

**Nondiscrimination and Student Rights**

**Equal Education Opportunity**

**APPEAL PROCEDURES UNDER SECTION 504**

These appeal procedures should only be used if a parent/guardian of a student with a disability intends to challenge the action proposed by the District regarding the identification, evaluation or educational placement of the student under Section 504. Typically, these procedures are used after a Section 504 Team has made a determination regarding a student's eligibility for Section 504 services or after the Section 504 Team has made particular accommodations for a student under a Section 504 Plan. One may obtain a copy of the District's 504 Procedural Safeguards by contacting the Assistant Superintendent for Business/504 Coordinator, District Administrative Office, 710 Lyon, Carthage, MO 64836, or calling 417-359-7000.

The procedures are intended to be in harmony with 34 C.F.R. § 104.36. All other complaints/grievances relating to disability discrimination are handled in accordance with the District's separate Section 504 grievance/complaint resolution regulation, Regulation 1310 – Civil Rights, Title IX, Section 504.

**DUE PROCESS APPEAL PROCEDURES:**

1. If a parent, legal guardian or eligible student intends to challenge the action proposed or refused by the District, the parent/guardian or eligible student must file a written Notice of Appeal within thirty (30) calendar days from the date of the written notice of the proposed or refused action. The Notice of Appeal should be filed with:

Assistant Superintendent for Business  
Carthage R-IX School District Administrative Office  
710 Lyon Street  
Carthage, MO 64836

2. The Notice of Appeal must state the specific circumstances, including all relevant facts, giving rise to the request for due process; the specific issues to be decided at the impartial due process hearing; and the relief being requested. The District will acknowledge, in writing, all Notices of Appeal, within five (5) school days of receipt.
3. The District will, within ten (10) school days of the District's receipt of the Notice of Appeal, appoint and retain a single impartial hearing officer to hear and decide the Notice of Appeal. The hearing officer must have knowledge or training in Section 504 and may not be an employee of the District. The hearing officer may not have a personal or professional interest that would conflict with his/her objectivity in the hearing. The District is not required to consult with the parent/guardian or eligible student with respect to the hearing officer appointment.

4. Upon receipt of the Notice of Appeal, the Superintendent, or his/her designee, will promptly investigate the circumstances giving rise to the hearing request. That investigation shall not delay the District's processing of the request for hearing. In addition, within ten (10) days of the receipt of the Notice of Appeal, the Superintendent, or his/her designee, will contact the parent/guardian or eligible student in an attempt to find a resolution to the issues stated in the Notice of Appeal. The parent/guardian or eligible student will be invited to participate in a resolution meeting to give the parent/guardian or eligible student an opportunity to discuss the matters in dispute in an effort to resolve those matters without a need for a hearing. The parent/guardian or eligible student is not required to participate in such a meeting and the parent/guardian or eligible student's refusal to participate in such a meeting cannot delay or eliminate the right to an impartial hearing.
5. The parties to the hearing have the following rights:
  - a. The right to inspect all relevant records, including personally identifiable records of the student;
  - b. The right to be represented and advised by an attorney;
  - c. The right to present evidence and confront, cross-examine and compel the attendance of witnesses;
  - d. The right to obtain a record of the hearing;
  - e. The right to obtain written findings of fact, conclusions of law, and decision.
6. The hearing officer must hold the hearing within forty-five (45) days of his/her appointment as hearing officer. If the hearing officer's schedule does not permit a hearing within forty-five (45) days, or either party requests an extension of this timeframe, a hearing may be held, for good reason, outside of this forty-five (45) day period.
7. The hearing officer shall render a final, written decision no later than thirty (30) days following the completion of the hearing. A decision may be rendered after thirty (30) days, if either party requests an extension of this timeframe, and for good cause shown. The decision of the hearing is final and binding, subject to the procedures outlined below.
8. The District is responsible for costs directly attributable to the provision of administration hearings described in these procedures, including compensation of the hearing officer, transcripts or records of the hearing, and other related expenses. The District is not responsible for the costs of legal counsel or other representative of the parent/guardian or eligible student or for the costs of producing or reproducing the evidence presented by the parent/guardian or eligible student.

9. Any timelines specified herein may be extended by agreement of the District and parent/guardian or eligible student or by order of the hearing officer.
10. Any part aggrieved by the decision of the impartial hearing officer may appeal that decision to any court of competent jurisdiction.

**Other Options:**

At any time during this grievance process, a grievant may file a complaint with the Missouri Commission on Human Rights or with the United States Department of Education, Office for Civil Rights (Kansas City, Missouri).

## **STUDENTS**

**Regulation 2130**  
**(Form 2130)**

### **Nondiscrimination and Student Rights**

#### **Harassment**

#### **DEFINITIONS AND EXAMPLES**

##### **Sexual Harassment**

For purposes of this Regulation, sexual harassment of a student consists of sexual advances, requests for sexual favors, sexually-motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:

1. A school employee causes a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity, or when an employee or third party agent of the District causes a student to believe that the employee will make an educational decision based on whether or not the student submits to unwelcome sexual conduct; or
2. When the unwelcome sexual conduct of a school employee or classmate 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.

Examples of conduct which may constitute sexual harassment include:

- sexual advances;
- touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
- coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
- coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another;
- graffiti of a sexual nature;
- sexual gestures;
- sexual or dirty jokes;
- touching oneself sexually or talking about one's sexual activity in front of others;

- spreading rumors about or rating other students as to sexual activity or performance;
- unwelcome, sexually-motivated or inappropriate patting, pinching, or physical contact. This prohibition does not preclude legitimate, non-sexual physical conduct such as the use of necessary restraints to avoid physical harm to persons or property, or conduct such as a teacher's consoling hug of a young student, or one student's demonstration of a sports move requiring contact with another student. (NOTE: Where the perpetrator is an adult and the victim is a student, welcomeness is generally not relevant.); and
- other unwelcome sexual behavior or words, including demands for sexual favors, when accompanied by implied or overt threats concerning an individual's educational status or implied or overt promises of preferential treatment.

### **Harassment Because of Race or Color**

For purposes of this Regulation, racial harassment of a student consists of verbal or physical conduct relating to an individual's race or color when:

1. The harassing conduct is sufficiently 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;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of race or color include:

- graffiti containing offensive language which is derogatory to others because of their race or color;
- name-calling, jokes, or rumors based upon an individual's race or color;
- threatening or intimidating conduct directed at another because of the other's race or color;
- notes or cartoons;
- racial slurs, negative stereotypes, and hostile acts which are based upon another's race or color;

- written or graphic material containing racial comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race or color; and
- other kinds of aggressive conduct such as theft or damage to property which is motivated by race or color.

### **Harassment Based Upon National Origin or Ethnicity**

For purposes of this Regulation, ethnic or national origin harassment of a student consists of verbal or physical conduct relating to an individual's ethnicity or country of origin or the country of origin of the individual's parents, family members, or ancestors when:

1. The harassing conduct is sufficiently 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;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of national origin or ethnicity include:

- graffiti containing offensive language which is derogatory to others because of their national origin or ethnicity;
- name-calling, jokes, or rumors based upon an individual's national origin or ethnicity;
- threatening or intimidating conduct directed at another because of the other's national origin or ethnicity;
- notes or cartoons;
- ethnic slurs, negative stereotypes, and hostile acts which are based upon another's national origin or ethnicity;
- written or graphic material containing ethnic comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;

- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, ethnicity or national origin; and
- other kinds of aggressive conduct such as theft or damage to property which is motivated by national origin or ethnicity.

### **Harassment Because of Age**

For the purposes of this Regulation, harassment of a student because of age consists of verbal or physical conduct relating to an individual's age when:

1. The harassing conduct is sufficiently 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;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of age include:

- graffiti containing offensive language which is derogatory to others because of their age;
- name-calling, jokes, or rumors based upon an individual's age;
- threatening or intimidating conduct directed at another because of the other's age;
- notes or cartoons;
- slurs, negative stereotypes, and hostile acts which are based upon another's age;
- written or graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, age; and
- other kinds of aggressive conduct such as theft or damage to property which is motivated by age.

### **Harassment Because of Disability**

For the purposes of this Regulation, harassment because of the disability of a student consists of verbal or physical conduct relating to an individual's physical or mental impairment when:

1. The harassing conduct is sufficiently 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;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. The harassing conduct otherwise adversely and substantially affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of disability include:

- graffiti containing offensive language which is derogatory to others because of their physical or mental disability;
- name-calling, jokes, or rumors, based upon an individual's physical or mental disability;
- threatening or intimidating conduct directed at another because of the other's physical or mental disability;
- notes or cartoons;
- slurs, negative stereotypes, and hostile acts which are based upon another's physical or mental disability;
- written or graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, an individual's physical or mental disability; and
- other kinds of aggressive conduct such as theft or damage to property which is motivated by an individual's physical or mental disability.

### **Harassment Because of Gender**

For purposes of this Regulation, gender harassment of a student consists of verbal or physical conduct relating to an individual's gender when:

1. The harassing conduct is sufficiently 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;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of gender include:

- graffiti containing offensive language which is derogatory to others because of their gender;
- name-calling, jokes, or rumors based upon an individual's gender;
- threatening or intimidating conduct directed at another because of the other's gender;
- notes or cartoons;
- slurs, negative stereotypes, and hostile acts which are based upon another's gender;
- written or graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to gender; and
- other kinds of aggressive conduct such as theft or damage to property which is motivated by gender.

### **Harassment Because of Sexual Orientation or Perceived Sexual Orientation**

For purposes of this Regulation, harassment of a student because of sexual orientation or perceived sexual orientation consists of verbal or physical conduct relating to an individual's sexual orientation or perceived sexual orientation when:

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1. The harassing conduct is sufficiently 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;
2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. The harassing conduct otherwise substantially and adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment because of sexual orientation or perceived sexual orientation include:

- graffiti containing offensive language which is derogatory to others because of their sexual orientation or perceived sexual orientation;
- name-calling, jokes, or rumors based upon an individual's sexual orientation or perceived sexual orientation;
- threatening or intimidating conduct directed at another because of the other's sexual orientation or perceived sexual orientation;
- notes or cartoons;
- slurs, negative stereotypes, and hostile acts which are based upon another's sexual orientation or perceived sexual orientation;
- written or graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
- a physical act of aggression or assault upon another because of, or in a manner reasonably related to, sexual orientation or perceived sexual orientation; and
- other kinds of aggressive conduct such as theft or damage to property which is motivated by sexual orientation or perceived sexual orientation.

## **REPORTING PROCEDURES**

Any student who believes he or she has been the victim of sexual harassment or harassment/discrimination based on race, color, national origin, sex, ethnicity, age, disability, sexual orientation, or perceived sexual orientation by a student, teacher, administrator, or other

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school personnel of the School District, or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the School District, is encouraged to immediately report the alleged acts to an appropriate District official designated by this Regulation.

Any teacher, administrator, or other school official who has or receives notice that a student has or may have been the victim of sexual harassment or harassment/discrimination based on race, color, national origin, sex, ethnicity, age, disability, sexual orientation, or perceived sexual orientation by a student, teacher, administrator, or other school personnel of the District, or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the District, is required to immediately report the alleged acts to an appropriate District official designated by this Regulation.

Any other person with knowledge or belief that a student has or may have been the victim of unlawful sexual harassment or harassment/discrimination based on race, color, national origin, sex, ethnicity, age, disability, sexual orientation, or perceived sexual orientation as set forth above, is encouraged to immediately report the alleged acts to an appropriate District official designated by this Regulation.

The School District encourages the reporting party or complainant to use the report form available from the principal of each building or available from the School District office, but oral reports shall be considered complaints as well. Use of formal reporting forms is not mandated. Nothing in this Regulation shall prevent any person from reporting harassment/discrimination directly to the Compliance Officer or to the Superintendent. The District will respond to male and female students' complaints of discrimination and harassment promptly, appropriately, and with the same degree of seriousness.

1. In each school building, the building principal is the person responsible for receiving oral or written reports of sexual harassment, or harassment/discrimination based on race, color, national origin, sex, ethnicity, age, disability, sexual orientation, or perceived sexual orientation at the building level. Any adult School District personnel who receives a report of sexual harassment, or harassment/discrimination based on race, color, national origin, sex, ethnicity, age, disability, age, sexual orientation, or perceived sexual orientation shall inform the building principal immediately.

Upon receipt of a report, the principal must notify the District Compliance Officer immediately, without screening or investigating the report. The principal may request but may not insist upon a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the principal to the Compliance Officer. If the report was given verbally, the principal shall personally reduce it to written form within twenty-four (24) hours and forward it to the Compliance Officer. Failure to forward any

harassment/discrimination report or complaint as provided herein will result in disciplinary action against the principal.

If the complaint involves the building principal, the complaint shall be made or filed directly with the Superintendent or the School District Compliance Officer by the reporting party or the complainant.

2. The School Board has designated the Assistant Superintendent for Business as the District Compliance Officer with responsibility to identify, prevent, and remedy unlawful discrimination and harassment. The District Compliance Officer shall:
  - receive reports or complaints of unlawful sexual harassment, or harassment/discrimination based on race, color, national origin, sex, ethnicity, age, disability, sexual orientation, or perceived sexual orientation;
  - oversee the investigative process;
  - be responsible for assessing the training needs of the District's staff and students in connection with the dissemination, comprehension, and compliance with this Regulation;
  - arrange for necessary training required for compliance with this Regulation; and
  - insure that any investigation is conducted by an impartial investigator who has been trained in the requirements of equal educational opportunity, including harassment/discrimination, and who is able to apply procedural and substantive standards which are necessary and applicable to identify unlawful harassment/discrimination, recommend appropriate discipline and remedies when harassment/discrimination is found, and take other appropriate action to rectify the damaging effects of any prohibited discrimination/discrimination including interim protection of the victim during the course of the investigation.

If any complaint involves a Compliance Officer, the complaint shall be filed directly with the Superintendent.

The District shall conspicuously post a notice against unlawful harassment/discrimination in each school in a place accessible to students, faculty, administrators, employees, parents, and members of the public. This notice shall include the name, mailing address, and telephone number of the Compliance Officer, the name, mailing address, and telephone number of the Missouri Commission for Human Rights, the state agency responsible for investigating allegations of harassment/discrimination in educational opportunities, and the mailing address

and telephone number of the United States Department of Education, Office for Civil Rights, and the United States Department of Justice.

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3. A copy of Policy 2130 shall appear in the student handbook, and this Regulation shall be made available upon request of parents, students, and other interested parties.
4. The School Board will develop a method of discussing this Regulation with students and employees. Training on the requirements of nondiscrimination and the appropriate responses to issues of harassment will be provided to all school personnel on an annual basis, and at such other times as the Board in consultation with the District Compliance Officer determines is necessary or appropriate.
5. This Regulation shall be reviewed at least annually for compliance with state and federal law.
6. The District will respect the privacy of the complainant, the individuals against whom the complaint is filed, and the witnesses as much as possible, consistent with the District's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

## **INVESTIGATION**

Upon receipt of a report or complaint alleging unlawful sexual harassment, or harassment/discrimination based upon race, color, national origin, sex, ethnicity, age, disability, sexual orientation, or perceived sexual orientation, the Compliance Officer shall immediately undertake or authorize an investigation. That investigation may be conducted by District officials or by a third party designated by the District.

The investigation may consist of personal interviews with the complainant, the individual against whom the complaint is filed, and others who have knowledge of the alleged incident or circumstances giving rise to the complaint. The investigation may also consist of the evaluation of any other information or documents, which may be relevant to the particular allegations.

In determining whether the alleged conduct constitutes a violation of this Regulation, the District shall consider:

- the nature of the behavior;
- victim's statements;
- how often the conduct occurred;
- mandatory written witness statements or interview summaries;
- whether there were past incidents or past continuing patterns of behavior;

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- opportunity for the complainant to present witnesses and provide evidence;

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- evaluation of all relevant information and documentation relating to the complaint of sexual discrimination or harassment/discrimination;
- the relationship between the parties involved;
- the race, color, national origin, sex, ethnicity, age, disability, sexual orientation or perceived sexual orientation of the victim;
- the identity of the perpetrator, including whether the perpetrator was in a position of power over the student allegedly subjected to harassment/discrimination;
- the number of alleged harassers;
- the age of the alleged harassers;
- where the harassment/discrimination occurred;
- whether there have been other incidents in the school involving the same or other students;
- whether the conduct adversely affected the student's education or educational environment; and
- the context in which the alleged incidents occurred.

Whether a particular action or incident constitutes a violation of this Regulation requires a determination based on all the facts surrounding the circumstances.

The investigation shall be completed no later than fourteen (14) days from receipt of the report. The District Compliance Officer shall make a written report to the Superintendent upon completion of the investigation. If the complaint involves the Superintendent, the report may be filed directly with the School Board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this Regulation. The Compliance Officer's obligation to conduct this investigation shall not be extinguished by the fact that a criminal investigation involving the same or similar allegations is also pending or has been concluded.

### **SCHOOL DISTRICT RESPONSE**

1. Upon receipt of a report that a violation has occurred, the District will take prompt, appropriate formal or informal action to address, and where appropriate, remediate the violation. Appropriate actions may include, but are not limited to, counseling, awareness training, parent-teacher conferences, warning, suspension, exclusion, expulsion, transfer,

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remediation, or discharge. District action taken for violation of this Regulation shall be consistent with the requirements of applicable collective bargaining agreements, state and

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federal law, and District policies for violations of a similar nature of similar degree of severity. In determining what is an appropriate response to a finding that harassment/discrimination in violation of this Regulation has occurred, the District shall consider:

- what response is most likely to end any ongoing harassment/discrimination;
- whether a particular response is likely to deter similar future conduct by the harasser or others;
- the amount and kind of harm suffered by the victim of the harassment/discrimination;
- the identity of the party who engaged in the harassing conduct.
- whether the harassment/discrimination was engaged in by school personnel, and if so, the District will also consider how it can best remediate the effects of the harassment/discrimination.

In the event that the evidence suggests that the harassment/discrimination at issue is also a crime in violation of a Missouri criminal statute, the Board shall also direct the District Compliance Officer to report the results of the investigation to the appropriate law enforcement agency charged with responsibility for handling such crimes.

2. The results of the District's investigation of each complaint filed under these procedures will be reported in writing to the complainant and other parties by the District in accordance with state and federal laws regarding data or records privacy, and consistent with the privacy rights of the alleged harasser.
3. If the District's evaluation of a complaint of sexual harassment or harassment/discrimination based on race, color, national origin, sex, ethnicity, age, disability, sexual orientation or perceived sexual orientation, results in a conclusion that an individual has engaged in unlawful discrimination or harassment in violation of this Regulation, or that school personnel have failed to report harassment/discrimination as required herein, that individual may appeal this determination by use of established School Board procedures for appealing other adverse personnel and/or education-related actions. If the District's evaluation of a complaint of harassment/discrimination results in a conclusion that no unlawful harassment/discrimination has occurred, an individual who was allegedly subjected to harassment/discrimination and believes that this conclusion is erroneous may appeal this determination by use of established School Board procedures for appealing other adverse personnel and/or education-related actions (See Regulation 1310, page 3). An individual who was allegedly subjected to

unlawful discrimination or harassment may also file a complaint with the Missouri Commission for Human Rights, the United States Department of Education, Office for Civil Rights, or the United States Department of Justice. In addition, such individual may choose to file suit in the United States District Court or the State Circuit Court.

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4. Copies of all complaints of sexual harassment or harassment/discrimination based on race, color, national origin, sex, ethnicity, age, disability, sexual orientation or perceived sexual orientation, and the investigations conducted pursuant to them shall be maintained at the main administrative offices of the School District.

## **RETALIATION**

Submission of a good faith complaint or report of unlawful sexual harassment or harassment/discrimination, based upon race, color, national origin, sex, ethnicity, age, disability, sexual orientation or perceived sexual orientation will not affect the complainant or reporter's future employment, grades, learning, or working environment, or work assignments.

