



2010 – 2011

Student Code of Conduct Handbook

*Pertaining to
Elementary, Middle and High School
Students*

***STUDENTS AND
PARENTS ARE
REQUIRED TO
READ THIS BOOK
THOROUGHLY***

Office of Parent and Student Engagement

Office Fax Number: 345-2384

Parent and Student Concerns

Debra J. Falkiner	Director	345-4430
Brenda A. Coleman	Administrative Assistant	345-4430

Character Education/Drug-Free Schools Program

Office Fax Number: 345-4482

Tiffany King	Coordinator	345-4478
---------------------	--------------------	-----------------

Innovative Pathways/Alternative Education / Placements

Office Fax Number: 345-4411

To Be Determined	Supervisor	345-4464
Ruth Brown	Clerk Typist II	345-4465
Peggy Baine	Student Services Specialist (ACE Program)	345-4431

Parent and Student Concerns

Travis Brown	Hearings	345-4405
---------------------	-----------------	-----------------

Students in Transition

Office Fax Number: 345-4482

Deidre Thomas-Murray	Coordinator	345-4501
Derica Granger	Transition Specialist	345-4404
Boyce Collins	Data Specialist	345-4428



Kelvin R. Adams, Ph.D.
Superintendent of Schools

Dear Parents/Legal Guardians,

We know that you share the St. Louis Public Schools' goal of providing a safe school environment. In order to help us reach that goal, we ask you to please read and review this Student Code of Conduct Handbook with your child.

After you have reviewed the Handbook, please sign the enclosed affidavit and return the signed affidavit to your child's classroom teacher.

Thank you for your cooperation in helping make our schools safe places for learning.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelvin R. Adams", followed by a long horizontal line.

Kelvin R. Adams, Ph.D.
Superintendent of Schools

Table of Contents

Office of Parent and Student Engagement/Directory-----	
Letter from Superintendent-----	
District Vision-----	4
Special Administrative Board of the Transitional School District of St. Louis Public Schools-----	5
Board Philosophy on Student Conduct-----	6
Introduction-----	5
Parent Responsibilities & Compulsory School Attendance-----	6-7
Attendance and Excuses – Absence and Tardiness-----	7
Student Rights-----	8
Student Responsibilities-----	8-9
Missouri Safe Schools Act-----	9
Expectations-----	10
Felony Offenses-----	10-11
Classifications of Behaviors-----	11
Classifications of Student Misuse of Technology-----	12
Student Misconduct Involving Weapons, Drugs and Fighting-----	12-14
Behavior Types and Resulting Consequences-----	14-17
Technology and Student Behavior-----	17-18
Student Due Process-----	18-19
Appeal Process-----	19
Appeal Form-----	20
Admission and Readmission after Suspension/Expulsion-----	21-22
Students with Disabilities-----	22
IDEA Compliance-----	22-24
Family Education Rights and Privacy Act-----	24-26
Policy on Participation in Graduation Exercises-----	26
NCLB Programs and Complaint Procedures/Appeal Form -----	26-30
Glossary/Definitions-----	31-32
Graduation Requirements-----	33
Parent/Student Affidavit*-----	35, 37

***Requirement:** Remove and sign Parent/Student Affidavit and return to school with student.

Vision

St. Louis Public Schools is the district of choice for families in the St. Louis region that provides a world-class education and is nationally recognized as a leader in student achievement and teacher quality.

Mission

We will provide a quality education for all students and enable them to realize their full intellectual potential.

Core Beliefs

- All children can learn, regardless of their socio-economic status, race, or gender
- The African American Achievement Gap can be eliminated
- Parents must be included in the education process
- Competent, caring, properly supported teachers are essential to student learning
- The community must be involved in encouraging high achievement for all children
- The St. Louis Public Schools are obligated to help students overcome any obstacles that may hinder their learning by forming partnerships with the entire community

Special Administrative Board of the Transitional School District of St. Louis Public Schools

**Mr. Richard Sullivan, CEO
Ms. Melanie Adams, Secretary
Mr. Richard Gaines**

**Dr. Kelvin R. Adams
Superintendent of Schools**

The Special Administrative Board of the Transitional School District of the City of St. Louis ("Board") does not discriminate on the basis of race, color, national origin, sex, sexual orientation, age or disability in admission or access to, or treatment or employment in its programs and activities. For more information, please contact the Executive Director of Human Resources, 801 North 11th Street, Saint Louis, MO 63101, or by telephone at 314-345-2295.

Statement of Philosophy on Student Conduct

The Board believes that the provision of productive and humane learning environments will prepare self-disciplined, responsible citizens. The Code of Conduct Handbook stresses the importance of positive and appropriate student behavior. The consequences of negative behavior are clearly spelled out to convey the seriousness of misbehavior.

This document is intended as a guide and does not cover all possible incidents requiring disciplinary action or possible consequences. Moreover, individual schools may develop additional provisions regarding student discipline and dress. These rules, however, cannot substitute for or modify the provisions of this code of conduct.

This document establishes consequences, which will be applied and set in motion the process by which student violators receive corrective attention. These corrective actions can either be in the same school setting, in an alternative setting, or in a setting outside the public school system. The procedures are designed to maintain an atmosphere conducive to learning and to ensure the safety of all students.

Introduction

The purpose of the public school is to educate. This purpose is expressed in the Missouri Constitution (Article IX, Section 1a). The instruction of students is the mission of the Saint Louis Public Schools (SLPS). It follows that the disciplinary policies of the district must be such that the mission to educate students can be accomplished.

Students are required to obey the law at all times. Behaviors which are criminal in nature or which are clearly counterproductive to the efforts to achieve instructional objectives have no place in the SLPS.

Students are required to obey school rules any time they are rightfully under the supervision of school personnel. This includes any time students are going to or from school and any time students are on school grounds. It also includes any time that students are off school grounds at school-sponsored activities, or are going to or from such an activity. Off campus acts of misconduct that may disrupt the school day are also subject to discipline.

Administrators will use their professional judgment to determine which disciplinary action will be most effective in dealing with student misconduct. The principal is authorized to apply a higher level of consequences for serious violations of the Code even if it is a student's first offense. The principal may recommend to the Superintendent expulsion for Type I offenses.

Discipline Policies and Reporting Requirements (160.261, 167.117)

A student suspended for any offense listed in 160.261 is not allowed within 1,000 feet of the school property or any activity of that district, regardless of whether or not the activity takes place on district property. The suspended student must have permission from the superintendent or superintendent's designee to be on school property. Districts may discipline students for off-campus conduct that negatively affects the educational environment.

Attendance and Parent Responsibilities

Parents have responsibility for requiring and promoting their child's regular school attendance. This is the first step in achieving academic success. Missouri School Law under the Compulsory School Attendance Code places the burden of responsibility for school attendance on the parent. Every parent/guardian or other person in the St. Louis City School District who has charge, control or custody of a child between ages of seven (7) and seventeen (17) years shall cause the child to attend regularly some public, private, parochial parish, or home school not less

than the entire school term of the school which the child attends. Parents/guardians are responsible for notifying the school office of their child's absence. The school district may make phone calls to verify the absence on the day of the absence.

Students in the St. Louis Public School District are required to attend school between ages of seven (7) and seventeen (17) years of age.

Attendance and Excuses – Absence and Tardiness

Illness of the student or of another member of the family, or some similarly urgent emergency, shall be regarded as the only justifiable excuse for absence.

Students shall attend all classes to which they are assigned. Absence from assigned classes (class cutting) shall be considered the same as absence from school for that period of time.

When it becomes necessary for a student to remain at home, the parent or guardian shall notify the school administrative office and the school nurse, when the reason for absence is health related. When the student returns to school, the student shall bring a signed statement from the parent or guardian giving the reason for the student's absence. When the reason for the absence is health related and the parent or guardian has been informed by the school nurse that a doctor's statement is required for re-entry, the return to school statement shall be given directly to the school nurse for clearance to attend classes.

When a student is late to school, the parent or guardian shall provide a written reason for the tardiness.

