

# **Francis Howell School District**

## **Code of Student Conduct**



## **Table of Contents**

Introduction	2
Classroom Discipline Guidelines	3
Behavioral Infractions and Response Levels	6
Behaviors and Response Levels	7
Discipline Definitions	20
Student Alcohol & Drug Abuse	23
Firearm-Free Schools	24
Network and Internet Acceptable Use Guidelines	25
Corporal Punishment is Prohibited	26
Bus Guidelines	27
Glossary of Terms	28

## **Introduction**

### **POSITIVE, RESPECTFUL SCHOOL ENVIRONMENTS ARE IMPORTANT FOR LEARNING**

Everyone desires their school to be a welcoming, friendly, and respectful place. By working together, students, parents/guardians, staff, and the community can make their school a great place to learn. The principal is responsible for maintaining a positive learning environment. Students can help by remembering to:

- Be safe, responsible, and calm
- Be respectful to all peers and adults
- Be respectful of all school property
- Be at school and in classes on time
- Be prepared for class, including assignments and supplies
- Participate in their learning
- Be kind and use appropriate language
- Dress appropriately
- Follow the rules of the school and their teachers
- Respect and accept the differences among others
- Express how they are feeling or what they need in helpful and appropriate ways
- Resolve disagreements in acceptable ways

### **BEHAVIOR SUPPORT**

Many FHSD schools have adopted an Multi-Tiered System of Supports approach for teaching the desired behaviors and supporting students that need additional reinforcement.

### **CHARACTER EDUCATION**

Many FHSD schools also have well-established Character Education programs that work to create a “caring community of learners” by developing positive character traits in young people through intellectual, social and ethical development. The District has three (3) schools that have received Missouri School of Character designation and two (2) schools that have received the National School of Character recognition.

### **LEADER IN ME**

One FHSD school has adopted Covey's Leader In Me as a way to develop leadership in students. Based on *The 7 Habits of Highly Effective People*, Leader in Me equips students with the self-confidence and skills they need to thrive in the 21st-century economy. Leader in Me schools consistently report improved school culture and an overall decrease in disciplinary issues.

The Francis Howell School District Code of Student Conduct describes student behavior that is considered inappropriate or disruptive. It also provides a range of procedures that may be used to prevent such behavior and disciplinary responses that may be used if students engage in stated behavior. The Francis Howell School District also supports the use of intervention procedures that provide students with guidance, direction, and support for success in school.

## Classroom Discipline Guidelines

Building positive relationships with students is the cornerstone of effective classroom management. Teachers have the responsibility to maintain a classroom environment conducive to learning. Community building circles are encouraged by the District as a way to build a caring community that takes care of and monitors itself. Classrooms with strong, positive relationships between the students and teachers promote engaging learning environments. We believe that learning occurs best within a learning community where students collaborate with one another and are developing skills to make them ready for society and the workforce. Classroom disruption or a combination of disruptions including, but not limited to, excessive talking, being out of seat, throwing objects, disturbing others, improper use of electronic devices, note passing and/or other actions which interfere with the educational process are not acceptable.

### Steps for Disciplinary Action

Initial problem	Teacher confers with student
Continued problem	Teacher gives student a warning Teacher may refer student to a buddy room/calming space Teacher may contact parent(s)/guardian(s)
Problem is not resolved after a warning	Teacher may opt to assign detention or hold a collaborative problem solving meeting with student and/or parent(s)/guardian(s)
Problem is not resolved after detention or meeting	Teacher refers student to the principal's office

### Tardy Policy

Detentions will be assigned by the teacher/principal when students arrive to class after the bell rings, arriving up to 10 minutes late. The number of tardies that constitute a detention will be determined at the building level. After multiple tardies have been accumulated, students may also receive a referral to the office for further discipline.

## **Behavioral Infractions and Response Levels**

Policies of the Francis Howell School District are designed to contribute to a positive educational environment used on safety, achievement and personal success. Therefore, the charts on the upcoming pages will demonstrate behavioral infractions defined by the Francis Howell School District and the corresponding level of discipline.

The levels of consequence may vary between elementary and secondary. It is important to remember that the sole purpose of discipline is to teach the desired, appropriate behavior and to prevent the inappropriate behavior in the future.

The Behavioral Infractions listed in the upcoming pages will be reviewed with all students in an age-appropriate manner. Parents are encouraged to review the infractions with their children.

School trips or other school activities, including those off school premises, are under the authority of duly assigned school personnel. All District policies and regulations are in effect during these activities whether elementary or secondary (middle and high school) students are involved. Students will be held accountable to the Code of Student Conduct for infractions that occur during field trips and activities that take place off of FHSD property.

The FHSD can and will assign school discipline for incidents that occur off campus if there is a nexus (connection) to school or if the incident causes a disruption to the school environment.

THE CODE OF STUDENT CONDUCT CANNOT BE EXPECTED TO LIST OR DESCRIBE EACH AND EVERY OFFENSE WHICH MAY REQUIRE THE USE OF DISCIPLINARY ACTION. NEVERTHELESS, THE DISTRICT SPECIFICALLY RESERVES THE RIGHT TO IMPOSE ANY CONSEQUENCE THAT MAY BE APPROPRIATE UNDER THE CIRCUMSTANCE, DEPENDING UPON THE NATURE, SEVERITY AND FREQUENCY OF THE CONDUCT AT ISSUE.

## Behaviors and Response Levels

<b><u>RESPONSE LEVEL 1</u></b>	<b><u>RESPONSE LEVEL 2</u></b>	<b><u>RESPONSE LEVEL 3</u></b>	<b><u>RESPONSE LEVEL 4</u></b>	<b><u>RESPONSE LEVEL 5</u></b>
Classroom Intervention with or without Discipline ----- Teacher conference with student and reteach appropriate behavior and/or classroom rules  Student sent to buddy room  Verbal/written communication to parent(s)/guardian(s) related to the behavior  Deny special privileges such as incentives or activities beyond the curriculum  Teacher/parent/guardian conference  Withhold recess - partial/whole (should be used only when there are no other options to address the behavior infraction)  Detention  Restorative Conference	Staff Intervention with or without Administrative Discipline ----- Level 1 Responses and/or  Restitution  1st Offense - Detention up to 3 days of In-School Suspension  2nd Offense - Up to 5 days of In-School Suspension  3rd and Subsequent Offense - Up to 5 days Out-of-School Suspension  Restorative Conference	Intensive Intervention and Administrative Discipline ----- Levels 1-2 Responses and/or  Multiple days of In-School Suspension and/or Up to 10 days Out-of-School Suspension (May use combination of in and out of school not to exceed 10 days)  Restorative Conference	Intensive Strategies, Intervention and Administrative Discipline ----- Up to 10 days of Out-of-School Suspension and potential referral to a Committee on Conduct hearing with possible additional days Out-of-School Suspension up to 180 days  Restorative Conference	Intensive Intervention with Possible Long-Term Removal from School and Re-Engagement Strategies ----- Mandatory 10 days Out-of-School Suspension and referral to a Committee on Conduct hearing with possible additional days Out-of-School Suspension up to 180 days Possible Recommendation for Expulsion  Weapons Violation - Suspension of not less than one year (365 calendar days) or expulsion, with determination to be made in accordance with Mo. Rev. § 160.261

\* (Elem) designates response levels that are specific to elementary.

