

Policy JG: STUDENT DISCIPLINE

Status: DRAFT

Original Adopted Date: 12/16/1999 | Last Revised Date: 04/15/2010

EXPLANATION

MSBA has revised this policy to remove references to secluding students. This issue is more than adequately addressed in policy JGGA, and MSBA is concerned that repeating language in two policies may result in a conflict. Seclusion should never be used for disciplinary reasons. MSBA has also revised this policy for clarity, to address equity issues and to update the section regarding discipline for off-campus misconduct.

It is essential that the district maintain a classroom-safe school environment and a climate that allows teachers to communicate effectively with all students in the class and allows all students in the class to learn. Discipline will be equitably applied and viewed as a learning opportunity with the ultimate goal of improving behavior, safety and the school climate. The district seeks to minimize the unnecessary exclusion of students from classrooms and school and encourages the superintendent and district staff to exclude students only when necessary to maintain a safe and appropriate learning environment.

The superintendent or designee is authorized to contact the district's attorney for advice on the legality of district discipline or the discipline process. The board encourages the superintendent to recommend changes to board policy related to student discipline as needed.

Discipline Code

To assist district staff in maintaining the necessary classroom-education environment, the board of education has created a discipline code that addresses the consequences, including suspension or expulsion, for students whose conduct is prejudicial to good order and discipline in the schools or impairs the morale or good conduct of other students.

The district's comprehensive written code of conduct of the district is composed of this policy and includes, but is not limited to, the following policies, procedures and regulations: this policy, JG-R1, JGA, JGB, JGD, JGE and JGF and associated procedures. A copy of the district's comprehensive written code of conduct will be placed on the district's website, and a copy will be available in the superintendent's office during normal business hours. The code of conduct will be distributed to every all students and their parents/guardians of every student at the beginning of each school year, which may be accomplished by directing students and parents/guardians to the district's website. These policies, regulations and procedures will apply to all students in attendance in the district's instructional and support programs as well as at district-sponsored activities and will be available in the superintendent's office during normal business hours.

ApplicationEquity

These policies, regulations and procedures will apply to all students in attendance in district instructional and support programs as well as at school-sponsored activities. Off-campus misconduct that adversely affects the educational climate will also be subject to these policies, regulations and procedures. All district staff are required to enforce district policies, regulations and procedures in a manner that is consistent, developmentally appropriate and equitable. District staff who increase or decrease the consequences for student misconduct based on individual circumstances must document the reasons for the variance. The superintendent or designee will regularly review district discipline data to determine whether district policies are being equitably enforced and, when necessary, make recommendations to the board for policy changes, training or resources to further the district's goals for providing equitable education to all students.

Discipline for Off-Campus Misconduct

Students may be disciplined for misconduct that occurs off district grounds and outside a district activity when allowed by law including, but not limited to, the following situations:

1. The district's technology is used.
2. The student's conduct negatively impacts the education environment or there is a nexus to the education environment.

3. The students who have been charged with, convicted of, or pled guilty to the commission of a felony in a court of general jurisdiction for commission of a felony (not a juvenile court). The board may be suspended such students after a hearing in accordance with law.
4. The student has been indicted on, charged with or convicted of one of the specific crimes listed in § 167.171, RSMo. (see in policy JEC) or a petition has been filed or adjudicated in juvenile court involving one of the specific crimes listed in § 167.171, RSMo. The district shall exclude such students from school or from the general education environment after appropriate due process.
5. The student transfers to the district during a suspension or expulsion from another public school or a private or parochial school, and the district determines that the conduct would have resulted in a suspension or expulsion in this district. The district may honor a student's suspension or expulsion in such cases after providing appropriate due process when necessary.

Immediate Removal

The board authorizes the immediate removal of a student upon a finding by a principal or superintendent that the student poses a threat of harm to self or others, as evidenced by the prior conduct of such student. Any such removal will be subject to the appropriate due process procedures and in accordance with law.

No student may be confined in an unattended locked space except in an emergency situation while awaiting the arrival of law enforcement personnel. For the purpose of this policy, a student is unattended if no person has visual contact with the student, and a locked space is a space that the student cannot reasonably exit without assistance.

Enforcement

Building principals are responsible for the development and enforcement of additional regulations and procedures regarding student conduct rules needed to maintain proper behavior in schools under their supervision. All such regulations and procedures rules shall be consistent with board-adopted discipline policies and regulations.

Teachers have the authority and responsibility to make and enforce necessary rules for internal governance discipline in the classroom, subject to review by the building principal. The board expects each teacher to maintain a satisfactory standard of conduct in the classroom. All district staff are required to enforce district policies, regulations and procedures in a manner that is fair and developmentally appropriate and that considers the student and the individual circumstances involved.