The School District will discipline or take appropriate action against any student, teacher, administrator, or other school personnel who retaliates against any person who reports an incident of alleged sexual harassment or harassment/discrimination, based on race, color, national origin, sex, ethnicity, age, disability, sexual orientation or perceived sexual orientation, or any person who testifies, assists, or participates in a proceeding, investigation, or hearing relating to such harassment/discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment/discrimination.

**Nondiscrimination and Student Rights****Distribution of Noncurricular Publications by Students****Guidelines for Distribution**

Students may distribute, at reasonable times and places, unofficial written materials, petitions, buttons, badges, or other insignia, except expressions which:

1. Are obscene to minors.
2. Are libelous.
3. Are pervasively indecent or vulgar (secondary schools)/contain any indecent or vulgar language (elementary schools).
4. Advertise any product or service not permitted to minors by law.
5. Constitute insulting, hateful or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religion, or ethnic origin).
6. Present a clear and present likelihood that, either because of their content or their manner of distribution, will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, or will cause the commission of unlawful acts or the violation of lawful school regulations.

Distribution on school premises of material in above categories to any student is prohibited.

**Procedures**

Any student wishing to distribute unofficial written material must first submit for approval a copy of the material to the principal/designee at least three (3) days in advance of desired distribution time, together with the following information:

1. Name and phone number of the person submitting request.
2. Date(s) and times(s) of day of intended display or distribution.
3. Location where material would be displayed or distributed.
4. The grade(s) of students to whom the display or distribution is intended.

Adopted: February 17, 2003

Effective: July 1, 2003

Within forty-eight (48) hours of submission, the principal/designee will render a decision whether the material violates the guidelines contained in these regulations or the time, place and manner restrictions of this regulation. In the event that permission to distribute the material is denied, the student submitting the request should be informed of the reasons for the denial.

Permission to distribute material does not imply approval of its contents by the school, the administration, the Board, or the individual reviewing the materials submitted. Accordingly, the publication shall contain a statement "The opinions expressed are not necessarily those of the District or its personnel."

If the student is dissatisfied with the decision of the principal/designee, the student may submit a written request for appeal to the Superintendent/designee. If still not satisfied, the student may appeal the request to the Board for its review.

### **Time, Place and Manner of Distribution**

The distribution of written material shall be limited to a reasonable time, place and manner as follows:

1. No written material may be distributed during and at the place of a normal school activity (e.g., classroom) if it is reasonably likely to cause a material and substantial disruption of that activity.
2. Distribution of written material is prohibited when it blocks the safe flow of traffic within corridors and entranceways of the school.

### **Definitions**

The following definitions apply to the following terms as used in this policy:

*Obscene to minors* is defined as:

1. The average person, applying contemporary community standards, would find that the written material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested; and/or
2. The material depicts and describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and/or
3. The material taken as a whole lacks serious literary, artistic, political or scientific value for

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minors.

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*Minor* is defined as any person under the age of eighteen (18).

*Material and substantial disruption* of a normal school activity is defined as follows:

1. Any disruption which interferes with or impedes the implementation of any educational or school sponsored program.
2. In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school and current events influencing student activities and behavior.

*School activities* is defined as any activity of students sponsored by the school and includes – by way of example, and not by way of limitation – classroom work, library activities, physical education classes, official assemblies, and other similar gatherings, school athletic contests, band concerts, school plays, and in-school lunch periods.

*Unofficial* written material is defined as all written material except school publications funded and/or sponsored or authorized by the school. Examples include leaflets, brochures, flyers, petitions, placards and underground newspapers, whether written by students or others.

*Libelous* is defined as a false or unprivileged statement about a specific individual that tends to harm the individual's reputation, or to lower him/her in the esteem of the community.

*Distribution* is defined as circulation or dissemination of written material by means of handing out free copies, selling or offering copies for sale and accepting donations for copies. It includes displaying written material in areas of the school which are generally frequented by students.

### **Disciplinary Action**

Distribution by a student of unofficial written material prohibited in this regulation will be treated as a violation of the student discipline code.

Adopted: October 17, 2005

## **STUDENTS**

## **Regulation 2230** **(Form 2230)**

### **Admission and Withdrawal**

#### **Admission of Resident Students**

The Superintendent/designee is responsible for ensuring that all pre-registration residency, waiver requests, and prior discipline forms are completed and maintained as District records.

A student may only register in the District if the student provides proof of residency or if the student or parent/guardian requests a waiver from the Board of Education on the basis of hardship or good sense. A Residency Enrollment Checklist (Form 2230) and Affidavit Regarding Prior Discipline (Form 2230.2) will be completed at the time of enrollment. If the Superintendent has reason to suspect that the admission of a student will create an immediate danger to the safety of others, a hearing will be convened within five (5) working days of the request to register. At the hearing, the District will determine whether the student may enroll. (See Regulation 2664 – Enrollment or return Following Suspension and/or Expulsion.)

#### **Waiver**

Students or parents/guardians seeking a waiver of the District's residency requirement must complete and submit to the Superintendent a Request for Waiver of Proof of Residency (Form 2230.1) stating the reasons for which the waiver is requested. If a waiver is requested, the Board of Education, or a committee of the Board appointed by the Board President, must convene a hearing no later than forty-five (45) days after the request for waiver is filed with the Superintendent. If the District fails to convene a timely hearing, the request for waiver is automatically granted. Following the hearing, the Board will provide written notice of its decision and the reasons for its approval or denial of the waiver request.

In considering whether a waiver to residency should be granted, the presumption that a student's domicile is in the home of the student's parent/guardian is not conclusive. Students residing within the District, but not within the domicile of their parent/guardian, will be considered residents of the District if they reside within the District for reasons other than solely to attend District schools.

#### **Records Review**

Within two (2) business days of enrolling a new student, the Superintendent/designee will request copies of the new student's transfer and discipline records from all schools in which the new student attended at any time within a twelve (12) month period preceding enrollment in the District. In addition, parents/guardians of students new to the District will be required to complete and sign the Affidavit Regarding Prior Discipline informing the District of suspensions or expulsions incurred at schools previously attended.

However, as provided in Policy and Regulation 2664 – Enrollment or Return Following Suspension and/or Expulsion, no student will be enrolled who has been convicted of or charged without final adjudication of the following criminal acts or the corresponding juvenile offenses:

1. First degree murder.
2. Second degree murder.
3. First degree assault.
4. Forcible rape.
5. Forcible sodomy.
6. Robbery in the first degree.
7. Distribution of drugs to a minor.
8. Arson in the first degree.
9. Kidnapping (Class A felony).
10. Statutory rape.
11. Statutory sodomy.

This provision does not apply to a disabled student who is convicted or adjudicated guilty as a result of conduct related to the student's disability.

## **STUDENTS**

## **Regulation 2240**

### **Admission and Withdrawal**

#### **Admission and Tuition – Non-Resident Students**

The following students who are not residents of the District may enroll without payment of tuition.

1. Orphaned children or children with only one living parent.
2. Children whose parents/guardians do not contribute to the support of the child.
3. Children who participate in an American Field Service or similar foreign exchange program subject to District approval and provided that the student resides in the home of a District resident.
4. Children whose parent/guardian owns real property within the District, but who reside outside of District boundaries. Such children may attend school upon payment of tuition which will be reduced by the amount of real estate tax paid by the child's parent/guardian for School District purposes.
5. Children whose parents/guardians own and reside upon property at least eighty (80) acres of which are used for agricultural purpose, provided at least thirty-five percent (35%) of the property is within the District.
6. Inter-district desegregation students.
7. Students of District teachers or regular District employees.
8. Homeless students.
9. Wards of the state.
10. Students placed in a residential care facility.
11. Students attending regional or cooperative alternative education programs.
12. Students from unaccredited districts.

The administration may investigate the eligibility of children attending schools under the provisions of this regulation.

## **STUDENTS**

## **Regulation 2250**

### **Admission and Withdrawal**

#### **Admission of Exchange Students**

This regulation sets forth the procedural requirements for admission of foreign exchange (FE) visitor students to the District.

1. Area representatives will obtain school authorization for enrollment of exchange students prior to contact with a host family.
2. A maximum of four (4) FE students per year may be enrolled. They may stay the full year or for a semester only.
3. Placement of the student in the high school should be arranged at least five weeks in advance of the student's departure from the student's native country. In any event, such placement must be made before the student's arrival in the United States.
4. All FE students seeking enrollment at Carthage High School must be at least sixteen (16) years old and less than nineteen (19) years old at enrollment date.
5. The prospective FE student must demonstrate adequate English skills.
6. Before being enrolled at Carthage High School, the student must supply a file that contains a completed student application form provided by the sponsoring agency, a complete school record, including transcripts (in English or translatable form), and a signed medical release with complete health records.
7. The host family should be familiar with, and transmit to the school, information about the student's interests and general behavior.
8. The educational placement of a FE student will be determined by the building principal, with the assistance of any additional staff required. Although it is recognized that much benefit results from the exchange program, it is necessary for the student to arrive with a level of basic skills that are consistent with those students who are currently enrolled in the high school. In the event that an exchange student requires educational services or programs above and beyond those that are regularly provided to the District's students (i.e., special tutoring, special reading programs, etc.), District personnel may participate in the identification of the services, but the costs associated with outside services will not be paid for by the Carthage R-9 School District. In the event that unusual educational problems arise during the placement of the exchange student, it will be the responsibility of the sponsoring agency to rectify the situation.

Adopted: May 17, 2010

9. The principal will check to see whether:
  - a. Orientation, both pre-departure and upon arrival in the United States, has been provided to the exchange students. The orientation is to be designed to give the students basic information about the United States, its people, family and school life, and the nature of the program in which they are participating.
  - b. Orientation has been provided to host families at least five weeks prior to the student's arrival in the United States.
  - c. Each visiting student and host family has been provided with a copy of the Department of State's Criteria for Exchange Visitor Programs.
  - d. The representative has made sure the student has appropriate health, accident and liability insurance.
  - e. Students are provided with an identification card with address and telephone numbers of the sponsoring organization and the Facilitative Services Staff, Bureau of Educational and Cultural Affairs, Department of State, and Council on Standards for International Educational Travel (CSIET).
10. FE programs placing students in Carthage High School will:
  - a. Provide a coordinator who will be available to school personnel for consultation and advice on any problems or matters relative to their program and students who are enrolled in Carthage High School.
  - b. Provide a written statement explaining any change in the home placement status of students to the Carthage High School principal.
11. Representatives of the FE program must maintain close contact with the school and host family, provide active supervision and support to their participating students, and assume responsibility for resolving problems including, if necessary, the changing of host families and the early return home of the exchange student because of personal or family difficulties.
12. All exchange students are under the same policies, rules, and regulations as resident students and enjoy the same rights and privileges as other Carthage High School students. The FE student must abide by the rules and regulations of the high school regarding attendance, discipline, school work, etc.
13. Eligibility of a FE student to participate in inter-scholastic activities will be determined by

guidelines.

14. School expenses (i.e., sports equipment, fees, lunches, etc.) are the responsibility of the student. Should a FE student be placed with a host family that qualifies for free or reduced lunches, he/she may participate in that program.
15. Diplomas may be issued to exchange students when both the District graduation requirements and the student's home school requirements have been met. The Carthage High School principal will determine if the FE student may participate in graduation ceremonies and other senior activities.
16. District students should be recommended by the local units of exchange visitor programs for reciprocal privileges and responsibilities.

## **STUDENTS**

## **Regulation 2260**

### **Admission and Withdrawal**

#### **Homeless Students**

##### **Identification**

For purposes of Board policies and regulations *homeless students* include students under age twenty-one (21) who lack a fixed, regular and adequate nighttime residence and include students who have a primary nighttime residence that is:

1. A supervised shelter designed to provide temporary living accommodations.
2. An institution that provides a temporary residence for individuals intended to be institutionalized.
3. Transitional housing for less than one (1) full year.
4. A public or private place not designed for, or ordinarily used as, a regular sleeping area for people, including, but not limited to cars, tents and abandoned buildings.

##### **Coordinator**

The Board of Education has appointed the Director of Special Services as coordinator of programs for homeless students. The responsibilities of the coordinator will include but not be limited to:

1. Establishing practices designed to ensure the school enrollment and success of homeless students.
2. Ensure that homeless students and their families have access to educational services including Head Start, Even Start and other preschool programs administered by the District.
3. Ensure that referrals are made to health care, dental, mental health and other appropriate services.
4. Ensure that the school records of homeless students are transferred in a timely fashion.
5. Ensure that homeless students are not isolated or stigmatized because of their status as homeless.
6. Ensure that disputes over the placement of homeless students are resolved in a timely manner.

Adopted: October 18, 2004

All school personnel, District service providers and locally known advocates working with homeless families will be informed of the identity of the Coordinator and the Coordinator duties.

### **Complaint Resolution**

Any homeless student or their parent/guardian may file a complaint regarding placement or access to educational programs by submitting a written complaint to the Coordinator of Homeless Programs. If the coordinator is unable to resolve the complaint within five (5) school days, unresolved complaints will be forwarded to the Superintendent who will meet with the complainant upon request. Within five (5) school days of this meeting or within five (5) school days of rejection of such meeting, the Superintendent will prepare and forward a written decision. Thereafter, the complainant may appeal to the Board of education within five (5) school days of receipt of the Superintendent's decision. Thereafter, the complainant may forward the complaint to DESE's Director of Federal Grants.

### **Immunization**

Homeless students may be enrolled in school twenty-four (24) hours prior to receiving their immunization records.

### **Policy Dissemination**

Copies of the Board of Education's Policy on Homeless Students will be presented to the County Welfare Office, County Office of the Division of Employment Security, the Juvenile Officer and to local law enforcement authorities.

### **Identification**

Homeless students will be identified by referrals from community organizations and by review of the District's enrollment forms.

## **STUDENTS**

## **Regulation 2270**

### **Admission and Withdrawal**

#### **Admission of Migrant Students**

##### **Identification**

For purposes of Board policies and regulations, the phrase *migratory students* shall mean students aged three (3) through twenty-one (21) who are or whose parents/guardians or spouses are migratory agricultural workers, including migratory dairy workers or migratory fishers; and who in the preceding thirty-six (36) months, in order to obtain or accompany such parents/guardians or spouses in obtaining temporary or seasonal employment in agriculture or fishing work, have moved from one school district to another.

Recognizing that migrant children are among the most educationally disadvantaged groups in our society, the Carthage R-9 School District actively seeks to identify those who may be temporarily residing (or settled out) within its boundaries. The district then gives them full access to all educational and related programs ordinarily provided all other children.

Identification begins with a question on the District's enrollment form that asks if the family has moved from any school district to another within the past three years to seek or obtain temporary or seasonal work in agriculture or a related food processing business. If it is indicated that a migrant student is enrolling, then the parents will be asked to complete a parent survey/family interview form provided by the State Office for Migrant-English Education Language Learner (MELL) Program. The Regional Migrant Center or the State Director for Migrant Education will be notified of any migrant students who are enrolled in the District. A recruiter will talk with the district's contact person and the parents of the newly enrolled students.

Through personal contacts or home visits, a family interview will provide information for completing the Certificate of Eligibility (COE). After the COE is completed, information from it is entered into a state database maintained by data entry specialists at the regional Migrant Education Center. Educational and health records are then generated, and the students listed on the form become eligible for federally funded supplementary services.

##### **Services**

The Carthage R-9 School District assesses the educational and related health and social needs of migrant students residing within its boundaries, and gives full access to all programs ordinarily provided all other children to meet their needs. School District personnel, including secretaries, nurses, counselors, teachers and principals, will be advised of the presence of eligible migrant students in their assigned schools to ensure that equal access to all school programs is provided.

Where needs exist that cannot be fully met by district personnel, or through state and federal sources, contact will be made with the director of the regional Migrant Education Center.

Personnel from the Migrant Center attempt to provide needed services and/or assist district personnel in developing a project application for a local Migrant Education program through the Department of Elementary and Secondary Education (DESE).

Complaints concerning the placement of migrant students will be resolved by means of the District's complaint resolution procedure for homeless students.

## **STUDENTS**

## **Regulation 2310**

### **Attendance**

#### **Student Attendance**

The Board of Education has established the following rules and regulations regarding attendance, absences and excuses for students. These rules and regulations are intended to comply with Missouri Compulsory Attendance Law (167.031 RSMo.) which establishes compulsory attendance for all children between the ages of seven and sixteen unless their education is provided by other acceptable means or otherwise excusable under the law.

#### **Excusable Absences**

In case of absence, it is the responsibility of the parent/guardian to notify the school. If the school is not notified on the day of absence, a note from the parent/guardian will be required on the first day of the student's return to school. The absence will be recorded as unexcused if a note or telephone call is not received.

Excusable absences include, but are not limited to:

1. Illness of the student (Doctor's statement may be required to support such absences).
2. Days of religious observance.
3. Death in the family.
4. Family emergencies which necessitate absence from school. The school must be notified in advance when such absences are foreseen.

The following procedures should be followed by students who are absent so as to prevent academic difficulties:

1. The student shall obtain assignments from appropriate staff members. Assignments shall be obtained in advance if the absence is foreseen.
2. All assigned work shall be submitted upon returning to school.
3. All classroom work (to include tests) shall be completed as indicated by the individual classroom teacher.

1. After a student has been absent for three (3) consecutive days, it is the building principal's responsibility to contact the parent/guardian by telephone or letter in order to inquire about the reason for the student's absence.
2. If the principal is unable to contact the parent/guardian within three (3) days or the parent/guardian does not give a reasonable explanation for the absence within three (3) days, the building principal shall send a registered letter to the parent/guardian requesting a conference within a week.
3. If the parent/guardian does not contact the principal within a week of receipt of the registered letter, the building principal will make a referral to the proper legal authorities.
4. The building principal shall also notify the office of the Superintendent in writing of the excessive absence and continue to update the Superintendent on the situation.

### **Excessive Absences**

#### **Elementary Students and Middle School Students**

A student shall be allowed twenty (20) unexcused days per school year. Excessive absences, excused or unexcused, have a detrimental effect upon academic progress and may be one factor considered in promotion/retention decisions.

#### **High School Students**

A student shall be allowed a maximum of six (6) unexcused absences from any class during a semester. Students who accumulate in excess of six (6) days in any class are subject to loss of credit for that class. (Days of student suspension are not counted as days absent for purposes of this policy.)

When unusual or extreme circumstances occur, exceptions to this stated policy will be made only by administrative discretion on an individual basis. Any absence not accounted for will be considered an unexcused absence.

Any absence from class as a result of a school-sanctioned activity is not recorded as an absence for purposes of this policy. Example: field trip, athletic event, student activity, etc. It is the student's responsibility to remind all of his/her teachers following a school-sanctioned absence to use the attendance correction form if he/she was reported absent inadvertently.

A student is expected to make up work as a result of class periods missed. It shall be the student's responsibility to meet with the teacher and receive the necessary instructions and assignments.

Each principal may have written policies which further detail procedures for making up work, reporting absence, etc.

### **Appeal**

High school students who are denied credit under this Regulation are entitled to utilize the due process procedures available for student suspensions. These provisions are contained in Regulation 2662 – Suspension.

## **STUDENTS**

## **Regulation 2320**

### **Attendance**

#### **Part-time Attendance**

The District recognizes the need of some students to attend school on a part-time basis. The Board has established the following regulation regarding part-time attendance. It is the intent of this regulation to meet the individual needs of each student and at the same time establish rules and regulations that will preserve the discipline, health, and academic standards of the school.

#### **Eligibility Requirements**

1. The student must have parent/guardian approval if under 18 years of age.
2. The student must demonstrate a definite need to attend school on a part-time basis. Examples are: a) financial needs of student or family, b) health problems of self or family, c) vocational training in school or on the job, d) enrollment in a school of higher education, and e) unique curriculum offerings.