When a student is absent or tardy and the school has not been notified by the parent/guardian as to the reason for the absence the school will contact the parent/guardian. If contact cannot be made, or if no reason is provided for the absence/tardiness, the school shall prepare a referral to the school social worker on the appropriate form.

When a student is absent for three (3) consecutive days (unexcused or unexplained absences) or has 3-5 total absences, the school shall prepare and send a 1st letter to parents/guardians. Further additional absences, excused and/or unexcused, shall be addressed in the following manner:

- 6-9 absences = 2nd parent letter
- 10 or more absences = 3rd parent letter and notification to the Missouri Division of Children's Services, Juvenile Court and/or City Court.

The school social worker shall enlist the cooperation of the parents and make every reasonable effort to help the student to improve attendance and/or punctuality. Continued and excessive absenteeism and tardiness may be a sufficient reason for disciplinary action, including exclusion from participation in extracurricular activities, an adjustment transfer, community support agencies, other family support community based agencies and/or referral to Juvenile Court, and City Court.

Parents of absent students shall be contacted by the social worker. Community resources shall be utilized by the social worker in addressing problems of the family that may be contributing to absenteeism. If chronic absenteeism continues, the social worker shall notify the Juvenile Court, City Court, and/or the Missouri Division of Children's Services.

Student Rights

Students are guaranteed rights by the federal, state and local laws. Examples include:

1. The Right to an Education
Missouri law requires that a free public education be provided for all individuals between the ages of 5 and 21.
2. The Right to Due Process of Law
The student has the right to be informed fully about his/her alleged misbehavior and provided an opportunity to respond to any charges.
3. The Right to Free Speech and Expression
Freedom of speech and expression is provided to students, but not without limitation. The district may impose reasonable time, place and manner restrictions on student speech. In addition, the district may limit the content of student speech or expression when it causes or is likely to cause a material and substantial disruption to the operations of the school. Particular types of speech including true threats and material that is obscene or pornographic will not be permitted.
4. The Right to Privacy
Students shall have privacy of personal possessions unless appropriate school personnel have reasonable suspicion to believe the student possesses any object or material prohibited by law or school policy. The right to privacy does not preclude school administrators from inspecting and searching lockers and cars parked on school property. The Board retains the right to utilize both walk-through and hand-held metal detectors as students enter school grounds.

Corporal punishment of any kind is not permitted in the St. Louis Public Schools. Any employee who uses physical force or the threat of physical force as a means of student discipline or punishment shall be subject to disciplinary action, including discharge.

Student Responsibilities

Along with rights, students also have certain responsibilities, both as citizens and as members of the school community. Among students' responsibilities are:

1. Active Participation
Students have the responsibility of actively engaging in the serious business of learning.
2. Obedience to Laws and Rules
The laws of society and the rules of the school have been created to guarantee every person's rights.
3. Responsible Exercise of Free Speech and Expression
Students have the responsibility to express opinions in a respectful manner that is not libelous, slanderous or otherwise in violation of district policy.
4. Prohibition Against Dangerous and Illegal Items and Substances
Students must come to school and school functions without bringing any item prohibited by law or policy or using, possessing, distributing or selling drugs or alcohol.
5. Sexual Harassment
Students who believe they have been the victim of sexual harassment or who have witnessed the harassment of another student should report the incident to the building principal immediately.
6. Racial Harassment
All forms of racial harassment are prohibited at school, on school property, and at all school sponsored activities, programs or events. Students who believe they have been the victim of racial discrimination or who have witnessed an act of racial discrimination should report the incident to the building principal immediately.
7. Prohibition Against the Possession, Use Distribution or Sale of Drugs or Alcohol

Such activities are strictly prohibited on school property or at school function and will result in a recommendation for expulsion and referral for prosecution.

Missouri Safe School Act

Student conduct and discipline issues, including reporting requirements, will be handled in a manner consistent with the statutes comprising the Safe Schools Act, including Sections 160.261, 167.161 and 167.171 of the Revised Missouri Statutes. The District policy shall, at a minimum, require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020, RSMo;
- (2) Second degree murder under section 565.021, RSMo;
- (3) Kidnapping under section 565.110, RSMo;
- (4) First degree assault under section 565.050, RSMo;
- (5) Forcible rape under section 566.030, RSMo;
- (6) Forcible sodomy under section 566.060, RSMo;
- (7) Burglary in the first degree under section 569.160, RSMo;
- (8) Burglary in the second degree under section 569.170, RSMo;
- (9) Robbery in the first degree under section 569.020, RSMo;
- (10) Distribution of drugs under section 195.211, RSMo;
- (11) Distribution of drugs to a minor under section 195.212, RSMo;
- (12) Arson in the first degree under section 569.040, RSMo;
- (13) Voluntary manslaughter under section 565.023, RSMo;
- (14) Involuntary manslaughter under section 565.024, RSMo;
- (15) Second degree assault under section 565.060, RSMo;
- (16) Sexual assault under section 566.040, RSMo;
- (17) Felonious restraint under section 565.120, RSMo;
- (18) Property damage in the first degree under section 569.100, RSMo;
- (19) The possession of a weapon under chapter 571. RSMo;
- (20) Child molestation in the first degree pursuant to section 566.067, RSMo;
- (21) Deviate sexual assault pursuant to section 566.070, RSMo;
- (22) Sexual misconduct involving a child pursuant to section 566.083, RSMo;
- (23) Sexual abuse pursuant to section 566.100, RSMo;
- (24) Harassment under section 565.090, RSMo; or
- (25) Stalking under section 565.225, RSMo;

committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities.

Per Missouri Revised Statute 160.261.3, students who are suspended for any offense listed in Missouri Revised Statute 160.261.2 or any Type I behavior (see below) cannot be within 1,000 feet of any school unless:

- Student is under the direct supervision of the student's parent, legal guardian, or custodian;
- Student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing to the principal;
- Student attends an alternative school located within 1,000 feet of a public school;
- Student resides within 1,000 feet of a public school and is on that property.

Expectations

All students attending SLPS schools shall be expected to accept the obligations and responsibility to attend school on a regular basis and to comply with the District's discipline code set forth in the Student Handbook. Those students who choose not to fulfill their responsibilities at school will be held accountable for their conduct. Consequences for individual acts or misconduct are calculated to provide a safe and positive environment in which students can maximize their learning potential; and to deter future misconduct.

Suspensions and Expulsions:

Students may be suspended or expelled for conduct that is prejudicial to good order and discipline in the schools or which tends to impair the morale or good conduct of the pupils. Any suspension by the Principal shall be immediately reported to the Superintendent or his/her designee who may revoke the suspension at any time. Principals are authorized to suspend a student for a period not to exceed ten (10) school days, and the Superintendent may suspend a student for a period not to exceed 180 school days. In the case of a suspension for more than ten days, the pupil or his/her parents/guardians may appeal the decision of the Superintendent to the Special Administrative Board. In the event of an appeal to the Special Administrative Board, the Superintendent shall promptly transmit a full report in writing of the facts relating to the suspension, the action taken by him/her, and the reasons thereof, and the Special Administrative Board, upon request, shall grant a hearing to the appealing party to be conducted as provided in Section 167.161, RSMo.

No pupil shall be suspended unless:

1. The pupil is provided oral or written notice of the charges against him/her, and
2. If the pupil denies the charges, he/she shall be given an oral or written explanation of the facts which form the basis of the proposed suspension, and
3. The pupil shall be given an opportunity to present his/her version of the incident, and
4. In the event of a suspension for more than ten days, where the pupil gives notice that they wish to appeal the decision, the suspension shall be stayed until the Board renders its decision unless, in the judgment of the Superintendent, the pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the pupil may be immediately removed from school, and the notice and hearing shall follow as soon as practicable.

