students are detained after school or before school following an infraction of school rules.

1. Students in after school detention will serve from 3:05-4:05 and morning detention will serve from 7:00-8:00. Students should be on time or risk serving an extra day. Students should report to the assigned detention room.
2. Students must bring homework or assignments to work on during their detention. Failure to bring something to do will result in either an extra day of detention or the teacher will give them an assignment to complete prior to leaving.
3. Students must provide their own transportation.
4. Students must stay in the assigned room for the designated time frame at an assigned seat and refrain from talking to other students. Students that cannot follow these rules will be assigned additional detention or in-school suspension.
5. A student's extra-curricular schedule will not be worked around.
6. No sleeping is allowed.
7. No food, soda, candy, etc. is allowed.

IN-SCHOOL SUSPENSION(ISS): Students will be kept in an assigned area for the whole school day, until their ISS time has been fulfilled. They will not be allowed to socialize with other students during this time. ISS will operate on a 3 strikes and you are out policy. Minor disruptions will result in a strike. On the 3<sup>rd</sup> strike the student will be sent home for the remainder of the day. The ISS term will remain the same and have to be completed when the student returns to school. Major disruptions will result in immediate OSS on the first offense.

1. Students will not interact with other students at any time while they are in ISS. This includes lunchtime. Choosing to interact with others will result in additional ISS time.
2. Students must complete an ISS assignment prior to working on class work. Student will complete their classroom assignments during ISS time or zeroes will result.
3. Students are to be working on assignments and have something else to work when finished or will be given extra assignment by administration.
4. Students should bring all their books and materials to ISS. They will not be allowed to leave to go to their lockers. They are only allowed to bring pencils and/or blue/black ink pen as a writing utensil. No colored pens, markers, or white out.
5. No sleeping is allowed. Will be given additional ISS day(s) if caught sleeping.
6. NO food, soda, candy, etc. is allowed.
7. If a student breaks any rule while in ISS they will be sent home for OSS.
8. ISS will be held from 8:00 to 3:00 on scheduled days. If a student is tardy to ISS they will serve an additional ½ day ISS the next day it is held.

OUT-OF-SCHOOL SUSPENSION(OSS): OSS is the complete removal of a student from the school program for the specific number of days.

1. Students cannot come on school grounds for any reason during the OSS.
2. Students cannot get credit for work missed while under OSS. They may make up a test after school on the next possible day they are in attendance.
3. Students cannot attend any school activities, such as: dances, ballgames, practices, music events, club or organization meetings while under OSS.

## DISCIPLINE BEHAVIORAL EXPECTATIONS FOR HIGH SCHOOL STUDENTS

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. **Following a disciplinary action issue conference between a student and administrator, the parent will be notified of consequences given for offense.**

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

- 1. Possession or presence under the influence of a controlled substance or substance represented to be a controlled substance on school property and/or any school-sponsored activity at home or away or off school property.**
  - First Offense:* Up to 30 days suspension, notification to law enforcement student's discipline record.
  - Subsequent Offense:* Up to 180 days suspension/ expulsion, notification to law enforcement officials, and documentation in student's record.
- 2. Sale, purchase, or distribution of a controlled substance or substance represented to be a controlled substance on school property and/or any school-sponsored activity at home or away, or off of school property.**
  - First Offense:* Up to 180 days suspension/expulsion, notification to law enforcement officials, and documentation in student's record.
  - Subsequent:* Notification to law enforcement officials, expulsion
- 3. Assault of Student—Use of physical force with the intent to do bodily harm**
  - First Offense:* Up to 180 days out of school suspension or expulsion, notice to law enforcement officials and documentation in student's discipline record.
  - Subsequent Offense:* Administrative hearing with possible expulsion, notification to law enforcement officials, and documentation in student's discipline record.
- 4. Assault of Staff —Use of physical force with the intent to do bodily harm**