#### **Application Procedure**

The student must secure an appointment with the guidance counselor or school principal prior to classification as a part-time student. The student must complete a part-time attendance request form at the conference. Before any decision is given concerning the request, a conference must be held with the student's parent/guardian if the student is under 18 years of age. All applications and conferences must be completed during the time preceding the semester in which the student is to be enrolled on a part-time basis.

After an application has been submitted, the principal shall rule on the request and report to the Superintendent the names of all students who are to be enrolled on a part-time basis. This same report shall be transmitted to the Board of Education. In the event the principal denies the request, the student may appeal to the Superintendent who must respond in a reasonable time. If the student is not satisfied with the decision of the Superintendent, an appeal may be made to the Board of Education with the appeal to be heard at the next meeting of the Board.

The student must renew the request for part-time attendance status each semester. Parental conference will not be required for renewal; however, the parent/guardian will be notified of the student's continued part-time enrollment status.

Part-time students are governed by the same rules and regulations that apply to regularly enrolled students.

## **STUDENTS**

## **Regulation 2330**

### **Attendance**

#### **Student Early Dismissal Procedures**

The following procedures apply:

1. The building principal or designee shall not excuse a student before the end of the school day without a request for early dismissal by the student's parent/guardian.
2. Requests shall be in writing. Telephone requests for early dismissal of a student shall be honored only if the caller can be positively identified as the student's parent/guardian.
3. Children of single-parent families will be released only upon the request of the custodial parent, i.e. the parent whom the court holds directly responsible for the child, and who is identified as such on the school record.

Additional precautions may be taken by the school administration, appropriate to the age of students, and as needs arise.

Parents/guardians have the obligation to advise and provide up-to-date documentation to the building principal regarding any change in the legal and/or physical custody of the student. The building principal, at all times, has the authority to investigate and confirm the custodial status of a parent/guardian if the principal has inadequate information or reason to suspect that false or incomplete information has been provided to the School District.

Students shall not be permitted to answer any personal phone calls, except those from the parent/guardian or other persons having legal custody of said pupils. Emergency messages will be delivered to the students.

## **STUDENTS**

## **Regulation 2340**

### **Attendance**

#### **Truancy and Educational Neglect Procedures**

1. Section 210.1 15.R.S.Mo. mandates certain professionals to report to the Division of Family Services when they have reasonable cause to suspect that a child is being subjected to home conditions which contribute to school nonattendance.

Along with other professionals mentioned, the law specifically mentions "teacher, principal or other school official" as well as "nurse" and "social worker."

2. School employees who suspect that a child is subject to educational neglect shall report this as soon as possible to the principal/designee.
3. The principal/designee shall review the report and may confer with the parent/guardian to resolve the situation. When appropriate, a school counselor, social worker, or nurse may be instructed to offer appropriate social or health services which may be needed to intervene in the family circumstances.
4. If appropriate school intervention does not correct the student's truancy, and reasonable cause for educational neglect has been determined, the principal/designee shall call the Student Abuse Hotline of the Division of Family Services and report the alleged child educational neglect.
5. A report of this call shall be forwarded to the Superintendent or Central Office Student Services Administrator.

## **STUDENTS**

## **Regulation 2400** **(Form 2400)**

### **Student Educational Records**

#### **Definitions**

1. *Directory information* means information contained in the educational record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. Directory information, under this policy, includes, but is not limited to, the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous school attended, and photographs.
2. *Educational record* means those records that are directly related to a student and are maintained by the District.
3. *Disclosure* means to permit access to or the release, transfer, or other communication of educational records, or the personally identifiable information contained in those records, to any party, by any means, including oral, written or electronic means.
4. *Eligible student* means a student who has reached 18 years of age or attends an institution of post-secondary education.
5. *Parent* means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent/guardian in the absence of a parent/guardian.
6. *Personally identifiable information* includes, but is not limited to the student's name; the name of the student's parent/guardian or other family member; the address of the student or student's family; a personal identifier, such as the student's social security number or student number; a list of personal characteristics that would make the student's identity easily traceable, or other information that would make the student's identity easily traceable.
7. *Student* means any individual who is or has been in attendance in the District and about whom the District maintains education records.

#### **General Guidelines**

1. The District shall give full rights under this regulation to either parent/guardian of a student, unless the District is provided with a court order, state law or other legally binding document that specifically revokes the parent/guardian's rights to access under this regulation.

2. When a student reaches the age of 18, or attends a post-secondary institution of education the parent/guardian rights under this policy will transfer from the parent/guardian to the student.
3. The District will annually disseminate a notice of the rights available under this regulation to parent/guardian and eligible students. The annual notification will include a statement that the parent/guardian or eligible student is entitled:
  - a. To inspect and review the student's educational records.
  - b. To request changes to the educational records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.
  - c. To consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that federal and state law authorize disclosure without such consent; and
  - d. To obtain a copy of this policy and guidelines.

The annual notification will also inform parent/guardian and eligible students where copies of the policy and guidelines are located.

4. Prior to making directory information public, the District will notify the parent/guardian regarding the categories of information that it has designated as directory. In addition, the District will allow a reasonable period of time after such notice for the parent/guardian or eligible student to inform the District that any or all of the designated directory information should not be released without the parents/guardians' or eligible student's consent.

#### **Procedures for Inspection and Review of Educational Records**

1. The District's regulation permits parent/guardian and eligible students to inspect and review the education records of the student.
2. After a request for access to records, the District will allow access within a reasonable period of time, but in no case more than forty-five (45) days after receipt of the request. All requests for access should be directed to the appropriate building principal.
3. After the parent/guardian or eligible student has had an opportunity to inspect and review the student's education records, the parent/guardian may make a request for explanations and interpretations of the records to the appropriate building principal. The District's designee shall respond to all reasonable requests for explanation or interpretation.

4. The District will not destroy any education record if there is an outstanding request to inspect and review that record.
5. The District may charge a fee for copies of education records which are made for a parent/guardian or eligible student, unless that fee would prevent a parent/guardian or eligible student from exercising their rights to inspect and review the student's education records. The District will not charge a fee to search for or retrieve a student's education records.
6. If a student's education records contain information on more than one student, the parent/guardian or adult student may inspect, review or be informed of only the specific information about that student. All information pertaining to another student will be redacted.
7. The District may employ the use of security videos in its hallways, classrooms and/or buses. Security videos maintained by the District's law enforcement unit \*if any) or not maintained at all (recycled) are not considered educational records and therefore may not be inspected and reviewed under FERPA. If security videos are maintained by the District, such videos are protected educational records under FERPA and may be viewed by parents or patrons with a court order or written permission from the parent(s) of each student to whom the video is directly related.
8. The District may disclose personally identifiable information from an education record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the parent/guardian or eligible student. Each party to whom disclosure may be made under this policy must first sign a statement in which he/she agrees to abide by this provision and agrees to use the information disclosed only for the purposes for which the disclosure was made. This does not apply to disclosures of directory information or to any information that the District is required to disclose under Missouri law.

#### **Procedures to Request Amendment of a Student's Educational Records**

1. If a parent/guardian or eligible student believes the education records for that student contain information that is inaccurate, misleading, or in violation of the student's rights of privacy or other rights, he/she may ask the District to amend the record. All such requests should be directed to Superintendent or his/her designee.
2. The District's designee, in consultation with the administration or Board of Education as needed, shall decide whether to amend the record as requested within a reasonable time after the request.
3. If the District's designee decides not to amend the record, he/she shall inform the

parent/guardian or eligible student of that decision and of their right to request a hearing on the request.

4. If a hearing is requested, the District will hold the hearing within a reasonable time after it has received the request and will give the parent/guardian or eligible student reasonable advance notice of the date, time and place of the hearing. The hearing may be conducted by any individual, including an employee of the District, who does not have a direct interest in the outcome of the hearing. The District will give the parent/guardian or eligible student a full and fair opportunity to present evidence relevant to the issue(s) raised by the parent/guardian or eligible student's request. The parent/guardian or eligible student may, at their own expense, be assisted or represented at the hearing by any individual of their choice, including an attorney.
5. The District will make its decision in writing within a reasonable period of time after the hearing. The decision will be based solely on the evidence presented at the hearing, and will include a summary of the evidence and the reasons for the decision.
  - a. If the District decides, as a result of the hearing, that the information is inaccurate, misleading or violates the student's rights, the District shall amend the record and inform the parent/guardian or eligible student of the amendment in writing.
  - b. If the District decides, as a result of the hearing, that the information is not inaccurate, misleading, or otherwise in violation of the student's rights, the District shall inform the parent/guardian or eligible student of that decision and shall inform the parent/guardian or student of his/her right to place a statement in the record commenting on the contested information or stating why he/she disagrees with the District's decision, or both. If the parent/guardian or eligible student submits such a statement, the District will maintain that statement with the student's educational records as long as the record is maintained and will disclose the statement whenever it discloses the portion of the record to which the statement relates.

**Procedures Regarding Disclosure of Personally Identifiable Information Where Consent is Required**

1. Before the District discloses personally identifiable information from a student's records (other than directory information), the District will obtain a signed and dated written consent from the parent/guardian or eligible student. The written consent will specify the records that may be disclosed; state the purpose of the disclosure; and identify the party or parties to whom disclosure may be made.
2. If the parent/guardian or eligible student so requests, the District will provide him/her with a copy of the records disclosed.

**Disclosure of Personally Identifiable Information Where Consent is Not Required**

The District may disclose personally identifiable information from a student's education records without the written consent of the parent/guardian or eligible student in the following circumstances:

1. Disclosure may be made to other school officials, including teachers, within the District whom the District has determined to have legitimate educational interests. In addition, the school official or his/her assistants who are responsible for the custody of the records and those parties authorized to audit the record keeping procedures of the District may inspect the records relating to each student without the consent of the parent/guardian or eligible student.

The District designates the building principal to make the determination as to whether a particular school official has a legitimate educational interest in accessing a student's educational records. Before accessing any student's education records, the school official seeking access must submit a written request to the building principal. The request must include the student's name, the reason for the request, the school official's name and the date of the request. The District's designee must provide in writing whether the request was granted or denied and the reason for the decision. If the request is granted, the request and the designee's decision must be maintained with the student's education records.

2. Disclosure may be made to officials of another school district or post secondary educational institution where the student seeks or intends to enroll.
3. Disclosure may be made to authorized federal and state agencies and authorities.
4. Disclosure of acts of school violence, as set forth in Policy and Regulation 2673, may be made to District employees who are directly responsible for the student's education or who interact with the student in the performance of the employee's duties.
5. Disclosure related to past or potentially future violent behavior may be made to appropriate staff members of portions of any student's individualized education program team.
6. Disclosure may be made to law enforcement officials, as soon as is reasonably practicable of the commission of the criminal acts listed in Regulation 2673 - Reporting of Violent Behavior.
7. In appropriate circumstances, District administrators may disclose student educational records to law enforcement and/or juvenile authorities where necessary to serve students prior to adjudication. Officials to whom such education records are disclosed are required to comply with federal law governing students' educational records.

8. Disclosure may be made to the appropriate division of the Juvenile Court of the suspension of more than ten ( 10) days of any student under court jurisdiction.
9. Disclosure of discipline records within five (5) days to any requesting school district where the student seeks to enroll.
10. Disclosure may be made if such disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility, amount of aid, condition for the aid, or to enforce the terms and conditions of the aid.
11. Disclosure may be made to organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instruction, if the study is conducted in a way that does not permit personal identification of parent/guardian and students, and the information is destroyed when no longer needed for the purposes for which the study was conducted.
12. Disclosure may be made to accrediting organizations to carry out their accrediting functions.
13. Disclosure may be made to comply with a judicial order or lawfully issued subpoena and only after the District makes a reasonable effort to notify the parent/guardian or eligible student of the order or subpoena in advance of the compliance.
14. Disclosure may be made where the disclosure is in connection with a health or safety emergency and the information is necessary to protect the health or safety of the student or other individuals.
15. Disclosure may be made where the disclosure is of information the District has designated to be directory information.
16. Disclosure may be made to the parent/guardian of a non-eligible student or to an eligible student.
17. Disclosure may be made without the written consent of the parent/guardian or eligible student as otherwise may be specified by federal or state law.

### **Record Keeping Procedures**

1. The District will maintain a record of each request for access to and each disclosure of personally identifiable information from the educational records of each student. The building principal will be responsible for keeping such records of requests and

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disclosures

2. The District will maintain the record of each request and disclosure with the educational records of the student as long as the records are maintained by the District.
3. For each request or disclosure, the District's record will include the parties who have requested or received personally identifiable information from educational records and the legitimate interests the parties had in requesting or obtaining the information.
4. If the District discloses personally identifiable information from an educational record under the exceptions enumerated in the section above, the District will record the names of those persons to whom that party may disclose the information on behalf of the District and the legitimate interests which each of the additional parties has in requesting or obtaining the information.

## **STUDENTS**

## **Regulation 2410**

### **Student Educational Records**

### **Health Information Records**

Student health information includes information required by state law such as:

1. Mandated immunizations;
2. Health and physical assessment data;
3. Health screenings for vision, hearing, scoliosis or cholesterol;
4. Injury reports;
5. Incident reports of alcohol or drug use in school;
6. Health assessments and other evaluation reports related to eligibility for services under the IDEA and Section 504; and
7. Referrals for suspected child abuse.

Student health information may also include:

1. Records of student-initiated visits to the school health officer, including assessments, interventions and referrals;
2. Records of meetings between education and health professionals for planning or identifying assessment measures, recommended interventions and student outcomes;
3. Records for in-school medication, including original signed orders from a physician, written consent from parent/guardian to administer drug, medication logs for both routine and as-needed medications;
4. Physicians' orders, correspondence, evaluation reports, copies of treatment records, institutional or agency records, discharge summaries from outside health care providers or hospitals that have been released by parents/guardians to assist in planning individualized school health care or programs;
5. Evaluation reports or specialized assessments such as neurological tests;
6. Individualized emergency care plans for students with special health care needs, including routine and emergency interventions and methods for evaluating student outcomes;
7. Health-related goals and objectives or an Individualized Healthcare Plan or part of a student's Individualized Education Program (IEP) for students whose health conditions affect their educational needs;
8. Psychologists' or guidance counselors' records of psychological test results, student interviews and counseling, consultations with school staff or parents/guardians, and referrals and consultation with outside counselors, therapists, psychologists or psychiatrists, all of which might be considered "mental health" records;
9. School social workers' case histories, counseling notes and interviews, or their records of consultations with school staff, parents/guardians, outside counselors, therapists, psychologists or psychiatrists; and
10. Case notes, evaluations and interventions by other student services personnel.

Adopted: February 17, 2003

Effective: July 1, 2003

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All information contained in a student's health information records, except information designated as directory information by the District, shall be confidential and shall be directly accessible only to school officials who demonstrate a legitimate educational interest in the student health information and to parents/guardians or eligible students.

Interviews with students, parents/guardians or staff members concerning student health information should take place in private offices. When student health information is discussed over the telephone, calls should be made from private offices, not in the presence of other students or staff members. Discussion of confidential information related to a specific student should end whenever a third party enters a room. Records containing student health information should never be left on top of a desk, nor should confidential information be left as a message with a secretary, on voice mail or answering machines, or on an electronic mail system. When records are being typed, entered into a computer, copied or faxed, they should be protected from casual observers.

The District will comply with all state and federal law pertaining to the confidentiality of student health information.

## **STUDENTS**

## **Regulation 2520**

### **Student Academic Achievement**

#### **Promotion and Retention**

##### **Promotion and Retention of Students**

The Carthage R-9 School District is committed to the continuous development of students enrolled in the District's schools, and to student achievement of the skills for the current grade assignment for promotion to a higher grade. In evaluating student achievement, each teacher will make use of all available information, including results of teacher-made test, other measures of skill and content mastery, standardized test results and teacher observations of student performance. The principal will direct and aid teachers in student evaluations and will review grade assignments in order to ensure uniformity of evaluation standards.

Retention may be considered when, in the judgment of the professional staff, it is in the best educational interest of the student involved. Parents/ Guardians will receive prior notification and explanation concerning retention. However, the final decision will rest with the school administration.

#### **READING LEVELS AND STATE-MANDATED INTERVENTION AND RETENTION**

##### **Third Grade Students**

The reading level of all third grade students will be determined within forty-five (45) days of the end of the school year.

If the student is reading more than one year below grade level, the District will design and implement a reading improvement plan for the student's fourth grade year. The reading improvement plan must include a minimum of thirty (30) hours of additional reading instruction or practice outside the regular school day during the fourth grade year. In addition, the District may require the student to attend summer school for reading instruction as a condition of promotion to the fourth grade.

##### **Fourth Grade Students with Reading Improvement Plans**

Within forty-five (45) days of the conclusion of the fourth grade year, the District shall determine the reading level of the fourth grade students for whom reading improvement plans had been designed.

If the student is reading more than one year below grade level, the student shall be required to attend summer school to receive supplemental reading instruction. At the conclusion of summer school, the student's reading level will be determined again. If the student is reading below third grade level, the student shall not be promoted to fifth grade.

Students shall not be retained more than once on the basis of their inability to satisfy the third grade or fourth grade reading standards. However, the District may, at its discretion, retain any student with a reading improvement plan who does not complete summer school for supplemental reading instruction.

### **Fifth and Sixth Grade Students**

The process of determining student reading levels shall be repeated on a yearly basis through the end of sixth grade, accompanied by a corresponding increase in the required reading level.

The reading intervention process will also be applied to students who initially enter the District in grades four, five or six and who have been determined to be reading below grade level.

The permanent record of students who are determined to be reading below the fifth grade level at the end of the sixth grade shall carry a notation stating that the student has been unable to meet the minimal reading standards. That notation will be removed from the student's record once the District determines that he or she has met the standards.

### **Exceptions**

The following students are exempt from the reading assessments for purposes of promotion and retention:

1. Students receiving special education services under an Individualized Education Program (IEP) pursuant to §162.670, RSMo.
2. Students who are receiving special education services pursuant to Section 504 whose service plan includes an element addressing reading.
3. Students who have limited English proficiency.
4. Students who have insufficient cognitive ability to meet the reading requirements. However, a reading improvement plan shall be provided for these students in accordance with law.

### **Appeal of Retention Decisions**

Parents/guardians who wish to appeal a decision regarding a student's retention must first contact the building principal. If parents/guardians do not accept the decision at the building level, an appeal may be made in writing to the Superintendent. All appeals must be requested within two (2) weeks after the close of school.

## **STUDENTS**

## **Regulation 2525**

### **Student Academic Achievement**

#### **Graduation Requirements**

To be eligible to participate in the School Flex Program, an eligible student must:

1. Attend school a minimum of two instructional hours per school day within the District.
2. Pursue a timely graduation.
3. Provide evidence of college or technical career educational enrollment and attendance, or proof of employment and labor that is aligned with the student's career academic plan developed by the District.
4. Refrain from being expelled or suspended while participating in the School Flex Program.
5. Pursue course and credit requirements for a diploma.
6. Maintain a ninety-five (95%) attendance rate.

## **STUDENTS**

## **Regulation 2610**

### **Discipline**

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

Development of good discipline and school safety are among the most important goals of education.

Discipline is the development of self-control, character, proper respect and consideration for other people and property. School safety is the responsibility of everyone. Any student, parent or concerned citizen has a responsibility to report to the office or school staff any rumor or information that jeopardizes the safety of anyone associated with the school.

So that the Carthage School District can maintain the best learning environment possible, the administration and faculty members have the following expectations of our students:

1. Appropriate school behavior: Classroom behavior that assures the right of every student to learn and the right of every teacher to teach. Appropriate out-of-classroom behavior should demonstrate respect for the personal and property rights of other students, faculty and members of the staff.
2. Arrival at school and to class on time along with adequate preparation for classes.
3. Daily attendance in school and class.
4. Appropriate use and care of school facilities and equipment.
5. Cooperation with school faculty and other staff members.
6. Adherence to appropriate standards of courtesy, decency and morality.

