

**Nondiscrimination and Student Rights**

**Equal Education Opportunity/§504 Procedural Safeguards**

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act were designed to eliminate discrimination on the basis of disability. To that end, Section 504 provides, in pertinent part, as follows:

No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance . . .

A disabled person under Section 504 is defined as any person who has a physical or mental impairment that substantially limits one or more major life activities.

Pursuant to Subpart D of the 504 federal regulations, a recipient of federal financial assistance that operates a public elementary or secondary education program must establish and implement, with respect to actions regarding the identification, evaluation, or educational placement of persons who, because of disability, need or are believed to need special instruction or related services, a system of procedural safeguards. The following is a description of the procedural safeguards or rights granted by federal law to students with 504 disabilities and/or their parents or legal guardians and to those students who are suspected of having a 504 disability and/or their parents or legal guardians. Parents/guardian of students who are suspected of or identified with a disability under the Individuals with Disabilities Education Act are provided with copies of the IDEA procedural safeguards unless those students have a separately identified 504 disability that is not addressed through an IEP.

**Parent and Student Rights Under Section 504:**

1. Parents/guardian and students have the right to be informed by the School District of their rights under Section 504. The purpose of these Procedural Safeguards is to advise you of those rights.
2. A student with a 504 disability has the right to a free appropriate public education. An appropriate education is defined as the provision of regular or special education and related aids and services that are designed to meet the individual educational needs of the disabled person as adequately as the needs of nondisabled persons are met and are based upon adherence to 504 regulatory procedures.
3. The provision of a free education is the provision of educational and related services without cost to the disabled person or to his or her parents or guardian, except for those fees that are imposed on nondisabled persons or their parents or guardian. Funds available from any public or private agency may be used to meet this requirement. Under

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the law, insurers and other third parties are not relieved from an otherwise valid obligation to provide or pay for services for a disabled student.

4. A child with a disability has the right to take part in, and receive benefits from, public education programs without discrimination because of his/her disability.
5. The parents(s) or guardian of a child with a disability have the right to receive notice with respect to the identification, evaluation, or placement of the child.
6. A student with a disability has the right to receive services and be educated in facilities that are comparable to those provided to nondisabled students.
7. A student with a disability has the right to have evaluation, education and placement decisions made based on a variety of information sources, and by persons who know the student and are knowledgeable about the evaluation data and placement options. The student also has the right to be periodically reevaluated.
8. A student with a disability has an equal opportunity to participate in nonacademic and extracurricular activities offered by the District.
9. A student with a disability has the right to have transportation provided to and from an alternative placement setting (if the setting is in a program not operated by the District) at no greater cost to the parent/guardian than would be incurred if the student were placed in a program operated by the District.
10. The parents/guardian of a student with a disability or an eligible student (over the age of 18) have the right to examine all relevant records relating to decisions regarding the student's identification, evaluation and placement.
11. The parents/guardian of a student with a disability or an eligible student and/or the District have the right to request an impartial due process hearing relating to decisions or actions relating to the student's identification, evaluation, program or placement and the parents or guardian have the right to be represented by counsel in such hearings. The parents or guardian or eligible student and/or the District also have the right to a review procedure involving such hearings. The procedures for requesting an impartial due process hearing and the relevant review procedures are described below.
12. The parents/guardian of a student with a disability or an eligible student have the right to file a local grievance with the District for issues unrelated to the identification, evaluation, program or placement of the student. Board Policy 1621 describes the procedures for filing a grievance and can be requested by contacting: Director of Special Services at Central Office.

Persons who believe that the district is discriminating against eligible persons on the basis of disability may also file complaints with the District's Section 504 Coordinator and/or **[the address for the Kansas City Office of OCR is: OCR, U.S. Department of Education, 601 E. 12<sup>th</sup> St., Kansas City, Missouri 64106. The Kansas City office's jurisdiction extends to the states of Kansas, Missouri, Nebraska, South Dakota, and Oklahoma. For a list of other regional offices and their coverage area, see [www.ed.gov](http://www.ed.gov).**

The District's Section 504 Coordinator is the Director of Special Services and may be reached at (816) 521-5300.

### **DUE PROCESS APPEAL PROCEDURES**

This procedure should be used if the parent(s), legal guardian or eligible student intends to challenge actions the District proposes or refuses under 504 regarding the identification, evaluation, program or placement of a student with a disability. The District also has the right to initiate a 504 due process hearing regarding these same matters.

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/Request for 504 Due Process Hearing within 90 calendar days from the date of the District's written notice of the proposed or refused action. The Request for 504 Due Process hearing should be filed with: the District's Section 504 Coordinator at Central Office. Determinations as to the timeliness of a request for a Section 504 due process hearing shall be made solely by the impartial hearing officer, who shall have the discretion to grant a waiver of the filing deadline upon a showing that an action of the District's prevented the timely filing of a request for hearing.

If the District intends to initiate a Section 504 due process hearing, the District's Section 504 Coordinator will complete the Request for a 504 Due Process Hearing within the same number of calendar days as specified above.

2. The Request for a 504 Due Process Hearing 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 parent/guardian requests for a due process hearing within 15 business days of receipt. If the District initiates the due process hearing, the District will inform the parent or guardian within 15 days of the District's decision to so initiate.

3. The District will, within 15 business days of the District's or parent/guardian's receipt of the Request for a 504 Due Process Hearing, appoint and retain a single impartial hearing officer to hear and decide the due process request. 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. 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.
5. The parents or guardian have the right to open the hearing to the public; otherwise, it will be closed. The parents or guardian may elect to have the student present at the hearing.
6. The hearing officer must hold the hearing within 30 days of his/her appointment as hearing officer. This timeline may be extended upon the request of the party or parties and by agreement and order of the hearing officer.
7. Each hearing must be conducted at a time and place which is reasonably convenient to the District and the parents or guardian. The District's facilities will be presumed to be a reasonably convenient location but the parents or guardian may challenge this presumption with the hearing officer.
8. The party that requested the due process hearing may not raise issues at the due process hearing that were not addressed in the Request for a 504 Due Process Hearing unless the other party agrees.
9. The hearing officer shall render a final, written decision no later than 20 days following the completion of the hearing. A decision may be rendered after 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.

10. 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 recordings 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.

11. 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.

Any party aggrieved by the decision of the impartial hearing officer may appeal that decision to any court of competent jurisdiction.

## **STUDENTS**

## **Regulation 2170**

### **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.

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 minors.

*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.



## **STUDENTS**

## **Regulation 2200**

### **Admission and Withdrawal**

#### **Student Records Requests**

Within 48 hours of enrolling a student placed in the District pursuant to R.S.Mo. §§ 210.481-.536, the school official enrolling the student shall request all records required by District policy for student transfer, including discipline records, from all schools and facilities attended by the student in the preceding twenty-four (24) months in addition to records related to the student from the Department of Social Services; the Department of Mental Health; the Department of Elementary and Secondary Education; and any other state agencies and entities involved in the placement of the student.

For all other students to whom the preceding paragraph of this Regulation is not applicable, the Superintendent/Designee will request the student's transfer and discipline records from all schools or facilities previously attended within the preceding twelve (12) months within two (2) business days of a student's request to enroll 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 the student's previous suspensions, expulsions or criminal activity.

Any enrollment of the student prior to receipt of the student's discipline records from a previous school will be conditional until such time as the student's previous discipline records are received evidencing that the student is not barred from enrollment under R.S.Mo. § 167.171 (See Policy and Regulations 2200 and 2664). A student will be allowed to attend school after a conditional enrollment. A student's conditional enrollment will be revoked upon receipt of information that the student is barred from enrollment pursuant to R.S.Mo. § 167.171 and the student will no longer be allowed to attend school. This provision does not apply to a disabled student, as identified under state eligibility criteria, who is convicted or adjudicated guilty as a result of conduct related to the student's disability. Any student who is barred from enrollment pursuant to R.S.Mo. §167.171 will be provided due process as set for in the District Regulation 2664. If the student is not barred from enrollment pursuant to R.S.Mo. § 167.171, the student will be deemed fully enrolled upon receipt of the student's records. (See Regulation 2200, Policy 2290, and Policy and Regulation 2664).

The Superintendent/Designee is authorized to share relevant portions of such student's transfer and discipline records with District employees who, based upon their duties, have a need to know such information. Such records will be maintained in confidence for purposes of maintaining discipline and for assistance to the student. **(New 9/2014)**

### **In-District Transfers**

Under exceptional circumstances a student may be permitted to transfer to a school outside of the student's attendance area. A transfer request may be made by a parent, legal guardian or lawful

custodian of a student. A transfer request may be denied if the request is deemed by the Superintendent/designee not to be in the best educational interests of the student. All in-district transfers are subject to available space and eligibility as determined by the district. These transfers must be renewed annually. All transfers are contingent on students meeting and maintaining the following criteria:

1. The student must be in good standing academically at the school he/she currently attends. Academic standing must be verified by official school documents;
2. The student must be a citizen in good standing at the school he/she currently attends; a student in "good standing" is defined as having no suspensions or expulsions during the student's school career.
3. The student must demonstrate regular attendance habits; regular attendance habits are defined as being absent no more than ten (10) percent of the total membership days of enrollment during the current and/or previous school year (tardies, to school or class, may accumulate as absences); student attendance must be verified by official school attendance records.

One of the following circumstances must be met for a transfer to be approved:

1. Completion of final year at same school – a student who has moved outside of the attendance boundaries of their current school may be allowed to complete the final year – 5<sup>th</sup>, 8<sup>th</sup>, 12<sup>th</sup> grade – at the school he/she has been attending.
2. Before/after school child care – students in grades kindergarten through 5<sup>th</sup> grade whose primary before/after child care provider is within the boundaries of school outside of the student's regular attendance area may request transfer so long as the student continues to be provided child care services at that location.
3. Student of District Employee – students whose parent/guardian is either a teacher or a regular employee (working more than 25 hours per week with benefits) of the Independence School District are eligible for in-district transfer so long as the parent/guardian is continually employed by the district.
4. Sibling attending special program in another school – a student whose sibling attends a district special program outside their regular neighborhood school may request transfer to allow all family members to attend the same school.
5. Extraordinary hardship – a student whose family is experiencing extraordinary hardship may request in-district transfer. A transfer request based on hardship must be

accompanied by a letter explaining the circumstances of the hardship and how the situation directly impacts the education of the student.

Unless a specific exception is granted by the Superintendent/designee, all transfers will commence at the beginning of an academic semester. Transportation during an approved in-district transfer will be the sole responsibility of the parent/guardian unless waived by the Superintendent/designee. Any student who transfers to a school outside the student's attendance area of residence shall be subject to all eligibility rules of the Missouri State High School Activities Association and such eligibility rules as may be adopted by the board of education.

**REV. 9/16**

## **STUDENTS**

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

### **Admission and Withdrawal**

#### **Admission of Non-Tuition 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 cause. 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/Designee 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. Once a waiver of proof of residency has been requested, the student may be permitted to conditionally enroll and attend school pending a hearing before the Board on the request unless there is reason to suspect that the student's admission will create an immediate danger to the safety of other students or employees of the District. If there is reason to suspect that a student poses an immediate danger, the Superintendent/Designee may hold a hearing within five working days of the request to register and determine whether or not the pupil may register.

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. If the Board grants the waiver request, the student will be allowed to continue attending school in the District and will be deemed fully enrolled. If the Board denies the waiver request, the student's conditional enrollment will automatically be revoked and the student shall not be allowed to continue attending school in the District.

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 or athletic reasons.