\*Intent, scope of impact, and severity of behavior will be considered when determining level of infraction.

### **ABUSIVE/INAPPROPRIATE LANGUAGE/PROFANITY (AL)**

	<b>Level 1</b>	<b>Level 2</b>	<b>Level 3</b>	<b>Level 4</b>	<b>Level 5</b>
Swearing, cursing, or making obscene gestures, or written or verbal put downs not directed toward another person or group of people					
Swearing, cursing, or making obscene gestures, or written or verbal put downs directed toward another person or group of people					
Inappropriate language that is otherwise rude, vulgar, defiant, considered inappropriate in educational settings or that significantly and substantially disrupts classroom work, school activities or school functions.					

### **AGGRESSIVE BEHAVIOR**

Hitting, slapping, pushing, tripping, shoving, kicking, spitting, biting or any other inappropriate physical act of aggression by one student directed at another student that does not involve bullying or harassment and does not rise to the level of a fight or physical attack					
---	--	--	--	--	--

### **ALCOHOL (A)**

	<b>Level 1</b>	<b>Level 2</b>	<b>Level 3</b>	<b>Level 4</b>	<b>Level 5</b>
Possession of any beverage containing alcohol; use and/or being under the influence of, or soon after consuming any alcoholic beverage					
Distribution of a beverage containing alcohol					

### ARSON (AR)

	Level 1	Level 2	Level 3	Level 4	Level 5
Setting a fire, or attempting to set a fire					

### ASSAULT WITH INJURY (AS)

Levels 4 and 5 require a referral to law enforcement.

	Level 1	Level 2	Level 3	Level 4	Level 5
Of a student or staff member, attempting to kill or cause serious physical injury— exertion of physical force by a student with the intent to do serious physical injury. A referral to law enforcement will be made by school administration.					

### ASSAULT WITH NO INJURY (ANI)

Levels 4 and 5 require a referral to law enforcement.

	Level 1	Level 2	Level 3	Level 4	Level 5
Physical attack against a student or staff member			(Elem)		
Use of physical force, including the use of an object, directly against or affecting a student or staff member or any adult who is legitimately exercising authority at the school or during any school activity				(Elem)	



### **BULLYING/CYBERBULLYING (BULLY)**

Required Sub Code: BD – Bullying based on disability, BR – Bullying based on race/national origin, BS – Bullying based on sex, BSO – Bullying based on sexual orientation, BBR – Bullying based on the basis of religion, B OTH – Bullying Other

	Level 1	Level 2	Level 3	Level 4	Level 5
<p>Intimidation, unwanted aggressive behavior or harassment (including criminal harassment under the Safe Schools Act), that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property; substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property; substantially interferes with the educational performance, opportunities or benefits of any student without exception; or substantially disrupts the orderly operation of the school. Bullying may consist of physical actions, including gestures, or oral communication, cyberbullying, electronic or written communication, and any threat of retaliation for reporting of such acts.</p> <p>“Cyberbullying” means bullying through the transmission of a communication including, but not limited to, a message, text, sound, or image by means of an electronic device including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer or page. Students will not be disciplined for speech in situations where the speech is protected by law</p>					

### **COMPUTER/TECHNOLOGY MISUSE (CTM)**

	Level 1	Level 2	Level 3	Level 4	Level 5
Attempting, regardless of success, to gain unauthorized access to technology; accessing inappropriate content; securing a higher level of privilege without authorization; hacking; evading/disabling a filter					
Misuse of Artificial Intelligence (AI) that causes a disruption to the educational environment, or school activity					
Recording a fight	(Elem)				

### DEMEANING SPEECH

	Level 1	Level 2	Level 3	Level 4	Level 5
Including, but not limited to, use of hate language (written or spoken) to demean other persons due to the person's race, color, sex, national origin, age, ethnicity, disability, religion, sexual orientation or perceived sexual orientation (may also result in a Title IX or Title VI referral). This includes conduct, verbal, written or symbolic speech. May be considered a Level 4 infraction if deemed serious enough by the principal/designee.					

### DISRESPECT (DIS)

	Level 1	Level 2	Level 3	Level 4	Level 5
Words, tone of voice, facial expressions, written expressions or gestures. May include unwanted behavior by others and the refusal to stop. May be student to teacher or student to student.					

### DISRUPTIVE BEHAVIOR (DB)

	Level 1	Level 2	Level 3	Level 4	Level 5
Behavior that is a disruption to instruction and the learning of other students in the classroom					
Intentionally kicking, throwing, or releasing an object (including a snowball) that has the potential to cause a disruption, injury, or property damage and/or the object makes physical contact with another student or peer, when the act of throwing or releasing the object is not part of a supervised activity or is not for its intended purpose.					

### DRESS CODE VIOLATION (DCV)

	Level 1	Level 2	Level 3	Level 4	Level 5
Mode of dress or appearance in violation of the dress code, inappropriate for school activities and/or disruptive to the educational process including, but not limited to, sagging/revealing clothing, exposure of undergarments, wearing of spikes and/or chains, or inappropriate print on garments/masks (e.g. sexual connotations, drugs, intoxicating beverages, firearms, illegal activities, etc.). Principals may ask students to have parents bring up an appropriate change of clothing. If after a student has been asked to change into clothing that meets the dress code a student is later found to be in violation of the dress code again, additional discipline may be imposed.					

### DRUGS (D)

	Level 1	Level 2	Level 3	Level 4	Level 5
Smells of cannabis, without evidence of use or being under the influence, enough to cause disruption to the learning environment					
Use of any drug(s) or being under the influence of any drug, including cannabis					
Possession of any drug(s) or paraphernalia, including cannabis					
Purchasing cannabis and/or any drug(s) other than cannabis					
Distribution or sharing of a drug(s), including cannabis, to or with another student					
Possession or use of including, but not limited to, non-prescription drugs is a Level 2 offense.					
Possession or use of including, but not limited to, non-prescription drugs is not allowed. Distribution, sale or purchase of (including, but not limited to, non-prescription drugs) or under the influence of "over the counter" medications causing behaviors that are disruptive to the educational environment, including supplements. If a student needs over the counter due to a medical condition, then they are to report the item to the nurse.					