No code can be expected to list each and every offense which may result in the use of disciplinary action. So that Carthage students may know and understand the disciplinary guidelines for normal school operation, the following activities listed below are prohibited. Any student who engages in any of these activities is subject to disciplinary action which may range from student conference to parental conference, loss of privileges to loss of course credit, detention, corporal punishment, short term suspension to expulsion from school. Punishment may be a combination of the preceding depending on the severity of the offense. When a school suspension is determined to be appropriate for offense committed, the suspension or expulsion policies of the Board shall be followed. 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. (See elementary, junior high and high school discipline charts).

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

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provision of all

**Regulation 2610**

**Page 2**

due process procedures.

The Carthage School District code of conduct applies to any student who is on school property or adjacent to school property. The Carthage School District code of conduct can include off-campus misconduct which is not school related if it is prejudicial to good order and discipline in the schools or impairs the morale and good conduct of students. It also applies to students who are in attendance at school or at a school-sponsored activity. The policy applies to students who are riding a bus to and from school or school-sponsored activities. Students are subject to discipline, up to and including expulsion, for misconduct regardless of whether the conduct occurs at a school activity and regardless of when the misconduct occurs where it is reasonably determined that a student's misconduct adversely affects school safety or student welfare. The appropriate law enforcement agency will be notified and/ or directly involved in any student offense that falls within their jurisdiction (drugs, alcohol, arson, etc.).

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.

**Alcohol, Drug or Other Dangerous Substance Use/Possession/Under the Influence/Transfer or Distribution** – Transfer, distribution, use or possession, under the influence of illegal drugs, alcohol, controlled substances, paraphernalia, dangerous drugs, substances or their imitators, use of substances or drugs in a manner other than directed or prescribed, on or adjacent to school property or at any school-sponsored event.

**Arson** – Intentionally causing or attempting to cause a fire or explosion.

**Assault** – (Refer to Policy and Regulation 2673 – Reporting of Violent Behavior)

- ◆ Assault of a Student or Staff Member - Use of physical force with the intent to do bodily harm.
- ◆ Fighting - Physically striking another in a mutual contact as differentiated from an assault.

**Bullying** – Aggressive behavior or intentional “harmdoing,” without apparent provocation, carried out by an individual or group of individuals repeatedly and over time within interpersonal relationships characterized by an imbalance of power, with the intent to intimidate or inflict physical, emotional or mental harm (see Policy 2655).

**Defiance of Authority/Insubordination/Blatant Disrespect** – Verbal abuse, refusal to obey school rules or to follow instructions of administrators, faculty or other school personnel.

**Disorderly or Disruptive School Conduct** – Improper language (verbal or written), gestures, insolence, refusal to comply with stated classroom rules, inciting school disturbances, trespassing,

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pranks, violations of the dress code, possession of pornography or nuisance items, gambling or other acts which disrupt the educational environment of the school.

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**Extortion/Coercion/Blackmail** – Obtaining or attempting to obtain money or other objects of value from an unwilling person or forcing an individual to act through the use of force or threat of force.

**Failure Avoidance** – Students are expected to complete all assignments on time. Failure to do so on multiple occasions is considered a discipline issue.

**False Alarms** – Tampering with emergency equipment, setting off false alarms, or making false reports.

**Fighting** – Combatant physical contact between two or more individuals.

**Gambling** – Participation in games of chance for the purpose of exchanging money.

**Harassment** (Refer to Policy 2130 – Harassment) – Words or conduct that intentionally intimidate or defame another student or school personnel. Any student who believes he/she has been the victim of harassment should report the alleged harassment to the Principal and/or the Assistant Superintendent.

**Inappropriate Display of Affection** – The only appropriate display of affection is holding hands.

**Lying/Forgery** – Giving false or misleading information, either verbally or in writing, to a school employee.

**Malicious Mischief** – Tampering or interfering with school or personal property. Examples: littering, graffiti, tampering with lockers, tagging cars.

**Non-Sanctioned Groups** – A group whose apparel, jewelry, accessory, symbol, graffiti, gesture, or manner of grooming which by virtue of its color, arrangement, trademark, or other attribute denotes membership in such a group that advocates drug use, violence or exhibits behaviors that interfere with the normal and orderly operation of the school. (Refer to Policy and Regulation 2653 – Student Participation in Secret Organizations and Gangs.)

**Reckless or Endangering Behavior** – Conduct which creates substantial risk of physical injury to any other person. (Examples: fight promotion, throwing objects, horseplay)

**Scholastic Dishonesty** – Includes, but is not limited to, cheating on a test, plagiarism and collusion.

- ♦ Cheating on a Test includes:
  1. Copying from another student's test paper.
  2. Using material during a test which is not authorized by the person giving the test.

3. Collaborating with another student during the test without authority.
  4. Knowingly using, buying, selling, stealing, transporting, or soliciting in whole or part the contents of an unadministered test.
  5. Securing copies of the test or answers to the test in advance of the test.
- ♦ Plagiarism means the appropriation of another's work and the unacknowledged incorporation of that work in one's own written work for credit.
  - ♦ Collusion means the unauthorized collaboration with another person in preparing written work offered for credit.

**Sexually Inappropriate Behavior** (Refer to Policy and Regulation 2130 - Harassment) – Unwanted verbal, written or physical conduct of a sexual nature imposed on the basis of sex.

**Tardiness** – A student is tardy if not in class and seated when the bell rings. Students will receive one teacher issued warning per quarter. If arriving at school five minutes late, or more, a note from home must be brought to the office. Failure to have a note may result in consequences.

**Theft** – Nonconsensual taking or attempt to take the property of another.

**Threat** – Verbal, physical or written expression of an intention to inflict harm to person or property.

**Tobacco Possession/Use/Transfer** – The possession and/or use of tobacco in any form on or adjacent to school property or any school event held away from school.

**Truancy** – If after leaving home for school the student does not attend school, or if he/she leaves the campus during school hours without permission from the office, or if he/she does not attend a class. Students are also truant if they stay home without a valid reason. Subsequent letters or notes indicating parental approval for these absences cannot be accepted. There will be no authorized skip day. The student will not receive credit for make-up work. (See also Policy and Regulation 2340 – Truancy and Educational Neglect.)

**Vandalism** – Willful or deliberate destruction or defacement of school or personal property.

**Weapons** – A weapon shall be defined as any instrument or device customarily used for attack or defense against another person, including, but not limited to, knives (including pocket knives), guns, instruments of the martial arts, fireworks, incendiary devices, irritants, or objects imitating any of these items, or any other instrument or device used to inflict injury or harm to another person.

**Weapon Possession/Use/Transfer** (Refer to Policy and Regulation 2620, Firearms and Weapons in School) – Possession of any weapon, knife, (including pocket knives), gun, instrument, article including fireworks and instruments of the martial arts, or objects imitating these items that might be

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injurious to a person or property.

## **EXPLANATION OF DISCIPLINARY RESPONSE PROCEDURES**

Parents will be contacted by phone, letter or disciplinary referral when the following penalties are assigned. It is intended that good communication between school and parents will lead to cooperative efforts to change student misbehavior so the student functions more harmoniously with school rules and personnel. Only actual school days will be counted as days served in in-school suspension (I.S.S.) or out-of-school suspension (O.S.S.). In case school is dismissed due to inclement weather, suspensions will carry over to the next day school is in session.

1. **Community Service** – Students who contribute to the public or school welfare through their labor in lieu of other school issued consequences.
2. **In-School Suspension (I.S.S.)** – Students will be required to report directly to I.S.S. at the beginning of the school day. Students will complete the day, including lunch, in the I.S.S. classroom. This is not considered an absence, with the exception of the Final Exemption Program under the high school's Incentive Policy. Students are required to complete assignments for credit in their regular classes.
3. **Intervention Class** – A self-contained academic and behavioral improvement center that will emphasize appropriate classroom behaviors and instill positive learning habits for students who lack such skills. Character education, counseling, group learning, computer assisted technology, individual and group counseling, and other intervention strategies will be critical components for students in this involuntary program.
4. **Ninth Hour** – Ninth Hour will be held Monday through Thursday from 3:15 p.m. to 4:00. (and 7:00 - 7:45 a.m. on Fridays at the junior high) Students are not to leave campus between 3:07 and 3:15. Students must bring work appropriate for school and remain busy studying for the entire hour. Ninth Hours are excellent opportunities for students to meet with teachers for tutorial assistance, but arrangements must be made with the teachers prior to the scheduled Ninth Hour. Transportation will not be provided by the school. However, students will have one week in which to complete the Ninth Hour. This will allow students to avoid scheduling conflicts. **PROCRASTINATION IS STRONGLY DISCOURAGED.**
5. **Out-of-School Suspension (O.S.S.)** – Students will be removed from the regular school setting. They will not be allowed to attend classes, be on school grounds, or attend or participate in any school-sponsored functions while suspended.

Students in grades K – 6 will be responsible for all work assigned during the suspension. To reenter school the parent and student will meet with the principal and present finished work. If assigned work is not completed, the student will be required to complete work

during In-School Suspension (I.S.S.), at recess time, or after school.

Students in grades 7 – 12 will not receive credit for class work missed.

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6. **Restricted Movement (R.M.)** – Students who have displayed a willingness to engage in inappropriate behaviors outside of the classroom, such as during passing times or during lunch/breakfast, or students who are frequently tardy in spite of typical disciplinary consequences may be placed on Restricted Movement. R.M. is designed to limit the number of distractions to a student and to monitor a particular student’s movement more carefully than the general population in an attempt to encourage positive interaction when the student returns to the general population. Restrictions may include passing time and dining times.
7. **Saturday School** – Saturday School will be held from 9:00 A.M. to noon. Students must bring work appropriate for school and remain busy studying or reading. Students may also be required to do additional work assigned for Saturday School. Students who do not complete Saturday School as scheduled will be assigned to in-school suspension.

Rules and consequences are established not for the responsible majority, but for the irresponsible few. The following charts serve as guidelines for administrative responses to unacceptable student behavior in an attempt to establish fairness through consistency for all students.

**ELEMENTARY DISCIPLINE CHART**  
**Consequences**

NATURE OF OFFENSE	1 <sup>st</sup> Violation	2 <sup>nd</sup> Violation	3 <sup>rd</sup> Violation	4 <sup>th</sup> Violation	5 <sup>th</sup> Violation	6 <sup>th</sup> Violation
<b>1. Tardiness</b>						
a. Excused	---	---	---	---	Letter to parents	Report to juvenile authorities
b. Unexcused	Teacher issued warning	Parent notification	Parent conference, loss of free time, or A.S.D.	Report to juvenile authorities	Report to juvenile authorities	Report to juvenile authorities
<b>2. Level I Inappropriate Behaviors</b>						
a. Disorderly or disruptive classroom conduct b. Disorderly or disruptive school conduct c. Malicious mischief d. Inappropriate playground behavior e. Threatening, bullying or harassing another student f. Reckless/endangering behavior g. Dress code violation (clothing will be changed) h. Failure avoidance i. Unfinished/incomplete work	Loss of free time, or A.S.D	Progression of loss of free time, or A.S.D	Referral to office, parent notification, loss of free time, or A.S.D	Referral to the office, parent notification, I.S.S., or S.S.D.	Referral to the office, parent conference, I.S.S. progression, or S.S.D.	Referral to the office, parent phone call, O.S.S.
<b>3. Level II Inappropriate Behaviors</b>						
a. Defiance of authority b. Lying/forgery c. Scholastic dishonesty (F grade) d. Tobacco possession (police report) e. Profanity f. Pornography possession	Parent notification, I.S.S., loss of free time, A.S.D., or S.S.D.	Parent notification, I.S.S. progression, or S.S.D.	Parent notification, I.S.S. progression, or S.S.D.		Parent notification O.S.S. progression	
<b>4. Absences</b>						
a. Excused or combination of both	---	---	---	---	Parent notification	Referral to juvenile authorities (10 days)
b. Unexcused	Parent notification, loss of free time, or A.S.D.	Parent notification, loss of free time, or A.S.D.	Parent notification, report to juvenile authorities, loss of free time progression, A.S.D., or S.S.D.	Parent notification, I.S.S., report to juvenile authorities, or S.S.D.	Parent notification, I.S.S. progression, report to juvenile authorities	Disposition of juvenile court – possible retention
<b>5. Fighting</b>	Parent notification, 1-3 days I.S.S. or O.S.S. – Safe Schools Report.	Parent notification, I.S.S. or O.S.S. progression, Safe Schools Report				

NATURE OF OFFENSE	1 <sup>st</sup> Violation	2 <sup>nd</sup> Violation	3 <sup>rd</sup> Violation	4 <sup>th</sup> Violation	5 <sup>th</sup> Violation	6 <sup>th</sup> Violation
<b>6. Non-sanctioned Group Activity (gang)</b>	Parent notification, loss of free time, contact juvenile authorities	Parent notification, I.S.S., contact juvenile authorities	O.S.S., Safe Schools Report, parent notification			
<b>7. Sexual Harassment</b>	Parent notification, Safe Schools Report, penalties will be assigned according to the severity of the offense.					
<b>8. Theft or Vandalism</b>	Parent notification, report to juvenile authorities, restitution plus penalties will be assigned according to severity of the offense					
<b>9. Assault</b>	Parent notification, loss of free time or I.S.S., Safe School Report	Parent notification, I.S.S. or O.S.S., Safe School Report	Parent notification, O.S.S., Safe Schools Report			
<b>10. Threats (including death threats or threats to use weapons)</b>	Parent notification, Safe School Report, I.S.S. or O.S.S. based on age, severity and level of disruption caused, O.S.S. (death threats)					
<b>11. Tobacco Use</b>	Parent notification, I.S.S., contact juvenile authorities	Parent notification, O.S.S., contact juvenile authorities	Parent notification, O.S.S. progression			
<b>12. Alcohol/Drugs</b>						
a. Under the influence	Parent notification, Safe Schools Report, 5 days O.S.S.	Parent notification, Safe Schools Report, 10 days O.S.S. with recommendation for long-term suspension				
b. Possession at school	Parent notification, Safe Schools Report, 10 days O.S.S.					
<b>13. Suspension Offenses</b>						
a. Arson b. Assault or threats on school personnel c. Extortion/coercion/blackmail d. Alcohol/drug /imitator sale or distribution	Parent notification, 5 to 10 days O.S.S. with possible recommendation for long-term suspension					
<b>14. Weapons Provision</b>	In accordance with federal law, any student who brings or possesses a weapon on school property will be suspended from school for at least one calendar year and will be referred to the appropriate legal authorities. Refer to District Policy 2620					

Severe Clause – Administration reserves the right to increase consequences based on frequency or severity of the offense. Acts of violence, assault, sexual assault, deviant sexual assault, possession of a controlled substance or weapon possession will be reported to the proper authorities. REF: District Policy 2610, 2653, 2660

**O.S.S. – Out of School Suspension**

**I.S.S. – In School Suspension**

**A.S.D. – After School Detention**

**S.S.D. – Saturday School Detention**

Adopted: July 19, 2010

**JUNIOR HIGH SCHOOL DISCIPLINE CHART**  
**Consequences**

NATURE OF OFFENSE	1 <sup>st</sup> Violation	2 <sup>nd</sup> Violation	3 <sup>rd</sup> Violation	4 <sup>th</sup> Violation	5 <sup>th</sup> Violation	6 <sup>th</sup> Violation
1. Tardiness: Per Class/Per Quarter	Teacher-Issued Warning	One Ninth Hour	Two Ninth Hours	One Day I.S.S.	Two Days I.S.S.	Three Days of I.S.S. and/or R.M. or I.C.
2. a. Disorderly or Disruptive School Conduct b. Malicious Mischief c. Inappropriate Display of Affection d. Failure to Return Progress Report e. Reckless/Endangering Behavior f. Dress Code Violation g. Use of Cell Phone h. Leaving School Without Checking Out i. Disrespect j. Inappropriate Language/Profanity (not directed at school personnel)	One Ninth Hour	Two Ninth Hours	One Day I.S.S.	Two Days I.S.S.	Three Days I.S.S.	I.S.S. Progression and/or I.C.
3. Failure Avoidance	Teacher-Issued Warning	One Ninth Hour	Two Ninth Hours	One Day I.S.S.	Two Days I.S.S.	Three Days I.S.S.
4. Failure to Attend Ninth Hour	Two Ninth Hours	One Day I.S.S.	I.S.S. Progression and/or R.M.			
5. Truancy a. Less than ½ day b. More than ½ day	a. One Ninth Hour for Each Hour Missed b. One Day I.S.S. for Each Day Missed	Two Days I.S.S.	I.S.S. Progression			
6. a. Defiance of Authority b. Lying/Forgery c. Scholastic Dishonesty d. Tobacco Violation/Possession (including lighters)	One Day I.S.S.	Two Days I.S.S.	I.S.S. Progression and/or I.C.			
7. Fighting	Three Days O.S.S. and/or I.C.	O.S.S. Progression and/or I.C.				

NATURE OF OFFENSE	1 <sup>st</sup> Violation	2 <sup>nd</sup> Violation	3 <sup>rd</sup> Violation	4 <sup>th</sup> Violation	5 <sup>th</sup> Violation	6 <sup>th</sup> Violation
8. Blatant Disrespect	From 3 days I.S.S. up to 10 days O.S.S. Depending Upon Severity of Infraction	O.S.S. Progression				
9. Non-Sanctioned Group Activity	Three Days I.S.S.	O.S.S. Progression				
10. a. Sexually Inappropriate Behavior b. Sexual Harassment c. Threatening or Harassing Another Student d. Bullying e. Ethnic/Prejudicial Slurs	Penalties Will Be Assigned According To Severity Of The Offense					
11. Theft or Vandalism	Restitution Plus Penalties Will Be Assigned According To Severity Of The Offense					
12. Assault, Threats, False Alarms (including death threats or threats to use weapons)	O.S.S., Penalties Will Be Assigned According to Severity Of The Offense					
13. Tobacco Use	Three Days I.S.S.	I.S.S. Progression				
14. Alcohol/Drugs a. Under The Influence b. Possession At School	a. Five Days O.S.S. b. Ten Days O.S.S.	Ten Days O.S.S. With Recommendation For Long-Term Suspension				
15. a. Arson b. Assault or Threats on School Personnel c. Extortion/Coercion/Blackmail d. Alcohol/Drug/Imitator Sale or Distribution	Ten Days O.S.S. With Recommendation For Long-Term Suspension					
16. Weapons Provision (Refer to District Policy 2620)	In Accordance With Federal Law, Any Student Who Brings or Possesses A Weapon on School Property Will Be Suspended From School For At Least One Calendar Year And Will Be Referred To The Appropriate Legal Authorities.					