**Students Entitled to Enroll Without Proof of Residency or Payment of Tuition**

The following students may enroll without payment of tuition or request for a waiver of the proof of residency requirements:

1. Orphaned children or children with only one living parent.
2. Children between the ages of six (6) and twenty (20) who are unable to pay tuition and whose parents/guardians do not contribute to their support.
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 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.
5. Inter-district court-ordered desegregation students.
6. Students of District teachers or regular District employees.
7. Homeless students.
8. Wards of the state placed in a residential care facility by state officials.
9. Students placed in a residential care facility by a juvenile court or due to a mental illness or developmental disability.
10. Students with a disability identified under state eligibility criteria if the student is in the District for reasons other than accessing the District's educational programs.
11. Students attending regional or cooperative alternative education programs.
12. Students attending an alternative education program on a contractual basis.

The administration may investigate the eligibility of children attending schools under the provisions of this regulation. If a determination is made by the Superintendent/Designee that the student does not meet the criteria to be entitled to a free public education by the District, the student may be administratively removed from the enrollment as set forth in Policy 2290.

## **STUDENTS**

## **Regulation 2240**

### **Admission and Withdrawal**

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

The following students who live within the District will be considered residents and 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. Tuition payment shall be paid in full prior to the first day of the non-resident student attending school.
5. Children whose parents/guardians own and reside upon property at least 80 acres of which are used for agricultural purpose provided at least 35% of the property is within the District.

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

**REV. 10/11**

## **STUDENTS**

## **Regulation 2250**

### **Admission and Withdrawal**

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

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

1. The sponsoring organization shall not place a student in the high school without first contacting the principal and obtaining his/her approval for the admission of the student.
2. Students will be accepted on a space-available basis. No more than eight foreign students from the AFS program.
3. Representatives of the foreign exchange program must provide active supervision and support to their participating students including 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.
4. 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.
5. The host family should be familiar with, and transmit to the school, information about the student's interests and general behavior, and provide the student's school record in English or translatable, form.
6. The foreign exchange student must abide by the rules and regulations of the high school regarding attendance, discipline, schoolwork etc.
7. 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, and Department of State.
8. Diplomas may be issued to exchange students when both the District graduation requirements and the student's home school requirements have been met. Students are entitled to participate in all senior activities, including the graduation ceremony, with or without the diploma.
9. 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:

1. are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in hotels, motels, or camping grounds due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
2. have a public or private place not designed for, or ordinarily used as, a regular sleeping area for human beings;
3. are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
4. are a migratory child or youth who qualifies as homeless because the child or youth is living in circumstances described in subdivisions 1-3 of this section.

##### **School Selection**

Parents, guardians, or unaccompanied youth will be informed of the homeless student's right to remain in the school of origin. For purposes of this policy, the school of origin means the school that the student last attended when permanently housed, or the school where the student was last enrolled including preschool. In determining the best interest of the student, the Board will consider:

1. Keeping the student in the school of origin unless contrary to wishes of parent or guardian;
2. Impact of mobility on admission;
3. Education, health, safety of the student;
4. Consider the views of an unaccompanied student;
5. Irrespective of whether the student lives with homeless parents or has been temporarily placed elsewhere.

The District will provide a written explanation, including the right to appeal to the student or parent/guardian if, the Board sends the student to a school other than the school of origin or the school requested by the parent/guardian.

## **Enrollment**

A homeless student will be enrolled without undue or unreasonable delay. A homeless student will be enrolled even if their previous academic records, immunization records, proof of residence, or other documents are not immediately available. The District will ensure that homeless students, meeting eligibility standards, do not face barriers in accessing academic and extracurricular activities.

## **Transportation**

The District will, upon parent/guardian or unaccompanied youth request, provide transportation to and from the school of origin as follows:

1. If the student continues to live in the District, transportation will be arranged to the school of origin.
2. If the student continues in their school of origin, but moves into another district, transportation will be arranged upon by the District of origin and the new District of residence.

## **Homeless Liaison**

The Board of Education has appointed a liaison for homeless students. The responsibilities of the liaison will include but not be limited to:

1. Ensure that homeless children and youth are identified by school personnel through outreach and coordination activities with other entities and agencies.
2. Establish practices designed to ensure the school enrollment and success of homeless students;
3. Assist with the enrollment of homeless students and provide assistance with obtaining academic and medical records;
4. Make school placement decisions based on the best interest of the child and wishes of the parent, guardian, or unaccompanied youth;
5. Inform parents, guardians, or unaccompanied homeless students of the educational and related opportunities available to them;
6. 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;

7. Ensure that referrals are made to health care, dental, mental health and other appropriate services;
8. Ensure that homeless students are not isolated or stigmatized because of their status as homeless;
9. Handle enrollment disputes and ensure that disputes over the placement of homeless students are resolved in a timely manner consistent with the requirements of the McKinney Vento Act;
10. Provide/arrange transportation and inform the parent, guardian, or unaccompanied homeless youth of the transportation services the school district must make available and assist homeless students in accessing transportation to and from school; and
11. Disseminate public notice of the educational rights of homeless students in places where homeless students receive services.
12. Ensure school personnel receives professional development and other support.
13. Ensure that unaccompanied youth are enrolled in school, have the opportunity to meet the same challenging state academic standards, are informed of their status as independent students under Section 480 of the Higher Education Act and their right to receive verification of this status.

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

### **Disputes Over School Selection or Enrollment in a School**

If a dispute arises over school selection or enrollment in a school the following protocols will apply:

1. The homeless student will be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;
2. The parent, guardian, or unaccompanied youth will be provided with a written explanation of the District's decision regarding school selection, enrollment, and related decisions concerning education services, including the rights of the parent, guardian, or student to appeal the decision; and

3. The homeless student, parent, or guardian will be referred to the Homeless Liaison, who will carry out the complaint resolution process described in the next section of this Regulation as expeditiously as possible after receiving notice of the dispute.
4. At the request of the parent, guardian, or unaccompanied youth, the District will provide for or arrange adequate or appropriate transportation to and from the school selected by the parent, guardian, or unaccompanied youth. Inter-district transportation disputes will be resolved by DESE.

### **Dispute Resolution**

**Level I** - A complaint regarding eligibility, school selection, enrollment or barriers to attending classes and participating in school activities of a homeless child shall first be presented orally and informally to the District's educational liaison for homeless children. If the complaint is not promptly resolved, the complainant may present a formal written complaint (grievance) to the educational liaison. The written charge must include the following: date of filing, description of alleged grievances, the name of the person or persons involved and a recap of the action taken during the informal charge stage. Within five (5) working days after receiving the complaint, the liaison shall state a decision in writing to the complainant, with supporting evidence and reasons. In addition, the liaison will inform the Superintendent of the formal complaint and the disposition.

**Level II** - Within five (5) working days after receiving the decision at Level I, the complainant may appeal the decision to the Superintendent by filing a written appeals package. This package shall consist of the complainant's grievance and the decisions rendered at Level I. The Superintendent will arrange for a personal conference with the complainant at their earliest mutual convenience. Within five (5) working days after receiving the complaint, the Superintendent shall state a decision in writing to the complainant, with supporting evidence and reasons.

**Level III** - If resolution is not reached in Level II, a similar written appeals package shall be directed through the Superintendent to the Board of Education requesting a hearing before the Board at the next regularly scheduled or specially called meeting. The hearing before the Board may be conducted in closed session upon the request of either the Board or the complainant. Within thirty (30) working days after receiving the appeals package, the Board shall state its decision and reply in writing to the parties involved. For District purposes, the decision of the Board of Education is final.

**Level IV** – If the complainant is dissatisfied with the action taken at Level III, the Complainant may appeal the decision to the State Education Agency point of contact. Such appeal must be in writing and filed within five (5) days of Level III decision, and including:

1. School in which enrollment is sought and the basis for seeking enrollment;
2. Name and contact information for the parent or education decision-maker;
3. Best Interest notes and reports;
4. Copy of the previous appeal letter;
5. Copy of the decision recommended at Level III.

The appeal letter must be submitted to the State point of contact as well as the District's Superintendent.

### **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, District personnel, and by review of the District's enrollment forms.

## **STUDENTS**

## **Regulation 2270**

### **Admission and Withdrawal**

#### **Migrant Students**

##### **Identification**

For purposes of Board policies and regulations, the phrase *migratory student* 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.

The District will identify migrant students by including questions on the District's enrollment form. If it is indicated that a migrant student is enrolling, the parents will then be asked to complete a parent survey/family interview form provided by the State Office for Migrant-English 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. The Regional Migrant Center will be contacted for any assistance needed for the migrant student(s).

##### **Services**

School District personnel including secretaries, nurses, counselors, teachers, and principals will be advised of the presence of eligible migrant students in their assigned school to ensure that equal access to all school programs is provided. Complaints concerning the placement of migrant students will be resolved by means of the District's complaint resolution procedure for homeless students.

**Rev. 3/17**

## **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.

#### **Unexcused Absences**

Attendance patterns for all students will be monitored. Absences which are not clearly excusable will be investigated by the principal and/or staff, and appropriate action will be taken:

1. It is the building principal's / designee's responsibility to contact the parent/guardian by telephone 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**

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**

Regular attendance and participation in classroom instructional activities are essential to achieving the educational objectives for each class. When students are absent from class, they miss the material covered; they miss the opportunity to interact with the teacher as well as other students; and they miss the opportunity to pursue learning opportunities only available in the classroom interaction.

Students whose absence is unexcused will not receive credit for instructional activities occurring during their absence. The net effect of an unexcused absence or absences may be a reduction in the student's grade. In addition, students who have unexcused absences may be required to attend outside of normal school hours to complete classroom work covered in their absences.

Students are required to make up work as a result of class periods missed. It is the student's responsibility to meet with the teacher to obtain the necessary assignments and instructions. Any exceptions to the items cited above shall be approved by the Board of Education.

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



1. After a student has been absent, it is the building principal's / designee'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**

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**

Students who accumulate in excess of eight (8) 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.

**Regulation 2310**  
**Page 4**  
**(Disciplinary Option)**

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.

Any exceptions to the items cited above shall be approved by the Board of Education.

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.

**REV. 8/2018**

## **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 which will preserve the discipline, health, and academic standards of the school.

#### **Eligibility Requirements**

1. To be eligible for part-time attendance, the student must be a resident of the District.
2. The student must have parent/guardian approval if under 18 years of age.
3. 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 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**

*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. In the Independence School District, directory information includes the following: 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.

1. *Educational record* means those records that are directly related to a student and are maintained by the District.
2. *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.
3. *Eligible student* means a student who has reached 18 years of age or attends an institution of post-secondary education.
4. *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.
5. *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.
6. *Student* means any individual who is or has been in attendance in the District and about whom the District maintains educational 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 parents/guardians 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 parent's/guardian's or eligible student's consent.

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

1. The District's regulation permits parents/guardians and eligible students to inspect and review the educational 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 Custodian of Records.

3. After the parent/guardian or eligible student has had an opportunity to inspect and review the student's educational records, the parent/guardian may make a request for explanations and interpretations of the records to the Custodian of Records. The District's designee shall respond to all reasonable requests for explanation or interpretation.
4. The District will not destroy any educational record if there is an outstanding request to inspect and review that record.
5. If a student's educational 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. That is, all information pertaining to another student will be redacted.
6. 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.
7. The District may disclose personally identifiable information from an educational 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.