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

Felony Offenses

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

1. First degree murder (§536.020, RSMo)
2. Second degree murder (§565.021, RSMo)
3. First degree assault (§565.050, RSMo)
4. Forcible rape (§565.030, RSMo)
5. Forcible sodomy (§565.060, RSMo)
6. Robbery, First degree (§569.020, RSMo)

7. Distribution of drugs to a minor (§195.212, RSMo)
8. Arson, First degree (§569.040, RSMo)
9. Kidnapping, (§569.110, RSMo)

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

Note: The requirements of Individuals with Disabilities Education Act regarding students with disabilities takes precedence over the Safe Schools Act and the Saint Louis Public School Code of Conduct. This limits the district's ability to exclude these students without following the change in placement procedures required by law.

Student Misconduct Classifications

TYPE I

(Life or Health Threatening)

Weapons/Possession/Use
Technology
Arson
Drugs/Influence
Drugs/Possession/Drug Paraphernalia
Drugs Sale
Assault/Battery
Threats or Assaults on Staff
Chronic/Repeated Code of Conduct Infractions
Rape/Sexual Acts
Bomb Threat
Other Illegal Misconduct

TYPE II

(Not Life or Health Threatening)

Sexual Misconduct/Sexual Harassment
Insubordination/Disrespect
Indecent Exposure
Theft
False Alarms (May be a Type I or II)
Bullying/Hazing (May be a Type I or II)
Fighting
Extortion/Coercion
Indecent Exposure
Gambling
Trespassing
Vandalism
Racial Harassment

TYPE III

(Most Common)

Class Cutting/Tuancy/No Hall Pass
Disorder/Disruption
Forgery
Profanity
Refusal to Identify Self
Smoking
Tardiness (Chronic)
Verbal Abuse
Possession of an Electronic Device
Other Related (e.g., repeated Sagging)

TYPE IV

(Bus Behavior)

Throwing Objects Outside of Bus
Throwing Objects Inside & Out of Bus
Tampering with Emergency Door
Refusal to Stay Seated
Pushing/Shoving Boarding or Exiting
Yelling at People Outside of the Bus
Sticking Head, Hands out of Window
Eating or Drinking
Use of Profanity

Student Misuse of Technology Classifications

TYPE I

Pornographic
Obscene
Harmful to Minors
Libelous
Pervasively Indecent or Vulgar
Advertisement of Any Product or Service is Not Permitted to Minors

TYPE II

Changing a Password that is Not His/her Own
Engaging in Any Activity that Disrupts the Use of the Network
Loading Student's Own Software into School Computer or Network
Harassing, Insulting, Harming or Discriminating Against Others
Cyber Bullying
Vandalizing, Damaging, or Disabling the Property of Another Person or Organization
Sharing Confidential Information of Other Students or Employees

TYPE III

Having Food, Candy, Gum, or Drinks in any Computer Lab
Sending Messages except through Student's Own Personal eMail (Internet Account)
Sharing Network Files with Other Students Unless Authorized to do so by the Computer Coordinator
Sharing Passwords or Using the Password of Any other Student
Using Computer for Illegal or Commercial Purposes; Commercial Use is defined as Offering or Providing Products or Services; Commercial use also Includes Product Advertising Language
Distributing Personal Information Including a User's Name, or Telephone Number
Posting Anonymous Messages

NOTE: Schools can add to, but cannot supersede, state or Saint Louis Public School District Policies.

Student Misconduct Involving Weapons, Drugs and Fighting

Note: Students involved in staff assaults and assaults on other students will NOT be returned to the school they last attended.

High School: In order to allow schools to run effectively from the discipline perspective, policies and procedures need to be consistent throughout the District. Discipline issues and how they are handled need to be as fair as possible for all schools. Outlined below are the procedures for violations of the weapons, drugs and alcohol, and fighting policies:

Weapons – Students found in violation will be suspended for a “calendar year” or assigned to an alternative school for a “calendar year” or recommended for expulsion (**see glossary for weapons**). Modifications can be made at the discretion of the Superintendent or his/her designee based on but not limited to attendance, grades and or conduct in an alternative school.

Distribution and Selling of Drugs or Alcohol - Students found in violation will be suspended for 10 days and may be assigned to an alternative school following the suspension. The length of time served at an alternative school will be based on the nature of the misconduct and the student's attendance, academic performance and/or conduct. Students' assignments following completion of suspension in an alternative assignment will be determined on a case-by-case basis.

Use, Possession and Under Influence of Drugs or Alcohol - Students found in violation will be suspended for 10 days and may be assigned to an alternative school following the suspension. The length of time served at an alternative school will be based on the nature of the misconduct and the student's attendance, academic performance and/or conduct. Students' assignments following completion of suspension in an alternative assignment will be determined on a case-by-case basis.

Fighting - Students found in violation will be suspended for 10 days and may be assigned to an alternative school following the suspension. The length of time served at an alternative school will be based on the nature of the

misconduct and the student's attendance, academic performance and/or conduct. Students' assignments following completion of suspension in an alternative assignment will be determined on a case-by-case basis.

Middle School: In order to allow schools to run effectively from the discipline perspective, policies and procedures need to be consistent throughout the District. Discipline issues and how they are handled need to be as fair as possible for all schools. Below are the procedures for violations of the weapons, drugs and alcohol, and fighting policies:

Weapons – Students found in violation will be suspended for a “calendar year” or assigned to an alternative school for a “calendar year” or recommended for expulsion (**see glossary for weapons**). Modifications can be made at the discretion of the Superintendent or his/her designee based on but not limited to attendance, grades and or conduct in an alternative school.

Use, Possession and Under Influence of Drugs or Alcohol – Students found in violation will be suspended for 10 days and may be assigned to an alternative school following the suspension. The length of time served at an alternative school will be based on the nature of the misconduct and the student's attendance, academic performance and/or conduct. Students' assignments following completion of suspension in an alternative assignment will be determined on a case-by-case basis.

Fighting and Assaults – Students found in violation will be suspended for 10 days and may be assigned to an alternative school following the suspension. The length of time served at an alternative school will be based on the nature of the misconduct and the student's attendance, academic performance and/or conduct. Students' assignments following completion of suspension in an alternative assignment will be determined on a case-by-case basis.

Elementary School: In order to allow schools to run effectively from the discipline perspective, policies and procedures need to be consistent throughout the District and discipline issues and how they are handled need to be as fair as possible for all schools. Below are the procedures for violations of the weapons, drugs and alcohol, and fighting policies:

Weapons - Students found in violation will be suspended for a “calendar year” or assigned to an alternative school for a “calendar year” or recommended for expulsion (**see glossary for weapons**). Modifications can be made at the discretion of the Superintendent or his/her designee based on but not limited to attendance, grades and /or conduct in the alternative school.

Use, Possession and Under Influence of Drugs or Alcohol - Students found in violation will be suspended for 10 days and may be assigned to an alternative school following the suspension. The length of time served at an alternative school will be based on the nature of the misconduct and the student's attendance, academic performance and/or conduct. Students' assignments following completion of suspension in an alternative assignment will be determined on a case-by-case basis.

Fighting and Assaults - Students found in violation may be assigned to an alternative school for a minimum of 25 days. Modifications can be made at the discretion of the Superintendent or his/her designee based on but not limited to attendance, grades and/or conduct in the alternative school.

Behavior Types and Resulting Consequences

Applicable penalties will be applied to behaviors that occur on District property or at District events or activities, including district transportation and property used or leased by the district. Penalties may be applied in a

cumulative way. That is, a student who engages in two different behaviors may be given the same penalty as a student who commits the same behavior twice. Students may be disciplined for off-campus behavior in violation of this code in accordance with law.

Students who are suspended from school are not permitted on any school grounds during the days of their suspension. This policy can be modified if students are accompanied by their parent or guardian by prior appointment with a building principal. Suspensions in excess of 10 or more days require the approval of the superintendent or designee.

Type I Behavior (Life or Health Threatening)

Students charged with behavior classified as Type I must be immediately suspended and removed from school. Principal will report Type I incidents as soon as reasonably practical to the appropriate law enforcement agency.

First Offense:	10 day out of school suspension with a recommendation for EXPULSION AND REFERRAL FOR PROSECUTION; convene Care Coordination Team; Convene Student Intervention Team (SIT) if appropriate. Elementary students may be suspended up to 10 days.
Subsequent Offense:	Long-term 11- 180 days out of school suspension or expulsion; Care Team and/or Student Support Team support continues.