**Administration reserves the right to increase consequences based on frequency or severity of offense. Acts of violence, assault, sexual assault, possession of a controlled substance or weapon possession will be reported to the proper authorities.**

**DETENTION AND/OR IN-SCHOOL SUSPENSION OF STUDENTS** (Reference: District Policy 2660)

**R.M. – Restricted Movement**

**I.C. – Intervention Class**

**I.S.S. – In-School Suspension**

**O.S.S. – Out-of-School Suspension**

Adopted: July 19, 2010

**HIGH SCHOOL DISCIPLINE CHART**  
**Consequences**

NATURE OF OFFENSE	1 <sup>st</sup> Violation	2 <sup>nd</sup> Violation	3 <sup>rd</sup> Violation	4 <sup>th</sup> Violation	5 <sup>th</sup> Violation	Subsequent Violations
1. Tardiness: Per Class/Per Quarter	Teacher-Issued Warning	One Ninth Hour	Two Ninth Hours	One Saturday School	I.S.S. Progression	
2. a. Disorderly or Disruptive School Conduct b. Malicious Mischief c. Inappropriate Display of Affection d. Failure to Return Progress Report e. Reckless/Endangering Behavior f. Dress Code Violation g. Use of Cell Phone h. Parking Violation i. Leaving Without Checking Out j. Inappropriate Language/Profanity	One Ninth Hour	Two Ninth Hours	One Saturday School	I.S.S. Progression		
3. Failure Avoidance	Teacher-Issued Warning	One Ninth Hour	Two Ninth Hours	One Saturday School	I.S.S. Progression	
4. Failure to Attend Ninth Hour	Two Ninth Hours	One Day I.S.S.				I.S.S. Progression
5. Failure to Attend Saturday School	Three Days I.S.S.					
6. Truancy a. Less than ½ day b. More than ½ day	a. One Ninth Hour for Each Hour Missed b. One Saturday School for Each Day Missed	I.S.S. Progression				
7. a. Defiance of Authority b. Lying/Forgery c. Scholastic Dishonesty d. Tobacco Violation/Possession	One Saturday School	One Day I.S.S.	I.S.S. Progression			
8. Fighting	Three Days O.S.S.	O.S.S. Progression				

Adopted: July 19, 2010

NATURE OF OFFENSE	1 <sup>st</sup> Violation	2 <sup>nd</sup> Violation	3 <sup>rd</sup> Violation	4 <sup>th</sup> Violation	5 <sup>th</sup> Violation	Subsequent Violations
9. Blatant Disrespect	From 3 days I.S.S. up to 10 days O.S.S. Depending Upon Severity of Infraction	O.S.S. Progression				
10. Non-Sanctioned Group Activity	Three Days I.S.S.	O.S.S. Progression				
11. a. Sexually Inappropriate Behavior b. Sexual Harassment c. Threatening or Harassing Another Student d. Bullying e. Ethnic/Prejudicial Slurs	Penalties Will Be Assigned According To Severity Of The Offense					
12. Theft or Vandalism	Restitution Plus Penalties Will Be Assigned According To Severity Of The Offense					
13. Assault, Threats, False Alarms (including death threats or threats to use weapons)	O.S.S., Penalties Will Be Assigned According to Severity Of The Offense					
14. Tobacco Use	Three Days I.S.S.	I.S.S. Progression				
15. Alcohol/Drugs a. Under The Influence b. Possession At School	a. Five Days O.S.S. b. Ten Days O.S.S.	Ten Days O.S.S. With Recommendation For Long-Term Suspension				
16. a. Arson b. Assault or Threats on School Personnel c. Extortion/Coercion/Blackmail d. Alcohol/Drug/Imitator Sale or Distribution	Ten Days O.S.S. With Recommendation For Long-Term Suspension					
17. Weapons Provision (Refer to District Policy 2620)	In Accordance With Federal Law, Any Student Who Brings or Possesses A Weapon on School Property Will Be Suspended From School For At Least One Calendar Year And Will Be Referred To The Appropriate Legal Authorities.					

**Administration reserves the right to increase consequences based on frequency or severity of offense. Acts of violence, assault, sexual assault, possession of a controlled substance or weapon possession will be reported to the proper authorities.**

**DETENTION AND/OR IN-SCHOOL SUSPENSION OF STUDENTS** (Reference: District Policy 2660)

**R.M. – Restricted Movement**

**I.C. – Intervention Class**

**I.S.S. – In-School Suspension**

**O.S.S. – Out-of-School Suspension**

Adopted: July 19, 2010

## **STUDENTS**

## **Regulation 2615**

### **Discipline**

#### **Behavioral Expectations – Extracurricular Activities**

##### **Definitions**

*School year:* The first day of a fall activity, practice or the first day school begins for a student. The school year ends the last official day of the school calendar or with the release of the student by the supervisor in charge of the activity.

*Activity:* Any extracurricular or co-curricular program under the direction of the school and the Missouri State High School Activities Association. Students are considered to be in an activity the first day they attend practice or begin an event.

*School Sponsored Event:* Any activity under the supervision of the Carthage R-IX School District either on District property or at another location is deemed to be school sponsored.

*Suspension:*

*From School* – Students suspended from school may not participate in or practice in any activities during the suspension.

*From Competitions and/or Performances* – When students are suspended from competitions and/or performances they may still practice. However, students must not travel, be on the field, or in area of competition during games or performances.

##### **I. Alcohol/Drugs**

The following guidelines will be enforced for participants in activities who use, possess or are under the influence of alcohol or illegal drugs:

1. Alcohol or drugs during the school year:
  - a. Any student who uses, is under the influence of, or is in possession of alcohol or illegal drugs (or their imitators) on school property during school hours or at school sponsored events will be suspended from all activities for a period of 365 days.
  - b. Any student who uses alcohol or drugs off school property during the school year will be suspended from all activities for a two (2) week period beginning immediately or, if not presently in an activity, the next activity or season.

- c. A second violation of the alcohol or drug policy during the school year will result in removal from the present activity for the remainder of the activity and a two (2) week suspension in the next activity.
  - d. The third offense of alcohol or drugs by a student during the school year will result in a 365-day suspension from all activities.
2. Alcohol or drugs during the summer months:
- a. Any student who uses, is under the influence of, or is in possession of alcohol or illegal drugs during the summer months must meet with his/her sponsors or coaches.
  - b. The second violation of the summer policy will result in a two-week suspension at the beginning of the next activity in which the student is participating.
  - c. The third violation of the summer policy will result in removal of the student from the next activity in which the student is participating.
3. Parties at which alcohol and/or illegal drugs are provided:
- Any participant or participants in a school activity hosting a party where alcohol and/or illegal drugs are provided or encouraged will be suspended from all activities for a period of ninety (90) school days.
4. Use of tobacco at practice or contest:
- a. Any use of tobacco at practice or a contest by a student will result in a suspension for one week beginning with the first contest or activity.
  - b. The second violation of tobacco use will result in a two-week suspension for the student from all activities.
  - c. The third violation will result in the student being suspended from the present activity for the remainder of the activity and a two-week suspension from the next activity.

5. Verification needed to impose this policy would include any one of the following:
  - a. Student admission of guilt.
  - b. Parent of student in question verifies guilt.
  - c. Eyewitness by member of District staff.
  - d. Police report of specific names involving student and alcohol/drugs.
  - e. Newspaper report indicating specified students.
  
6. Parents will be notified as soon as possible.

**II. Felonies** (This is a year round policy)

1. Any student involved in a felony or other serious offense will be suspended for a minimum of two (2) weeks. The severity of the consequences may be increased with the seriousness of the felony.
  
2. The second violation of the felony policy will result in a 365-day suspension.

**III. Misconduct at School**

Each offense will result in regular school punishment with referral to coach or sponsor for counseling.

**IV. Attendance**

Activity participants will under the same guidelines as other students with the following exception: Students must be in attendance at least the last half of the school day to participate in activities after school unless they receive approval from the principal.

**V. Due Process**

Students or parents who have concerns about anything to do with activities must follow these procedures. First contact the coach or sponsor of the activity in question. If not satisfied, then contact the activities director (if it includes athletics) or the appropriate principal, and follow District due process.

**The Activity Council**

The Activity Council will meet to inform the coaches and sponsors of the incident and the application of the policy. The Council will discuss appropriate methods of implementing the policy. The Activity Council will include the principal or assistant principal, the activities

director, and the coach(es) or sponsor(s) of the student. Coaches/sponsors, through proper approval from the Activity Council, may request consequences beyond this policy.

## **BEHAVIORAL EXPECTATIONS FOR PARTICIPANTS AT ALL ACTIVITY CONTESTS**

### **Personal Conduct**

1. Participants are not to display in any way their anger, disgust or disagreement with an official's decision by their actions.
2. Participants must be able to control their tempers at all times. Coaches/sponsors shall remove anyone from the contest when, in their judgment, a player is losing his/her control.
3. Fighting and swearing will not be tolerated under any circumstances. Do not argue with opponents – DO YOUR JOB! If an incident occurs, DO NOT RETALIATE. Let the contest officials, coaches/sponsors and school officials handle it. Any participant who involves himself/herself in a fight may be subject to suspension from the team.

### **Disruption During Athletic Contests**

In the event a disruption of any kind breaks out on the field, court or playing area, the following procedures shall be followed by all athletes:

1. All players seated on the bench and not actively participating in a contest shall remain in the bench area. Under no circumstances shall players leave this area unless instructed to do so by a coach, school official, policeman or game official.
2. All players on the field, court or playing area shall immediately and as rapidly as possible go to the bench area and remain there until instructed to leave by a coach, school official, policeman or game official.
3. There shall be no exceptions to this procedure.

The purpose of these guidelines is not to imply that we have serious problems with our participants. Generally speaking, in our school system the participants have conducted themselves in a manner in which both the school and the community can be proud. By establishing the guidelines, all involved will know what is expected of them and many problems can be avoided.

Adopted: July 19, 2010

## **STUDENTS**

## **Regulation 2620**

### **Discipline**

### **Firearms and Weapons in School**

#### **Definition of Firearm**

The term *firearm* includes, but is not limited to, such items as:

1. Any item which is a loaded or unloaded weapon, weapon frame, or weapon barrel and which is designed to, or may be readily converted to, expel a projectile by action of an explosive, or
2. Any item which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has a barrel with a bore of at least one-half inch in diameter, or
3. Any explosive, incendiary, or poison gas, such as: bombs; grenades; rockets with a propellant charge of greater than four ounces; and other similar devices as recognized under federal law, or
4. Any combination of parts either designed to or intended for use in converting any device into a device as described in paragraphs above.

#### **Definition of Weapons**

The term *weapon* shall mean a “firearm” as defined above, and shall also include the items listed below, which are defined as “weapons” in section 571.010,RSMo.

1. Blackjack
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 knife

Other weapons:

1. Mace spray
2. Any knife, regardless of blade length (optional)
3. Items customarily used, or which can be used, to inflict injury upon another person or property.

### **Students Who Bring Firearms or Weapons to School**

The District will take the following action upon determining that a student has brought a firearm or weapon to school:

1. The District will refer the student to the appropriate criminal justice or juvenile delinquency system, and
2. The District will suspend the student from school for a period of not less than one year (365 days) from the date of the infraction, and may, at its discretion, expel the student from school permanently. This suspension provision may be modified on a case-by-case basis upon recommendation of the 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 Students with Disabilities**

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, school administrators may assign the student to an alternative education placement, including suspension, for a period of up to forty-five (45) school days and/or take other steps to address the student's misconduct, as permitted by law. In such cases, the District and/or the student's IEP team will follow all procedures required by state and federal law.

Adopted: February 17, 2003  
Effective: July 1, 2003

## **STUDENTS**

## **Regulation 2653**

### **Discipline**

#### **Student Participation in Secret Organizations and Gangs**

The principal will establish procedures and regulations to ensure that any student wearing, carrying or displaying gang paraphernalia; exhibiting behavior or gestures which symbolize gang membership; or causing and/or participating in activities which intimidate or affect the attendance of another student, shall be subject to disciplinary action.

Consequences for such actions and/or behaviors may result in suspension or expulsion.

To further discourage the influence of gangs, District administrators shall:

1. Provide inservice for staff in gang recognition and special workshops for counselors.
2. Ensure that all students have access to counselors.
3. Work closely with the local law enforcement authorities and county juvenile officers who work with students and parents/guardians involved in gang activity.
4. Provide classroom or after-school programs designed to enhance individual self-esteem and foster interest in a variety of wholesome activities.

## **STUDENTS**

## **Regulation 2662**

### **Discipline**

### **Suspension**

Students are expected to conduct themselves in accordance with Board Regulation 2610 – Behavioral Expectations. Failure to do so may result in a student's suspension or expulsion from school.

A building principal may suspend a student for a period not to exceed ten (10) consecutive school days. Any suspension shall be reported immediately, in writing, to the student and the student's parent/guardian or others having custodial care of the student. A copy will be forwarded to the Superintendent. The Superintendent may revoke or reduce the suspension if the Superintendent concludes that circumstances warrant such action.

When a student is suspended, the principal/designee shall attempt to reach the student's parent/guardian to inform them of the school's action and to request that they pick up their child. If the parent/guardian is unable to pick up their child, the principal/designee may ask the parent/guardian for permission to send the student home. If the parent/guardian cannot be reached or if the above request is refused, the student must remain on school property until the close of the school day.

If the principal decides that a suspension in excess of ten (10) consecutive school days is warranted, the principal may petition the Superintendent for such suspension.

The Superintendent of Schools may suspend a student for a period not to exceed 180 consecutive school days.

No student shall be suspended by a principal or by the Superintendent unless:

1. The student shall be informed, orally or in writing, of the charge against him/her, and
2. If the student denies the charge, he/she shall be given an oral or written explanation of the facts which form the basis of the proposed suspension, and
3. The student shall be given an opportunity to present his/her version of the incident to the principal or Superintendent.

A student who is on suspension may not be within 1,000 feet of any school unless he/she lives within 1,000 feet of the school, is under the direct supervision of his/her parent, legal guardian, or custodian, or another adult designated by his/her parent, legal guardian, or custodian, and has obtained approval in advance, in writing, from the principal of the school which suspended him/her; or has been requested by the administration to attend a meeting at the school.

When a long term suspension is considered, the student's parents will be given the opportunity to

**Regulation 2662**

**Page 2**

discuss the incident in a meeting with the Superintendent and another District employee.

If a suspension is ordered by the Superintendent for more than ten (10) consecutive school days, the Superintendent's order may be appealed to the Board of Education if written notice of appeal is delivered to the office of the Board of Education within five (5) days of receipt of the Superintendent's suspension letter. If such suspension is appealed, the Superintendent shall promptly provide the Board with a report of the facts involved in the suspension, the action taken by the Superintendent, and the reasons for the Superintendent's decision.

In such event, the suspension shall be stayed until the Board renders its decision, unless in the judgment of the Superintendent the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the student may be immediately removed from school, and the notice and hearing shall follow as soon as practicable.

Any appeal to the Board of Education of the Superintendent's decision to suspend a student for more than ten (10) consecutive school days may be heard and determined by the full Board or by a quorum thereof, or by a committee of three Board members appointed by the President of the Board. Such committee shall have full authority to act in lieu of the Board.

Students will be readmitted or enrolled after expiration of their suspension from the District or from any other district only after a conference has been held to consider prior misconduct and remedial steps necessary to minimize future acts of similar misconduct. (See Policy and Regulation 2664 – Enrollment or Return Following Suspension and/or Expulsion) Participants in such pre-admission conferences will include:

1. The student.
2. The parent/guardian.
3. The representative of any agency having legal jurisdiction, care, custody, or control of the student.
4. District staff members designated by the Superintendent/designee.

**Note: For suspensions involving disabled students under Section 504 or the IDEA, see also Policy and Regulation 2672**

## **STUDENTS**

## **Regulation 2663**

### **Discipline**

### **Expulsion**

Unless the parent, custodian, or the student, if at least eighteen years of age, waives, in writing, any right to a hearing before the Board of Education as provided under RSMo 167.161(1), no student may be permanently expelled from school without a prior hearing before the full Board or, at least, a quorum of the Board. Such a hearing shall generally be considered a contested case pursuant to Chapter 536 of the Missouri Administrative Procedures Act and therefore not subject to *de novo* review. A decision to expel a student requires a vote of a majority of those Board members present.

Due process for expulsion of students shall include the following:

1. Board action shall begin with a written notification of the charges against the student, which shall be delivered by certified mail to the student, his/her parent/guardian, or others having his/her custodial care. Such notification will include charges, contemplated action, and time and place of a hearing on such charges and that the student, parent/guardian, or others having custodial care shall have the right to attend the hearing and to be represented by counsel.
2. The hearing will be closed. At said hearing, the Board of Education or counsel shall present the charges, testimony, and evidence deemed necessary to support the charges. The Board will expect the principal in each case to be present and make oral and written reports and statements concerning the student's misconduct. The student, parent/guardian or others having custodial care, or counsel, shall have the right to cross-examine witnesses presented in behalf of the charges and to present testimony in defense thereagainst.
3. At the conclusion of the hearing or in an adjourned meeting, the Board of Education shall render its decision to dismiss the charges, suspend the student for a specified time, or expel the student from the schools of the District. Prompt written notice of the decision shall be given to the student, parent/guardian or others having custodial care, and counsel, if applicable.

## **STUDENTS**

## **Regulation 2664**

### **Discipline**

#### **Enrollment or Return Following Suspension and/or Expulsion**

##### **Conference Required**

The conference shall include the appropriate school officials, the student, the parent/guardian of the pupil, and any agency having legal jurisdiction, care, custody or control of the student.

The District shall notify in writing the parent/guardian and all other parties of the time, place, and agenda of any such conference. However, failure of any party to attend this conference shall not preclude holding the conference.

Notwithstanding any provision of this regulation to the contrary, no student shall be readmitted or enrolled in a regular program of instruction if:

1. The student has been convicted of one of the offenses listed below.
2. The student been charged with one of the offenses and there has been no final judgment.
3. A juvenile petition has been filed alleging that the student committed an act, which if committed by an adult, would be one of the offenses listed below, and there has been no final judgment; or
4. The student has been adjudicated to have committed an act, which if committed by an adult, would be one of the offenses listed below.

##### **Offenses to Which this Policy Applies**

1. First degree murder under Mo. Rev. Stat. § 565.020
2. Second degree murder under Mo. Rev. Stat. § 565.021
3. First degree assault under Mo. Rev. Stat. § 565.050
4. Forcible rape under Mo. Rev. Stat. § 566.030
5. Forcible sodomy under Mo. Rev. Stat. § 566.060
6. Robbery in the first degree under Mo. Rev. Stat. § 569.020
7. Distribution of drugs to a minor under Mo. Rev. Stat. § 195.212

8. Arson in the first degree under Mo. Rev. Stat. § 569.040
9. Kidnapping, when classified as a Class A felony under Mo. Rev. Stat. § 565.110
10. Statutory rape under Mo. Rev. Stat. Section 566.032
11. Statutory sodomy under Mo. Rev. Stat. Section 566.062

Nothing in this regulation shall be construed to prevent the District from imposing discipline under the Student Code of Conduct for conduct underlying the above-listed offenses, even if the adult charge or juvenile petition has been dismissed, or the student has been acquitted or adjudicated not to have committed such acts in a criminal or juvenile court — if by a preponderance of the evidence, it can be established that the student engaged in the underlying conduct. The District may enroll a student, otherwise excluded under this regulation, in an alternative education program if the District determines that such enrollment is appropriate.

Students denied enrollment because of conviction of one of the acts set out in this regulation or due to an existing suspension or expulsion from another school district will be advised of the reasons for denial of enrollment and will be given an opportunity to respond to those reasons.

### **Suspension or Expulsion from Other Schools**

Prior to enrollment, a student who is under suspension or expulsion from any other in-state or out-of-state public or private school and who is seeking admission will be evaluated by the Superintendent or Superintendent's designee. However, upon request, the Superintendent/designee will confer with the pupil, parent/guardian or person acting as parent of a special education student to consider imposition of the other school's suspension or expulsion. If the Superintendent/designee determines that such conduct would have resulted in a suspension or expulsion had the conduct been committed in District schools, the suspension or expulsion will be implemented.

## **STUDENTS**

## **Regulation 2671** **(Form 2671)**

### **Discipline**

#### **Student Discipline Hearings**

#### **Rules of Procedure in Hearings Before the Board of Education on Suspension and Expulsion Matters**

1. Students or students' parents/guardians may request a hearing before the Board to contest any suspension in excess of ten (10) school days. The request will be addressed to the Superintendent who will review all matters concerning the suspension.
2. No student may be expelled until this matter is reviewed in a hearing before the Board of Education.
3. The parent/guardian may represent their student or may retain an attorney to act as a representative in the defense of the student. The representative will have the right to present witnesses, question any and all witnesses as herein provided, and make a statement and offer exhibits on the nature of the evidence and disposition of the case. If the parent/guardian elects to have the student represented by an attorney at the hearing, the parent/guardian shall notify the Superintendent of such representation at least twenty-four hours prior to the scheduled time of the hearing.
4. Prior to the hearing, the parties, or their attorneys, may examine at the Board Office the discipline report and all related records.
5. Upon the request of any party, the Superintendent shall submit for review at the hearing the student's behavioral and academic record. If necessary, the information contained in such record may be explained and interpreted by a person trained in its use and interpretation. All parties shall be instructed to respect the confidentiality of all such records and information.
6. At the hearing, the Board may consider a student's record of past disciplinary actions, criminal court records, juvenile court records, and any actions of the student which would be criminal offenses.
7. The parties may present evidence concerning the charges and make such showing by way of affidavits, exhibits, and witnesses as they may desire. Before testifying, witnesses shall be sworn.