### **Copies of Educational Records**

1. The District has no obligation to provide copies of educational records to parents, their representatives or adult students under FERPA unless failure to provide copies prevents a parent or adult student from exercising the right to inspect or review the records, or is otherwise required by law. For example, if a parent does not live within driving distance of the school district, is hospitalized, or incarcerated, he or she may have a right to copies.

Though the District does not generally have an obligation to provide copies under FERPA, it will nonetheless provide up to 20 pages per student, per school year, without



charge. All requests for copies over 20 pages per student, per school year will be charged 10 cents per page, which must be paid for in advance. The District also reserves the right to provide electronic copies of records to the requesting party on a removable drive, such as on a USB, thumb or "flash" drive, or on a DVD or CD-ROM. The District may also charge a reasonable fee for the cost of the removable drive, DVD or CD-ROM, unless the imposition of the fee effectively prevents the parent or eligible student from exercising the right to inspect and review the records.

The District will administratively consider exceptions to this policy on a case by case basis. The factors to be considered in making such an exception include but are not limited to the purpose of the copies, whether the request is overly time consuming or burdensome, and the number of prior requests. If copies are requested to be sent to an agency or individual other than the adult student or parent/legal guardian, all proper releases must be signed.

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

1. If a parent/guardian or eligible student believes the educational 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 the Custodian of Records.
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 educational 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 Custodian of Records 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 educational records, the school official seeking access must submit a written request to the Custodian of Records. 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 educational 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.
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 educational 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 may be made 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 to appropriate parties 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 noneligible 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. Custodian of Records will be responsible for keeping such records of requests and 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.
5. If the District discloses information pursuant to a health or safety emergency, the District, within a reasonable time period, will record in the student's educational records the significant threat that formed the basis for the disclosure and the parties to whom the information was disclosed.

## **STUDENTS**

## **Regulation 2410**

### **Student Educational Records**

### **Health Information Records**

Student health information includes information required by state law including but not limited to:

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 a 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. An Individualized Healthcare Plan or a student's Individualized Education Program (IEP) for students whose health conditions adversely affect their education;
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.

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 or 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 health information be left as a message with a secretary, on voice mail or answering machines. 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**

##### **Reading Level and Retention**

Students not reading at grade level or above at the end of the third grade year shall be given a reading assessment or set of assessments within forty-five (45) days of the end of the third grade year; the method(s) of assessments shall be determined by the District. The following students are exempt from the reading assessments:

1. Students who have an Individualized Education Program (IEP).
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.

Beginning with the 2002-2003 school year, students whose third grade reading is below second grade level shall be required to complete at least thirty (30) additional hours of reading instruction or practice outside the regular school day during the fourth grade. The District may also require the student to attend summer school for reading instruction as a condition of promotion to fourth grade. A student who does not attend the required summer school instruction in reading may be retained. DESE may, subject to appropriation, reimburse the extra costs incurred in providing the additional thirty (30) hours of reading instruction or practice.

Another reading assessment shall be given within forty-five (45) days of the end of the fourth grade year. If the reading is below the third grade level, the fourth grade student shall be required to attend summer school for a minimum of fifty four (54) hours of reading instruction and practice; a student who does not attend the required summer school instruction in reading may be retained. At the end of the summer school instruction, the student shall be given another reading assessment. If the student's reading remains below the third grade level, the District shall notify the student's parents/guardians, and the student shall not be promoted to the fifth grade. Mandatory retention shall only apply to fourth grade students whose reading remains below the third grade level. No student shall be denied promotion more than once solely for the inability to meet the reading standards.

The District shall provide reading improvement plans to all students who are not reading at grade level, and shall offer summer school reading instruction to any student with a reading improvement plan. Any student may be retained if he/she has not fulfilled required summer school attendance for reading instruction.



The permanent record of a student determined to be reading below the fifth grade level at the end of the sixth grade year shall carry a notation advising that such student has not met the minimal reading standards. The notation shall stay on the student's record until such time as the District determines that the student has met the District's minimal reading standards.

The District shall inform the parents/guardians of the methods and materials used to teach reading in kindergarten through eighth grade in terms understandable to a layperson; shall inform the parents/guardians of those students for whom a reading improvement plan is required; and upon request shall inform parents, patrons or the media the number and percentage of students receiving reading remediation.

Students who receive reading instruction outside of the normal school hours shall be counted for average daily attendance for state school aid.

### **Promotion and Retention Requirements**

1. Students will be promoted to the next grade level if they are meeting grade level expectations as identified by local and State Department of Education core subject objectives.
2. "Double promotions, " that is, acceleration beyond the normal grade placement, are approvable for students who are working at an academic level of more than a year above placement and are sufficiently mature, socially and emotionally, to work with students of the advanced grade. Parent/guardian, teachers and administrators must agree that it is in the best interest of the student under consideration.
3. A list of those students who are not meeting grade level objectives in reading, language arts or mathematics will be given to the building principal by the October, January and March reporting periods. With respect to any student who is reported as not meeting grade level objectives in reading, language arts or mathematics:
  - a. The teacher, principal and counselor will meet to review the student's academic record, current test scores and work samples.
  - b. The parent/guardian will be notified as soon after the review as possible that retention is being considered. A meeting with the parent/guardian will be scheduled.

The parent/guardian will be informed that the student is not meeting grade level objectives and will be retained in the same grade unless there is strong and positive improvement in the student's work.

- c. A follow-up conference for the parent/guardian will be scheduled with the principal or the principal's designee to review the student's progress.
  - d. An academic program to address the needs of the student will be implemented.
4. In recommending promotion or retention, these factors will be considered:
- a. Academic achievement in all subject areas, especially attainment of grade level objectives, as determined by tests, teacher assignment, and work samples.
  - b. Chronological age.
  - c. Study Habits.
  - d. Attendance.
  - e. Social and emotional maturity.
5. The decision for retention will be made by the principal and the classroom teacher and written notification of retention will be sent to the parent/guardian.

**Student Academic Achievement**

**Graduation Requirements**

**Graduation Requirements for the Class of 2019 and Subsequent Years:**

1. **Twenty-eight and a half (28.5) units of credit** are required for graduation to be earned in grades nine through twelve.

2. **Graduation Requirements**

<b>Specific Courses</b>	<b>Graduation Requirements</b>			
Language Arts	4 units			
Social Studies	3 units			
Mathematics	3 units			
Science	3 units			
Fine Arts	1 unit			
Practical Arts	1 unit			
Physical Education	1 unit			
Health	0.5 unit			
Personal Finance	0.5 unit			
Other Electives	11.5 units			
<b>Total to Graduate</b>	<b>28.5 units</b>			

The Independence School District requires that each student select, as part of their preparation for graduation, an Academy pathway. The intent of Academy requirement is to encourage students to clarify education and career interest to prepare for advanced study at four-year colleges/universities, community colleges, or technical institutions and/or for direct entry into the world of work.

3. **Classification of Secondary Students**

A classification system is recommended as follows: with at least 7 credits earned = Sophomore status, 14 credits earned = Junior status, and 21.5 credits earned = Senior status. Graduation Plans would be required for sophomores with fewer than 7 credits, juniors with fewer than 14 credits, and seniors with fewer than 21.5 credits.

**Additional Considerations Regarding Graduation**

**Summer School**

Course credit(s) earned in summer school or night school may be counted toward the high school graduation requirements if the courses meet Missouri Department of Elementary and Secondary Education standards and regulations. Summer school grades do not influence class rank.

### **Credit Recovery Options**

Credit recovery provides an opportunity for high school students who fail a course to complete the requirements of the class. Once the student demonstrates mastery of the course requirements, the student shall receive credit for the course. Grades earned through credit recovery options such as night school and FuelEd will not impact a student's class rank.

### **Correspondence Credit**

A maximum of two (2) units of correspondence credit from accredited colleges and universities may be counted toward the high school graduation requirements. Students desiring to use correspondence credit to meet graduation requirements shall obtain prior approval of the principal or his/her designee.

### **Virtual Instruction Program**

The District will participate in a virtual instruction program called FuelEd. The District will receive notification from teachers facilitating FuelEd courses concerning the percentage of work satisfactorily completed by each student for each virtual education class completed. District staff members will assign a grade and course credit depending upon the percentage of work satisfactorily completed for each class.

### **Special Education**

Exceptions to the above graduation requirements may be made for students enrolled in special education classes. In making these exceptions, the instructional and administrative staffs will be guided by each student's ability to perform. Specific courses may be required of a special education student when it is determined to be in the best interest of the student. The Individual Educational Plan (IEP) may determine the appropriate educational program leading to the awarding of a diploma, as well as exemption from class rank.

In awarding credit and assigning grades, the District will apply the same standards for grade assignment and credit award as are applied to courses completed in the District's traditional curriculum. Credit toward meeting District graduation requirements will be awarded for FuelEd courses provided the work completed meets the academic standards required in the District's traditional education program.

<b>Locations and Courses</b>	<b>Current Credit Awarded Per Year</b>	<b>Waiver of One (1) Unit of Academic Credit</b>
<b>Summit Tech. Acad.</b>		
Pre-Prof. Nursing	3 in Science/Practical Arts	Science
Enter. Media Tech.	3 in Fine Arts	Na
Summit Intl. Studies Academy	3 in General Electives	Social Studies
<b>Herndon Career Ctr.</b>		
Auto Collision I and II	3 in Practical Arts	Science
Cosmetology	3 in Practical Arts	Com. Arts or Science
Auto Tech. I and II	3 in Practical Arts	Science
Culinary Arts	3 in Practical Arts	Com. Arts or Science
Diesel Mechanics I and II	3 in Practical Arts	Science
Early Childhood Prof.	3 in Practical Arts	Com. Arts
Electronic Systems Tech. I and II	3 in Practical Arts	Math
Foundations of Nursing	3 in Practical Arts	Science
Heating Vent. AC I and II	3 in Practical Arts	Com. Arts or Science
Networking Sys. I and II	3 in Practical Arts	Com. Arts or Math
Small Business Management	3 in Practical Arts	Com. Arts
Welding/Metal Fab. I and II	3 in Practical Arts	Science or Math
<b>_Metropolitan Comm. College</b>		
_MCC Manufacturing Technology	3 in Practical Arts	Math
_MCC Public Safety	3 in Practical Arts	N/A

**Course Credits, Board of Education Award, Weighted Courses**

**Course Credits**

Required courses may be taken during the regular school day, during the District's summer school, through approved correspondence programs, and through approved virtual instruction programs. Additional considerations concerning graduation involving summer school, correspondence credit, transfer students, and other issues may be discussed with a counselor. Students who voluntarily withdraw from a class after the first twenty (20) attendance days of each semester will receive an "F" in the class for that semester. Exceptions may be allowed by the principal or his/her designee.

**Board of Education Award**

All graduating seniors will be ranked. Over the course of the high school career, all semester GPAs are combined to comprise the cumulative GPA. However, class rank is based on total accumulated grade points, not GPA. **Rev. 10/2007**

The Board of Education shall present a scholastic medal and plaque to those graduating seniors who:

- place in the top one percent of the class;
- complete eight semesters of high school attendance; and
- attend four years of high school education totally in The School District of the City of Independence.

**Weighted Courses**

Weighted courses are available in selected subject areas. They carry an additional grade point value and some offer college credit as well, due to the nature of the class. Weighted courses are determined according to the following criterion:

- 1) Advanced Placement (AP)/Pre-AP
- 2) College credit status (Project Lead the Way)
- 3) Dual Credit
- 4) The lower weighting chart will go into effect for all incoming freshmen scheduled to graduate in 2013.