Type I behaviors include:

Weapons*/Possession/Use
Drugs/Influence/Possession/Sale
Assault/Battery
Rape/Sexual Acts
Arson
Bomb Threats
Technology
Tampering w/Emergency Door
Other Illegal Misconduct

***see definitions for list of prohibited weapons**

Type II Behavior (Not Life or Health Threatening)

A student charged with behavior classified herein as Type II shall be subject to the following disciplinary actions:

First Offense:	Short-term up to 10 days out of school suspension; convene Care Coordination Team; convene Student Intervention Team if appropriate.
Second Offense:	Suspension up to 180 days OSS (Out of School Suspension); depending on severity, additional days may be added.
Subsequent Offenses:	Recommendation for an alternative placement or expulsion; Care Team and/or Student Support Team support continues.

Type II Behaviors Include:

Sexual Misconduct/Sexual Harassment
Insubordination/Disrespect
Indecent Exposure
Theft (May be a Type I or II)
False Alarms (May be a Type I or II)
Bullying/Hazing (may be a Type I or II)
Fighting
Extortion/Coercion
Indecent Exposure
Gambling

Trespassing
Vandalism
Racial Harassment
Insubordination/Disrespect

Normally, no greater penalty would be applied. However, if the behavior is of such a serious nature that the maximum penalty seems insufficient, or if the student's past history is such that a more severe penalty seems warranted, the principal may recommend a greater penalty. *At the discretion of the principal, students may be given in-school suspension for a first offense, where available.*

Note: Repeat offenders may be subject to further consequences up to and including referral to Innovative Pathways under Chronic Rule Violation for alternative placement or expulsion.

Type III Behavior (most common)

Principals and staff are encouraged to review the materials in the handbook referring to Type III behaviors and be collaborative and consistent in sharing the information with students and parents. It is advised that site based conversation be conducted to ensure the highest level of staff consistency as possible when administering Type III referrals and consequences.

First Offense:	Notify parent, conference with student, ISS (In-School Suspension), or in – school detention; convene Coordination Team; convene Student Intervention Team, if appropriate.
Second Offense:	Administrative conference for 1-3 day suspension.
Subsequent Offenses:	Care Team and/or Student Support Team support continues.

Type III Behaviors include:

- Disorder/Disruption
- Forgery
- Profanity
- Verbal Abuse
- Electronic Communication Devices (items will be confiscated by school authorities and returned to parent/guardian only)
- Refusal to/Falsely Identifying Self
- Tobacco Use and Smoking
- Tardiness (Chronic)
- Class Cutting/Truancy/No Hall Pass
- Other Related Incidents

Note: SLPS personnel are not responsible or will not be held liable for electronic devices brought to school and confiscated in compliance with the policy. Repeat offenders may be subject to further consequences up to and including referral to Innovative Pathways under Chronic Rule Violation for alternative placement or expulsion.

Type IV Behavior – Bus Related

While at the bus stop parents/guardians shall be responsible for their child's behavior prior to the arrival of the bus and after departure of the bus. The District is not liable for supervision at the bus stop, but SLPS may discipline students when their actions at the bus stop causes or is likely to cause a material and substantial disruption to the operations of the school. Supervision of SLPS students begins when students get on the bus. It is important for students to stand off the roadway while awaiting the bus. Students must be at the bus stop ten (10) minutes before the scheduled arrival time.

All students should assume they are being videotaped while riding the bus. These tapes will be used for disciplinary purposes or referral to law enforcement.

The bus driver is in charge. Students must obey instructions from the driver. The bus driver receives a roster of students currently assigned to the bus. Along with the principal, the bus driver has the authority to assign seats.

All transported students receive a pass indicating the assigned bus and route number. **Students are only to ride their assigned bus. Parents are not permitted to ride or board the bus.** Pets and animals, except service animals, are not allowed on District transportation.

Riding the school bus is a privilege, not a right. Improper behavior can result in a student being removed from riding the bus either on a temporary or permanent basis.

Any offense committed by a student on a District-owned or contracted bus shall be punished in the same manner as if the offense had been committed at the student's assigned school.

Violation of the rules listed below could result in a student being denied permission to ride SLPS buses. Serious misconduct on the bus could result in a recommendation for expulsion.

First Offense:	Principals may conference with student and/or parent, telephone call to parent, letter to parent, in-school suspension, or one-day bus suspension.
Second Offense:	One day bus suspension.
Third Offense:	Three day bus suspension.
Subsequent Offenses:	Four to ten day bus suspension: may result in long-term suspension from bus inclusive of bus suspension remainder of school year.

Type IV Behaviors include:

Throwing Objects on Bus
Throwing Objects out Window
Tampering with Emergency Door (***treated as a Type I infraction***)
Refusal to Stay Seated
Pushing/Shoving When Boarding or Exiting/Yelling from Bus
Head/Hand Out Bus Window
Eating/Drinking on Bus
Other Bus Related Incidents

First Offense:	Principals may conference with student and/or parent, telephone call to parent, letter to parent, in-school suspension, or one-day bus suspension.
Second Offense:	One day bus suspension.
Third Offense:	Three day bus suspension.
Subsequent Offenses:	Four to ten day bus suspension: may result in long-term suspension from bus inclusive of bus suspension remainder of school year.

Note: During the suspension of bus privileges, it is a parent's/guardian's responsibility to provide the student's transportation to and from school. Suspension of bus privileges in excess of three (3) days requires the approval of the superintendent or designee (Transportation Department). Suspension of bus privileges for special education students in excess of three (3) days requires the approval of the Executive Director of Special Education/designee.

Technology and Student Behavior

The Student Acceptable Use Policy and Regulation governs the use of all technology in the SLPS, including cyber bullying (Mo Rev Stat Violations may result in loss of user privileges, suspension, expulsion and civil or criminal penalties. Students shall not have an expectation of privacy in anything they create, send, receive or store on District technology. Possession and use of cell phones and electronic cameras are prohibited on school

campus. Students caught in violation of cell phones, cameras, and hand-held electronic items are subject to confiscation or search and seizure. Items confiscated will only be returned to parents/guardians after meeting with school officials.

Students are prohibited from taking pictures of other students and staff. By so doing violates the privacy rights of other students and staff and are subject to discipline pursuant to district policies on acceptable use and the Family Educational Rights and Privacy Act (FERPA). The District monitors electronic communications and information stored on District technology in the regular course of business to protect student users and District equipment. Under certain circumstances, students' off campus use of technology that disrupts the operation of schools is also subject to discipline (e.g. use of Facebook and other media sources to harass or cyber bully).

Type I (Technology)

Unauthorized access to the District's network or any other user's files; using District resources to access view or disseminate material or information that is pornographic, obscene, harmful to minors, obscene to minors, libelous, pervasively indecent or vulgar, or to advertise any product or service is not permitted to minors.

First Offense: 10 day suspension with a recommendation for EXPULSION AND REFERRAL FOR PROSECUTION.

Subsequent Offense: Long-term out of school suspension or expulsion

Type II (Technology)

Changing a password that is not his/her own
Engaging in any activity that disrupts the use of the network
Loading student's own software into school computer or network
Harassing, insulting, harming, or discriminating against others
Vandalizing, damaging, or disabling the property of another person or organization
Sharing confidential information of other students or employees
Cell phones/cameras
Cyber Bullying

First Offense: Notify parent, conference with student and ISS (In-school Suspension)

Second Offense: Parent Conference (1-3 days OSS -Out of School Suspension).

Third Offense: Administrative Conference 3-5 days OSS.

Note: Subsequent offenses may result in loss of privileges.

Type III (Technology)

Having food, candy, gum, or drinks in any computer lab
Sending messages except through student's own personal e-mail (internet account)
Sharing network files with other students unless authorized to do so by the computer coordinator
Sharing passwords or using the password of any other student
Using computer for illegal or commercial purposes; commercial use is defined as offering or providing products or services; commercial use also includes product advertising language
Distributing personal information including a user's name, or telephone number
Posting anonymous messages

First Offense: Notify parent /conference with student.