- ❑ *First Offense:* Up to 180 days out of school suspension or expulsion, notice to law enforcement officials, and documentation in student's discipline record.
  - ❑ *Subsequent Offense:* Administrative hearing with possible expulsion, notification to law enforcement officials and documentation in student's discipline records.
- 5. Verbal Abuse of Staff Member – Disrespectful language or actions directed at a staff member.**
- ❑ *First Offense:* Conference with principal, Up to 3 days of ISS or OSS.
  - ❑ *Second Offense:* Up to 5 days of ISS or OSS, parent-student-principal conference before returning to school.
  - ❑ *Third Offense:* Up to 10 days of ISS or OSS, parent-student-principal conference before returning to school.
- 6. Threatening or Violent Language—Use of verbal or written threats to do bodily harm (Real threats)**
- ❑ *First Offense:* 2-30 days OSS
  - ❑ *Subsequent Offense:* Up to 180 days suspension, notification to law enforcement officials, and documentation in student's discipline record.
- 7. Possession of a Weapon and/or Firearm—Defined in Policy 2620**
- ❑ *First Offense:* One calendar year suspension, notification to law enforcement officials, and documentation in student's discipline record.
  - ❑ *Subsequent:* Expulsion, notification to law enforcement officials.
- 8. Possession of or presence under the influence of alcohol regardless of whether the student is on school premises.**
- ❑ *First Offense:* Up to 30 days suspension, notification to law enforcement officials, and documentation in student's discipline record.
  - ❑ *Subsequent Offense:* Up to 180 days suspension/expulsion, notification to law enforcement officials, and documentation in student's discipline record.
- 9. Arson—Intentionally causing or attempting to cause a fire or explosion**
- ❑ *First Offense:* Up to 180 days suspension/expulsion, notification to law enforcement officials, and documentation in student's discipline record.
- 10. Inappropriate Sexual Conduct—Physical touching of another student in the area of the breasts, buttocks, or genitals**
- ❑ *First Offense:* 2 days OSS.
  - ❑ *Second Offense:* Up to 10 days OSS & possible counseling with school personnel.
  - ❑ *Subsequent:* Up to 180 days suspension
- 11. Inappropriate Sexual Conduct—Use of sexually intimidating language, objects or pictures (This includes pulling someone shorts or pants down)**
- ❑ *First Offense:* Conference with principal & up to 3 days ISS .

- ❑ *Second Offense:* Up to 3 days OSS.
- ❑ *Subsequent Offense:* Up to 10 days OSS

**12. Harassment – Name-calling, hate language to demean or exclusion due to race, gender, ethnic, sexual orientation, or religion.**

- ❑ *First Offense:* Principal warning, Letter to Parents, 1 day of ISS.
- ❑ *Second Offense:* Up to 2 days of ISS or OSS
- ❑ *Third Offense:* up to 4 days of ISS or OSS

**13. Extortion—Verbal threats or physical conduct designed to obtain money or other valuables**

- ❑ *First Offense:* Up to 4 days OSS
- ❑ *Subsequent Offense:* Up to 180 days suspension, notification to law enforcement officials, and documentation in student's discipline record.

**14. Fighting—Physically striking another in a mutual contact as differentiated from an assault**

- ❑ *First Offense:* Up to 3 days ISS or OSS and documentation in student's discipline record.
- ❑ *Second Offense:* Up to 4 days OSS or expulsion and documentation in student's discipline record.
- ❑ *Third Offense:* Up to 180 days suspension or possible expulsion

**15. Disruptive Behavior—Conduct that has the intentional effect of disturbing education or the safe transportation of a student**

- ❑ *First Offense:* Warning and conference with principal or after school detention.
- ❑ *Subsequent Offense:* After school detention, parent/principal conference, alternative school placement, ISS, or OSS.

**16. Theft—Non-consensual taking or attempt to take the property of another**

- ❑ *First Offense:* Up to 5 days OSS or ISS, restitution and documentation in student's discipline record. May contact juvenile officer.
- ❑ *Second Offense:* Up to 10 days OSS or ISS, restitution, may contact juvenile officer, and documentation in student's discipline record.
- ❑ *Third Offense:* Up to 180 days suspension.

**17. Vandalism—Intentional damage or attempt to damage property belonging to the staff, students, or the District**

- ❑ *Consequence:* Restitution and 2 days ISS or up to 30 days OSS, possible notification to law enforcement officials and documentation in student's discipline record.