Courses taken in Advanced Placement or dual-credit formats will receive added grade points in the grading system. Students enrolled in Pre-AP or Project Lead the Way (PLTW) courses will receive a weighted value of .50 on a 4.0 scale. Students enrolled in AP or dual-credit courses will receive a weighted value of 1.0 on a 4.0 scale.

Grade	Grade Points Awarded		
	Un-Weighted	Dual-Credit/AP	Pre-AP/PLTW
A	4	5	4.5
B	3	4	3.5
C	2	3	2.5
D	1	2	1.5
F	0	1	0

A current listing of weighted courses can be found in the Program of Studies.

**Transfer Students**

For a class to be counted as a weighted class, the student must have come from an accredited high school in Missouri or the equivalent classification from another state or a North Central Association or equivalently accredited high school.

No class taken in another school district will be counted as weighted unless the same course is offered as a weighted class in the District's curriculum and is conducted as an honors/weighted class in the sending school.

Students who are transferring more or fewer credits than can be earned by Independence high school students (4 credits per semester), will have their potential grade points adjusted to 4 credits so as to not provide an unfair advantage when calculating class rank. Under these circumstances, the counselor will correlate the courses identified on the transcript from the previous school to the courses offered through the District’s program of studies. If a course is identified that is not offered in the District’s program of studies, then this course will be removed from the accumulated grade points available. The course credit will still be applied toward graduation requirements. If all the courses transferred are found with the District’s program of studies, then the course that is not an identified course needed for graduation will be removed from the calculation. If all courses are needed for graduation, then the lowest grade will be removed from the calculation.

Juniors and Seniors transferring from another accredited Missouri school who cannot reasonably meet the Independence School District graduation requirements of 28.5 credits, may be permitted to graduate based on the successful completion of a program of studies equivalent or higher than the graduation requirements outlined at their previous school. The transferring student must create a graduation plan with their counselor, and the plan must be agreed upon by the building principal. The graduation plan must include the following requirements to be considered to receive an Independence School diploma:

<b>Specific Courses</b>	<b>Credit Requirements</b>
English/Language Arts	4 credits
Social Studies*	3 credits
Mathematics	3 credits
Science	3 credits
Fine Arts	1 credit
Practical Arts	1 credit
Physical Education	1 credit
Health **	0.5 credit
Personal Finance	0.5 credit
Electives Credits	Total elective credits will be determined based on the amount of credits needed to satisfy or exceed the graduation requirements outlined at their previous school.
<b>Total to Graduate</b>	<b>Total credits must be equivalent or higher than graduation requirements outlined at their previous school.</b>

\* Students shall meet the requirements of Sections 170.011, RSMo. (United States and Missouri Constitutions, and American history and institutions), and 170.345, RSMo. (Civics).

\*\* Students shall meet the requirement of Section 170.310, RSMo., concerning cardiopulmonary resuscitation (CPR) instruction and training.

Students transferring from schools other than accredited schools in the state of Missouri and placed in grade 10 or above may be excused by the District from certain District graduation requirements at the District's discretion. This exemption does not extend to state graduation requirements.

**Grade Point Average (GPA), Class Rank, and Weighted Courses**

Grade points are awarded based on the table on the preceding page. The grade points are used in computing a GPA. Over the course of the high school career, all semester GPA's are combined to comprise the cumulative GPA. However, class rank is based on total accumulated grade points, not GPA. Students who take a full schedule all four years, and include as many weighted courses as possible will earn more grade points than students who take a few weighted courses or who take a partial schedule during the senior year.

**Semester Attendance Requirement**

The Board of Education recommends that each student attend eight (8) semesters of high school in the regular four year course of study in grades nine and above. A student desiring to graduate after seven (7) semesters of attendance must have approval by the Board of Education. Students wishing to graduate early must submit their letters of intent to their principal and Board of Education by November 1<sup>st</sup> to be eligible for consideration. Through this procedure, students must complete credit check forms to be signed by their counselor, parents, principal, and must be attached to the letter of intent. Students should be advised that omission of the eighth semester will affect the class rank and cause them to forfeit participation in activities regulated by the Missouri State High Schools Activities Association under its eligibility requirements. (Rev. 1/14/2003) A student desiring to graduate after six (6) semesters of attendance must demonstrate a significant cause for consideration and they must follow the same process as previously stated.

Satisfactory completion of twenty-eight and one half (28.5) units of credit is required for graduation by the Board of Education for the classes of 2019 and subsequent years.

Students who have completed all graduation requirements are eligible to receive a diploma during the spring graduation ceremony of that given year.

The attendance requirement may be reduced for pupils who cannot attend due to illness. Part of the minimum requirement may be earned by these students through correspondence or through approved homebound study.

**Rev. 1/19**  
**Rev. 11/21**



**Discipline****Misconduct and Disciplinary Consequences**

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

Copies of this regulation or the student handbook which includes the code of student conduct and disciplinary consequences, as well as the District's corporal punishment policy 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.

**Expulsion of Students by the Board of Education**

(1) Expulsion prohibits any further attendance of a student in the schools of the District or at District activities. The Board of Education may expel a student for any of the reasons set forth in Policy 2663, for conduct which is prejudicial to good order and discipline in the schools or which tends to impair the morale or good conduct of the pupils.

- (a) The principal shall request consideration of an expulsion of a student in writing to the Superintendent of Schools or his designee.
- (b) The Superintendent, or his designee, shall hold an administrative hearing on the request for an expulsion of a student in accordance with the procedures outlined under Policy 2663 of the Policies of the Board of Education.
- (c) Following the administrative hearing, should the Superintendent concur with the principal's recommendation for expulsion, all facts, evidence, statements, and administrative recommendations shall be forwarded in writing to the Board of Education for a formal hearing as outlined in Section 167.161, RSMo.

**Following is a partial, but not all inclusive, list of rules which may lead to suspension or to expulsion.**

- (1) Violations of the Policies of the Board of Education and written school rules.
  - (a) Definition: Written school rules as distributed in handbooks, letters, and or materials by, or under the direction of, the principal.

- (b) Consequence: May range from conference with parents or guardian, detention, in-school suspension, or other action at the discretion of the principal to suspension by the principal, Superintendent of Schools, or Board of Education and/or expulsion by the Board of Education.
- (2) Truancy
  - (a) Definition: Being absent for any reason other than those reasons established as acceptable by the principal. The principal retains the right to determine whether or not an absence is to be excused or unexcused.
  - (b) Consequence: May range from conference with parents or guardian, detention, in-school suspension, or other action at the discretion of the principal to suspension by the principal, Superintendent of Schools, or Board of Education, and/or expulsion by the Board of Education.
- (3) Assault
  - (a) Definition: Knowingly causes physical injury to another person; with criminal negligence, causes physical injury to another person by means of a deadly weapon; recklessly engages in conduct which creates a grave risk of death or serious physical injury to another person.
  - (b) Consequence: Suspension by principal, Superintendent of Schools, Board of Education and/or expulsion by Board of Education. Assault on school property is a felony and will be reported to the local law enforcement agency.
- (4) Fighting
  - (a) Definition: Combat in which one or both parties have contributed to the conflict either verbally or by physical action.
  - (b) Consequence: May range from conference with parents or guardian, detention, in-school suspension, or other action at the discretion of the principal to suspension by the principal, Superintendent of Schools, Board of Education, and/or expulsion by the Board of Education.
- (5) Weapons
  - (a) Definition: In any instance when a pupil is discovered to have on or about such pupil's person, or among such pupil's possession, or placed elsewhere on the school premises

any item that is ordinarily considered to be a weapon. Examples include, but not limited to, knives, firearms, guns, chains, and explosives.

- (b) Consequence: Suspension by the principal for ten days with a recommendation to the Superintendent of Schools for a suspension not to exceed 180 days and/or expulsion by Board of Education, with the exception of a firearm (as defined by United States Code) that will result in expulsion by the Board of Education for not less than one year. In addition, any student in possession of a firearm will be referred to the local law enforcement agency. The Superintendent of Schools may modify the expulsion requirement on a case-by-case basis to comply with the discipline of students with disabilities in accordance with the requirements of Part B of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act.

(6) Verbal and Written Abuse to Staff

- (a) Definition: Disrespectful verbal or written language to a staff member.
- (b) Consequence: May range from conference with parents or guardian, detention, in-school suspension, or other action at the discretion of the principal to suspension by the principal, Superintendent of Schools, or Board of Education, and/or expulsion by the Board of Education.

(7) Alcoholic Beverages, Narcotics, Illegal Drugs, Prohibited Substances, and Medication

- (a) Definition: Sale, and/or use, and in any instance when a pupil is discovered to have on or about such pupil's person or among such pupil's possessions, or placed elsewhere on the school premises of alcoholic beverages, narcotics, illegal drugs and/or prohibited substances, and drug paraphernalia, as defined in the Revised Statutes of Missouri (RSMo), Chapter 195, by any student while such student is upon school property, in attendance at a school function, whether off or upon school property, or while on school furnished transportation. Pupil possession of or being under the influence of alcoholic beverages and/or hallucinogenic drugs, or combination of drugs, or drug paraphernalia expressly prohibited by federal, state, or local laws, including prohibited substances which shall include those substances possessed, or distributed, and/or used that are held out to be, or represented to be controlled substances, illegal or controlled substances, as defined by Chapter 195 of the Revised Statutes of Missouri (RSMo), at any school functions, on or off school property, or on school furnished transportation.
- (b) Definition: Sale and or use, and in any instance when a pupil is discovered to have on or about such pupil's person, or among such pupil's possessions, or

placed elsewhere on the school premises, of medication, medicine or drugs, as defined in common medical or pharmaceutical dictionaries, either prescription or nonprescription, by any student while such student is upon school property, in attendance at a school function, whether off or upon school property, or while on school furnished transportation.

- (c) Definition: Sale and or use, and in any instance when a pupil is discovered to have on or about such pupil's person, or among such pupil's possessions, or placed elsewhere on the school premises, of any substance which when taken into the human body can impair the ability of the person to be productive in a school environment, is determined to the health and welfare of students, or is detrimental to discipline in school, including but not limited to, any unauthorized inhalants, over the counter drugs or herbal preparation, by an student while such student is upon school property, in attendance at a school function, whether off or upon school premises.
  - (d) Students may only be in possession of medication as detailed in Board Policy and Regulation 2870, Administering Medicines to Students.
  - (e) Consequence: Suspension by the principal for ten days with a recommendation to the Superintendent of Schools for a suspension not to exceed 180 days and/or expulsion by Board of Education. Distribution of a controlled substance within 2000 feet of a school is a felony and will be reported to the local law enforcement agency. Revocation and/or prevention of student parking permit may be imposed.
- (8) Extortion
- (a) Definition: Threatening or intimidating any student for the purpose of, or with the intent of, obtaining money or anything of value from the student.
  - (b) Consequence: May range from conference with parents or guardian, detention, in-school suspension, or other action at the discretion of the principal to suspension by the principal, Superintendent of Schools and/or expulsion by Board of Education.
- (9) False Alarm
- (a) Definition: The reporting of false fire reports or alarms, bomb threats, or other action endangering the public safety of students and staff.