### EXPOSURE (EX)

	Level 1	Level 2	Level 3	Level 4	Level 5
Not sexual in nature. Such as urinating in public.	(Elem)				
Includes display in public location of buttocks and/or genitals or removal of another person's or one's own attire exposing any private area of the body and/or undergarments. "Pantsing" falls under this infraction. May result in a referral to the building compliance officer.					

### FIGHTING (FG)

	Level 1	Level 2	Level 3	Level 4	Level 5
Mutual combat in which both parties have contributed to the conflict either verbally or by physical action (i.e., hitting, punching; may involve hitting with an object, kicking, hair pulling, scratching, etc.).		(Elem)			
Mutual combat that includes serious physical injury to another individual.			(Elem)		
Words or actions to incite a fight, including taunting, baiting, inciting, and/or encouraging a fight, a disruption, or other violation of school rules, or recording a fight.	(Elem)				

### GAMBLING (GM)

	Level 1	Level 2	Level 3	Level 4	Level 5
Non-instructional activities that include betting on an uncertain outcome, regardless of stakes; engaging in any game of chance in which something of real or symbolic value may be won or lost. Examples include but are not limited to betting on outcomes of activities, assignments, contests, and games.					

### HARASSMENT/INTIMIDATION (HI)

Required Sub Code: HD – Harassment based on disability, HR – Harassment based on race/national origin, HS – Harassment based on sex, HSO – Harassment based on sexual orientation, HBR – Harassment based on basis of religion, HOTH – Harassment Other

	Level 1	Level 2	Level 3	Level 4	Level 5
Unwelcome physical contact or verbal, written or symbolic language based on gender, gender identity, gender expression, race, color, religion, sex, sexual orientation, national origin, ancestry, disability, or any other characteristic protected by law. Examples of illegal harassment include, but are not limited to, racial jokes or comments; requests for sexual favors and other unwelcome sexual advances; graffiti; name calling; or threatening, intimidating or hostile acts based on a protected characteristic					
Intimidation is intentional behavior that would cause a person of ordinary sensibilities to fear injury or harm. It is not necessary to prove that the behavior was so violent as to cause said fear or that the victim was actually frightened. Any act that meets the definition of					

harassment/intimidation but is not directed at one of the protected classes by law should be sub-coded as HOTH-Harassment Other					
Used to track alleged harassment. Required for reporting to OCR when there are alleged incidents of harassment/intimidation where an offender cannot be identified. This code should be used anytime someone claims harassment, but it cannot be substantiated or found NOT to be harassment.					

### HAZING (HAZE)

	Level 1	Level 2	Level 3	Level 4	Level 5
An activity that a reasonable person believes would negatively impact the mental or physical health or safety of a student or put the student in a humiliating or stressful position for the purposes of initiation, admission, membership in any group, class, organization, club or athletic team. Hazing can occur even when all students involved are willing participants					

### INAPPROPRIATE OBJECT/COMBUSTIBLE ITEM (IO)

	Level 1	Level 2	Level 3	Level 4	Level 5
The physical presence of an item inappropriate for the school setting including matches, lighters, chemicals or other devices used to ignite or start fires. Inappropriate items do not have to be combustible (e.g., toy guns, small knives with blades < 4 inches, shell casings, or items used inappropriately like rocks).					

### INAPPROPRIATE PHYSICAL CONTACT

	Level 1	Level 2	Level 3	Level 4	Level 5
HORSEPLAY: Pushing/shoving/hitting but may be lacking intent to harm or cause injury. Actions, repetitive in nature, may be considered a different category.					
Inappropriate physical touching of others that is unwelcome.					

### INSUBORDINATION (IS)

	Level 1	Level 2	Level 3	Level 4	Level 5
Not cooperating with school rules or instructions of school staff or volunteers					
Failure to disperse from a fight or disruption when directed by adults					
Trespassing					
Circumventing school safety protocols, including opening secured exterior doors to permit access to another person					

### INTEGRITY (INT)

	Level 1	Level 2	Level 3	Level 4	Level 5
Lying - Omitting information, trying to deceive, or not telling the truth to an adult or peer.					
Cheating/Plagiarism - Using, submitting, obtaining or attempting to obtain data, questions, or answers by means other than those authorized the teacher, including unapproved use of AI  Carries the penalty of a zero on the test/assignment and teacher notifies parent(s)/ guardian(s) and the administrator of the problem; includes electronic cheating. Multiple incidents may result in a Level 2 offense.					
Forgery - Submitting work of others or documents with false signatures					

### MISSED CONSEQUENCES (MCS)

	Level 1	Level 2	Level 3	Level 4	Level 5
Missing school-assigned consequences					

### NEGLIGENT BEHAVIOR

	Level 1	Level 2	Level 3	Level 4	Level 5
Causing damage to another person's property or injury to or endangering the safety of another person (including, but not limited to, the use of "shock" toys, lab safety violations, and other irresponsible behavior). Student pranks may also be included in this category.					

### OTHER (OTH)

	Level 1	Level 2	Level 3	Level 4	Level 5
Misbehavior that impacts the good order of the school arising to an offense. This category may be used for infractions that do not fall under one of the infraction descriptions.					

### PERSONAL ELECTRONIC DEVICE MISUSE

Presence and/or misuse of a personal electronic device as defined by the expectations within the Code of Student Handbook.

	Level 1	Level 2	Level 3	Level 4	Level 5
Elementary School - Using, displaying or turning on personal electronic devices during the school day.					
Middle School - Using, displaying or turning on personal electronic devices during the school day.					
High School - Using, displaying or turning on personal electronic devices during the school day, unless the use is part of academic purposes authorized by staff.					
Creating digital images, videos, and audio recordings that disrupt the educational environment, pose the potential to disrupt the educational environment, or violate the privacy of others.					

### PROPERTY DAMAGE/VANDALISM (PD)

	Level 1	Level 2	Level 3	Level 4	Level 5
Willful damage or attempt to cause damage to property (including technology) belonging to the school, staff, or students; restitution may be required to replace damaged property.					
Felony property damage, as defined by law. Must consult with law enforcement. Restitution may be required to replace damaged property.					

## SCHOOL THREAT

A threat assessment may be conducted to determine the validity and severity of a threat.