Second Offense: Parent Conference (1-3 day ISS), School Intervention Team (SIT) conference.

Subsequent Offense: Administrative Conference 1-3 days OSS.

Note: Subsequent offenses may result in loss of privileges.

The Board reserves the right to limit internet access to times when resources and supervision are available. The Board network is considered to be a closed forum to the extent allowed by law. Student users shall not agree to meet with persons they have met on-line (Internet or Intranet) unless done with the knowledge and encouragement of a Board employee for an educational purpose. Student users shall immediately disclose to their teacher or other school employee any inappropriate material they access through the computer or any message the student receives that is inappropriate or makes the user feel uncomfortable.

Student Due Process

Students have the right to appeal disciplinary actions taken against them by an official of the SLPS. Detentions, In-School Suspensions and Out-of-School Suspensions not exceeding ten (10) days are not open to appeal beyond the building principal.

Before any student is suspended:

- The student shall be given oral and written notice of the charges which form the basis of the proposed suspension; and
- The student is given the opportunity to present their version of the incident.
- If a student denies the charges, the student will be given an explanation of the facts that form the basis of the charges.

Students with disabilities may not be excluded from special education services for more than 10 school days in a school year. See Students with Disabilities section for specific information.

Appeal Process

Any suspension of more than ten days entitles the student to appeal the action to the Special Administrative Board. The student or parent must notify the Innovative Pathways Program of their intent to appeal. If the student or parent gives notice of his or her intent to appeal the suspension, the suspension shall be stayed until the Board renders its decision. However, if, in the judgment of the superintendent, the student poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, the student will be immediately removed from school and the hearing will follow as soon as practical.

A student assigned to an alternative site due to a Type I or Type II infraction of the Student Code of Conduct may appeal placement to the Office of Parent and Student Engagement. The alternative placement will remain in effect until a ruling is made on the status of appeal.

Parents/Legal guardians may pursue an appeal of either action by:

- Using the form on the following page or requesting a form from Innovative Pathways;
- Completing the form with all information pertinent to the infraction;
- Returning the form to the Innovative Pathways Program, 1927 Cass Avenue, St. Louis, Missouri within ten (10) school days from the date on the appeal form.

Appeals should be restricted to statements of fact directly pertaining to the infraction that resulted in imposition of the long-term suspension or the alternative placement assignment. Notification of the status of the appeal will be sent to the guardian within seven (7) school days of receipt of the written appeal. (See appeal form on next page).

Appeal of Suspension and/or Assignment

Student Name _____

D.O.B. _____

Parent/Guardian Name: _____

Address: _____ ZIP: _____

Telephone (Home): _____ (Work): _____

School: _____

Infraction: _____

I Wish To Appeal: ()

Long-Term Suspension _____

Assignment to School _____

Basis of Appeal (attach any additional information:

Signature: _____

Date: _____

Note: RESPONSES MUST BE RECEIVED WITHIN 10 SCHOOL DAYS OF THE DATE ON THIS FORM.

Students Seeking Admission/Readmission

If a pupil is attempting to enroll in the SLPS during a suspension or expulsion from another instate or out-of-state school district, including a private, charter or parochial school or school district, a conference with the superintendent or the superintendent's designee will be held to consider if the conduct of the pupil would have resulted in a suspension or expulsion in the SLPS District.

Upon determination by the superintendent or the superintendent's designee that such conduct would have resulted in a suspension or expulsion in the SLPS District, the District will make such suspension or expulsion effective in the SLPS District.

In such cases when students enter SLPS from another district, charter or parochial school with past suspensions or frequent violations of the Student Code of Conduct, these students will be placed in an alternative school for a time determined by the Office of Innovative Pathways.

SLPS will not readmit or enroll a pupil suspended for more than ten consecutive school days for an act of school violence, or permit pupils to attend school without first holding a conference to review the conduct that resulted in the expulsion or suspension and any remedial actions needed to prevent any future occurrences of such or related conduct. The conference must include appropriate members of the school, the pupil, and the parent/guardian.

Protection of Students with Disabilities Not Eligible Under IDEA

Students who have been identified as disabled may be subjected to the same disciplinary measures applied to students without disabilities if the District did not have prior knowledge of the disability. If the District is deemed to have knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action, the student may assert any of the protections for students with disabilities in the area of discipline provided that:

- The parent has expressed a concern in writing that the student needs special education services; or
- The parent has requested an evaluation; or,
- The student's teacher or other school staff has expressed concern about the student's behavior or performance to the Director of Special Education or to other supervisory personnel in accordance with the District's established Child Find or special education referral system.

The District would not be deemed to have knowledge that the student is a student with a disability if:

- The District conducted an evaluation and determined that the student was not a student with a disability; or,
- The District determined that an evaluation was not necessary and provided proper Notice of Action Refused; or,
- The parent of the student has not allowed an evaluation of the student pursuant to the IDEA or has refused services.

Dangerous Students

If a school district believes the student will injure himself or others, the district may request an expedited due process hearing seeking a change of placement in accordance with procedures established under federal and state law.

Stay-Put Provision

When a parent requests a due process hearing regarding the discipline action to challenge the interim alternative educational setting or the manifestation determination and when the student is disciplined for weapons, drugs, behavior causing serious bodily injury to others, or because they are a danger to themselves or others, the student will remain in the alternative educational setting pending the hearing decision of the hearing officer or

until expiration of the time period of the interim alternative educational setting, whichever comes first (unless the parties agree otherwise). The State Educational Agency shall arrange for an expedited hearing, which shall occur within twenty (20) days of the date the hearing is requested and shall result in a determination within ten (10) school days after the hearing.

Individual Education Program (IEP) Team Members and Responsibilities

The IEP team must include a District representative, a regular education and a special education teacher, the parent or guardian. Where appropriate, the student, specialized service providers, and others who have knowledge that may assist the team may be included.

The IEP Team must:

- Determine whether the behavior was a manifestation of the student's disability.
- Conduct a functional behavior assessment if an assessment was not already done.
- Review/Revise current Behavior Management Plan or develop a plan to address the behavior leading to the disciplinary action.
- Review current services to determine if appropriate or make changes as needed.
- Determine disciplinary actions beyond short-term suspension if needed.

Manifestation Determination

The LEA, parent, and relevant members of the IEP Team may determine that the behavior of the student was a manifestation of the student's disability only if:

- The conduct in question was caused by, or had a direct and substantial relationship to the student's disability; or the conduct in question was the direct result of the LEA'S failure to implement the IEP.
- If determined that the conduct was a manifestation of the student's disability, the IEP team must:
- Conduct a functional behavior assessment
- Develop a behavioral intervention plan (if student already has a behavioral intervention plan, it should be modified as necessary to address the behavior).

If the IEP Team determines that the conduct was not a manifestation of the student's disability, the relevant disciplinary procedure applicable to students without disability may be applied in the same manner for the same duration, except services must be provided to ensure the student receives a free, appropriate public education.

IDEA Compliance

It is the policy of the Board to provide a free, appropriate public education to students with disabilities. The District's programs and services available to meet the needs of these students will be in accordance with the **Individuals with Disabilities Education Act (IDEA)**, 20 U.S. C. §1400 et seq., as amended. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794 and the Missouri State Plan for Special Education.

Under both IDEA and Section 504, school districts are required to conduct child find activities and an annual census of all children with disabilities or suspected disabilities from birth to age twenty-one (21). This includes children who are not attending school, students attending private schools, highly mobile children, such as migrant and homeless children, and children who are suspected of having a disability and in need of special education even though they are advancing from grade to grade who reside in the District. If you have a child with a disability or know of a child with a disability who is not attending a public school, please request the Census Reporting form. This notice will be provided in native languages as appropriate.

For additional information, contact your child's principal or the Executive Director of Special Education Services, by phone at (314) 633-5313 or by mail to the Division of Special Education Services, Saint Louis Public Schools, 801 N. 11th Street, Saint Louis, MO 63101.