- (b) Consequence: Suspension by principal, Superintendent of Schools, Board of Education and/or expulsion by Board of Education. A false bomb threat is a felony and will be reported to the local law enforcement agency.
- (10) Theft
  - (a) Definition: Stealing or attempting to steal private or school property.
  - (b) Consequence: May range from conference with parents or guardian, detention, in-school suspension, other action at the discretion of the principal to suspension by the principal, Superintendent of Schools, Board of Education, and/or expulsion by the Board of Education. Acts of theft may be reported to the local law enforcement agency and restitution will be assigned.
- (11) Willful Damage or Vandalism to School, Staff or Student Property
  - (a) Definition: Willfully causing damage or attempting to cause damage to any property, real or personal belonging to the school, staff, or students.
  - (b) Consequence: May range from conference with parents or guardian, detention, in-school suspension, or other action at the discretion of the principal to suspension by the principal, Superintendent of Schools, Board of Education and/or expulsion by the Board of Education. Institutional vandalism is a misdemeanor/felony and will be reported to the local law enforcement agency. Restitution will be assigned.
- (12) Careless Driving
  - (a) Definition: Driving carelessly on school property or without due caution so as to endanger person(s) or property.
  - (b) Consequence: Loss of parking privileges, suspension by principal, Superintendent of Schools, Board of Education and/or expulsion by Board of Education.
- (13) Use of Obscene Language/Gestures/Writings
  - (a) Definition: Use of words which describe sexual conduct and which, considered as a whole, appeal to prurient interest in sex, portraying sex in a manner offensive to community standards, and do not have a serious literary, artistic, political or scientific value. Unacceptable gestures toward students and/or staff.

- (b) Consequence: May range from conference with parents or guardian, detention, in-school suspension, or other action at the discretion of the principal, to suspension by the principal, Superintendent of Schools, Board of Education and/or expulsion by the Board of Education. Rev.6/28/2005
  
- (14) Use of Language that is Disparaging or Demeaning
  - (a) Definition: Words which are spoken solely to harass or injure other people, such as threats of violence or defamation of a person's race, religion, or ethnic origin.
  - (b) Consequence: May range from conference with parents or guardian, detention, in-school suspension or other action at the discretion of the principal to suspension by the principal, Superintendent of Schools, Board of Education, and/or expulsion by the Board of Education.
  
- (15) Use of Disruptive Speech or Conduct
  - (a) Definition: Conduct or speech, be it verbal, written, or symbolic, which materially and substantially disrupts classroom work, school activities, school functions, or simply talking in class when told not to do so.
  - (b) Consequence: May range from conference with parents or guardian, detention, in-school suspension, or other action at the discretion of the principal to suspension by the principal, Superintendent of Schools, Board of Education and/or expulsion by the Board of Education.
  
- (16) Bus Misconduct
  - (a) Definition: Any offense committed by a student on a District-owned or contracted bus. Misconduct will be treated the same as school building misconduct.
  - (b) Consequence: May range from conference with parents or guardian, detention, in-school suspension or other action at the discretion of the principal to suspension by the principal, Superintendent of Schools, Board of Education, and/or expulsion by the Board of Education.
  
- (17) Tobacco
  - (a) Definition: Smoking, chewing, sniffing, possession, sale or use of tobacco materials by any student while such student is upon school property, in attendance at a school function, whether off or upon school property, or while on school

furnished transportation or any other use of tobacco materials.

- (b) Consequence: 1st offense – 3-5 day in-school suspension; 2nd offense – 1-5 days out of school suspension; 3rd offense – 5-10 days out of school suspension. All tobacco infractions committed by under age students will be reported to the local law enforcement agency.

(18) Arson

- (a) Definition: The act of deliberately burning or causing to be damaged by fire: school facilities, vehicles or other materials within school supervision.
- (b) Consequence: Suspension by the principal for ten days with a recommendation to the Superintendent of Schools for suspension not to exceed 180 days and/or expulsion by the Board of Education.

(19) Hazing/Harassment

- (a) Definition: As defined in the Independence Board of Education Regulation 2130.
- (b) Consequence: May range from conference with parents or guardian, detention, in-school suspension, or other action at the discretion of the principal, to suspension by the principal, Superintendent of Schools and/or expulsion by the Board of Education.

(20) Alcohol

- (a) Definition: Possession of or presence under the influence of alcohol regardless of whether the student is on school premises.
- (b) Consequence: May range from conference with parents or guardian, detention, in-school suspension, or other action at the discretion of the principal to suspension by the principal, Superintendent of Schools, and/or expulsion by the Board of Education.

(21) Bullying

- (a) Definition: Bullying is the intentional action by a student or group of students to inflict physical, emotional, or mental suffering on another individual or group of individuals.

Bullying occurs when a student:

- Communicates with another person by any means including telephone, writing, or via electronic communications, with the intent to intimidate or to inflict physical, emotional, or mental harm, or

- Physically contacts another person with the intent to intimidate or to inflict physical, emotional, or mental harm. Physical contact does not require physical touching, although touching may be included. Rev. 9/06

(b) Consequence: First offense may range from 1 to 10 days out of school suspension and subsequent offenses may range from up to 180 days out of school suspension and/or recommendation for expulsion. Rev. 9/06

(22) Sexual Activity

(a) Definition: Act of sex or simulated acts of sex including, but not limited to, intercourse or oral or manual stimulation on school property, in attendance at a school function, whether off or upon school property, or while on school provided transportation.

(b) Consequence: Principal/Student Conference, detention, in-school suspension, or 1-180 days out-of-school suspension.

(23) Miscellaneous Offenses

Disciplinary action may be taken for items included, but not limited to, the following list:

- (a) failure to follow directions/insubordination
- (b) academic dishonesty
- (c) violence and/or violent behavior
- (d) indecent exposure
- (e) show of force
- (f) persistent opposition to school authority
- (g) possession of pornographic materials
- (h) gambling
- (i) failure to make academic progress.
- (j) inappropriate use of (the Internet) technology



(24) The Board of Education, after notice to parents or others having custodial care and a hearing upon the matter, may suspend a student upon a finding that the student has been charged, convicted, or plead guilty in a court of general jurisdiction for the commission of a felony criminal violation of state or federal law. At a hearing, the Board shall consider statements that the parties present. The Board may provide for the procedure and conduct of such hearings.

**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, the District will assign the student to an alternative education placement for a period of up to forty-five (45) days and/or take other steps to address the student's misconduct, as permitted by law.

**REV. 6/11**

## **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 with a disability under the Individuals with Disabilities Education Act carries or possesses a weapon, as defined by 18 U.S.C.ss 930(g)(2), to or at school premises, or to or at a school function under the District's authority, school administrators may remove that student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability. If a school administrator removes a student with an IDEA disability to an interim alternative educational placement, the District must convene the student's multidisciplinary and/or IEP team to conduct a manifestation determination within the statutory time frame and the student's IEP team must determine the interim alternative educational placement and the services that the student will be provided in order to receive a free appropriate public education and access to the general curriculum.

## **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.

No student on or about school property or at any school activity:

1. Shall wear, possess, use, distribute, display, or sell any clothing, jewelry, emblem, badge, symbol, sign, or other things which are evidence of membership or affiliation in any gang.
2. Shall commit any act or omission or use any speech either verbal or non-verbal (gestures, hand-shakes, etc.) showing membership or affiliation in a gang.
3. Shall use any speech or commit any act or omission in furtherance of the interests of any gang or gang activity, including but not limited to:
  - a. Soliciting others for membership in any gangs.
  - b. Requesting any person to pay protection or otherwise intimidating or threatening any person.
  - c. Committing any other illegal act or other violation of school District policies.
  - d. Inciting other students to act with physical violence upon any other person.

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

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

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

## **STUDENTS**

## **Regulation 2660**

### **Discipline**

### **Detention**

Certificated staff members may detain students after normal school hours for a reasonable time provided the following conditions are observed:

1. Students must have an opportunity to make arrangements for transportation home. Therefore, the detention may take place on any day after the day of notification to detain.
2. The detention may be for disciplinary or academic reasons.
3. The names of all students detained must be reported to the building principal.
4. All students detained must be supervised by a certificated staff member.

## **STUDENTS**

## **Regulation 2662** **(Form 2662)**

### **Discipline**

### **Suspension**

Students are expected to conduct themselves in accordance with Board Policy 2600. 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 property unless he/she lives within 1,000 feet of the school, has a parent with him/her, or has been requested by the administration to attend a meeting at the school, or any activity of the District, regardless of whether or not the activity takes place on school property, unless the Superintendent/designee has authorized the student to be on school property. This restriction does not apply to suspended students enrolled and attending an alternative school which is within 1,000 feet of a District school.

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. Any teacher directly involved in the suspension offense.
2. The student.
3. The parent/guardian.
4. The representative of any agency having legal jurisdiction, care, custody, or control of the student.
5. 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** **(Form 2663)**

### **Discipline**

### **Expulsion**

Unless a 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 the 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, including (1) any teacher employed in the District or directly involved with the conduct that resulted in the suspension or expulsion, (2) the student, (3) the parent/guardian of the pupil, and (4) 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 has 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. § 566.032
11. Statutory sodomy under Mo. Rev. Stat. § 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.

This policy shall not apply to a student with a disability, as identified under state eligibility criteria, who is convicted or adjudicated guilty as a result of an action related to the student's disability.

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 their version as to 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 unless requested by the student's parent/guardian or those having his/her custodial care, provided, however, that, if the hearing is open to the public, the Board may set reasonable limitations on the number of people present based upon available space and need for orderly proceedings.

The Board shall also have the right to exclude the public or any person or persons if it shall determine that the hearings are being disrupted by any person or group of persons.

Unless public, as herein above provided, 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 must be based solely on the evidence presented at the hearing and must include findings of fact on which the decision rests.

## **STUDENTS**

## **Regulation 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**

Any student with a disability who violates the District's discipline policy who has not been removed from their current educational placement for more than ten (10) cumulative days for the current school year may be disciplined in the same manner as other students, provided that any discipline will not result in removal from the student's current educational placement for more than ten (10) cumulative days for the current school year or for more than ten (10) consecutive school days.

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**

Any 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 suspensions totaling more than ten (10) cumulative days does not constitute a pattern of suspension.

On the eleventh day of removal in a school year, the District will provide educational services. If the cumulative removals do not constitute a pattern of suspension, 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 suspension 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 pattern of suspension, or if a school administrator determines that a removal for more than ten (10) consecutive school days is being considered, on the date a determination is made as to whether the behavior is a manifestation of the student's disability, the parents will be notified of the determination and provided a copy of the IDEA procedural safeguards.

Not later than ten (10) business days after commencing a cumulative removal that constitutes a pattern of suspension 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 pattern of suspension, 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 a manifestation of the student's disability, the student will not be removed for more than ten (10) consecutive or cumulative days for that disciplinary incident. The IEP team will conduct a functional behavior assessment, or, if a functional behavior assessment has already been developed, review and modify the behavioral intervention plan if necessary.

### **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) calendar 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 place a student in 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 alone (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, or 10 cumulative school days where there is a pattern of suspension, 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 suspension (because the series of removals totals more than 10 school days in a school year; because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and because of additional factors such as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another) the District will, prior to the 11<sup>th</sup> day of the disciplinary removal constituting a change in placement, 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 suspension is not created. If deemed necessary, the team may need to convene to determine if a change of educational placement may be needed, if additional accommodations are necessary, 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 substances (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, except that such term does not include a pocket knife with a blade of less than 2 1/2 inches in length.