**18. Truancy— Unauthorized absence from school. Students absent from school without advanced parent or administrator’s permission are truant. Students who come to school and leave school grounds without following the official checkout procedure will be considered truant.**

- First Offense:* Parent notification and up to 3 days ISS.
- Second Offense:* Possible notice of Juvenile office and up to 5 days ISS.
- Third Offense:* Up to 10 days ISS. Notification of juvenile officer.

**19. Skipping class is defined as missing an assigned class without prior authorization. The student is still on school grounds, but is 5 minutes or longer late to class without permission.**

- First Offense:* 1 day of ISS
- Second Offense:* 3-5 days of ISS
- Third Offense:* 2 days of OSS

**20. Walking out of Class – leaving class without permission from the teacher**

- First Offense:* 1 day of ISS and parent notification
- Second Offense:* 1-5 days of ISS
- Third Offense:* 1-3 days of OSS

**21. Defiance of Authority—Refusal to obey directions or defiance of staff.**

- First Offense:* Principal/Student Conference, after school detention
- Second Offense:* After school detention or up to 3 days ISS
- Third Offense:* Up to 3 days ISS or OSS.

**22. Improper Displays of Affection—Consensual kissing, fondling, embracing, or holding hands.**

- First Offense:* Principal/Student Conference
- Second Offense:* After school detention
- Third Offense:* 1 day of ISS
- Fourth Offense:* 2 days ISS
- Fifth Offense:* 2 days OSS
- Sixth Offense:* Up to 10 days OSS

**23. Indecent Exposure**

- First Offense:* 2 days or more ISS
- Subsequent Offense:* Up to 10 days OSS

**24. Use of Obscene or Vulgar Language—Language that depicts malicious sexual acts, human waste, and blasphemous language.**

- First Offense:* After school detention
- Second Offense:* 1 day of ISS
- Third Offense:* Up to 3 days of ISS
- Fourth Offense:* Up to 3 days of OSS

**25. Possession of tobacco or tobacco products**

- First Offense:* 1 day of ISS and notify parent and law enforcement
- Second Offense:* Up to 3 days of ISS
- Third Offense:* Up to 3 days OSS

- *Fourth Offense:* Up to 10 days OSS

**26. Use of tobacco or tobacco products**

- *First Offense:* 1day OSS
- *Second Offense:* Up to 3 days OSS
- *Third Offense:* Up to 5 days OSS

**27. Careless Driving on School Property**

- *First Offense:* Loss of parking privileges for 30 days
- *Second Offense:* Loss of parking privileges for one semester.
- *Third Offense:* Loss of parking privileges for one school year.

**28. Dress Code Violation - Any class time missed due to dress code problems will result in no credit for time missed and will be counted as an unexcused absence from class. If a student refuses to give up a requested item or change inappropriate clothing, OSS will result immediately.**

- *1<sup>st</sup> Offense:* Confiscation or required to change clothes immediately. Parents contacted.
- *2<sup>nd</sup> Offense:* Parent contacted by phone. Parent will need to pick student up immediately to take home and correct violation. If a student drives, a parent must give permission for student to leave school grounds to correct the violation. ASD
- *Subsequent Offenses:* Parent contacted by phone. Parent will need to pick the student up immediately to take home and correct the violation. Up to 3 days ISS will be assigned. If a student drives, a parent must give permission for student to leave school grounds to correct the violation. ASD

**29. Tardy (After four tardies total per class per semester)**

- *First Offense:* 4<sup>th</sup> tardy After school detention
- *Second Offense:* 5<sup>th</sup> tardy After school detention
- *Subsequent Offense:* Up to 3 days of ISS

**30. Cheating – Use of the academic work of another as own or knowingly providing another with academic work or answers.**

- *First Offense:* Parent notification, chance to redo assignment or alternative assignment for ½ credit, ASD
- *Second Offense:* Parent notification, loss of credit for assignment, ASD
- *Third Offense:* Parent/student/principal conference and up to 3 days of OSS

**31. Inappropriate Computer & Computer Lab Use (see attached computer lab rules and guidelines)**

- *First Offense:* Up to 4 months of computer use privileges lost.
- *Second Offense:* Loss of computer privileges for remainder of school year.