8. The President of the Board of Education, or the Chairman of the designated committee of the Board, shall have full charge of the hearing and shall have the authority to direct its proceedings and to control the conduct of all persons present in accordance herewith. Such authority shall include the limitation of questioning that is unproductive, lengthy, or irrelevant. The Board may invoke reasonable limitations on the number of witnesses.
9. The hearing shall not be open to the public. In addition, the Board may set reasonable limitations on the number of people present during the hearing.

The Board shall also have the right to exclude the public or any person or persons if it shall determine that the hearing is being disrupted by any such person.

Hearings may be attended only by members of the Board of Education, the Superintendent of Schools, the School Board attorney, the principal, the student, the parent/guardian and their representatives. Witnesses may be present only when giving information at the hearing. With parent/guardian permission, the student may be excluded at times when the student's psychological or emotional problems are being discussed.

10. A record shall be made of any information presented at the hearing. Statements and other written matter presented shall be kept on file by the District.
11. As soon as practicable after the hearing, the Board shall make its decision and transmit the same in writing to the parties and the Superintendent.

The Board or its committee shall decide by majority vote whether the student has engaged in the misconduct charged by District administrators. The decision will be based solely on the evidence presented at the hearing and must include findings of fact on which the decision rests.

## **STUDENTS**

**Regulation 2672**  
**(Form 2672)**

### **Discipline**

#### **Discipline of Students with Disabilities**

##### **Removal from Current Educational Placement for Not More Than Ten Consecutive School Days; Not More Than Ten Cumulative Days Removal for the Current School Year**

A student with a disability who violates the District's discipline policy who has not been removed from the current educational placement for more than ten (10) cumulative days for the current school year may be disciplined for not more than ten (10) consecutive school days in the same manner as other students.

Services will not be provided to the student when the total number of days the students has been removed from the current educational placement is not more than ten (10) days, unless services are provided to children without disabilities who have been similarly removed.

##### **Removal from Current Educational Placement for More than Ten Cumulative School Days**

A student with a disability who violates the District's discipline policy who has been removed from the current educational placement for more than ten (10) cumulative days in the current school year may be disciplined for not more than ten (10) consecutive school days in the same manner as other students, if the pattern of short term exclusions totaling more than ten (10) cumulative days does not constitute a change of placement.

On the eleventh day of removal in a school year, the District will provide educational services. If the cumulative removals do not constitute a change of placement, the services to be provided will be determined by school personnel in consultation with the student's special education teacher.

A series of removals from the current educational placement for more than ten (10) days may amount to a pattern of exclusion that constitutes a change of placement. If a student with a disability has been removed for more than ten (10) cumulative school days and the removals constitute a change of placement, or if a school administrator determines that a removal for more than ten (10) consecutive school days is being considered, on the date a decision to make such a removal is made, the parents will be notified of the decision and provided a copy of the IDEA procedural safeguards.

Not later than ten (10) business days after commencing a cumulative removal that constitutes a change of placement or when considering a removal of greater than ten (10) consecutive school days, the District will convene an IEP meeting to develop a functional behavioral assessment plan if one has not previously been conducted. After completing the assessment, an IEP meeting will be held to develop a behavioral intervention plan if appropriate and necessary. If a behavior plan already has been developed, the IEP team will meet to review the plan and its implementation. The plan and its implementation will be modified as necessary.

In addition, not later than ten (10) days after the date of the decision to remove a student for more than ten (10) cumulative days constituting a change of placement or for consideration of a removal of more than ten (10) consecutive school days, the IEP team and other qualified personnel will meet to review the relationship between the student's disability and the behavior subject to disciplinary action.

If a determination is made that the student's behavior was not a manifestation of the student's disability, disciplinary rules will be applied to the student in the same manner they would be applied to a student without a disability, except that a free appropriate public education will be provided to the student as determined by the IEP team.

### **Long-Term Changes in Placement (Drugs, Weapons, and Serious Injury)**

In addition to any other actions consistent with this regulation, District administrators may assign a student to an interim alternative educational setting for a period of time not to exceed forty-five (45) school days, when a student with a disability is involved in a disciplinary action involving:

1. Possession of a weapon at school or at a school function; or
2. Possession or use of illegal drugs or sale or solicitation for sale of a controlled substance while at school or at a school function; or
3. A serious bodily injury.

On the date a decision to make such a removal is made, the parents/guardians will be notified of the decision and provided a copy of the IDEA procedural safeguards.

Not later than ten (10) business days after commencing such a removal, the District will convene an IEP meeting to develop a functional behavioral assessment plan if one has not been previously conducted. After completing the assessment, an IEP meeting will be held to develop a behavioral intervention plan if appropriate and necessary. If a behavior plan already has been developed, the IEP team will meet to review the plan and its implementation. The plan and its implementation will be modified as needed.

Not later than ten (10) days after the date of the decision to assign a student to an interim alternative educational setting, the IEP team and other qualified personnel will meet to review the relationship between the student's disability and the behavior subject to the disciplinary action and to determine the interim alternative educational placement.

The IEP team will decide on an interim alternative educational setting that will allow the student to continue to progress in the general curriculum, to receive the services and modifications that will enable the child to meet the goals set out in the student's IEP, and to receive services and modifications to attempt to prevent the student's behavior from recurring.

## **IDEA Disabled Students**

Students who are disabled pursuant to the IDEA will be disciplined pursuant to the IDEA as amended and its implementing regulations, as well as applicable state statutes and the Missouri State Plan for Special Education Regulations Implementing Part B of the IDEA.

### **Section 504 Disabled Students**

The following procedures apply to students who are disabled pursuant to Section 504 of the Rehabilitation Act (students who are not disabled pursuant to the IDEA). In general, most 504 students should be expected to follow the District's disciplinary policies, rules, regulations and procedures and this should be noted on the 504 Plan. When determining a student's 504 eligibility the multidisciplinary team should consider whether the impairment that is substantially limiting has a direct impact on a student's behavior and, if so, the team may consider conducting a functional behavioral assessment as part of the student's evaluation. If the team concludes that the impairment has a direct and substantial relationship to the student's behavior, the team should address the behavior through the 504 Plan and should consider whether a behavior plan is necessary for the student to have an equal opportunity to participate.

Under Section 504, a disciplinary removal from a student's placement for more than 10 consecutive school days constitutes a change of placement and requires certain procedures be followed. When a student is suspended, out of school, for more than 10 consecutive school days or when a student's short term removals (10 days or less) constitute a pattern of exclusion as currently defined by the IDEA, the District will, within 10 school days of the date of the decision to change the student's placement through a disciplinary removal, convene a multidisciplinary team to determine if the student's act of misconduct is related to his or her disability. The multidisciplinary team will apply the IDEA manifestation standard that is in place at that time. Prior to, or as part of the manifestation determination, the team will conduct a reevaluation pursuant to Section 504. Such reevaluation may consist of a review of existing data alone or in conjunction with formal assessments. The parents will be invited to attend but are not required participants.

If the team concludes that the student's misconduct is related to his or her disability, the student can be suspended for up through 10 consecutive school days with no educational services provided or for any amount of cumulative school days, so long as a pattern of exclusion is not created. If deemed necessary, the team may need to convene to determine if a change of educational placement may be needed or if the student should be referred under the IDEA.

If the team concludes that the student's misconduct is unrelated to his or her disability, the student will be treated the same as nondisabled students and may be suspended or expelled according to District policy and the Student Code of Conduct. District administrators will determine the appropriate discipline including, but not limited to, a long-term suspension or expulsion. During the period of disciplinary removal, the District will not provide any educational services to the student unless it provides such services to its nondisabled students in similar circumstances.

A student is not considered to be disabled under Section 504 if he or she is currently engaged in the illegal use of drugs when the District is acting on the basis of that use. Therefore, when a 504 student is being disciplined for the current illegal use of a controlled substance (including alcohol), that student will lose his or her 504 protection and will be disciplined as if he or she was a regular education student. No manifestation determination will be held.

**Definitions**

*Illegal Drug* means a controlled substance not including drugs legally used or possessed under the supervision of a health care professional.

*Weapon* means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, including any knife, regardless of blade length (see Regulation 2620 for a more specific definition).

*Controlled substance* means a drug or other substance identified under schedules I, II, III, IV or V in 21 U.S.C. § 812 (c).

## **STUDENTS**

**Regulation 2673**  
**(Form 2673)**

### **Discipline**

#### **Reporting of Violent Behavior**

All school employees are required to notify their immediate supervisor if they have reason to believe that a student or District employee has committed any of the offenses set out below, has physically or sexually abused any District student, or has possessed a controlled substance or weapon in violation of District policy. The principal will immediately report to the appropriate law enforcement agency and to the Superintendent/designee any instance where a student is found to be in possession, on their person or in their possession, of any weapon defined in Regulation 2620 or of controlled substances, or is found to have placed such substances elsewhere on school premises. For purposes of this regulation, "school premises" shall be defined to include school property, school playgrounds, school parking lots, school buses, or at school activities whether on or off school property.

#### **Reportable Offenses**

1. First degree murder
2. Second degree murder
3. Kidnapping
4. First degree assault
5. Forcible rape
6. Forcible sodomy
7. Burglary in the first degree
8. Burglary in the second degree
9. Robbery in the first degree
10. Distribution of drugs
11. Distribution of drugs to a minor
12. Arson in the first degree

13. Voluntary manslaughter
14. Involuntary manslaughter
15. Second degree assault
16. Assault (except as provided in the Agreement contained in Form 2673)
17. Felonious restraint
18. Property damage in the first degree
19. Possession of a weapon
20. Child molestation in the first degree
21. Deviate sexual assault
22. Sexual misconduct involving a child
23. Sexual assault

Teachers and other authorized personnel who report violent acts or threats of violent acts to their supervisors in compliance with state law and in conformity with District policies have civil immunity. Teachers and other authorized personnel who act in conformity with the District's discipline policies and regulations also have civil immunity.

### **Records of Serious Violations**

The Superintendent/designee will prepare and maintain records of serious violations of the District's discipline policy. Individual student records are available to school employees who are directly responsible for the student's education or who interact with the student in the performance of the employee's duties. In addition, such discipline records will be made available within five (5) days to any requesting school district where the student seeks to enroll.

The District will report, in compliance with state regulations, the number, duration of and reasons for expulsions and suspensions of more than ten (10) days. The Superintendent will also notify the appropriate division of the Juvenile court of the suspension for more than ten (10) days of any student under court jurisdiction.

## **STUDENTS**

## **Regulation 2710**

### **Student Welfare**

#### **Reporting Student Abuse**

##### **Procedure for Reporting Abuse and Neglect**

1. When a school employee has reason to believe that a student has been or may be subjected to abuse or neglect, the employee shall immediately notify the building principal or designee.
2. Upon notice of abuse or neglect, the building principal will make an immediate oral report to the Children's Division (CD) of the Missouri Department of Social Services by telephoning the Abuse Hotline at 1-800-392-3738. The call will be logged with the date, time and nature of the report.
3. School personnel will not notify the student's parents that a Hotline report has been made.
4. When CD representatives interview students on District property, a school staff member will be present. CD representatives may not meet with a child at any school or childcare facility where abuse of the child is alleged to have occurred.
5. When CD receives a report of suspected abuse involving a school employee, the CD is required to notify the Superintendent. If the alleged perpetrator is the Superintendent, CD will notify the Board President.
6. The Superintendent will conduct an investigation to determine if the report was made for the purpose of harassing a school employee. If it appears that the report was not made for harassment purposes, the matter will be reported back to the CD and to the county juvenile officer immediately. The report will then be jointly investigated by the Superintendent and the juvenile officer.
7. Within seven (7) days of receiving notice from CD, the Superintendent and juvenile officer will submit separate reports to the Board of Education. Each report will state a conclusion concerning the validity of complaint of abuse.
8. Within seven (7) days of receiving the reports, the Board will consider the reports and issue findings of fact and conclusions of law. The Board's report will be forwarded to the CD.

## **STUDENTS**

## **Regulation 2740**

### **Student Welfare**

#### **Student Safety**

The administration is responsible for notifying DESE upon the occurrence of the commission of any of the following violent criminal offenses on school premises:

1. Murder 1<sup>st</sup> Degree under section 565.020, RSMo;
2. Murder 2<sup>nd</sup> Degree under section 565.021, RSMo;
3. Kidnapping under section 565.110, RSMo;
4. Assault 1<sup>st</sup> Degree under section 565.050, RSMo;
5. Forcible Rape under section 566.030, RSMo;
6. Forcible Sodomy under section 566.060, RSMo;
7. Burglary 1<sup>st</sup> Degree under section 569.160, RSMo;
8. Burglary 2<sup>nd</sup> Degree under section 569.170, RSMo;
9. Robbery 1<sup>st</sup> Degree under section 569.020, RSMo;
10. Distribution of Drugs under section 195.211, RSMo;
11. Distribution of Drugs to a Minor under section 195.212, RSMo;
12. Arson 1<sup>st</sup> Degree under section 569.040, RSMo;
13. Voluntary Manslaughter under section 565.023, RSMo;
14. Involuntary Manslaughter under section 565.024 RSMo;
15. Assault 2<sup>nd</sup> Degree under section 565.060, RSMo;
16. Sexual Assault under section 566.040, RSMo;
17. Felonious Restraint under section 565.120, RSMo;
18. Property Damage 1<sup>st</sup> Degree under section 569.100, RSMo;

19. Possession of a Weapon under section 571, RSMo;
20. Child Molestation 1<sup>st</sup> Degree under section 566.067, RSMo;
21. Deviate Sexual Assault under section 566.070, RSMo;
22. Sexual Misconduct Involving a Child under section 566.083, RSMo;
23. Sexual Abuse under section 566.100, RSMo;

For purposes of this policy, any student who is the victim of any of the following violent criminal offenses on school premises is entitled to a transfer to another District school:

1. Kidnapping under section 565.110, RSMo;
2. Assault 1<sup>st</sup> Degree under section 565.050, RSMo;
3. Forcible Rape under section 566.030, RSMo;
4. Forcible Sodomy under section 566.060, RSMo;
5. Burglary 1<sup>st</sup> Degree under section 569.160, RSMo;
6. Robbery 1<sup>st</sup> Degree under section 569.020, RSMo;
7. Arson 1<sup>st</sup> Degree under section 569.040, RSMo;
8. Assault 2<sup>nd</sup> Degree under section 565.060, RSMo;
9. Sexual Assault under section 566.040, RSMo;
10. Felonious Restraint under section 565.120, RSMo;
11. Property Damage 1<sup>st</sup> Degree under section 569.100, RSMo;
12. Child Molestation 1<sup>st</sup> Degree under section 566.067, RSMo;
13. Deviate Sexual Assault under section 566.070, RSMo;
14. Sexual Misconduct Involving a Child under section 566.083, RSMo; and/or
15. Sexual Abuse under section 566.100, RSMo.

**Student Welfare****Wellness****1. Advisory Committee**

The district's Health Advisory Committee will be responsible for the district's student wellness program. The Committee will meet a minimum of two times annually. Responsibility of the Health Advisory Committee may include, but not be limited to, oversight of the following:

- Implementation of district nutrition and physical activity standards
- Integration of nutrition and physical activity in the overall curriculum
- Assurance that staff professional development includes nutrition and physical activity issues
- Assurance that students receive nutrition education and engage in vigorous physical activity

The Health Advisory Committee will be responsible for preparing a report that includes, but is not limited to a longitudinal comparison ~~to~~ (of) the following information, with concerns identified:

- Listing of non-food service food sales throughout the district including vending machines, school stores, culinary, and special education programs, in-school and in-class fundraisers, etc.
- Listing of physical activity programs and opportunities for students throughout the school year.
- Fitness level of students at grades five and nine.

**2. Student Nutrition****The School Breakfast/Lunch Programs:**

- The full meal school breakfast and lunch programs will follow the USDA Requirements for Federal School Meals Programs.
- The School Food Service Program will follow the District's Nutrition Standards when determining the items in a la carte and "competitive foods" sales.

**Cafeteria Environment:**

- A cafeteria environment that provides students with a relaxed, enjoyable climate shall be developed

- The cafeteria is a place where students have:
  - a. Adequate space to eat in clean, pleasant surroundings
  - b. Adequate time to eat meals
  - c. Convenient access to hand washing or hand sanitizing facilities before meals

Fundraising:

- All fundraising projects for sale and consumption of food items within and prior to the instructional day will follow the District's Nutrition Standards when determining the items being sold.

**3. Student Nutrition Education:**

The District has a comprehensive approach to nutrition in Kindergarten through 12th grade. All K-12 instructional staff will be encouraged to integrate nutritional themes into daily lessons when appropriate. The health benefits of good nutrition should be emphasized. The district nutrition policy reinforces nutrition education to help students practice these themes in a supportive school environment.

Parent Nutrition Education:

Nutrition education may be provided in the forms of handouts, postings on the district website, articles and information provided in district or school newsletters, presentations that focus on nutritional value and healthy lifestyles, and through any other appropriate means available for reaching parents.

Staff Nutrition & Physical Activity Education:

Nutrition and physical activity education opportunities will be provided to school staff at the elementary, middle, and high school levels. These educational opportunities may include, but not be limited to, the distribution of educational and informational materials and the arrangement of presentations and workshops that focus on nutritional and healthy lifestyles, health assessments, fitness activities, and other appropriate nutrition and physical activity-related topics.

**4. District Nutrition Standards**

The District strongly encourages the sale or distribution of nutrient dense foods for all school functions and activities. Nutrient dense foods are those foods that provide students with calories rich in the nutrient content needed to be healthy. In an effort to support the consumption of nutrient dense foods in the school setting, the district has adopted the following nutrition standards governing the sale of food, beverage, and candy on school

grounds. Schools are encouraged to study these standards and develop building policy using the following District Nutrition Standards as minimal guidelines.

Food:

- Encourage the consumption of nutrient dense foods, i.e. WHOLE GRAINS, FRESH FRUITS, VEGETABLES, and DAIRY PRODUCTS.
- Any given food item for sale prior to the start of the school day and throughout the instructional day, will have no more than 35% of its total calories derived from fat (with ongoing monitoring of calorie levels from saturated fat.)
- Nuts and seeds with minimal added fat in processing (no more than 3 grams of added fat per 1.75 ounce or less package size) are exempt from these standards because they are nutrient dense and contain high levels of monounsaturated fat.

Candy:

- Candy is defined as any processed food item that has:
  - a. Sugar (including brown sugar, corn sweetener, corn syrup, fructose, glucose (dextrose), high fructose corn syrup, invert sugar, lactose, maltose, molasses, raw sugar, table sugar (sucrose), syrup) is listed as one of the first two ingredients AND
  - b. Sugar is more than 35% of the item by weight.
- Vending sales of candy will not be permitted on school grounds.
- Non-vending sales of candy will be permitted ONLY at the conclusion of the instructional school day

**5. Student Physical Activity**

District Physical Activity Goal:

The District shall provide physical activity and physical education opportunities that equip students with the knowledge and skills to lead a physically active lifestyle. The District shall utilize the following Implementation Strategies:

- Physical education classes and physical activity opportunities will be available to all students with opportunities offered daily before school, during school (recess or physical education class), or after school.
- As recommended by the National Association of Sport and Physical Education (NASPE), school leaders of physical activity and physical education shall guide students through a process that will enable them to achieve and maintain a high level of personal fitness through the following:

- a. Teach physical skills through a wide variety of physical activities to help maintain a lifetime of health and fitness
  - b. Individualize intensity of activities and encourage self-monitoring so youngsters can see how active they are and set their own goals
  - c. Focus feedback on process of doing your best
  - d. Be active role models
- Introduce developmentally appropriate components of a health-related assessment to the students at an early age to prepare them for future assessments.
  - Physical education classes shall be sequential, building from year to year, and content will include movement, personal fitness, and personal and social responsibility. Students should be able to demonstrate competency through application of knowledge, skill, and practice.