	Level 1	Level 2	Level 3	Level 4	Level 5
False Alarms – Activating the school's fire and/or other alarm systems, reporting a fire when no fire exists, or making a false alarm call to 911		(Elem)			
Attempting to or using a firework, smoke bomb, pepper spray/gas, MACE, tear gas or stink bomb					
Communicating a school or large group threat or false report (verbally, electronic, written, or through social media) for the purpose of frightening or disturbing people, disrupting the educational environment, or causing the evacuation or closure of district property. This includes the threat to bring a weapon to school					
Making a bomb threat or threatening to set off an explosive device without actual possession of the bomb or explosive device					
Possession of a bomb or other explosive device					

## SEXUAL MISCONDUCT/SEXUAL HARASSMENT (SM)

If images/video are of a minor, notification of law enforcement and child protective services must be made.

	Level 1	Level 2	Level 3	Level 4	Level 5
Verbal, written, symbolic language, exposure (sexual in nature), or physical contact that is unwanted and sexual in nature. e.g., pinching, grabbing of breasts, buttocks, private areas, etc. This includes electronic "sexting".					
Possession of sexual images or recordings on school property or at school-sponsored events.					
Distribution on school property of sexual images or recordings or at school-sponsored events; including the distribution of pornographic images.					
Sexual acts on campus including displays of affection.					

## TARDY(TAR)

	Level 1	Level 2	Level 3	Level 4	Level 5
Arriving up to 10 minutes late. Over 10 minutes is considered truant.					



### THEFT (TH)

	Level 1	Level 2	Level 3	Level 4	Level 5
Taking something, attempting to take something, or possession of something that is not yours.					
Felony stealing, as defined by law. Must consult with law enforcement. In Missouri, felony theft occurs when the value is \$750 or more. RSMo Section 570.030					

### THREAT/VERBAL CONFRONTATION (T)

A threat assessment will be conducted to determine the validity and severity of a threat – Transient or Substantive.

	Level 1	Level 2	Level 3	Level 4	Level 5
Verbal, written and non-verbal threats toward another person where there is no reasonable apprehension of bodily harm.					
Verbal confrontations with other students or adults that may or may not include the use of profanity without the use of threats but cause a disruption of the learning environment.					
Volatile Acts – Disorderly violent, or threatening conduct of a serious nature that significantly disrupts school, a school-sponsored activity, or a school-supervised activity held off school premises.					
Transient threats, as determined by threat assessment, of violence to individual or small groups through electronic, verbal, written, or social media.					
Serious substantive threats, as determined by threat assessment, toward another person(s). Consult with law enforcement.					
Very serious substantive threats, as determined by threat assessment, using social media (including but not limited to Snapchat, Twitter, Facebook, etc.) toward another or to cause a disruption. Could include terroristic threats. Consult with law enforcement.					

### TOBACCO/NICOTINE DELIVERY SYSTEMS (TB)

	Level 1	Level 2	Level 3	Level 4	Level 5
Possession and/or use of any tobacco product or nicotine inhaler (i.e., electronic cigarette).					
Possession and/or use of a “vape” pen.					
Distribution of nicotine paraphernalia, including the					

selling/distribution of nicotine vape.					
--	--	--	--	--	--

### TRUANCY (TR)

	Level 1	Level 2	Level 3	Level 4	Level 5
Any unauthorized absence from class or school for any student regardless of age, including any portion of the day over 10 minutes, is considered truancy. Although truancy usually refers to an absence of which parents are unaware, certain absences of which the parent is aware will be treated in the manner of truanancies; includes eloping or leaving an area or building without permission					

### WEAPONS (W)

Law enforcement must be contacted when using this code.

	Level 1	Level 2	Level 3	Level 4	Level 5
Possession of any weapon as defined in FHSD Board Policy.					
Use of any weapon as defined in FHSD Board Policy.					
Sale, solicitation, and/or distribution of any weapon as defined in FHSD Board Policy.					

## **DISCIPLINE DEFINITIONS**

### **Detention Study Hall**

A supervised study hall environment served outside of school hours. Saturday School is a supervised study hall environment served outside of school hours on Saturday morning. Times will vary by school. Student activity is closely monitored and restricted. Students are expected to be quiet during the entire detention period and to work exclusively on assigned tasks. Late arrivals will not be allowed to serve the assigned detention.

### **In-School Suspension (ISS/ISAP)**

A structured, self-contained environment where the student will be given the opportunity to complete assignments for credit. A parent/guardian will be contacted prior to student placement in ISS/ISAP. If a student with an IEP is placed in ISS/ISAP, their special education services will be provided as stated in the IEP or the time in ISS/ISAP counts as an out-of-school suspension. A student may participate in after school activities upon completion of their entire assigned in-school suspension.

### **Out-of-School Suspension (OSS)**

Removal from attendance at school. A student and parent/guardian conference may be required prior to the student's return to school. Students who receive OSS will have the opportunity to make up their missed work for 100% credit except in the circumstances indicated below.

A student's grade during suspension time will be based on the work that was provided for the student to complete outside of class during the suspension period. If a student is offered an alternative setting and this setting is declined, the parent(s)/guardian(s) will assume responsibility for the student's education for the duration of the suspension.

NO MAKE UP WORK WILL BE ALLOWED IF:

- OSS return work not submitted by due date
- ISS/ISAP work not completed by the day the student returns to class
- Student/Parent(s)/Guardian(s) opts not to take AIP (Alternative Intervention Program)
- Suspension is greater than 55 school days

Any student who is suspended from school may not be present on school property or any other District property during the time of the out-of-school suspension. Furthermore, a suspended student may not participate in or attend any extracurricular activity either on or off campus during the length of suspension. After completing their out-of-school suspension, a student must re-establish themselves as a credible school citizen before participating in or competing in activities. However, a student is allowed on District property to attend a Committee on Conduct hearing and to attend an assigned alternative program.

Any student returning to school following an out-of-school suspension must attend a re-entry meeting involving a principal/designee and may include the student's parent(s)/guardian(s).

**Out-of-school suspension for 10 to 180 days**

The superintendent/designee may suspend a student for up to 180 school days and recommend longer suspensions and expulsions to the Board of Education. Only the Board may impose suspensions in excess of one hundred eighty (180) days. The Committee on Conduct hearing will be convened to review the behavior resulting in the initial suspension and to make a recommendation regarding suspensions of more than ten (10) days out of school and/or expulsions.

**Committee on Conduct Hearing**

A Committee on Conduct hearing will be held prior to the implementation of any out of school suspension of more than ten (10) school days. The Committee on Conduct hearing shall consist of the hearing officer, the principal/designee and other building or district personnel when deemed necessary. The student and their parent(s)/guardian(s) will be afforded an opportunity to appear at the Committee on Conduct hearing. The hearing will be held during the student's initial ten (10) school day suspension. Attorneys are not permitted to attend Committee on Conduct hearings (other than a parent/guardian who is an attorney and is in attendance with their own child). Recording devices are not permitted in Committee on Conduct hearings unless it is necessary to accommodate a parent's/guardian's disability. Notification of the need to use a recording device as an accommodation must be received by the Student Services Department at least 48 hours in advance of the hearing.