**32. Hazing**

- *First Offense:* 10 Days Out-of-school-suspension
- *Second Offense:* Expulsion

**33. Horseplay – Pushing, shoving, wrestling around**

- First Offense:* Conference with the Principal
- Second Offense:* After school detention
- Third Offense:* 1-5 days of ISS

**34. Throwing objects – Lunchroom, classroom, hallways, and other places on school property.**

- First Offense:* After school detention and/or clean after school for one hour a day for a week.
- Second Offense:* Clean after school for one hour a day for two weeks.

**35. Safety Issue – The safety of the student or others is put in jeopardy as a result of this action. Severity dictates punishment.**

- First Offense:* After school detention
- Second Offense:* Up to 5 days of ISS

**36. Possession of Prescription Medicine – The possession of a prescription medicine without a valid prescription for such medicine on school premises or on a school bus.**

- First Offense:* Parent-principal conference, up to 3 days of ISS.
- Subsequent:* Up to 3 days of OSS, notification to law enforcement, documentation in student's record.

**37. Distribution of Prescription Medicine – The distribution of prescription medicine to any individual who does not have a valid prescription for such medication on school premises or at any school-sponsored activity.**

- First Offense:* Up to 3 days of OSS and notification to law enforcement officials, documentation in student's discipline record.
- Subsequent:* Up to 180 days of OSS, notification to law enforcement officials, documentation in student's discipline record.

**38. Bullying – The intentional action by an individual or group of individuals to inflict physical, emotional or mental suffering on another individual or group of individuals.**

- First Offense:* 10–30 day OSS
- Second Offense:* 180 day suspension
- Third Offense:* expulsion

**39. Cell Phone**

- First Offense:* cell phone is confiscated, detention
- Second Offense:* cell phone confiscated, ISS, parent must pick up phone
- Subsequent:* OSS.

## DISCIPLINE FIREARMS AND WEAPONS IN SCHOOL

### Definitions

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 or the Definitions section of this Regulation.
5. Items defined as "weapons or firearms" under MO. Rev. Stat 571.010
  1. Blackjack
  2. Concealable firearm
  3. Explosive weapon
  4. Firearm
5. Firearm silencer
  6. Gas gun
  7. Knife
  8. Machine gun
  9. Knuckles
  10. Projectile weapon
  11. Rifle
  12. Shotgun
  13. Spring gun
14. Switchblade

6. Other weapons:
  1. Mace spray
  2. 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 District 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 DISABLED STUDENTS

If the student who is determined to be in violation of this Regulation is a student with a disability under the Individuals with Disabilities Education Act, the District will assign the student to an alternative education placement for a period of up to forty-five (45) days and or take other steps to address the students' misconduct, as permitted by law.

### WEAPONS ARE NOT PERMITTED ON SCHOOL PROPERTY!

### MISSOURI SCHOOL VIOLENCE HOTLINE

Report threats against students, teachers, & schools by calling 1-866-748-7047.

### PROTECTION OF STUDENT RIGHTS

All instructional materials, including teachers' manuals, films, tapes or other supplementary material that will be used in connection with any student survey, analysis or evaluation shall be available for

inspection by parents/guardians of the students. The requirement also applies to the collection, disclosure or use of student information for marketing surveys.

No student shall be required to submit to survey, analysis, or evaluation as part of a school program or marketing survey that requires students to reveal personal information concerning:

1. Political affiliations of the student or student's family;
2. Mental and psychological problems of the student or his/her family;
3. Sexual behavior and attitudes;
4. Illegal, antisocial or self-incriminating behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Religious practices and affiliations;
7. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers; or
8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance.

The District will give parents notice of their right to inspect surveys and instructional materials used in educating their children, and of the right to opt their child out of participating in activities that concern any of the above eight areas.

### 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. However, no strip searches are to be conducted.

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. Any student who refuses to submit to a search, may be appropriately disciplined by school officials.