## **Student Welfare**

### **Foster Care Bill of Rights**

The District educational liaison for foster care children will serve in an advisory capacity to:

- Ensure and facilitate proper educational placement, enrollment in school, and checkout from school;
- Assist foster care children when transferring from one school to another or from one school district to another, including, among other things, proper transfer of credit, records, and grades;
- Request school records, as provided in Policy/Regulation 2230, within two (2) business days of placement of a foster care child in a District school;
- Submit school records of foster care pupils within three (3) business days of receiving a request for school records from another School District as provided in Policy 2290; and
- Facilitate access to student records to any child placing agency for the purpose of fulfilling education case management responsibilities required of the juvenile officer or by law and to assist with the school transfer or placement of a child under foster care.

## **STUDENTS**

## **Regulation 2830**

### **Student Services**

### **Health Services**

#### **Head Lice**

In keeping with the Carthage R-9 School District's philosophy of avoiding the unnecessary exclusion of students from school, the district will not exclude otherwise healthy students from school due to non-viable nit infestations (nits greater than ¼" from the scalp). Students with active infestations (live lice or nits found within ¼" of the scalp) will be excluded from school only to the minimum extent necessary for treatment. It will be the responsibility of the school nurse or designated trained personnel to recommend a student's removal from school, if warranted.

Effective head lice control is based on a high standard of education, prevention and accountability for parents, students and staff. The school nurse will provide education programs regarding the diagnosis, treatment and prevention of head lice for staff, students and parents. Routine head checks for non-symptomatic students are not recommended and, therefore, routine school wide or classroom head lice screenings will not be performed.

When a member of the school staff suspects a student may have head lice, the student will be referred to the school nurse or trained designated personnel.

#### Identification of Head Lice:

- Head lice are best identified by inspecting the hair and scalp for live lice or nits (eggs attached to the hair shaft).
- Lice and nits are most often found at the nape of the neck, and above and behind the ears.
- Carefully part the hair using the applicator stick and examine the hair and scalp for nits and crawling lice.
- Begin by checking the nape of the neck and behind the ears. If nothing is seen in these areas, continue to inspect the rest of the head to ensure the absence of live lice and/or viable nits.

#### Clear:

1. No action needed.

#### Non-Viable Nits Only:

1. Students may remain in school.
2. Notify parents and provide education on treatment and prevention.
3. Encourage parents to remove all nits and to do regular checks of their children's hair and start immediate treatment if head lice are detected.
4. Advise against treating students who are not infested.
5. Recheck in one week.

**Live Lice/Viable Nits:**

1. Contact parent/guardian.
2. Student will remain in health room until parent arrives.
3. Student may ride the bus home if cannot reach a parent/guardian.
4. Notify other schools to do head checks on siblings and any other student(s) who resides with the student.
5. Provide information on treatment and prevention.
6. To be admitted to school a student must be accompanied by a parent/guardian/relative, and must be checked by the school nurse or designated trained personnel.
7. Non-viable nits – may return to school.
8. Live lice – exclude from school.
9. Students will be considered truant if more than 3 consecutive days are missed due to head lice.

**Procedures for Cleaning Blood and/or Body Fluids**

Many infectious agents can be found in the blood or body fluids of humans. This includes individuals with no outward signs or symptoms of infection. It is therefore very important that all District personnel adopt routine procedures for handling the cleanup of all blood/body-fluid spills. The procedures, as outlined by the Centers for Disease Control, are as follows:

1. If available, absorbent floor-sweeping material should be used to cover fluids to keep them from spreading.
2. Vinyl or latex gloves should be worn, and all spills should be cleaned up with absorbent towels or tissues, using soap and water.
3. All surfaces that have been in contact with the fluids should then be wiped with a disinfectant. Any EPA-approved disinfectant (i.e., Lysol, etc.) can be used. A 1:10 dilution of household bleach can also be used. This solution should not be mixed in advance. After the disinfectant is applied, the surface should either be allowed to air dry, or else to remain wet for ten (10) minutes before being dried with a disposable towel or tissue.
4. If the gloves worn to clean up the spill are reusable, they should be washed with soap and running water prior to removal. Disposable gloves should be removed without soiling the hands, and should be disposed of in an impermeable plastic bag. Whether or not any contamination occurs, the hands should always be thoroughly washed with soap and water after the gloves are removed.
5. If the person doing the cleaning has any open skin lesions, precautions should be taken to avoid direct exposure of the lesions to the body fluids.

6. After exposure to body fluids, good HANDWASHING should consist of thorough use of soap and water for at least fifteen (15) seconds.
7. It is necessary to keep one or more clean-up kits on hand for such spills. The clean-up kit should consist of the following items:
  - a. Absorbent floor-sweeping material
  - b. Liquid soap
  - c. Disinfectant
  - d. Small buckets
  - e. Vinyl or latex gloves
  - f. Disposable towels or tissues
  - g. Impermeable plastic bags

All of these materials should be kept together in one or more central locations.

**CAUTION:** The diluted bleach disinfectant solution, if used, should not be used for any other purpose than the cleanup described above. Mixing this solution with certain other chemicals can produce a toxic gas. Also, any EPA-approved disinfectant used should be diluted according to manufacturer's instructions. It is not appropriate or necessary to add more disinfectant than the directions indicate. Doing so will make the disinfectant more toxic and could result in skin or lung damage to those individuals using it.

## **STUDENTS**

## **Regulation 2850**

### **Student Services**

#### **Inoculations of Students**

As mandated by the Missouri Department of Health, students must have up-to-date immunizations before being permitted to attend classes. Form 2850 provides a chart of immunization requirements by grade level.

1. The District will maintain an individual health record for each student, including an immunization history supplied by the parent/guardian.
2. A complete immunization history will be required upon entrance to school. Satisfactory evidence of immunization is a statement, certificate or record from a physician or health facility that verifies the type of vaccine, the month, day and year of administration. The parent/guardian will be informed that any needed immunizations must be obtained prior to enrollment and attending school.
3. In certain special situations, exemptions or "In Progress" statements may be needed.
  - a. If a student has received all immunizations that are age appropriate but has not completed the minimum required for school attendance, the parent/guardian must obtain an "In Progress" card from a physician or health department that identifies when the next dose is due.
  - b. If the student cannot receive the needed immunization(s) for medical reasons, a medical exemption will be completed and signed by a physician and filed in the student's health record.
  - c. If the parent/guardian objects to immunizations for religious reasons, an exemption must be signed by the parent/guardian and verified by the school nurse. Protection against disease as a desirable measure for the protection of the student will continue to be emphasized.
4. In the event of an outbreak, students who are exempt from immunizations for any reason will be excluded from school for their own protection and that of other students, in accordance with State Rule 13 CSR 50-101.0412. The only exception will be students exempted by a physician because they have already had the disease and have available laboratory confirmation of immunity.
5. The District will notify the parent/guardian if a student will require any additional doses of a vaccine, giving the date by which the vaccine must be given to remain in compliance with the law.

6. The District will prepare the immunization report (CD 31) for the Missouri Department of Health by the specified date. Any deficiencies will receive follow-up as recommended. Every effort will be made to return excluded students to school as soon as possible. The parent/guardian will be advised of resources available to obtain needed protection. The parent/guardian who does not make an effort to comply with the law in order to return students to school within ten days may be reported to the local juvenile authority for enforcing the truancy law.
  
7. An ongoing review of immunization records will be made to ensure that entering transfer students, students who are "In Progress," and those needing TD boosters during the school year have adequate protection. Students will be notified in the spring that TD boosters will be due during the next school year. All students coming due for their 10 year TD booster during the first semester of a school year must provide verification of TD immunization prior to receiving their class schedule at the beginning of that school year. Those students coming due for their 10 year TD booster during the second semester of school are required to provide verification of TD immunization prior to the start of the second semester. The records of entering transfer students and those due for boosters will be flagged, or a separate file or a line listing of these students will be maintained, to facilitate compliance with the statute.

## **STUDENTS**

## **Regulation 2860**

### **Student Services**

#### **Students with Communicable Diseases**

The following Administrative Guidelines have been developed to assist in implementing Policy 2860.

1. The District's policy and regulations on communicable diseases, including detailed information about procedures to be implemented if a student with a chronic infectious disease is enrolled, will be made available to parents of all students attending District schools.
2. All employees will follow the most recent guidelines issued by the Centers for Disease Control, including applicable universal precautions in cleaning up body fluid spills (a copy of which shall be on file in the office of the Supervisor of Health Services and in the office of each school nurse), regardless whether an individual infected with a body fluid or blood-borne pathogen is known to be present in the school environment or related activities. Willful or negligent disregard for these precautions by any staff member will be cause for disciplinary action.

#### **Acute Infectious Disease**

1. A staff member who has reason to believe that a student has been exposed to a contagious or infectious disease or who observes symptoms of such a disease, shall inform the principal. The principal will consult with the school nurse about the child.
2. If the school nurse determines that the student has an acute contagious or infectious disease, the principal will exclude the student from school for the number of days specified in the latest revision of the Missouri Department of Health Publication, "Prevention and Control of Communicable Diseases - A Guide for School Administrators, Nurses, Teachers and Day Care Operators," PACH-16, or until a physician certifies that the student no longer is liable to transmit the disease.
3. If a student has been excluded from school by the principal because the student has or is suspected of having an acute contagious or infectious disease, the student and his/her parent/guardian may appeal such decision in writing to the Superintendent. The Superintendent may require the student to be examined by a physician designated by the District, the child's own physician, or both, at the option of the Superintendent. The student shall not attend classes or participate in school activities during the appeal period.

#### **Chronic Infectious Disease**

1. If the principal, after consulting with the school nurse, determines that a student may have a

Adopted: October 18, 2004

chronic infectious disease, the student may be excluded from school and provided an education in an alternative setting until the following procedures have been concluded. Prior to excluding the student, the student's parents/guardians shall receive written notification of the intent to exclude and their procedural safeguards as set forth in the District's compliance plan for Section 504 of the Rehabilitation Act of 1973.

The principal shall immediately report any student who has or is suspected of having a chronic infectious disease to the Superintendent or his/her designee. The Superintendent or his/her designee shall within three (3) working days appoint a Review Committee to assess the student's medical condition. The Committee should include the following:

- a. The student's parents/guardians.
- b. The student's physician.
- c. A physician specialist in public health or infectious diseases.
- d. The Supervisor of Health Services, who shall serve as Chairperson of the Review Committee, or his/her designee.
- e. The principal.
- f. The Superintendent or his/her designee.
- g. Others mutually agreed upon by the District and the parents/guardians.

The District's legal counsel may serve on the Committee in an advisory capacity.

If the student has been identified as a student with disabilities pursuant to the Individuals with Disabilities Education Act (IDEA), the student may be excluded from school and provided with an education in an alternative setting, so long as such exclusion does not constitute a change in placement pursuant to the IDEA. The student's medical condition and educational placement will be evaluated in accordance with the procedures set forth above, with the following additional provisions:

- a. Prior to excluding the student, the student's parents/guardians shall receive written notification of their procedural safeguards as set forth in the District's compliance plan for implementing the IDEA, in addition to written notice of their procedural safeguards pursuant to Section 504 of the Rehabilitation Act of 1973.
- b. The Review Committee shall include the chairperson of the student's Individual Educational Program Committee or his/her designee.

2. The members of the Review Committee shall determine the fitness of the student to attend school. The Committee will assess the student's condition, the school conditions, and the risks of exposing others to the disease in the school environment, and shall determine whether the student should (1) be permitted to attend school without restrictions; (2) attend school under stated restrictions and conditions; or (3) be excluded from attending school and provided an alternative educational program. The Committee will prepare a written individual school health care plan for the student and establish dates and/or conditions under which the student's status will be reviewed. The Committee will also identify the persons who have a medical need to know the identity of the student because they are responsible for providing proper health care, and will provide the names of those persons to the Superintendent or his/her designee.
3. Within three (3) working days after the Committee is convened, the Committee will make a determination and prepare findings of fact, which the Chairperson shall communicate in writing to the student's parents/guardians, the principal, and the Superintendent. The parents/guardians shall again receive written notification of their procedural safeguards as set forth in the District's compliance plan for Section 504 of the Rehabilitation Act of 1973 (and in the District's compliance plan for implementing the IDEA, if applicable). The meetings, records, and votes of the Review Committee shall not be open to the public. The determination will be final unless reversed on appeal pursuant to the Complaint Procedures set out in the District's compliance plan for Section 504 (or the procedures in the District's compliance plan for implementing the IDEA, if applicable).
4. If a student with a chronic infectious disease is permitted to attend school, the Superintendent will notify those persons who were identified by the Review Committee as having a medical need to know the student's identity and conditions under which the student is attending school. Willful or negligent disclosure of confidential information will be cause for disciplinary action.
5. Staff members who have a medical need to know the identity of a student with a chronic infectious disease include (1) those who are designated by the District to determine the fitness of the student to attend school; (2) those who are responsible for providing health care to the student, such as the school nurse; and (3) those who are most likely to be in a position to render first aid to the student in case of an accident or medical emergency.
6. A student who has a chronic infectious disease shall be evaluated pursuant to the District's compliance plan for Section 504 of the Rehabilitation Act of 1973 (and the District's compliance plan for implementing the IDEA, if applicable) to determine whether any accommodations or related services are necessary for the student to receive a free appropriate public education. If accommodations or related services are necessary, the District shall develop and implement a plan for the delivery of all needed services. This evaluation shall be conducted regardless of whether the student is permitted to attend school with or without conditions and restrictions, or is excluded from school.

## **STUDENTS**

## **Regulation 2870** **(Form 2870)**

### **Student Services**

#### **Administering Medicines to Students**

The district prohibits the use, sale, transfer, possession or self-administration of any medications by students while on district grounds, on district transportation or during district activities unless explicitly authorized in accordance with this regulation. Therefore, administrative procedures have been established for storing and administering medications in compliance with this regulation and pursuant to state and federal law. Medications will only be administered at school when it is not possible or not effective for the student to receive the medication at home.

Students who possess or consume medications in violation of this regulation while on district grounds, on district transportation or during a district activity may be disciplined up to and including suspension or expulsion. Employees who violate this regulation may be disciplined up to and including termination. District administrators will notify law enforcement when they believe a crime has occurred.

#### **Prescription Medication**

The student's parent shall provide a written request that the student be given medication during school hours. The request shall state the name of the student, name of drug, dosage, frequency of administration, route of administration, and the parent's signature. The diagnosis/indication for use of the medicine shall be provided. When possible, the parent should state adverse effects and applicable emergency instructions.

The District will accept only a medication with the prescription label properly affixed to the medication. The label must contain the name of the student, name of the drug, dosage, frequency of administration, route of administration, and the prescriber's name.

The District will not administer the initial dose of any new prescription except in an emergency.

No more than a month's supply of prescription medication will be kept at school.

Prescription medication is to be in the most current pharmacy-labeled bottle. Prescription drugs will be administered up to one (1) year after the date on the prescription label.

Injectable medications will be administered by the nurse unless written permission is received from the physician and the parent/guardian that the student may self-administer. The self-administration of medication form must be signed by the physician, parent and student. Should an injectable medication be necessary when the school nurse is not available, the 911 (EMS) system should be activated.

### **Over-the-Counter Medication**

The District will not supply over-the-counter medications at any time.

Administration of over-the-counter medication does not require a prescription provided one administers the medication according to the specific directions outlined on the manufacturer's label and the annual permission form has been signed by the parent/guardian.

The District will not administer the initial dose of any over-the-counter medications except in an emergency. Unless a written doctor's order is provided, no aspirin or medication containing aspirin (salicylate) will be administered due to the possibility of Reye's Syndrome, a serious illness reported to be associated with aspirin use in children and teenagers.

Over-the-counter medication must be in the original container with the original label and instructions for administration intact.

### **Emergency Medication**

Written standing orders will be obtained annually for the administration of emergency medication.

Epi-pens may be administered by nonlicensed personnel provided a registered nurse has delegated the responsibility and provided appropriate training on an annual basis.

### **Storage and Administration of Medication**

A parent/guardian or other responsible adult party designated by the parent/guardian will deliver all medication to be administered at school to the school nurse or designee for students pre-kindergarten through eighth grade with the exception of metered dose inhalers. All medication, prescription or over-the-counter, must be in a pharmacy or manufacturer-labeled container. The District shall provide secure, locked storage for medication to prevent diversion, misuse, or ingestion by another individual.

The administration of medication, including over-the-counter medications, is a nursing activity, governed by the State of Missouri Nursing Practice Act. It must be performed by the registered professional school nurse. The nurse may delegate and supervise the administration of medication by unlicensed personnel who are qualified by education, knowledge and skill to do so. The registered nurse must provide and document the requisite education, training, and competency verification. The nurse is also empowered to contact the prescriber or pharmacist filling the prescription to discuss the prescription if the nurse has questions regarding the administration of such medication.

### **Self-Administration of Medication**

Students with asthma, anaphylaxis, or any potentially life-threatening respiratory illness may carry with them for self-administration metered-dose inhalers or auto-injectible epinephrine for self-administration in the event of an asthma or anaphylactic emergency. Possession and self-administration of these prescription medications must comply with the Missouri Safe Schools

Act, 1996. The directives of this Act will be given to each parent/guardian who requests that his/her student be permitted to carry and self-administer such medication. A permission form for self-administration (Form 2870) is required. Provided however, that:

1. A licensed physician has prescribed or ordered such medications for use of the student and has instructed the student in the correct and responsible use of such medications;
2. The student has demonstrated to the student's licensed physician or designee and the school nurse the skill level necessary to use the medications and any device necessary to administer such medications;
3. The student's physician has appended and signed a written treatment plan for managing asthma and anaphylaxis episodes of the student and for medications for use by the student. Such plan will include a statement that the student is capable of self-administering the medication under the treatment plan;
4. The student's parent/guardian has completed and submitted to the school the student's treatment plan and liability statement;
5. The student's parent/guardian has signed a statement acknowledging that the District and its employees or agents will incur no liability as a result of any injury arising from self-administration of medication by the student or administration of such medication by school staff. (see Form 2870.1)

The authorization for the possession and self administration of medication to treat a student's asthma or anaphylaxis permits authorized students to possess and self administer such student's medication while in school, at a school sponsored activity, and in transit from school or school sponsored activity. Such authorization will be effective for the school year when issued and for the school attended when the authorization is issued. Such authorization must be renewed each subsequent year in order to remain effective.

Information concerning the student's condition treatment plan, authorization, and related documents will be kept on file in the school nurse's office and be easily accessible in the event of an asthma or anaphylaxis emergency.

Adopted: June 21, 2010

It is recommended that duplicate prescribed medication, as described in this policy, be provided by the parent/guardian and kept in the school nurse's office so it will be reasonably accessible to the student and school staff in the event of an asthma or anaphylactic emergency.

### **Parent/Guardian Administration**

In situations where the above requirements are not met, or any time the parent/guardian chooses, the parent/guardian may come to school to administer medicine to his/her student.

### **Exception for Potentially Harmful Administration**

It shall be the policy of this District that the District will not knowingly administer any medication to a student if the District's registered professional school nurse believes, in his/her professional judgment that such administration could cause harm to the student, other students, or the District itself. Such cases may include, but are not necessarily limited to, situations in which the District is being asked to administer medication in a dosage that exceeds the highest recommended dosage listed in the current annual volume of the Physician's Desk Reference or other recognized medical or pharmaceutical text.