*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 under section 565.020
  2. Second degree murder under section 565.021
  3. Kidnapping under section 565.110 as it existed prior to January 1, 207, or kidnapping in the first degree under section 565.110
  4. First degree assault under section 565.050
  5. Rape in the first degree under section 566.030
  6. Sodomy in the first degree under section 566.060
  7. Burglary in the first degree under section 569.160
  8. Burglary in the second degree under section 569.170
  9. Robbery in the first degree under section 569.020 as it existed prior to January 1, 207, or robbery in the first degree under section 570.023
  10. Distribution of drugs under section 195.211 as it existed prior to January 1, 2017, or manufacture of a controlled substance under section 579.055
- Distribution of drugs to a minor under section 195.212 as it existed prior to January 1, 2017, or delivery of a controlled substance under section 579.020

12. Arson in the first degree under section 569.040
13. Voluntary manslaughter under section 565.023
14. Involuntary manslaughter under section 565.024 as it existed prior to January 1, 2017, involuntary manslaughter in the first degree under section 565.024, or involuntary manslaughter in the second degree under section 565.027
15. Second degree assault under section 565.060 as it existed prior to January 1, 2017, or second degree assault under section 565.052
16. Assault (except as provided in the Agreement contained in Form 2673)
17. Rape in the second degree under section 566.031
18. Felonious restraint under section 565.120 as it existed prior to January 1, 2017, or kidnapping in the second degree under section 565.120
19. Property damage in the first degree under section 569.100
20. Possession of a weapon under chapter 571
21. Child molestation in the first degree pursuant to section 566.067 as it existed prior to January 1, 2017, or child molestation in the first, second, or third degree pursuant to section 566.067, 566.068, 566.069
22. Sodomy in the second degree pursuant to section 566.061
23. Sexual misconduct involving a child pursuant to section 566.083
24. Sexual abuse in the first degree pursuant to section 566.100
25. Harassment under section 565.090 as it existed prior to January 1, 2017, or harassment in the first degree under section 565.090
26. Stalking under section 565.225 as it existed prior to January 1, 2017, or stalking in the first degree under section 565.225

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.

**Rev. 5/2018**

**Student Welfare****Reporting Student Abuse****Procedure for Reporting Abuse and Neglect**

1. If notice of alleged child abuse or neglect is received, a report will be made to the Children's Division by telephoning the Abuse Hotline at 1-800-392-3738. The call will be logged with the date, time, and nature of the report., if the Children's Division declines to accept the report, the name of the CD representative; the date and report made must be documented.
2. When Children's Division (CD) representatives interview students on District property, a school staff member will be present. Children's Division representatives may not meet with a child at any school or childcare facility where abuse of the child is alleged to have occurred.
3. When Children's Division receives a report of suspected abuse involving a school employee, other than reports made under subsection (1), the Children's Division is required to notify the Superintendent. If the alleged perpetrator is the Superintendent, Children's Division will notify the Board President. However, if the report relates to spanking or the use of reasonable force to protect persons or property pursuant to Board policy, a report will be made to county law enforcement officials. The investigation into such report will be made by a law enforcement official in the county.
4. When the District and student involved request mediation of the child abuse situation in a school setting, the matter will be referred to the Office of Child Advocate.

## **STUDENTS**

## **Regulation 2750**

### **Student Welfare**

#### **Wellness**

This regulation outlines the District’s approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. Specifically, this policy establishes goals and procedures to ensure that:

1. Students in the District have access to healthy foods throughout the school day, both through reimbursable school meals and other foods available for sale throughout the school campus, in accordance with Federal and state nutrition standards.
2. Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors.
3. Students have opportunities to be physically active before, during, and after school.
4. Schools engage in nutrition and physical activity promotion and other activities that promote student wellness.
5. School staff are encouraged and supported to practice healthy nutrition and physical activity behaviors in and out of school.
6. The community is encouraged to support the work of the District in creating continuity between school and other settings for students and staff to practice lifelong healthy habits.
7. The District establishes and maintains an infrastructure for management, oversight, implementation, and communication about and monitoring of the policy and its established goals and objectives.

This policy applies to all District students, staff, and schools. Specific measureable goals and outcomes are identified within each section below.

### **I. School Wellness Committee**

#### **Committee Role and Membership**

A district-wide Wellness Committee (“Committee”) will be established and will meet at least (2) two times per year. Any existing School Health Advisory Council will serve as the nucleus for the Committee. The Committee will include members from all school levels as specified by law. Responsibility of the Committee may include, but not be limited to, oversight of the following:

1. Implementation of district nutrition and physical activity standards.
2. Integration of nutrition and physical activity in the overall curriculum.
3. Assurance that students receive nutrition education and engage in vigorous physical activity.

Committee membership may include, but not be limited to, parents, caregivers, students, members of the school retention program, physical education teachers, health education teachers, school health professionals, counselors, social workers, psychiatrists, school administrators, board members, health professionals, and District citizens.

## **II. Leadership**

The Superintendent and/or designee(s) will convene the Committee and facilitate development of and updates to the wellness policy and will ensure each school's compliance with the policy. The designated official for oversight is the Superintendent and/or designee(s).

The titles of these individuals are:

Wellness Coordinator	Chairperson
Deputy Superintendent of Operations	Member
Nutrition Services Director	Member
Health Services Director	Member

Each school will designate a school wellness policy coordinator who will ensure compliance with the policy.

## **III. Wellness Policy Monitoring, Accountability, and Community Engagement**

### **A. Recordkeeping**

The District will retain records to document compliance with the requirements of the wellness policy at the District's Administrative Offices. Documentation maintained in this location will include, but will not be limited to:

1. The written wellness policy;
2. Documentation demonstrating that the policy has been made available to the public;
3. Documentation of efforts to review and update the District's Wellness Policy including an indication of who is involved in the update and methods the district uses to make stakeholders aware of their ability to participate on the Committee;
4. Documentation to demonstrate compliance with the annual public notification requirements;
5. The most recent assessment of the implementation of the District's wellness policy;
6. Documentation demonstrating the most recent assessment of the implementation of the District's Wellness Policy has been made available to the public.

**B. Annual Notification of Policy**

The District is committed to being responsive to community input, which begins with awareness of the wellness policy. Accordingly, the District will actively inform families and the public each year of basic information about this policy, including its content, any updates to the policy, and implementation status. The District will use these mechanisms to inform the community about the availability of the annual and triennial reports.

The District will make this information available via the district website and/or district-wide communications. Annually, the District will also publicize the name and contact information of the District officials leading and coordinating the committee, as well as information on how the public can get involved with the school wellness committee.

**C. Triennial Progress Assessments**

At least once every three years, the District will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

1. The extent to which schools under the jurisdiction of the District are in compliance with the wellness policy;
2. The extent to which the District's wellness policy compares to the Alliance for a Healthier Generation's model wellness policy; and
3. A description of the progress made in attaining the goals of the District's wellness policy.

The position/person responsible for managing the triennial assessment and contact information is the District's Superintendent and/or designee(s).

The Committee, in collaboration with individual schools, will monitor schools' compliance with this wellness policy.

**D. Revisions and Updating the Policy**

The Committee will update or modify the wellness policy based on the results of the annual School Health Index and triennial assessments and/or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.

**IV. Nutrition**

**A. School Meals**

The District is committed to serving healthy meals to children that includes fruits, vegetables, whole grains, and fat-free and low-fat milk; that are moderate in sodium, low in saturated fat, and have zero grams *trans-fat* per serving (nutrition label or manufacturer's specification); and that meets within reason the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns, and support healthy choices while accommodating cultural food preferences and special dietary needs.

District schools are committed to offering school meals through the NSLP and SBP programs, and other applicable Federal child nutrition programs, that:

1. Are accessible to all students;
2. Are appealing and attractive to children;
3. Are served in clean and pleasant settings;
4. Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations.
5. Promote healthy food and beverage choices using at least ten of the following Smarter Lunchroom techniques:
  - a. Whole fruit options are displayed in attractive bowls or baskets (instead of chaffing dishes or hotel pans).
  - b. Sliced or cut fruit is available daily.
  - c. Daily fruit options are displayed in a location in the line of sight and reach of students.
  - d. All available vegetable options have been given creative or descriptive names.
  - e. Daily vegetable options are bundled into all grab-and-go meals available to students.
  - f. All staff members, especially those serving, have been trained to politely prompt students to select and consume the daily vegetable options with their meal.
  - g. White milk is placed in front of other beverages in all coolers.
  - h. Alternative entrée options (e.g., salad bar, yogurt parfaits, etc.) are highlighted on posters or signs within all service and dining areas.
  - i. A reimbursable meal can be created in any service area available to students (e.g., salad bars, snack rooms, etc.).
  - j. Student surveys and taste testing opportunities are used to inform menu development, dining space décor, and promotional ideas.
  - k. Student artwork is displayed in the service and/or dining areas.
  - l. Daily announcements are used to promote and market menu options.



## **B. Competitive Foods and Beverages**

The District is committed to providing foods and beverages to students on the school campus during the school day to support healthy eating. The foods and beverages sold and served outside of the school meal programs (e.g., “competitive” foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day, and create an environment that reinforces the development of healthy eating habits.

## **C. Celebrations and Rewards**

Foods offered on the school campus but are not for sale, such as foods for celebrations, parties, and incentives, are not required to meet the USDA Smart Snacks in School nutrition standards. However, the District will take the following measure to encourage that such foods promote student health.

1. *Celebrations and parties.* The District will provide a list of healthy party ideas to parents and teachers including non-food celebration ideas. Healthy party ideas are available from the Alliance for a Healthier Generation and from the USDA.
2. *Classroom snacks brought by parents.* The District will provide to parents a list of foods and beverages that meet Smart Snacks nutrition standards.
3. *Rewards and incentives.* The District will encourage teachers and other relevant school staff to use nonfood rewards.

The District will promote healthy food and beverage choices for all students throughout the school campus as well as encourage participation in school meal programs. This promotion will occur through at least:

1. Implementing at least ten or more evidence-based healthy food promotion techniques through the school meal programs using Smarter Lunchroom techniques; and
2. Ensuring 100% of foods and beverages promoted to students meet the USDA Smart Snacks in School nutrition standards.

## **D. Nutrition Education**

The District will teach, model, encourage, and support healthy eating by all students. Schools will provide nutrition education and engage in nutrition promotion that:

1. Is designed to provide students with the knowledge and skills necessary to promote and protect their health;

2. Is part of health education classes;
3. Promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products, and healthy food preparation methods;
4. Emphasizes caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
5. Teaches media literacy with an emphasis on food and beverage marketing; and
6. Has available nutrition education training for teachers and other staff.

#### **E. Food and Beverage Marketing in Schools**

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards.

Food and beverage marketing is defined as advertising and other promotions in schools. Food and beverage marketing often includes an oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product.

As the District/School Nutrition Services/Athletics Department, PTA/PTO reviews existing contracts and considers new contracts, equipment, and product purchasing (and replacement), decisions should reflect the applicable marketing guidelines established by the District wellness policy.

#### **V. Physical Activity**

Children and adolescents should participate in at least 60 minutes of physical activity every day. A substantial percentage of students' physical activity can be provided through a comprehensive school physical activity program (CSPAP). A CSPAP reflects strong coordination and synergy across all of the components: quality physical education as the foundation; physical activity before, during, and after school; staff involvement; and family and community engagement. The District is committed to providing these opportunities.

To the extent practicable, the District will ensure that its grounds and facilities are safe and that equipment is available to students to be active.

##### **A. Physical Education**

The District will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits as well as incorporate essential health education concepts. The curriculum will support the essential components of physical education.

**B. Health Education/Physical Activity Classes**

Health education/physical activity classes will be required in all elementary grades and the District will require middle and high school students to take and pass at least one health education course.

**C. Recess (Elementary)**

All elementary schools will offer at least 20 minutes of recess on all days during the school year.

Outdoor recess will be offered when weather is feasible for outdoor play.