All district staff enforcing student discipline should seek to minimize, as much as possible, the amount of instructional time the student loses.

Training

All employees of the district employees shall annually receive instruction related to the specific contents of the district's discipline policy comprehensive code of conduct and any interpretations necessary to implement the its provisions of the policy in the course of their duties including, but not limited to, confidentiality requirements and the approved methods of for dealing with acts of school violence, and disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

§160.261, RSMo.

Description

State Statute - <https://simbli.eboardsolutions.com/SU/s/ishVClyWU73Tdpv4JZYxrPDw==>

§160.262, RSMo.

State Statute - <https://simbli.eboardsolutions.com/SU/s/ishVClyWU73Tdpv4JZYxrPDw==>

§167.117, RSMo

State Statute - <https://simbli.eboardsolutions.com/SU/s/ishVClyWU73Tdpv4JZYxrPDw==>

§167.161, RSMo - <https://simbli.eboardsolutions.com/SU/slshVClyWU73Tdpv4JZYxrPDw==>

§167.171, RSMo - <https://simbli.eboardsolutions.com/SU/slshVClyWU73Tdpv4JZYxrPDw==>

§171.011, RSMo. - <https://simbli.eboardsolutions.com/SU/slshVClyWU73Tdpv4JZYxrPDw==>

Federal References

FEDERAL COURT - <https://simbli.eboardsolutions.com/SU/buleBac7vUQEPkDzL6PLwg==>
 Beussink v. Woodland R-IV Sch. Dist., 30 F. Supp. 2d 1175 (E.D. Mo 1998) - <https://simbli.eboardsolutions.com/SU/buleBac7vUQEPkDzL6PLwg==>

MSIP References

I-8 - <https://simbli.eboardsolutions.com/SU/S0bzllx4sBCbA6jualeHdA==>
 MSIP STANDARDS - <https://simbli.eboardsolutions.com/SU/S0bzllx4sBCbA6jualeHdA==>

Cross References

AC - <https://simbli.eboardsolutions.com/SU/PGBz6kueFRQYz3BCDNN3tQ==>
 PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - <https://simbli.eboardsolutions.com/SU/PGBz6kueFRQYz3BCDNN3tQ==>

ACA - <https://simbli.eboardsolutions.com/SU/zslshuo6oy5xZq7gcV0bXTm5g==>
 SEXUAL HARASSMENT UNDER TITLE IX - <https://simbli.eboardsolutions.com/SU/zslshuo6oy5xZq7gcV0bXTm5g==>

AH - <https://simbli.eboardsolutions.com/SU/S5dUzm4GBOYbBN49jtBYHQ==>
 USE OF TOBACCO AND VAPING PRODUCTS - <https://simbli.eboardsolutions.com/SU/S5dUzm4GBOYbBN49jtBYHQ==>

ECD - <https://simbli.eboardsolutions.com/SU/encqXs4g9dcFU7wx6LSFSA==>
 TRAFFIC AND PARKING CONTROLS - <https://simbli.eboardsolutions.com/SU/encqXs4g9dcFU7wx6LSFSA==>

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EHBA - <https://simbli.eboardsolutions.com/SU/slshPYGLjmbZZPMwoPflnIm0g==>
 STUDENT USE OF PERSONAL ELECTRONIC DEVICES FOR INSTRUCTIONAL PURPOSES - <https://simbli.eboardsolutions.com/SU/slshPYGLjmbZZPMwoPflnIm0g==>

GBH - <https://simbli.eboardsolutions.com/SU/A222dMdrwxzxoHRslshBxWZA==>
 STAFF/STUDENT RELATIONS - <https://simbli.eboardsolutions.com/SU/A222dMdrwxzxoHRslshBxWZA==>

IGBD - <https://simbli.eboardsolutions.com/SU/xYUZL72kvtGULua51MRlsw==>
 AT-RISK STUDENTS - <https://simbli.eboardsolutions.com/SU/xYUZL72kvtGULua51MRlsw==>

IKFB - <https://simbli.eboardsolutions.com/SU/6Xl5hzplusrzOs2DK5cHNa0Yg==>
 GRADUATION EXERCISES - <https://simbli.eboardsolutions.com/SU/6Xl5hzplusrzOs2DK5cHNa0Yg==>

ILA - <https://simbli.eboardsolutions.com/SU/qPTrGHVAe2zrUQ8fplus3x8zQ==>
 TEST INTEGRITY AND SECURITY - <https://simbli.eboardsolutions.com/SU/qPTrGHVAe2zrUQ8fplus3x8zQ==>