### **Medication Disposal**

Prescription medication remaining at the end of summer school must be taken home by the parent/guardian or will be destroyed. Over-the-counter medication that is not expired may be kept in lock-up for use the following year if the parent/guardian signs an Administration of Medication form for the following year.

For purposes of this regulation, the following definitions apply:

*Medications* include prescription, over-the-counter drugs, and for purposes of this policy, herbal preparations.

*Authorized prescriber* includes a health care provider licensed or otherwise authorized to prescribe medications by state law.

**Activities and Athletics****Student Publications****Purposes Of Student Publications**

The publications fulfill a vital role within the school community in providing a means by which students, faculty, administrators, and community can communicate with other students, faculty, administrators and community members. The publications serve as a forum for the constructive expression of ideas, opinions, plans for innovation, events, etc., in a factually informative, interpretive, and entertaining manner, thereby providing primarily the students but also the faculty and administrators with an instrument of constructive leadership for influencing the school and community.

Student publications offer students an opportunity for practical and legitimate journalistic experience in terms of writing, editing, organizing, administering, financing and budgeting, etc. Assuming a position of leadership on the student publication signifies the student's acceptance of responsibility. The acceptance of this responsibility also provides the student with the opportunity to develop the potential which he/she possesses.

**Standards**

In fulfilling their roles as participants in the community media, students must demonstrate their maturity and dependability, and must show that they are capable of analyzing problems and making sound judgments. The following statement is adapted and modified from the Canons of Journalism by the American Society of Newspaper Editors.

1. Responsibility - The welfare and the best interests of school and community members must be the guideline for the publication of all material.
2. Freedom -With every freedom of speech and of the press there is a corresponding responsibility. No freedom, not even that of speech and of the press, is absolute. Student publications must be free to print what has been responsibly considered, researched and written. The staffs must demonstrate objectivity, but at the same time must be free to express viewpoints after presenting all sides of an issue. This policy should not rule out articles marked as news analysis advocating a particular point of view.
3. Accuracy - Thorough research of all materials -- news, editorials, features and sports -- will be conducted and the facts presented in an objective, balanced and truthful manner. The facts will be verified; the reporter will present them in the proper perspective; and the publications will print only that which is based on fact after careful research and investigation.

4. Fairness - Student publications will not make unjust or undue attacks on any individual group or person, and will provide an open forum for any viewpoints which are opposed to those of the publication.
5. Decency - Material published -- language, pictures and artwork -- will not be offensive, obscene, pornographic or injurious to any person or group.

### **Objectives and Responsibilities Of The Publication Staff**

In student publications, staff members must assume the following responsibilities:

1. To make a concerted effort as a staff to learn and to apply correct journalistic techniques of writing, editing, advertising and to seek the aid of professional journalists and responsible adults when and where necessary.
2. To assume obligations of a journalist in being responsible, honest, sensitive, fair, impartial, decent and dedicated to the necessity of a free and responsible press.
3. To be open-minded and representative of all feeling and ideas within the community, not only their own.
4. To plan each issue of the paper in order to provide a balance of informational, interpretive and entertaining material (all factually based); to give consideration to the importance, significance and value of each article and to the possible effect each article will have on the general welfare of the readers.
5. To research and verify all story ideas and related material and to refuse to publish any material until it has been verified as truthful and accurate.
6. To set priorities for material covered in the newspaper based on the importance, significance and interest of the material to the majority of the readers.
7. To develop a keen sense of observation and awareness about school, student and community activities and to report these accurately.
8. To establish a schedule of deadlines and to meet those deadlines as professionals.
9. To correct promptly all errors of fact for which the newspaper is responsible.
10. To develop faculty and administrative confidences and to keep those confidences.

11. To be supportive of the total school community and its activities and personnel. (Supportive - defined as praise, comment, or constructive criticism based on the offering of alternative suggestions and plans. It also involves the inclusion of names in the news in order to promote a sense of personal involvement on the part of the readers.)
12. To encourage intelligent thought and action from the readers.

### **Coverage of Material**

News stories in student publications will be objective - free from opinion and bias. Stories will be based on facts obtained through thorough research and investigation. An emphasis will be placed on previewing upcoming events and activities to create interest. Newsworthy occurrences will receive attention in coverage articles. The stories will be presented on the pages of the paper in such a way that undue attention will not be given to articles of lesser value, interest or significance.

The primary function of features or special-interest articles is informational and entertainment. A special emphasis will be placed on in-depth coverage of material deemed to be of significant interest to the readers.

Sports articles will provide accurate description and records of athletic activities. Individual athletes will not be revered as stars or heroes, but proper credit for outstanding records, honors or performances will be given when due. The sports section of the paper will carry advance information to create interest in upcoming events as well as coverage articles for events. Material on the page will be varied to appeal to all readers, not just athletes and their avid fans. Proper coverage will be given to all teams and athletic activities, male and female, varsity and sub-varsity.

### **Responsibility For Handling Materials To Be Published**

#### Unchallenged Material

1. Writer directed to submit article and/or picture to page editor to whom reporter is immediately responsible; or unsolicited article submitted to an editor in that area.
2. Material reviewed by page editor responsible to determine if it meets standards for publications.
3. Materials reviewed by Editor-in-Chief.
4. Material reviewed by Faculty Advisor.
5. Principal
6. Material published.

## Challenged Material

### 1. Editorial Level

If material submitted to a page editor is rejected, the writer, after a conference with the editor, may appeal to the Editorial Board. If the Editorial Board rejects the material, the writer may appeal to the faculty advisor. The faculty advisor, after hearing both sides, considering all factors and giving guidance and counsel, shall submit in writing his/her recommendations and resolutions. The Editorial Board may by a two-thirds vote reject the proposal of the faculty advisor and not publish the material. The statement of the final action taken by the Editorial Board will be signed by all parties.

### 2. Editor-in-Chief Level

If material presented by a page editor is rejected by an editor-in-chief, the writer after a conference with the editor-in-chief may appeal to the Editorial Board. If the Editorial Board rejects the material, the writer may appeal to the faculty advisor. The faculty advisor, after hearing both sides, considering all factors and giving guidance and counsel, shall submit in writing his/her recommendations and resolutions. The Editorial Board may by a two-thirds vote reject the proposal of the faculty advisor and not publish the material. A statement of the final action taken by the Editorial Board will be signed by all parties.

### 3. Faculty Advisor Level

Material found unobjectionable by the Editorial Board but questioned by the faculty advisor shall be discussed by both parties. If the difference cannot be resolved, the material shall be presented to the building principal for review and guidance.

Material still found unobjectionable by the Editorial Board but questioned by the faculty advisor and/or building principal shall be presented at a joint meeting of the Editorial Board and the advisor. The faculty advisor must give specific reasons for his/her objections and give guidance to the group. The student writer shall be afforded an opportunity to present his/her viewpoint. If the Editorial board by a two-thirds vote still finds the material unobjectionable it may be printed. A quorum will be considered present when two-thirds of the Editorial Board attend a meeting, and two-thirds of those present must agree.

A brief statement summarizing the dialogue held and signed by all parties shall be presented to the building principal. The building principal shall forward the statement and copies of the article to the Superintendent and the Board of Education for their information. The signed statement shall signify that the Editorial Board fully understand the reservations of the faculty advisor and/or building principal and has chosen to exercise its option under the Board Policy.

4. Building Principal Level

The building principal/designee may delay or stop distribution of any materials proposed for printing or that have been printed which may be reasonably forecast to cause substantial and material disruption or obstruction of any lawful mission, process or function of the school.

The building principal/designee must forward a copy of the material to the Superintendent and a statement of reasons for delay or stoppage. The Superintendent shall schedule a hearing with all parties immediately to determine if the delay or stoppage was warranted.

**Editorial Page Policy**

An Editorial Board (composed of the editor-in-chief, chairman, the managing editor, news editor(s), editorial editor(s), feature editor(s), sports editor(s), photography editor(s), business manager, production manager, art editor and the head advertising manager) determines the content of the editorial page. Editorial ideas are presented to the Editorial Board for consideration. Editorials in the school publication will only be printed after all sides of an issue are considered and researched. The staff should consult with their advisor before printing issues that have a controversial connotation. The principal may also be consulted at the staff's discretion. There are basically four types of editorials which appear in the student publication:

1. The unsigned staff position: These editorials will deal with issues which the Editorial Board considers of importance to the school community and on which members of the Board reach a majority consensus after careful consideration and research of both sides of the issue. The purpose and content of each editorial or column will be stated in the article. Any editorial board member representing the minority opinion in these instances will be given space in which to express his/her view if he/she wishes. In instances of extremely controversial issues, unsigned editorials must represent the unanimous opinion of the Editorial Board. If a unanimous decision is not reached, both sides of the issue shall be printed under by-lines. Unsigned articles shall be designated as representative of staff opinion in the masthead of each issue.
2. By-line editorials: These editorials deal with issues the Editorial Board considers to be of importance, but on which they do not wish to take a staff position. These editorials may also represent issues on which members of the student body, not regularly affiliated with the student publication staff, wish to express an opinion after researching the issue - perhaps in response to an unsigned editorial.
3. Letters to the Editor: Letters to the editor shall be accepted from any reader so long as those letters are signed and are in keeping with the policy of the student publication. The staff reserves the right to edit any letter after consulting with the author. The staff may refuse any

letters which it feels are malicious, libelous, or irresponsible. Any letter that criticizes an individual or group shall be presented to that individual or member of that group before the letter is published so that the individual or group being attacked may make a response or reply if they so desire. The two letters shall then be published simultaneously. If the writer of any letter to the editor presents a good cause, his name may be withheld. This shall be so designated in the publication by "Name withheld upon request." The name of the writer may be available to legitimate authority for legitimate reasons if the student publication faculty advisor, the editor, and the writer so agree, legal requirements excepted.

4. Reviews and Critiques: Periodically, movies, books, plays and musical performances are reviewed or critiqued. This expression of interest in cultural activity is deemed as a legitimate function of the student publication in bringing these things to the readers' attention. All reviews and critiques - favorable and unfavorable - shall be constructive and in keeping with good taste. They shall not be malicious or irresponsibly done.

### **Pictures and Artwork**

Pictures and artwork in the publications shall add to the meaning of a story, shall serve to identify individuals, and shall generally add reader interest to the publication. These pictures shall cover many and varied individuals and activities. The photographs shall not violate the right of privacy and shall present a truthful situation. Cartoons and artwork shall have a definite function within the editorial context of the publication.

### **Copyright Law**

All published materials and reproductions of art work, etc., must not violate copyright laws.

### **Advertising and Business Management**

#### Financial Arrangements

The financial operation of student publications must be approved by the building principal in accordance with current district funding practices. At no time are financial arrangements to be entered into without principal or school district approval.

#### Advertising

1. Allocation of Space

The amount of space allocated to advertising in school publications should not dominate the overall image of the paper. This situation should be examined from time to time by the faculty advisor so as to protect as much editorial space as possible to develop the writing

abilities of students. The publication schedule and the size of the individual issues of the school publication shall be a matter of judgment of the faculty advisor and editorial staff.

2. Advertising Rates

Advertising rates per column inch will be sent by each school publication with approval of the faculty advisor.

3. Acceptable Advertising

Advertising shall be accepted from bona fide business firms in operation for a year or more or from new firms of a stable and permanent character.

Any advertising offering employment opportunities promising high earnings, travel or other extravagant claims should be thoroughly investigated.

4. Types Prohibited

- a. No advertising of liquor, tobacco or narcotics shall be accepted.
- b. Advertising soliciting sales of patent medicines, health treatments, salacious literature, joke devices, firearms, lotteries or any other items prohibited by postal laws shall not be accepted.
- c. When students and/or staff pictures are used in advertising, they shall be requested to sign permission slips.
- d. Advertising for motion pictures rated "R" and "X" may not be accepted. Pictures rated "G", "PG" and "PG-13" may be advertised.

5. Collections

Advertising contracts between the student publication and the advertiser are binding to both parties as per terms of the contract. In cases where the advertiser does not pay his due bill, the business manager shall send at four (4) week intervals three (3) "reminder" letters. If the bill remains unpaid, the business manager shall make a personal call on the advertiser. If at this time the bill remains unpaid, the advertiser's name and contract shall be turned over to the building principal for action, as is stated in the third reminder sent to the advertiser. If the student publication staff fails to fulfill its contract terms, the contract is automatically canceled at no expense to the advertiser if he/she so desires.

**Violations of Standards**

If any school publication or publication other than those sponsored by schools is in violation of standards of school publications, the principal/designee shall request the distributor to desist distribution and call for a hearing immediately with parties involved.

Hearing procedures shall follow those in the school district guidelines.

## **STUDENTS**

**Regulation 2920**  
**(Form 2920)**

### **Activities and Athletics**

#### **Interscholastic Activities and Athletics**

Interscholastic competition for secondary school students shall be provided through a variety of activities and athletics. Students are allowed to attain the privilege of representing their school by meeting the standards of eligibility as set forth by the Missouri State High School Activities Association (MSHSAA). These standards may include academic requirements, citizenship, age maximums, passing medical examinations and other items that are posted in the school and discussed by the coaches and sponsors with their students as well as mailed home to the parents/guardians of all student participants.

Interscholastic competition may be withheld from any student as a condition of discipline. Furthermore, all policies that apply to the regular school day apply also to interscholastic competition. Coaches and sponsors may establish policies for their groups in addition to those stated herein.

A student must be in attendance for the full day on days of extracurricular participation. Failure to do so will eliminate the student from practice or participation that day. Exceptions may be granted in special cases.

The following criteria will be followed:

1. Students will meet the eligibility requirements set out by MSHSAA.
2. Any student failing a class may be required to attend study sessions after school.
3. Any student receiving an incomplete grade because of failure to promptly complete work will be placed on the ineligibility list. Incomplete grades resulting from illness or other special circumstances during the last week or two of a grade period may be exempted.
4. Students displaying unacceptable citizenship behaviors may be suspended from participation.
5. Each coach and sponsor will establish written guidelines for their groups. These guidelines shall be presented orally and in written format. A copy of such guidelines will be on file with the principal.

The interscholastic competition program is an integral part of the secondary schools and shall supplement the curriculum program by providing worthwhile experiences to students that will enable them to develop the attributes of good citizenship. These programs will be administered by the principal/designee.

Adopted: December 15, 2003

Participation in interscholastic competition is for students in grades nine through twelve (9 - 12) as determined by the local area athletic conference and the MSHSAA.

Programs of interscholastic competition will be planned in accordance with MSHSAA regulations and conference rules, and will include programs reflective of student interest. All student members should participate insofar as feasible. Access shall be provided contingent on budgetary limitations and in accordance with District guidelines for the following:

1. School facilities.
2. Sponsors and coaches.
3. Scheduling of meetings, practice times and games.
4. Number of events at each level of competition.
5. Equipment, supplies and services.

All faculty sponsors and coaches must hold a valid Missouri State Teacher's Certificate. Non-faculty head coaches must have as a minimum a four-year college degree and a valid Missouri Substitute Teaching Certificate. Non-faculty assistant coaches must have as a minimum a valid Missouri Substitute Teaching Certificate. Non-faculty head and assistant coaches must successfully complete the MSHSAA/NFHS Coaching Principles and Sports First Aid courses. Sponsors and coaches are required to follow all District regulations.

A student engaged in interscholastic competition must portray good citizenship in the school and community. He/she shall be required to be in conformance with all general school rules and regulations, rules established by the sponsors and coaching staff for the program in which he/she is participating, and conformance with the laws of the community.

The District's High School is a member of the MSHSAA. In all interscholastic competition matters, this school will adhere firmly to the rules and regulations of MSHSAA.

### **Regulations Governing Student Participation**

A student must be under nineteen (19) years of age on or before July 1 preceding the opening of school, pass a medical examination and have parent/guardian permission. Ninth grade students must not be older than sixteen (16) years of age prior to July 1.

A student shall not be considered eligible while under out-of-school suspension. A student expelled or who withdraws from school because of disciplinary measures shall not be considered eligible for 365 days from the date of expulsion or withdrawal.

A student who is absent from school on the day of an interscholastic contest or on a Friday before an interscholastic contest on a Saturday will not be permitted to participate in said contest without a written release from the school principal.

Credit earned or completed after the close of the semester shall not count as having been earned that semester, except in case of a delayed final examination because of illness certified by a physician. Credit earned in summer school may count for or against the student's record for eligibility purposes if the classes are required for graduation from the local school. Students may count up to one (1) unit of credit for summer school toward establishing their eligibility for the fall semester. Summer school electives will not count toward eligibility.

A student shall not accept a cash or merchandise award in any competition in which MSHSAA member schools compete interscholastically. Awards for participation in nonschool competitions during the summer shall meet the same standards as awards given by schools during the school year.

The student must meet all other eligibility requirements of MSHSAA and the local area high school athletic conference.

Competition by students in organized nonschool-sponsored competition must meet the following conditions:

1. During the season, a student who represents his/her school by competing in an interscholastic contest shall not compete as a member of a nonschool team or as an individual participant in an organized nonschool competition in that same contest.
2. A student may compete in organized nonschool competition in other events in which MSHSAA member schools compete interscholastically if no school time is missed to compete, practice for, or travel to the site of nonschool competition; and if the student does not practice for or compete in the nonschool competition on the same date he/she practices or competes for the school.

District participation in interscholastic competition will be subject to approval by the Board.

Budgeting for the interscholastic competition program will include gate receipts and be incorporated into the general District budget. No expenditures for interscholastic competitions may be made in excess of those listed in the budget without approval by the Superintendent.

### **Physical Exams, Insurance and Parental Permission**

Students are required by the MSHSAA to furnish a physician's certificate stating that they are physically able to participate in athletic contests, verification of basic insurance coverage and a statement signed by the student's parents/guardians granting permission to participate before they are eligible to participate in any athletic practice.

### **Transportation**

Students are required to ride to and from contests on transportation provided by the District. Exceptions to this may only be made by prior approval of the principal or by approval of the coach/sponsor to allow the student to ride home with his/her parent only, who provides a written release.

### **Hazing**

Student hazing is expressly prohibited by Board of Education policy. For purposes of this policy, hazing is defined as willful conduct directed at another student, whether occurring on or off school property, for purposes of initiation or admission to any school-related activity or athletic team. conduct prohibited by this policy includes, but is not limited to, exposure or contact of genitals, buttocks, or breasts (female students), directly or indirectly through contact with undergarments; threats of physical harm; and infliction of physical or mental harm or humiliation.

Students found to have violated this policy will be subject to suspension/expulsion from school and suspension and exclusion from activities/athletic participation depending on the severity of the misconduct.

Nonstudents who participate or enable the hazing of students may be excluded from attendance at school activities and school athletic events. District employees, including sponsors and coaches who have knowledge of student hazing, but fail to take corrective action, will be subject to discipline up to and including termination.

### **Missouri State High School Activities Association (MSHSAA)**

Students have the responsibility to follow all rules of the MSHSAA, the Carthage R-IX School District and the coach/sponsor. Parents have an obligation to ensure that their children follow all rules of the MSHSAA, the Carthage R-IX School District and the coach/sponsor.

**Note:** Students participating in state music or speech and drama contests must be enrolled in an appropriate class.

## **STUDENTS**

## **Regulation 2940**

### **Activities and Athletics**

#### **Student Group Use of School Facilities**

Secondary schools will provide an opportunity for student-initiated noncurricular groups to meet on school premises during noninstructional time when the following criteria have been met:

1. A meeting must be voluntary and student-initiated. No student shall be in any way coerced to participate in religious or other activity. Teachers and school administrators, when acting within the course and scope of their employment, will strictly observe a policy of official neutrality regarding religious activity.
2. No school employee may sponsor, promote, lead, or participate in any student-initiated, noncurricular meeting. However, a teacher, administrator, or other school employee may be assigned to monitor the group's facility use and student conduct.
3. Employees and agents of the school may be present at student-initiated religious meetings only in a nonparticipatory capacity.
4. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school.
5. Nonschool persons may not direct, conduct, control, or regularly attend the meetings of a student-initiated, noncurricular group.