The Saint Louis Public Schools assures that it will provide a Free, Appropriate Public Education (FAPE) to all eligible children with disabilities between the ages of 3 and 21 under its jurisdiction. The District will conduct a free evaluation of any person between the ages of 3 and 21, who needs or is believed to need special education or related services before taking any action with respect to the initial placement of the person in a regular or special education program, and will consider the need for evaluation before any subsequent significant change in placement. Examples of disabilities include autism, emotional disorders, hearing impairment and deafness, mental retardation, multiple disabilities, orthopedic impairment, other health impairments, specific learning disabilities, speech or language impairment, traumatic brain injury, visual impairment/blindness and a young child with a developmental delay.

The Saint Louis Public Schools assures that it will provide information and referral services necessary to assist the State in the implementation of early intervention services for infants and toddlers eligible for the Missouri First Steps Program.

The SLPS has developed a local compliance plan for implementation of the Missouri State Plan for Special Education. This plan may be reviewed at the Office of Special Education during regular business hours.

The St. Louis Public Schools assures that personally identifiable information collected, used, or maintained by the agency for the purposes of identification, evaluation, placement or provision of FAPE of children with disabilities may be inspected and/or reviewed by their parents/guardians and students 18 years of age or older (eligible students). Parents/guardians and eligible students may request an amendment to the educational record if the parent/guardian or eligible student believes the record is inaccurate, misleading, or violates the privacy or other rights of their child.

Parents have the right to file complaints with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C., 20202-4605 or the Missouri Department of Elementary and Secondary Education Division of Special Education – Compliance, P.O. Box 480, Jefferson City, MO 65102 concerning alleged failures by the district to meet the requirements of the Family Educational Rights and Privacy Act (FERPA).

Students with Disabilities Eligible for IDEA

Special Education students are expected to abide by the rules established in this handbook. However, state and federal law requires that certain procedures be followed when students with disabilities are suspended. For the purposes of this section, a student with a disability is a student who is eligible to receive services pursuant to Part B of the IDEA.

Suspension for Ten or Fewer Days

Students with disabilities who violate any provision of this handbook may be suspended or removed from his or her current placement for up to ten school days using only the due process procedures afforded other students.

Suspended for More than Ten Days

If a special education student is suspended or removed from his or her current educational placement for more than ten consecutive days the student will receive the due process afforded all students suspended for more than ten school days and will also receive educational services designed to enable them to continue to participate in the general curriculum and to progress toward meeting their IEP goals as required by law.

In addition, within ten days of the decision to suspend the student or change the placement of the student, a representative of the district, the parent and the relevant members of the IEP team will meet to determine whether the behavior at issue is a manifestation of the student's disability. If this group determines that the behavior is a manifestation of the student's disability, the IEP team will conduct a functional behavioral

assessment and implement or revise a behavior intervention plan and return the student to the original placement.

If the group determines that the behavior was not a manifestation of the student's disability, the IEP team will determine what services will be provided and the appropriate setting in which those services will be provided. The IEP team may conduct a functional behavioral assessment and create a behavioral intervention plan.

Procedures applicable to suspensions or interim alternative placements of more than ten consecutive school days also apply to suspensions or alternative placements that exceed ten cumulative days in a school year, if the cumulative days constitute a pattern of suspension. To determine if a pattern of suspension has been created, the District will consider the duration and frequency of the suspensions or placements and the total amount of time the student has been removed for that school year.

Suspension Alternative

In addition to suspensions, special education students may be placed in an interim alternative setting for up to 45 school days for carrying or possessing a weapon as defined in 18 U.S.C. § 930, knowingly using, possessing, selling or soliciting the sale of certain illegal drugs identified under Schedules I-V of Section 202(c) of the Controlled Substances Act, or inflicting serious bodily injury upon another person.

Once placed, the student will stay in the interim alternative setting even if the behavior was a manifestation of the disability.

Parent Appeal

Parents may appeal discipline procedures in accordance with policies governing the suspension of all students and through procedures available pursuant to IDEA. Parents will be provided a copy of procedural safeguards.

Parental and Eligible Student Rights under FERPA

Under the Family Educational Rights and Privacy Act (FERPA), parents have various rights with respect to the privacy of their children's education records. In addition, the child may also have these same rights if they are considered an eligible student. An eligible student is defined in Board Regulation R5125.1.1. as "any current or former student who is 18 years of age or older unless such student is a special education student and is legally determined to be incompetent to make privacy decisions for himself or herself and for whom legal guardianship or conservatorship is required beyond the age of eighteen." The rights of parents and eligible students include those described below:

Inspect and Review of Records

Under FERPA, parents or eligible students have the right to inspect and review the student's education records. The procedures to inspect and review a student's record are set forth in Board Regulation R5125.2.

Request and Amendment

Under FERPA, parents or eligible students have the right to request an amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. The procedures to amend a student record are set forth in Board Regulation R5125.5.

Consent to Disclosure

Under FERPA, parents or eligible students have the right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent applicable state or federal law authorize its release without consent. Board Regulation R5125.1.1 sets forth when personally identifiable information can be disclosed without parental or eligible student consent. One of the exceptions to the prior

consent requirement is that personally identifiable information can be disclosed to school officials who have a legitimate educational interest in such records. Under Regulation R5125.2, "school officials" is defined as follows:

School administrators, teachers, and counselors who are employed by the Board of Education and who are working directly with students in an administrative, teaching, counseling and/or diagnostic capacity.

Other professional staff members employed by or under contract with the District to perform a special task such as an attorney, auditor, medical consultant, evaluators, psychologists, social workers and therapists whose duties require that they have access to student records.

A person who is employed by the school District's law enforcement unit.

Administrative office staff and clerical personnel who are employed by the Board and whose duties require that they have access to student records for the purpose of processing information for student records.

The members of the Board, the Superintendent of Schools, Deputy Superintendents and their agents, and representatives who are employed by the Board, whose duties pursuant to the general supervision of the school system require access to student records.

A "legitimate educational interest" is whether the information in question is required or would be helpful to the official in the performance of his or her duties for, or related to, District business. Another exception to the prior consent requirement is when copies of official student records are to be transferred, on request, to officials of another school or school district in which a student enrolls or expects to enroll. Upon request, the parent or eligible student will be provided with a copy of the student records that were transferred and upon request will be given an opportunity for a hearing under Regulation R5125.5.

Directory Information

Under FERPA, school districts have the right to determine and release student "directory information" to third parties "upon written request." In accordance with federal law, the Board has designated the following as directory information:

1. Student's name
2. Address
3. Major field of study
4. Participation in officially recognized activities/sports
5. Weight and height of members of athletic teams
6. Dates of attendance
7. Degrees and awards received
8. The most recent previous educational agency or institution attended by the student

In accordance with Board policy, directory information will be disclosed to third parties, parents and eligible students have the right to inform the District that it should not release their child's directory information to third parties. Such a request should be directed in writing to Pupil Accounting, 801 North 11th Street, St. Louis, Missouri 63101.

Military Recruiters

Federal law requires that the Board release upon request students' names, addresses, and telephone listings to military recruiters or institutions of higher education. However, parents or eligible students have the right to

inform the District that it should not release the student's name, address and telephone listing to military recruiters, or institutions of higher education. Such a request should be directed in writing Pupil Accounting, 801 N. 11th Street, St. Louis, Missouri 63101.

Complaints

Under FERPA, parent and eligible students have the right to file with the U. S. Department of Education a complaint under 34 C.F.R. §§ 99.63-99.64 concerning alleged failures by the District to comply with FERPA and its implementing regulations.

Copy of Policies

Under FERPA, parents and eligible students have the right to obtain a copy of the Board Policies and Regulations concerning student records. Copies of policies and regulations can be found at the Board of Education's main office or on the Internet at the District's home page.