A student who is suspended out of school for more than ten (10) days by the superintendent's designee may, within ten (10) days of receiving notice of such suspension, request an appeal of the Committee on Conduct decision to the Superintendent of Schools if they have information they believe was not considered in the hearing. Such a request must be received in the office of the Superintendent prior to 4:30 p.m. on the date the request for appeal is due. Attorneys are not permitted to attend the appeal meeting with the Superintendent of Schools.

If the student's parent(s)/guardian(s) disagrees with the decision of the Superintendent of Schools, a request can be made for a hearing before the Board of Education. A student who requests such a hearing will be notified in writing of the charges against the student; the time, date, and location of the hearing; and the student's right to be represented by counsel, to call and cross-examine witnesses, and to present other evidence in the student's defense.

**Special Education (Students with Disabilities) Discipline Provision**

Students currently receiving special education services will be disciplined in accordance with state and federal mandates. In cases where students with disabilities are recommended for a Committee on Conduct hearing, and the results of that hearing include a suspension over 10 school days, a Manifestation Determination meeting will be held to determine whether or not the infraction was related to the student's disability following a Committee on Conduct hearing.

**Expulsion**

The term expulsion refers to permanent exclusion from school. In addition to imposing a long-term suspension, the Superintendent of Schools may recommend to the Board of Education that the student be expelled from school. The Board will review such recommendations and decide whether to proceed with an expulsion hearing. If the Board of Education proceeds with an expulsion hearing,

the student and parent(s)/ guardian(s) will be notified in writing of the charges against the student; the time, date and location of the hearing; and the student's right to be represented by legal counsel, to call and cross-examine witnesses, and to present other evidence in the student's defense. No student will be expelled without a hearing before the Board of Education.

Per District Policy 2660, no student shall be readmitted or permitted to enroll (except as required by law) following a suspension or expulsion from this District or from any other School District until the District has conducted a meeting to consider possible readmission. During the meeting, participants will consider the conduct which resulted in discipline and any remedial actions believed to be necessary to prevent future occurrences of similar conduct.

However, no student will be readmitted or enrolled if the student was convicted of, charged as an adult or juvenile without final adjudication, or convicted of juvenile conduct, which, if charged as an adult, would constitute one of the following offenses:

- First degree murder (Mo. Rev. Stat. § 536.020)
- Second degree murder (Mo. Rev. Stat. § 565.021)
- First degree assault (Mo. Rev. Stat. § 565.050)
- Forcible rape (Mo. Rev. Stat. § 566.030)
- Forcible sodomy (Mo. Rev. Stat. § 566.060)
- Robbery in the first degree (Mo. Rev. Stat. § 570.023)
- Distribution of drugs to a minor (Mo. Rev. Stat. § 579.020)
- Arson in the first degree (Mo. Rev. Stat. § 569.040)
- Kidnapping as a Class A felony (Mo. Rev. Stat. § 565.110)
- Statutory rape (Mo. Rev. Stat. § 566.032)
- Statutory sodomy (Mo. Rev. Stat. § 566.062)

## PERSONAL ELECTRONIC DEVICES

### Expectations for High Schools

#### Expectations for Electronics

The Francis Howell School District recognizes the value of the teaching and learning process. For the benefit and focus for teaching and learning while at school, students are prohibited from using their personal electronic devices, such as cell phones, during the school day. The display or use of any electronics by students during the school day is strongly prohibited. Student use of electronic devices is only permissible when required by staff for educational purposes.

### Expectations for Elementary and Middle Schools

#### Expectations for Electronics

The Francis Howell School District recognizes the value of the teaching and learning process. For the benefit and focus for teaching and learning while at school, students are prohibited from using their personal electronic devices, such as cell phones, during the school day. The display or use of any electronics by students during the school day is strongly prohibited and is governed by the following stipulations.

a. The following definitions apply to Electronics:

- The terms “**electronics**” or “**electronic devices**” mean any and all electronic components, devices, or equipment, including but not limited to cell phones, smartwatches, video game systems, headphones of any kind (including ear buds), speakers, and cameras.

**NOTE:** Does **NOT** include computers, laptops, or chromebooks used for classwork. Does not include assistive technology that is included within this document in the last section: **Exceptions for Assistive Technology.**

b. **General Rules Applicable to all Students**

The following rules relating to display or use of electronic devices apply to all students:

#### **(i) Responsibility for Electronic Devices**

Students, who bring electronic items to school, do so at their own risk and are responsible to secure the item from damage, theft, or loss. The school and district are not responsible for students' personal electronic devices.

#### **(ii) Creation of Digital Images, Videos, and Audio Recordings**

Students are prohibited from creating digital images, videos, and audio recordings that disrupt the educational environment, pose the potential to disrupt the educational environment, or violate the privacy of others.

#### **(iii) Consequence for Misuse of Electronic Devices**

If a student brings an electronic device to school and it is visible, audible, or in the possession of or being used by a student during an unauthorized time, that student is subject to the consequences set out in the Code of Conduct (COC) and the student may have his or her electronic device confiscated by an administrator. In the event an electronic device is confiscated, the building administrator will notify the student's parent(s) and return the confiscated electronic device to the student at the end of the school day on which it was confiscated.

#### **(iv) Exceptions for Assistive Technology**

Restrictions on electronic devices in this section do not apply to assistive technology devices that are required by a student with disabilities as part of his or her Individualized Education Program ("IEP"), related services, or supplementary aids and services. Exceptions also apply to accommodations required under a Section 504 plan. Assistive technology devices required by students as established by their IEP or Section 504 plans may be used during the school day, including during class time, as necessary to facilitate their learning and participation, in accordance with their IEP or Section 504 plan.

Exceptions also include:

- English for Speakers of Other Languages (ESOL) learners who are using the device for purposes of communication and instruction.
- Students who have an Individual Health Plan (IHP) for using electronic devices for medical reasons (ex: diabetic and cardiac associated devices).

## **A+ PROGRAM FOR HIGH SCHOOL STUDENTS**

### **A+ Citizenship Policy for High School Students**

The Francis Howell School District A+ Advisory Committee believes that good citizenship is paramount for a student graduating with A+ status. Students participating in the A+ program who receive suspensions have their eligibility at risk. **A+ eligibility may be impacted by disciplinary consequences.** All four years are part of the citizenship record. The following will result in removal from the A+ Program:

- 5 or more occurrences of in-school and/or out-of-school suspensions during the student's high school career (grades 9- 12).
- Any suspension that results in an out-of-school suspension that is 10 or more days.