In the event that the school or District must conduct indoor recess, teachers and staff will follow the indoor recess guidelines that promote physical activity for students to the extent practicable.

Recess will complement, not substitute for physical education class. Recess monitors or teachers will encourage students to be active and will serve as role models by being physically active alongside the students whenever feasible.

**D. Classroom Physical Activity Breaks (Elementary and Secondary)**

The District recognizes that students are more attentive and ready to learn if provided with periodic breaks when they can be physically active or stretch. The District encourages teachers to provide short (3-5-minute) physical activity breaks to students during and between classroom times at least three days per week. These physical activity breaks will complement, not substitute for physical education class, recess, and class transition periods.

The District will provide resources and links to resources, tools, and technology with ideas for classroom physical activity breaks. Resources and ideas are available through USDA and the Alliance for a Healthier Generation.

**E. Active Academics**

Teachers will serve as role models by being physically active alongside the students whenever feasible.

**F. Before and After School Activities**

The District offers opportunities for students to participate in physical activity either before and/or after the school day (or both) through a variety of methods. The District will encourage students to be physically active before and after school.

**G. Active Transport**

The District will support active transport to and from school, such as walking or biking. The District will encourage this behavior by:

1. Using crossing guards
2. Using crosswalks on main streets leading to schools
3. Creating and distributing maps of school environment (e.g., sidewalks, crosswalks, roads, pathways, bike racks, etc.)

**VI. Other Activities that Promote Student Wellness**

The District will integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues, and physical activity facilities. The District will coordinate and integrate other initiatives related to physical activity, physical education, nutrition, and other wellness components so all efforts are complementary, not duplicative, and work toward the same set of goals and objectives promoting student well-being, optimal development, and strong educational outcomes.

District schools are encouraged to coordinate content across curricular areas that promote student health, such as teaching nutrition concepts in mathematics, with consultation provided by either the school or the District's curriculum directors.

All efforts related to obtaining federal, state, or association recognition for efforts through grants/funding opportunities for healthy school environments will be coordinated with and complementary of the wellness policy including but not limited to ensuring the involvement of the Committee.

**A. Community Partnerships**

The District will utilize where feasible relationships with community partners (e.g., hospitals, universities/colleges, local businesses, SNAP-Ed providers and coordinators, etc.) in support of this wellness policy's implementation. Existing and new community partnerships and sponsorships will be evaluated to ensure that they are consistent with the wellness policy and its goals.

**B. Community Health Promotion and Family Engagement**

The District will promote to parents/caregivers, families, and the general community the benefits of and approaches for healthy eating and physical activity throughout the school year. Families will be informed and invited to participate in school-sponsored activities and will receive information about health promotion efforts.

As described in the “Community Involvement, Outreach, and Communications” subsection, the District will use electronic mechanisms (e.g., email or displaying notices on the District’s website), as well as non-electronic mechanisms (e.g., newsletters, presentations to parents, or sending information home to parents), to ensure that families are actively notified of opportunities to participate in school-sponsored activities and receive information about health promotion efforts.

**C. Staff Wellness and Health Promotion**

The Committee will have a staff wellness subcommittee that focuses on staff wellness issues, identifies and disseminates wellness resources, and performs other functions that support staff wellness in coordination with human resources staff which will be coordinated by the District’s HR Director.

District schools will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors. The District promotes staff member participation in health promotion programs and will support programs for staff members on healthy eating/weight management that are accessible and free or low-cost.

**D. Professional Learning**

When feasible, the District will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help District staff understand the connections between academics and health and the ways in which health and wellness are integrated into ongoing district reform or academic improvement plans/efforts.

## **STUDENTS**

## **Regulation 2760**

### **Student Welfare**

#### **Students in Foster Care**

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.

#### **Dispute Resolution**

**Level I** - A complaint regarding the best interest in regard to education services of a child in foster care shall first be presented orally and informally to the District's educational liaison for District foster children. If the complaint is not promptly resolved, the complainant may present a formal written complaint (grievance) to the educational liaison. The written charge must include the following: date of filing, description of alleged grievances, the name of the person or persons involved, and a recap of the action taken during the informal charge stage. Within five (5) working days after receiving the complaint, the liaison shall state a decision in writing to the complainant, with supporting evidence and reasons. In addition, the liaison will inform the Superintendent of the formal complaint and the disposition.

**Level II** - Within five (5) working days after receiving the decision at Level I, the complainant may appeal the decision to the Superintendent by filing a written appeals package. This package shall consist of the complainant's grievance and the decisions rendered at Level I. The Superintendent will arrange for a personal conference with the complainant at their earliest mutual convenience. Within five (5) working days after receiving the complaint, the Superintendent shall state a decision in writing to the complainant with supporting evidence and reasons.

**Level III** - If resolution is not reached in Level II, a similar written appeals package shall be directed through the Superintendent to the Board of Education requesting a hearing before the Board at the next regularly scheduled or specially called meeting. The hearing before the Board may be conducted in closed session upon the request of either the Board or the complainant. Within thirty (30) working days after receiving the appeals package, the Board shall state its decision and reply in writing to the parties involved. For District purposes, the decision of the Board of Education is final.

**Level IV** – If the complainant is dissatisfied with the action taken at Level III, the Complainant may appeal the decision to the State Education Agency point of contact. Such appeal must be in writing and filed within five (5) days of Level III decision, and including:

6. School in which enrollment is sought and the basis for seeking enrollment;
7. Name and contact information for the parent or education decision-maker;
8. Best Interest notes and reports;
9. Copy of the previous appeal letter;
10. Copy of the decision recommended at Level III.

The appeal letter must be submitted to the State point of contact as well as the District's Superintendent.

## **STUDENTS**

## **Regulation 2785**

### **Student Welfare**

#### **Student Suicide Awareness**

Pursuant to Section 170.048, RSMo., the Independence School District will educate employees and students on the actions and resources necessary to prevent suicide and to promote student well-being, to include:

1. Strategies that can help identify students who are at possible risk of suicide;
2. Strategies and protocols for helping students at possible risk of suicide; and
3. Protocols for responding to a suicide death.

#### **Strategies that can help identify students who are at possible risk of suicide:**

Student suicidal behaviors are not confidential and may be revealed to the student's parents, guardians, school personnel or other appropriate authority when the health, welfare or safety of the student is at risk.

Any school employee who has a reasonable belief that a student may be at risk for suicide or witnesses any attempt towards self-injury will notify their school mental health professional (i.e. school counselor, school psychologist, family school liaison) and/or the building administrator(s).

If a student suicide behavior is made known to any school employee and a school mental health professional and/or the building administrator is not available, the employee will notify the student's parent/guardian, the National Suicide Prevention Lifeline (800-273-8255) or local law enforcement in an emergency situation. As soon as practical, the employee will notify the building principal or designee.

The following steps will be employed in response to any risk of student suicide:

1. Locate student and stay with student.
  - Student will not be left alone unless it is determined that there is no longer a risk of suicide.
  - If student is not able to be located, immediately contact school team for search
    - Make contact and inform parent/guardians of the concern
    - Contact emergency services if needed
2. Notify school mental health professional and/or building administrator.
3. School mental health professional will conduct Independence's suicide risk assessment.
  - Follow guidelines of process in determining leveled risk and appropriate response



**Strategies and protocols for helping students at possible risk of suicide:**

A student exhibiting suicidal behavior will be directed to meet with the building designee, their parent/guardian and counselor to discuss support and safety systems, available resources, coping skills, and a safety plan as necessary.

The Independence School District will, in collaboration with local organizations and the Missouri Department of Mental Health, identify local, state and national resources and organizations that can provide information or support to students and families.

**Protocols for responding to a suicide death:**

When the school community is impacted by suicidal behavior or a death by suicide, the district will confer with the Mental Health Response Team (MHRT) and, when appropriate, confer with local community resources and professionals to identify and make available supports that may help the school community understand and process the behavior and/or death.

The MHRT, building administrator or his/her designee will determine appropriate procedures for informing the school community of a death by suicide and the supports that will be offered. Staff and students who need immediate attention following a death by suicide will be provided support and resources as determined necessary.

**New 5-2018**

## **STUDENTS**

## **Regulation 2850** **(Form 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. Homeless children will be granted a temporary thirty (30) day grace period within which to submit proof of compliance or demonstrate satisfactory progress.
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. This must be renewed annually. 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. To the extent that the District provides Information on immunizations, Infectious disease, medications, or other school health issues to parents/guardians, the District will include information that is at least similar to the information provided by the Center for Disease Control and Prevention about Influenza and influenza vaccinations.
7. 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.
8. 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. 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 disseminated annually 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 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**

##### **Prescription Medication**

The student's authorized prescriber 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 prescriber's name. The diagnosis/indication for use of the medicine shall be provided. When possible, the prescriber should state adverse effects and applicable emergency instructions.

The District shall require that a prescription label be properly affixed to the medication in question. Said label must contain the name of the student, name of the drug, dosage, frequency of administration, route of administration, diagnosis and the prescriber's name.

A parent/guardian must request in writing that the School District comply with the authorized prescriber's request to give medication. (The District will not administer the initial dose of any new prescription except in an emergency.)

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

The student's authorized prescriber 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 prescriber's name. The diagnosis/indication for use of the medicine shall be provided. When possible, the prescriber should state potential adverse effects and applicable emergency instructions.

A parent/guardian will provide a written request that the District comply with the authorized prescriber's request to give medication.

##### **Emergency Medication**

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

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

A parent/guardian or other responsible party designated by the parent/guardian will deliver all medication to be administered at school to the school nurse or designee. 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. Qualified employees will be held harmless and immune from civil liability for administering medication or medical services in good faith and according to standard medical practices.

School employees who are not qualified according to standard medical practices will not be required to administer medications or medical services. Such unqualified employees who refuse to administer medications or medical services will not be subject to disciplinary action for such refusal.

#### **Storage and Administration of Medication during After-School Extra-Curricular Activities**

The Board of Education recognizes that some students may require medication for chronic or short-term illness/injury during after-school extra-curricular activities to enable them to remain at school and participate in the activity. Further, in accordance with the Individuals with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, the District will provide aids or services after school to students with disabilities, including after-school access to medication, in order to enable such students to participate in extra-curricular activities.

For students who require medication to participate in extra-curricular activities, the school nurse or designee may administer medication to such students. The school nurse may administer medication to students at the end of the school day, so that the medication may be taken at the end of the school day before the extra-curricular activity begins. The nurse will administer only one dosage of medication at the end of the school day. In the event that prescription medication must be taken at a specific time during the pendency of an extra-curricular activity rather than at the end of the school day, or in the event that the student's authorized prescriber indicates that multiple doses of medication must be taken by the student during the course of an extra-curricular activity, then the school nurse will provide either the athletic trainer or the activity sponsor with an appropriate dosage of the medication and the trainer or sponsor will administer the medication to the student at the appropriate time(s).

Each of the above requirements concerning administration of medication during the school day applies to the administration of medication at the end of the school day. The student's authorized prescriber shall provide a written request that the student be given medication at the end of the school day, a parent/guardian must request in writing that the School District comply with the authorized prescriber's request to give medication, and a parent/guardian must deliver all

medication to be administered at the end of the school day to the school nurse or designee.