Policy on Participation in Graduation Exercises

Students participating in commencement exercises shall complete all requirements for graduation as established by the Missouri Department of Education and Saint Louis Public Schools and shall not have been assigned to an alternative school during any portion of the current school year. Students in an alternative school are eligible to participate in a graduation organized and held through an alternative school. Students shall pay all assessed fees and shall not be under suspension. Students in a dropout recovery program are not eligible to participate in regular graduation but are eligible to participate in a graduation organized and held through an alternative school.

Students not permitted to participate in commencement exercises may still receive a diploma and any other honors that were otherwise earned by the student, if such student has successfully completed the minimum curriculum requirement of the Missouri Department of Education and the Special Administrative Board. An alternative school shall allow students to participate in a separate commencement ceremony.

To qualify as Valedictorian or Salutatorian of the Senior class, a student must complete at least six (6) consecutive semesters at the high school from which the student will graduate.

St. Louis Public Schools No Child Left Behind (NCLB) Programs Complaint Procedures

The Federal No Child Left Behind Act of 2001 (NCLB) requires that school districts have board-adopted written procedures to resolve allegations of violations of requirements under this law. The District must disseminate the complaint procedures to parents and appropriate officials or representatives. Copies of these procedures should also be available upon request to the Missouri Department of Elementary and Secondary Education (DESE) Director of Federal Grants Management Section. The following should serve as a guide for resolving complaints under Title IX Part C Section 9304(a) (3) (c) for programs authorized under the Act, including Title I, Title II, Title III, Title IV (Part A).

What is a complaint for purposes of this policy?

A complaint is an allegation that a specific federal or state law or regulation has been violated, misapplied or misinterpreted by school district personnel. There are both formal and informal complaint procedures.

A complaint under this procedure must be in writing and signed by the complainant. The written complaint must specify the details of the situation and must pertain to a law or regulation that is allegedly being violated, misapplied or misinterpreted.

Who may file a complaint?

Any parent or guardian, surrogate parent, teacher, administrator, school board, or other person directly involved with an activity, program or project operated under the general supervision of DESE may file a complaint.

How are complaints filed?

A complaint alleging that local school district officials have violated, misinterpreted a state or federal law or regulation must first be filed with local district policy. (See attached District policy.) If the issue cannot be resolved at the local level, the complainant may file a complaint with the Missouri Department of Education. Before accepting such a complaint, DESE will ask for evidence of an attempt to resolve the issue at the local level. If the parties have not attempted in good faith to resolve the complaint at the local level, DESE may require the parties to do so and may provide technical assistance to facilitate such resolution.

A question about local school district policies, rules or parties which are not based on federal or state laws or regulations is not a complaint within the meaning of this policy and must be settled at the local school district level.

CITIZEN'S COMPLAINT PROCEDURES

STEP 1: *Informal Conference (Day 1-5)*

Anyone wishing to lodge a complaint should contact the responsible administrator at the appropriate school location or administrative office. Within five days, the responsible administrator shall conduct an informal conference with the citizen and the person against whom the charge is directed (if appropriate, in some instances complaints may not be directed against a person). If the complaint is resolved, the process ends. If the complaint is unresolved the citizen may request a formal hearing by completing Section I of the Citizen Complaint Form.

STEP 2: *Formal Complaint Hearing (Days 6-16)*

Upon appeal, the responsible administrator shall conduct a formal hearing, within five days. Those present should include the citizen lodging the complaint and any witnesses designated by the citizen or the responsible administrator.

The responsible administrator shall notify the citizen, in writing, of the decision regarding the complaint, within five days of the hearing.

If the complaint is not resolved, the responsible administrator completes Section II of the Complaint Form and forwards it to the Deputy Superintendent. The Deputy Superintendents will determine which of the three options will be utilized for complaint resolution.*

1. Deputy Superintendent because the resolution of the complaint exceeds the authority of the administrator.
2. Superintendent because resolution of the complaint involves district-wide administrative procedures.
3. Complaint Subcommittee of the Special Administrative Board of the Transitional School District ("Board") because resolution of complaint involves Board Policy.

*The Superintendent's designee and the Superintendent should receive copies of all complaints forwarded regardless of their destination. Missouri Department of Elementary and Secondary Education will be notified within fifteen (15) days after receipt of complaints.

Thus depending upon the nature of the complaint it will be forwarded to either A, B, or C for FINAL RESOLUTION.

STEP 3: Formal Hearings by Deputy Superintendents (Days 17-27)

- A. Upon the appeal, the Deputy Superintendent conducts a formal hearing involving the citizen and essential witnesses. This hearing shall take place within 5 days of the receipt of complaint. Within five days after the hearing, the Deputy or Associate Superintendent shall render a final decision to the citizen in writing.

OR

STEP 3: Formal Hearing by Superintendent (Days 17-27)

- B. Upon the appeal, the Superintendent conducts a formal hearing involving the citizen and essential witnesses. This hearing shall take place within 5 days of receipt of complaint. Within five days after the hearing, the superintendent shall render a final decision to the citizen in writing.

OR

STEP 3: Formal Review by Complaint Subcommittee of the Special Administrative Board (Days 17-27)

- C. Upon the appeal, the Complaint Subcommittee shall review the complaint, and consult with appropriate administrative staff regarding the complaint. The Complaint Subcommittee shall conduct a formal hearing within five days of the appeal and within five days following the hearing, shall render a final decision. The citizen shall be notified in writing of the Subcommittee's decision. Copies should be forwarded to each of the administrators involved in the appeal process.

CITIZEN COMPLAINT APPEAL FORM

Section 1: To be completed by person lodging the complaint.

Name: _____ Date: _____

Address: _____ Tele. No: _____

Bus No: _____

Nature of Complaint:

Signed: _____

Section 2: To be completed by responsible administrator after the formal hearing if the complaint is not resolved.

Name: _____ Date: _____

(Administrator)

Location: _____ Tele. No: _____

Results of Formal Hearing:

I am forwarding this complaint to: _____

(Name)

Section 3a: To be completed by Assistant Superintendent

This complaint should be resolved by:

____ Deputy Superintendent

REASON: _____

____ Superintendent

____ Board of Education Complaint Subcommittee

(Signature)

(Date)

SECTION 3b: To be completed by the Deputy Superintendent, Associate Superintendent, Superintendent or Complaint Subcommittee.

Name: _____

Date Complaint Received: _____

Location: _____

Tele. No: _____

Disposition of Complaint: _____

Signed: _____

Date: _____

The individuals were notified of decision on/by _____

(Signature)

(Date)

Please forward a copy of this completed form to each administrator involved in this complaint, and also to the Deputy Superintendent of Academic Services, Associate Superintendent, and the Superintendent.

Glossary

Appeal - a request for a new hearing

Arson setting fire or attempting to set fire to a school building or property located on school grounds or any property rented by or on loan to the school

Assault/Battery- intentionally causing or attempting to cause serious physical injury, or behaving in a way that could reasonably cause serious physical injury to the student or any other person

Bomb Threat - making a false statement regarding the possession or location of a bomb or explosive device on school property, at any school sponsored activity or any vehicle in service on behalf of the SLPS District.

Bullying - the intimidation or harassment that causes a reasonable student to fear for his or her physical safety or property.

Cyber Bullying - Bullying may consist of physical actions, including gestures, or oral, cyber bullying, electronic, or written communication, and any threat of retaliation for reporting of such acts.

DESE – Department of Elementary and Secondary Education

Disorder/Disruption - any behavior that distracts or causes confusion or chaos within the classroom, on the bus, or on the school grounds

Due Process - an established course for judicial proceedings designed to protect the legal rights of the individual

Electronic Communication Devices - beepers, cell phones, cell phones with cameras, CD players, walkie-talkies, laser pointers, etc. Students shall not possess, transmit or use any type of portable electronic communications system on school premises or any SLPS sponsored event, excluding after school athletic events.

Extortion - obtaining or attempting to obtain money or property of value from an unwilling person or forcing an individual to act either by physical force or intimidation (threat)

FERPA - Family Educational Rights and Privacy Act

Fighting - physical conflict between two or more persons

Forgery- signing the name of another person without permission.