### **A+ Appeal Process**

A student and/or parent/guardian have the right to request an A+ appeal after receiving the notice of an attendance or citizenship infraction. In cases of concern or ineligibility, the:

- Student and parent/guardian must notify the A+ Coordinator in writing of their intent to discuss the concern or ineligibility.



- A+ Coordinator will convene an A+ Appeals Committee meeting for consideration for eligibility.
- A+ Appeals Committee will hear the request and return its decision to the student and parent/guardian. Anyone requesting an appeal should complete an “A+ Appeal” form, which is available from the A+ coordinator at the student’s high school. After the review committee reaches a decision, the A+ Coordinator will notify the parent(s)/guardian(s).

### **ELIGIBILITY FOR ACTIVITIES IMPACTED BY CONDUCT**

#### **Francis Howell School District Eligibility Standards**

Any student participant who represents one of the Francis Howell High Schools by participating on athletic teams or performance groups, including music activities (marching band, color guard, ensembles, choir, winter drumline), dance activities (dance/pommes and winter guard), speech and debate, drama, or academic competitions (scholar bowl) shall meet the standards of eligibility specified in the MSHSAA Constitution and those additional standards of the Francis Howell School District.

- Students must refrain from the use of any tobacco, e-cigarettes (vaping products), alcohol, or illegal drugs/controlled substances (other than prescription).
- Students who are serving in the In-School Suspension Program (ISS) are not allowed to practice or participate until their suspension is served. Students who are serving an Out- of-School Suspension (OSS) will not be allowed to practice or compete until their suspension has been served and they have re-established themselves as a student in good standing by attending a full day of school the following day.
- Any student who falsifies required documents will be subject to dismissal from the activities in which they are involved.
- A student must be a credible school citizen. Credible school citizens are those students whose conduct, both in and out of school, will not reflect unfavorably upon themselves, team or school.
- The Francis Howell School District (FHSD) Activities Handbook provides extensive information about eligibility regarding conduct in and out of school and the guidelines within will be followed for all participants in FHSD activities.
- The Missouri State High School Activities Association (MSHSAA) guidelines must be followed and adhered to in order to participate in FHSD activities.

### **Student Alcohol & Drug Abuse**

The Board of Education recognizes its share of responsibility for the health, welfare and safety of the students who attend the Francis Howell School District. Therefore, the use, sale, transfer, possession or being under the influence of alcohol or drugs is prohibited on school property, at school-sponsored activities or events, on field trips, or in any vehicle while being used to transport students for the school district.

Alcohol, as used in this Code of Student Conduct, is defined as alcohol, “non-alcoholic” malt beverages or substances represented to be alcohol or “non-alcoholic” malt beverages.

Drugs, as used in this Code of Student Conduct, are defined as intoxicants, illegal drugs, prescription drugs, nonprescription legal synthetic substances or over-the-counter medications that cause impairment, and/or physical or mind-altering chemicals or controlled substances; or substances represented to be intoxicants, illegal drugs, prescription drugs, non-prescription legal synthetic substances or over the counter medications that cause impairment, and/or physical or mind-altering chemicals or over the counter medications when used for a purpose foreign to their design; or drug paraphernalia.

While it is not the intention of the Board or school faculty and administration to restrict the education of any eligible person in the school district, it is recognized that good school discipline and school citizenship are necessary for the proper learning environment to take place. It is not fair to those students desiring to make the most of their educational and activity opportunities to be exposed to unnecessary disruptions and distractions caused by fellow students under the influence of drugs or alcohol or in possession of these substances.

A student found to be under the influence or in possession of alcohol or drugs may be suspended for a period of up to 180 school days or expelled. The principal/designee shall suspend such students for an initial period of ten (10) school days. For the first alcohol or drug possession or under the influence offenses, in lieu of the 10-day suspension the student may choose to attend an Alternative Intervention Program (AIP), which is located within Francis Howell Union High School.

At AIP, the student will be required to participate in an initial intake assessment completed by FHU staff, who will determine which course of drug/alcohol use and abuse prevention counseling the student will complete. The student will attend a full day of school and complete all assignments from their courses and participate in drug/alcohol use and abuse prevention and/or counseling services. This can include services offered by PreventEd or a comprehensive drug assessment and intake screening through Preferred Family Health with follow-up counseling. Students will receive continued support in positive decision-making and resiliency-building upon return to their home school. If a student or parent/guardian does not satisfactorily complete the required paperwork, assessment or continued support meetings, the initial 10-day suspension will be imposed and a Committee on Conduct Hearing shall be held to determine the appropriate penalty(ies) and/or additional days of suspension. A recommendation of the penalty(ies) shall be submitted to the superintendent/designee for their decision and the consequence will not be less than 20 days of suspension.

Upon the occurrence of the second offense under the Code of Student Conduct, the student shall participate in a Committee on Conduct Hearing and shall be suspended for up to 180 school days or expulsion.

Depending on the severity of the infraction, a student found to have been engaged in the sale, sharing or distribution of alcohol or drugs will receive a suspension of up to 180 days or expulsion. The principal/designee may suspend such students for an initial period of ten (10) school days. A Committee on Conduct hearing may be held within the initial ten (10) school day suspension period to determine the appropriate penalty(ies). A recommendation of the penalty(ies) may be submitted to the superintendent/designee for their decision. The Committee on Conduct hearing officer, within their discretion, may recommend an alternative educational placement--the Alternative Learning Center (ALC). If such a placement is accepted: Within two (2) weeks of starting ALC, a drug

assessment must be completed at Preferred Family Health. The student will be required to participate in drug counseling sessions provided by Preferred Family Health.

## **Firearm-Free Schools**

The Francis Howell School District seeks to provide a safe, violence-free educational environment for its students and workplace for its employees. The District affirms that firearms have no place on school grounds.

The District recognizes that it must comply with federal and state laws concerning the treatment of students who bring firearms to school. Accordingly, this information complies with the provisions of the Improving America's Schools Act of 1994, the Individuals with Disabilities Education Act and other applicable federal and state law.

The District recognizes the risk of harm that a person who brings a firearm to school may present to themselves and to others on school premises. The District recognizes firearm possession as a potential threat to the health, safety and security of students, employees and other persons. The District will not tolerate the risk of harm presented when a person brings a firearm on the premises of our schools.

Thus, the District states as follows:

### **I. DEFINITIONS**

The term "firearm" is defined pursuant to federal law as set out in the most recent version of 18 United States Code Section 921. The term "firearm" includes, but is not limited to, such items as:

- A. 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
- B. 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
- C. Any explosive, incendiary or poison gas, such as: bombs; grenades, rockets with a propellant charge of greater than four (4) ounces; and other similar devices as recognized under federal law; or
- D. Any combination of parts either designed to or intended for use in converting any device into a device as described in paragraphs B or C of the Definitions Section.