As an alternative to the school nurse or designee administering medication at the end of the school day, a parent/guardian may deliver medication to his/her student at the end of the school day, so that the medication may be taken at the appropriate time after school. If a parent/guardian desires to deliver medication to his/her child at the end of the school day, then he/she must provide the nurse with written notification that medication will be delivered after school, along with the following information: the name of the student, name of drug, dosage, frequency of administration, route of administration, prescriber's name, diagnosis/indication for use of the medicine, and any adverse effects and applicable emergency instructions. The parent/guardian may only deliver a single dosage of medication to his/her child each day, unless the student's authorized prescriber indicates that multiple doses of medication must be taken by the student during after-school activities. Under no circumstances is it permissible for a student to have possession of prescription medication during the school day.

If a student is in possession of prescription medication after school pursuant to this procedure, then the student will not be subject to discipline under the student discipline code. A student will be subject to discipline if he/she has possession of more than one dosage of a prescribed medication after school or if he/she has possession of more doses of prescription medication than indicated necessary by his/her authorized prescriber.

### **Pre-Filled Auto Syringes**

A school nurse or other school employee trained and supervised by the nurse may be authorized by the Board of Education to maintain an adequate supply of pre-filled auto syringes of epinephrine with fifteen hundredths milligram (15/100 mg) or three tenths milligram (3/10mg) delivery at school. The school nurse shall recommend to the school board, through the superintendent, the number of pre-filled epinephrine auto syringes to be maintained at each school. Licensed school nurses have the discretion to use an epinephrine auto syringe on any student the school nurse believes is having a life threatening anaphylactic reaction based upon the nurses training in recognizing an acute episode of an anaphylactic reaction. Trained employees administering life-saving methods will be immune from civil liability for administering life-saving methods for administering a pre-filled auto syringe in good faith consistent with standard medical practices

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

Students with asthma, anaphylaxis, or any chronic health condition may carry with them for self-administration metered-dose inhalers containing "rescue" medication. 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 of 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 nurse 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 will not incur 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. Duplicate prescribed medication, as described in this policy, will be kept in the school's nurse's office and be reasonably accessible to the student and school staff in the event of an asthma or anaphylactic emergency.

### **Cardiopulmonary Resuscitation Training**

Upon Board of Education authorization, the District will provide instruction in cardiopulmonary resuscitation to District students grades 9-12. The instruction will be part of a health educational course and will include hands-on practice and skill testing to support cognitive learning. However, the District may elect to develop an agreement with a first responder to provide the required practice and testing. Students with disabilities may participate to the extent appropriate as determined by the student's IEP or 504 Plan.

Any training course in cardiopulmonary resuscitation (“CPR”) provided by the District will also include instruction on the proper use of defibrillators. Such defibrillator training will follow the standards set by the American Red Cross, the American Heart Association or similar training from a nationally recognized organization.

### **Automated External Defibrillators**

Should the District acquire an automated external defibrillator (“defibrillator”) and maintain it on school premises, the District will:

- a) Comply with applicable regulations governing the placement of a defibrillator;
- b) Ensure the defibrillator is tested at least every two years and after every use;
- c) Ensure that the defibrillator is maintained and tested according to the manufacturer’s operation and maintenance guidelines;
- d) Ensure that an inspection is made of each defibrillator at least every ninety (90) days for potential issues related to its operation, including blinking lights or other obvious defects suggesting tampering or other problems with the defibrillator’s functionality.

Any person who gratuitously and in good faith renders emergency care by use of the District’s defibrillator will not be liable for any civil damages or subject to any criminal penalty unless the user acts in a reckless or wanton negligent manner.

### **Administration of Asthma Rescue Medication**

The Board of Education, by a majority vote, may authorize a licensed registered nurse to maintain a supply of asthma related rescue medication at each District school. The nurse will recommend the quantity of such medication to be maintained. The asthma rescue medication will be obtained by prescription written by a licensed physician, a physician’s assistant, or nurse practitioner. Such prescription shall list the District as the patient, will contain the nurse’s name, and will be filled at a licensed pharmacy. A school nurse or other school employees trained by and supervised by the nurse shall have the discretion to use asthma related rescue medications on any student the school nurse or trained employee believes is having a life-threatening asthma episode based upon their training in recognizing an acute asthma episode. Immunity, under §167.624, from civil liability for trained employees administering life saving methods shall apply to trained employees administering an asthma related rescue medication under this policy.

### **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.

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**Student Services****Student Allergy Prevention and Response**

The school nurse shall oversee the administration of these procedures in consultation with the food service director, the School Health Advisory Council (SHAC), the wellness committee, the transportation director, local health authorities and, where appropriate, the special education director or 504 coordinator.

**Definitions**

*Allergen* – A substance that triggers an allergic reaction.

*Allergic Reaction* – An immune system response to a substance that itself is not harmful but that the body interprets as being harmful. Allergic reactions trigger inflammation in the skin (hives, itching, a rash); in the respiratory system (coughing, wheezing, difficulty breathing); in the gastrointestinal tract (vomiting, diarrhea, stomach pain); and the cardiovascular system (lowered blood pressure, irregular heartbeat, shock). Anaphylaxis is another type of allergic reaction.

*Anaphylaxis* – A life-threatening allergic reaction that involves the entire body. It may be characterized by symptoms such as lowered blood pressure, wheezing, nausea, vomiting or diarrhea and swelling and hives. Anaphylaxis may result in shock or death.

*Emergency Action Plan* – An EAP is a written plan for students who have life-threatening conditions, such as an allergy. This plan is designed to inform school district personnel who may be called upon to respond.

*Individualized Health Plan* – An IHP is a document created by the district in cooperation with the parents and, when appropriate, a student's health care provider for students who have specific health care needs. It is a nursing care plan that has student-centered goals and objectives, and describes the nursing interventions designed to meet the student's short and long-term goals.

*Life-Threatening Allergy* – An allergic reaction that is severe enough to potentially cause death.

**General**

Pursuant to Board policy, students must give their medications for the treatment of allergies to the school nurse. Each building will maintain a supply of epinephrine premeasured auto-injection devices for general emergency use only.

**Response to an Allergic Reaction**

Any staff member who becomes aware that a student is having an allergic reaction must:

1. Stay with the student;

2. Notify the nurse immediately or direct another person to do so; and
3. Contact the parents.

If a staff member determines that the allergic reaction is potentially life-threatening the staff member will implement the student's 504 Plan, Individualized Health Plan (IHP) or Emergency Action Plan (EAP) if the staff member is familiar with the plan.

If the student does not have a 504 Plan, IHP or EAP, the staff member is not familiar with the 504 Plan, IHP or EAP or such plan is not immediately available, the staff member will immediately take or direct another person to take the following actions.

1. Call 911.
2. Notify the school nurse or, if the nurse is not available, notify the building administrator.
3. Administer epinephrine, if available, at the direction of the school nurse pursuant to his/her training or designee. If the school nurse is not present, the staff member may administer epinephrine pursuant to his/her transcript, if available, if the staff member determines it is necessary to safeguard the health of the student.
4. Notify the parents.
5. Provide first responders with information about the student's allergy and reaction and any actions already taken.
6. A staff member will remain with the student until a parent/guardian or emergency contact arrives or until the student is transported from the district by first responders.

As soon as possible after the life-threatening allergic reaction, the nurse will consult with the 504 compliance coordinator and the student's parent/guardian to determine whether a 504 Plan or IHP/EAP would be appropriate for the student.

### **Instructional Areas**

No food preparation or consumption will take place in any instructional area unless the instructor has permission from the building administrator. Courses that include food preparation or consumption as a regular part of the curriculum are exempt from this provision, but instructors in these courses have an increased responsibility to monitor student adherence to prevention procedures.

### **Dining Areas**

The school nurse or designee will provide the food service director with a copy of any 504 Plan or IHP that concerns diet, along with a photograph of the student. Any 504 Plan or IHP that requires food substitutions must include a written statement from a licensed physician that:

1. Describes the disability or condition.
2. Explains how the student is restricted as a result of the disability or condition.
3. Identifies the major life activities affected by the disability or condition.
4. Lists omitted and permitted substitute foods.

The food service director will provide information to food service personnel as necessary. Food service personnel will not act on individual requests for dietary accommodations. If a student or parent/guardian of a student who does not have a 504 Plan or IHP/EAP on file with the food service director requests an accommodation, he or she will be referred to the school nurse and/or the Section 504 Coordinator for assistance.

The food service director will arrange for all food service staff to be trained in food label reading, cross-contamination avoidance, safe food handling and food item labeling requirements.

If there is any change in the menu after the menu has been posted, the food service director will notify the school nurse or designee. The nurse or designee will notify parents of students with a 504 Plan or IHP/EAP for food allergies, if necessary and applicable.

The principal may designate one (1) or more tables in the dining area as peanut and/or nut-free areas. Any student may use these tables, but may not have any food or beverage that contains or may contain peanuts or other nuts. If any student has been identified as having life-threatening allergies to a food or beverage other than peanuts or nuts, the principal may instead designate one (1) or more tables as allergen-free areas and specify the prohibited foods and beverages. Staff responsible for cleaning dining areas will clean any such designated tables prior to each use according to United States Department of Agriculture (USDA) recommendations using separate cleaning supplies. No student will be required to sit at the designated table.

Staff members supervising dining areas will promote a "no sharing/no trading" environment to prevent students from trading food, beverages or dining utensils.

### **Transportation and Off-Site Activities**

Except as otherwise outlined in this procedure, drivers will not allow students to eat or drink on district transportation unless the student has written permission from his or her building principal. Written permission will be provided if the student has a medical need to consume food or beverages during the time the student is transported. A student who has a medical need to consume food or beverages on district transportation must have an IEP, 504 Plan or IHP that addresses which foods or beverages the student may consume.

Students being transported to and from activities on district transportation may be allowed to consume food and beverages if the staff member serving as sponsor has verified that none of the



students being transported have documented life-threatening food allergies.

Staff members must submit a list of students taking part in off-site activities, such as competitions and field trips using the Fieldtrip Manager System. The Fieldtrip Manager System will verify which, if any, students have allergies and the nurse will provide staff with a copy of the relevant 504 Plans or IHPs or EAPs and any medications that may be needed in the case of an allergic reaction.

**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. News worthy 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. 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 which 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 to be 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 or 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 "X" may not be accepted. Pictures rated "R", "G" and "PG" 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.

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.

The MSHSAA handbook will be considered a part of this regulation.

**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.

Nonresidents 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.

## **STUDENTS**

## **Regulation 2921**

### **Activities and Athletics**

### **Participation by Non-Traditional Students**

#### **High School Enrollment Assessment**

Prior to consideration and determination of eligibility, high school staff will review, among other things:

1. Past classes taken
2. Academic history
3. Credits
4. Logs
5. Attendance
6. Transcripts
7. Student's age
8. Semester taken in-state and out-of-state
9. Semester taken in non-traditional academic events

The purpose of this review will be to determine “prior semester” earned credit and the students’ grade placement upon enrollment. In doing so, staff will determine if credit for courses taken will be granted for purpose of the 80% requirement rule.

#### **Determining Status of Bonafide Students<sup>1</sup>**

Consider whether:

1. Seat time credit (minimum of one unit of credit) will be placed on the transcript
2. Outside courses must be approved and validated in meeting the 80% rule.
3. Review and assess outside classes including where relevant testimonial evidence, course syllabi, timeliness for such classes
4. Review of Academic Success, including work logs, attendance, hours of instruction, grades achieved, transcripts, confirmatory testing where deemed necessary
5. Ensure close of semester for non-traditional option 2 students is designated
6. All students, traditional and non-traditional, must satisfy citizenship standards, semester rules, age rules, etc.
7. Uniformity of standards and policies for all students

**New 5/2018**

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<sup>1</sup> 2017-18 MSHSAA Official Handbook, By-Law 2.3.4, page 44

## **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.