Gambling- playing any game of chance or skill for money or anything of value

Gang Behavior – any other offense; e.g. gang warfare, i.e., group fighting with more than two participant involved in physical confrontations, threatening the life of another person, or possession of any instrument that can be reasonably perceived as a weapon, possession or distribution of counterfeit drugs, or drug-related paraphernalia, or possession or distribution of pornographic pictures or materials, which constitute criminal conduct under federal, state or city laws, or which are life or health threatening.

Gang Fight- a fight between rival gangs of adolescents.

Gross Insubordination/Disrespect - knowingly and unjustifiably refusing to comply with reasonable requests from school authorities; directing profanity and verbal abuse toward students or adults; threatening to inflict injury or bodily harm; displaying aggressive behavior which is intended to be demeaning, derogatory and/or confrontational.

Hazing- any activity, on or off school grounds, that a reasonable person believes would negatively impact the mental or physical health or safety of a student or put the student in a ridiculous humiliating stressful or disconcerting position for the purposes of initiation, affiliation, admission, membership or maintenance of membership in any group, class, organization, club or athletic team including, but not limited to, a grade level, student organization or school-sponsored activity.

IDEA - Individuals with Disabilities Education Act

IEP - Individual Education Plan

Illegal or Serious Misconduct - any other offense, which may include: gang warfare, group fighting with more than two participants involved in physical confrontations; threatening the life of another person; possession of any instrument that can be reasonable perceived as a weapon; possession with intent to distribute or distribution of counterfeit drugs, or drug-related paraphernalia; possession or distribution of pornographic pictures or materials; and any other acts which constitute criminal conduct under federal, state or city laws, or which are life or health threatening.

Indecent Exposure - knowingly exposing the genitals, breasts, buttocks, and/or sagging under circumstances in which such actions are likely to cause an affront or alarm. Also, see-through or mesh garments, midriff blouses or shirts, tank tops, spaghetti straps, exposure of undergarments of any type, cleavage, low-riding pants, and clothing with obscene or suggestive statements or symbols are prohibited. Also prohibited is any apparel that advertises or promotes sex, drugs or alcohol. Shoes must be worn at all times.

Insubordination - willful or continued willful disobedience of any reasonable request or regulation, or voicing of disrespect to those in authority

ISS – In-school Suspension

LEA – Local Education Agency

NCLB – No Child Left Behind

OSS – Out-of-school suspension

Profanity - swearing, cursing or making obscene gestures directed toward students **or** adults

Rape/Forced Sexual Acts - committing or attempting to commit forcible rape as defined in section 566.030 RSMo or forcible sodomy as defined in section 566.060., RSMo.

Racial Harassment - name calling, jokes, slurs, rumors, innuendo, or belittling; graffiti, notes or cartoons, offensive or graphic posters, words or actions that hurt one's feelings, derogatory remarks, gestures, bullying.

Serious Misconduct - any other offense, which may include: gang warfare, group fighting with more than two participants involved in physical confrontations; threatening the life of another person; possession of any instrument that can be reasonably perceived as a weapon; possession with intent to distribute or distribution of counterfeit drugs, or drug-related paraphernalia; possession or distribution of pornographic pictures or materials; and any other acts which constitute criminal conduct under federal, state or city laws, or which are life or health threatening.

Sexual Harassment - unwanted sexual advances, requests for sexual favors, sexually motivated physical or verbal conduct, communication of a sexual nature or conduct based on gender when such conduct has the purpose or effect of unreasonably or substantially interfering with an individual's education or that creates an intimidating or hostile environment. Examples of conduct that may constitute sexual harassment or discrimination include verbal harassment or abuse, pressure for sexual activity, inappropriate patting or pinching and intentionally brushing against the body.

Theft - stealing or attempting to steal the money or property of another

Trespassing - being in or around a school building or in a particular place on school grounds, or on a school bus without permission or refusing to comply with a request to leave school premises, or leave the bus.

Vandalism- willful destruction or defacing of the school, personal property, or school property.

Weapon - a blackjack, a firearm, an explosive weapon, a firearm silencer, a gas gun, a machine gun, a projectile weapon, a bullet(s), rifle, a short barrel, a shotgun, a spring gun, any type of fireworks (including smoke bombs or firecrackers), any type of explosive devices, or a switch-blade. SLPS policy on weapons includes all types of knives and is expanded to include a razor or razor blade, mace, club, chain, nail file (when used to inflict physical injury), and brass knuckles. The improper use of any object, instrument or device also falls within this provision.

Graduation Requirements

Class of 2010 & Beyond

Mathematics	3
Social Studies	2 ½
Health	½
Physical Ed.	1
Practical Arts	1
Personal Finance	½*
Fine Arts	1
Communication Arts	4
Science	3
Electives	7 ½
Total	24

Note: Students must also pass the Missouri and U.S. Constitution tests.

*Personal Finance is a Social Studies credit

Grade Level Classification

Freshman	0 to 6
Sophomore	7 or above
Junior	13 or above
Senior	19 or above

Math	Science	Communication Arts	Electives	Fine Arts	Personal Finance	Practical Arts	Health & Physical Ed	Social Studies
3 Units	3 Units	4 Units	7 ½ Units	1 Unit	½ Units	1 Unit	1 ½ Units	2 ½ Units

24 Units



NOTES



Please return 1 copy to the school.

Kelvin R. Adams, Ph.D.

Superintendent of Schools

Debra J. Falkner

Director

Parent and Student Engagement

To Be Determined

Supervisor

Innovative Pathways

PARENT/STUDENT AFFIDAVIT

Dear Parents/ Legal Guardians,

We know that you share the Saint Louis Public Schools' goal of providing a safe school environment. In order to help us reach that goal, we ask you to please read and review this Student Code of Conduct handbook.

After you have reviewed the Student Code of Conduct handbook, please sign the affidavit below, tear this portion of the page out along the line on the left, and return this signed portion to your child's classroom teacher. This document only acknowledges your receipt of this information for which every St. Louis Public School is responsible. Thank you for your cooperation in helping make our schools safe places for learning.

Student/Parent Agreement:

I have received, read, and reviewed the Student Code of Conduct handbook, including the St. Louis Public School District Technology Usage Policy, Administrative Regulations and Guidelines, and the St. Louis Public School Uniform Policy. I agree to abide by their provisions.

Please sign and return to school.

Student/Parent/Legal Guardian Agreement:

I have received, read, and reviewed the Student Code of Conduct handbook, including the St. Louis Public School District Technology Usage Policy, Administrative Regulations and Guidelines, and the School Uniform Policy. I agree to abide by their provisions.

(Signature of Student)

(Date)

(Signature of Parent/Legal Guardian)

(Date)

Please return 1 copy to the school.



Kelvin R. Adams, Ph.D.

Superintendent of Schools

Debra J. Falkiner

Director

Parent and Student Engagement

To Be Determined

Supervisor

Innovative Pathways

PARENT/STUDENT AFFIDAVIT

Dear Parents/Legal Guardians,

We know that you share the Saint Louis Public Schools' goal of providing a safe school environment. In order to help us reach that goal, we ask you to please read and review this Student Code of Conduct handbook.

After you have reviewed the Student Code of Conduct handbook, please sign the affidavit below, tear this portion of the page out along the line on the left, and return this signed portion to your child's classroom teacher. This document only acknowledges your receipt of this information for which every St. Louis Public School is responsible. Thank you for your cooperation in helping make our schools safe places for learning.

Student/Parent Agreement:

I have received, read, and reviewed the Student Code of Conduct handbook, including the St. Louis Public School District Technology Usage Policy, Administrative Regulations and Guidelines, and the St. Louis Public School Uniform Policy. I agree to abide by their provisions.

Please sign and return to school.

Student/Parent/Legal Guardian Agreement:

I have received, read, and reviewed the Student Code of Conduct handbook, including the St. Louis Public School District Technology Usage Policy, Administrative Regulations and Guidelines, and the School Uniform Policy. I agree to abide by their provisions.

(Signature of Student)

(Date)

(Signature of Parent/Legal Guardian)

(Date)