### **II. STUDENT WHO BRINGS FIREARM TO SCHOOL**

The District will not tolerate a student bringing a firearm to school. Therefore, the District will take the following action upon determining that a student has brought a firearm to school:

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

- basis upon recommendation of the Superintendent of Schools if the Superintendent determines that circumstances justify such a change.
- C. The District may, at its discretion, provide a student suspended under District Policy 2620 with educational services in an alternative setting.

### III. APPLICABILITY TO STUDENTS WITH DISABILITIES

If the student who is determined to be in violation of these Firearm-Free Schools guidelines is a student with a disability under the Individuals with Disabilities Education Act, the District will adhere to federal and state requirements as set forth in applicable statutes and regulations. Such laws and regulations set forth special procedures to be followed when a disabled student brings a firearm to school. These guidelines will apply to disabled students to the extent that their application is allowed under the Individuals with Disabilities Education Act.

### IV. APPLICABILITY TO OTHER DISTRICT POLICIES

All other District weapons policies, discipline policies or look-alike weapons policies shall remain in effect as they currently exist or are hereafter amended.

## **Network and Internet Acceptable Use Guidelines**

Internet access is available in the Francis Howell School District (FHSD) to students, teachers, staff, parent(s)/guardian(s), and administrators. Students must use FHSD telecommunications in accordance with District Policy 6320. Students are allowed to access curriculum-related information and research topics and ideas that promote innovation in learning.

Learning how to electronically communicate and navigate through the wealth of information located on both public and private networks are information literacy skills that support student achievement in the 21st century. In some instances, students, if approved by the classroom teacher, will be allowed to bring their own technology for educational purposes (e.g., laptops, iPods, iPads, electronic readers, laptops, etc.).

**Safety** The District ensures CIPA (Children's Internet Protection Act) compliance through use of a firewall and filtering. However, students should report to their teacher or other staff members if they access information that makes them feel uncomfortable.

The following actions ARE allowable on the district networks:

- Use telecommunications for educational purposes only
- Communicate with others in a respectful and courteous manner
- Obey copyright laws and intellectual property rights of others
- Maintain the privacy of personal name, phone number, address and password, and respect the privacy of others

These guidelines are provided to make you aware of your responsibilities. The network administrator or the designated FHSD representative may revoke network/computer privileges if the guidelines are not observed.

The following actions are NOT allowable on the district networks:

- Sharing confidential information
- Giving your password to others
- Giving out personal information on the Internet
- Harassing, insulting, or harming others in any way
- Trying to bypass or break the security system
- Accessing pornographic/illegal material
- Illegally copying software
- Trespassing in others' folders, files or documents
- Attempting to destroy or harm data/files of others
- Utilizing the network for commercial purposes
- Using obscene language
- Use of non-curricular Internet games
- Violating copyright laws or plagiarism
- Use of unauthorized websites
- Vandalism of District network or technology
- Uploading viruses, altering data or theft of restricted information

Violating District Policy 6320 regarding network and internet usage will result in disciplinary consequences that include, but are not limited to, one or more of the following: 1) suspension or revocation of network privileges; 2) suspension or revocation of Internet access; 3) suspension or revocation of computer access; 4) school suspension; or 5) expulsion.

PLEASE NOTE: If you wish to deny independent internet usage for your student, please contact the school they attend to obtain the appropriate form.

## **Corporal Punishment is Prohibited**

District Policy 2670 states: No person employed by or volunteering for the District shall administer or cause to be administered corporal punishment upon a student attending District schools. A District employee may use reasonable restraint against a student without advance notice to the principal/designee if it is essential for self-defense, the preservation of order, or for the protection of other persons or the property of the District.

## **Bus Guidelines**

Francis Howell bus drivers are charged with the responsibility of maintaining a safe and orderly environment on district buses.

The following is a list of student expectations while riding on district buses:

- Follow all expectations in the Code of Student Conduct

- Follow all bus driver directions
- Stay seated facing the front of the bus
- Board and depart the assigned bus at assigned stops
- Keep all body parts and all objects inside the bus
- Treat others with respect (both verbally and physically)
- Treat the bus with respect (no physical damage, littering, throwing objects, eating or drinking)
- Ride their assigned bus

NOTE: All buses may be monitored by cameras at any time.

To maintain order and provide a safe environment, a bus driver may take any of the following actions:

- Initiate a conference with a student
- Initiate a conference with a principal/designee
- Direct students to comply with rules
- Assign bus seats
- Issue bus ticket warnings
- Issue bus tickets

The District considers the bus an extension of the classroom; therefore, misbehavior on the bus will result in a consequence. Consequences may include suspension from the bus. In cases where the violation is severe and/ or threatens the general safety of students, the matter will be referred immediately to the principal/designee. The principal/designee has the discretion to implement/develop an alternative discipline plan if needed. The District Director of Transportation and the Transportation Operations Manager will meet with the principal/ designee as requested or when deemed necessary.

## **Glossary of Terms**

### **Alleged**

Said, without proof, to have taken place or to have a specified illegal or undesirable quality.

### **Assault**

Physical assault is defined in Board of Education Policy CR 4980 as an act of a student deliberately touching, pushing, striking or attempting to physically coerce a staff member. This also applies to the same behavior towards another student.

The District is committed to maintaining learning and working environments free from physical harm. Any physical act that harms, or means to harm another person on school property or at a school event, will not be tolerated and will be addressed.

### **Bullying**

Bullying is defined in Board of Education Policy 2655 as the intentional action by an individual or group of individuals to inflict intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for physical safety or property; substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school. Bullying may consist of physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting acts of bullying.

The District is committed to maintaining learning and working environments free of any form of bullying or intimidation by students on school grounds, during school time, at a school-sponsored activity or in a school-related context. Students and/or their parent(s)/guardian(s) are encouraged to report any instances of bullying to their building administrator.

The District encourages students to report bullying. Students should report if they are the victim or the bystander. Schools will discuss safe ways to report bullying with students. Students who are bullied or witness bullying should immediately report the incident to an adult. Parents /guardians should contact the principal to report bullying reported by their child if the child is not comfortable making the report. Each report of bullying will be investigated. The FHSD website has bullying resources for parents and students under Safety and Security on the District website.

### **Conference**

A communication that takes place face-to-face, by video, or by telephone.

### **Cyberbullying**

Cyberbullying as defined in Policy 2655 bullying as defined above through the transmission of a communication including, but not limited to, a message, text, sound, or image by means of an electronic device including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager. The District may prohibit and discipline for cyberbullying that originates on any District campus or at a District activity if the electronic communication was

made using the school's technological resources, if there is a sufficient nexus to the educational environment, or if the electronic communication was made on the District's campus or at a District activity using the student's own personal technological resources. Further, students who engage in significant acts of misconduct off campus which materially and adversely impact the education of District students will be subject to discipline.

### **Felony Theft**

In Missouri, felony theft is defined and categorized under RSMo Section 570.030. It can be a Class D or Class C felony depending on the value of the stolen property or services. A Class D felony occurs when the value is \$750 or more, or if the theft involves specific items like a vehicle, will, or firearm. A Class C felony is charged when the value is \$25,000 or more.

### **Harassment/Discrimination**

It is the policy of the District to maintain a learning environment that is free from harassment because of an individual's race, color, sex, national origin, ethnicity, disability, religion, sexual orientation, or perceived sexual orientation. The District prohibits any and all forms of harassment and discrimination because of race, color, sex, national origin, ethnicity, disability, religion, sexual orientation, or perceived sexual orientation.

The school system will act to promptly investigate all complaints, either formal or informal, verbal or written, of harassment or discrimination because of race, color, sex, national origin, ethnicity, disability, religion, sexual orientation, or perceived sexual orientation; to promptly take appropriate action to protect individuals from further harassment or discrimination; and, if it determines that harassment or discrimination occurred, to promptly and appropriately discipline any student, teacher, administrator, or other school personnel who is found to have harassed/discriminated, and/or to take other appropriate action reasonably calculated to end the harassment.

### **Hazing**

Student hazing is expressly prohibited by District Policy 2920. 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.

### **Imminent danger**

Certain danger, immediate, and impending; menacingly close at hand, and threatening.



**Intimidation**

Intimidation is intentional behavior that would cause a person of ordinary sensibilities to fear injury or harm. It is not necessary to prove that the behavior was so violent as to cause said fear or that the victim was actually frightened.

**Integrity**

Any act of cheating or lying, whether verbal or unwritten, including forgery.

**Parking Permits**

Due to the limited space available for student parking at each high school campus, parking permits are required in order for students to drive to school. Criteria for eligibility for permits and other regulations regarding student automobiles will be established by the appropriate high school administrator. Violations may result in the loss of parking privileges.

**Possession**

Having an item on one's person or in one's locker, car/vehicle (if parked on district property), backpack, purse, or another container.

**Protected class status (harassment)**

Any status expressly defined in and protected by federal, state, or local law, regulation, or ordinance, including gender, race, national origin, ancestry, creed, religion, pregnancy, marital status, parental status, sexual orientation, gender identify, gender expression, or physical, mental, emotional, or learning disability.

**Purchase**

Providing money or some other consideration in exchange for drugs, or the promise to provide money or some other consideration at a later date in exchange for drugs.

**Restitution**

Replacing item(s) that were stolen or damaged or providing fair market value by way of compensation or service.

**Serious physical injury**

Serious physical injury is a bodily harm that results in one or more of the following:

- a. Substantial risk of death;
- b. Permanent deformity or defect;
- c. Coma;
- d. Permanent or extended condition that causes extreme pain;
- e. Permanent or protracted loss or impairment of the function of any body part; or
- f. Results in admission to a hospital.

Serious physical injury includes, but is not limited to, fractured or broken bones (including the nose), and concussions. Serious physical injury does not include black eyes, welts, abrasions, or bruises.

**Serious threat**

Engaging in conduct that places a person in a reasonable apprehension of bodily harm, including, but not limited to, nonverbal aggression/intimidation, verbal statements, or written statements.

**Sexting**

The sending of sexually explicit photographs or messages via electronic device.

**Sexual contact**

Any touching, or causing another person to touch, either directly or through the clothing, any body part of any person, if done with an intent to arouse or gratify the sexual desire of any person, or with an intent to abuse, humiliate, or degrade any person.

**Stealing/Theft**

Taking or attempting to take property of another person or institution without permission or knowledge of the owner with the intent to deprive the owner of its use (under Theft offense).

**Substantive threat**

A threat where intent is present and protective action needs to be taken to protect the victim(s).

**Taunting**

Sarcastic remarks, gestures, or insults intended to demoralize the recipient, or to anger them and encourage reactionary behaviors without thinking.

**Toy weapon**

Toys that mimic real weapons, including firearms and other guns, but are intended to serve as an item for entertaining children and are not dangerous.

**Transient threat**

A threat that is an expression of humor, rhetoric, anger, or frustration that can be easily resolved so that there is no intent to harm. No substantiated threat to harm.

**Trespassing**

Being on school property without permission, including while suspended or expelled; includes breaking and entering. Or remaining on school property once school administration has requested the individual leave school premises. School administration will request law enforcement officials charge the student, parent/guardian, patron or visitor be charged with trespassing.

**Uncooperative/non-compliant**

Refusal to cooperate may occur when a student's refusal to follow school rules or the instructions of school staff or volunteers has an impact on the effective or safe functioning of the school or a classroom, such as continuing to remain at the scene of a fight or to instigate a disturbance after being told to stop the behavior, or repeated disobedience to school staff or volunteers when other

response strategies have not been successful in modifying the misbehavior. Noncompliance does not occur when:

- A student was not reasonably aware of a direction given by school staff or a volunteer (i.e., in a noisy room, hearing problems or other disabilities, language limitations, etc.);
- A student is tardy to school/class;
- A student fails to complete homework.

### **Under the influence**

To be affected by alcohol or drugs to the point that it hinders a person's ability to function in a manner that an ordinary person would function.

### **Volatile**

Liable to change rapidly and unpredictably, especially for the worse.

### **Weapon (including look-alikes and ammunition)**

A weapon is, by way of illustration and without limitation, one of the following:

- Firearm: A firearm as defined in 18 U.S.C. 921 of the federal code. Examples include handguns, rifles, shotguns and bombs. Refer to the federal code for the complete definition.
- Other Guns: Any gun of any kind, loaded or unloaded, operable or inoperable, including any object other than a firearm that looks like a gun. This shall include, but is not limited to, a pellet gun, paintball gun, stun gun, Taser gun, BB gun, flare gun, nail gun, or airsoft gun.
- Other Weapons: Any implement or item used in a threatening manner that could cause or is intended to cause bodily harm and/or injury, other than a firearm or other gun. This shall include, but is not limited to, a switchblade knife, hunting knife, star knife, razor (including straight or retractable razor), brass knuckles, box cutter, nunchuck, spiked glove, spiked wristband, any mace derivative, tear gas device or pepper spray product.

The Missouri State Statute defining a weapon can be found at the following link:  
[Missouri Statute](#)