

# FORT ZUMWALT SCHOOL DISTRICT

## MIDDLE SCHOOL STUDENT DISCIPLINARY GUIDELINES (Grades 6-8)

### 2020 - 2021

The discipline policy listed is a summary taken from Policy JG and regulation JG-R. It is a fair representation of what has been adopted by the Board of Education but does not include all of the information in the policy and regulation. Parents wishing to review the entire policy and regulation may do so at the administrative office of their child's school, the District website ([www.fz.k12.mo.us](http://www.fz.k12.mo.us)), or District Administrative Offices located at 555 E. Terra Lane, O'Fallon, MO.

The Fort Zumwalt Board of Education declares a policy against and prohibits racial harassment. Policy AC prohibits any oral, written, graphic or physical conduct related to an individual's race, color or national origin so as to not interfere with or limit his/her ability to participate in or benefit from programs. Examples of this conduct can include, but are not limited to, racial name calling, graffiti, cartoons of a negative demeanor, racially motivated harassing, threatening or intimidating comments, and physical acts of aggression. Allegations of racial harassment should be reported to the most immediate administrator or the Title VI coordinator, Assistant Superintendent - Student Personnel Services, at 555 E. Terra Lane, O'Fallon, MO 63366, Phone: (636) 240-2072. Nothing in policy AC prohibits a complaint from being filed with the Office of Civil Rights, 8930 Ward Parkway, Suite 2037, Kansas City, MO 64114, Phone: (816) 268-0550.

The district is committed to providing an environment free from intimidating, hostile, or offensive behavior, verbal or physical conduct or communication constituting sexual harassment and/or assault. Sexual harassment or assault by a student against any student is prohibited. Sexual harassment of a student by another student may include such things as sexually oriented jokes, remarks, cartoons, pictures, letters, or physical contact such as patting or pinching. Assault may include touching, probing, grabbing and groping.

**STUDENT APPEARANCE** - Student dress and grooming should be neat, clean and in good taste so that each student may share in promoting a positive, healthy and safe atmosphere within the school district. Student dress and grooming will be the responsibility of the individual and parents/guardian with the following guidelines:

1. Dress and grooming will be clean and in keeping with health, sanitary and safety requirements.
2. All students must wear shoes, boots, or other types of footwear (house shoes/slippers not allowed).
3. Items of clothing or jewelry associated with a controlled substance are not permitted.
4. Dress and grooming will not disrupt the educational environment or cause undue attention to an individual student.
5. Class activities that present a concern for student safety may require the student to adjust hair and/or clothing during the class period in the interest of maintaining safety standards.
6. Students shall not wear the following:
  - a. hats, bandannas, shower caps or other non-therapeutic headgear inside the school building
  - b. low cut muscle shirts/halter tops/midriiffs/backless or racer back apparel/sagging pants/extremely short shorts/skirts
  - c. undergarments cannot be exposed (including boxers and bra straps)
  - d. clothing/stickers/insignias/colors/visible tattoos that indicate membership in, affiliation with, or support of any gang or similar organization associated with violence, drugs, intimidation or other criminal activity (including rebel flags and swastikas)
  - e. clothing which promotes drugs, alcohol, tobacco, and/or it's products
  - f. clothing with sexually suggestive messages, messages that promote the occult, or messages of a vulgar nature
  - g. clothing with holes above mid-thigh in inappropriate places or exposing undergarments
  - h. jewelry and chains that may be used as a weapon including wallet chains that are 3 inches or longer or that present a safety concern
7. Additional dress regulations may be imposed upon students participating in certain extracurricular activities. *When in the judgment of the principal, a student's appearance or mode of dress disrupts the educational process or constitutes a threat of safety, the student may be required to make modification.*

**Bullying/Cyberbullying or harassment of any kind is serious in nature. Students should report any instances occurring on school property or threats that might occur to students on school property to their principal immediately.**

#### Cell Phones / Portable Communication Devices

*Cellular phones may not be used or visible during the instructional school day. The Fort Zumwalt School District strongly discourages students from bringing cell phones and other electronic devices to school unless encouraged to do so for educational programming. Inappropriate or unauthorized use of electronic devices to capture, videotape, transmit or duplicate an unauthorized picture of school staff, students, or school documents, including electronic cheating, will result in discipline. Students possessing these items on school property do so at their own risk. Parents should not expect the district to be responsible for such items. In the instance that a device is suspected stolen or lost, the student must immediately report such to the office and file a written statement to document serial number and other identifiable information. This written statement will be forwarded to the School Resource Officer (SRO) or other law enforcement personnel. Use, display, or activation of these during the instructional school day will result in them being confiscated. Continued use will constitute insubordination. Electronic Devices: Students are strongly urged to leave IPODs, cell phones, BlackBerrys and portable communication devices at home.*

#### Cell Phones / Portable Communication Devices (can include unauthorized use/display of iPods or electronic devices.)

1st Offense	Warning (parent notified by mail, student pick-up phone in office end of day)	4th Offense	Insubordination (5 days ISS, parent pick-up phone)
2nd Offense	2 Hours Detention (parent notified by mail, parent pick-up phone)	5th Offense	Blatant Insubordination (10 days ISS, parent pick-up phone)
3rd Offense	4 Hours Detention (Parent notified by mail, parent pick-up phone)	6th or Greater Offense	Blatant Insubordination (5-10 days OSS, parent pick-up phone and possible referral to Superintendent for additional days)

**ELECTRONIC DEVICES ARE THE RESPONSIBILITY OF THE STUDENT**

## DETENTION (including Saturday)

All Saturday detentions are held at West High 1251 Turtle Creek O'Fallon, MO 63366

All incidents are documented in students' discipline records.

<p><b><u>Academic Dishonesty</u></b> 1st Offense            Zero credit, parent notification</p> <p><b><u>Bullying/Harassment/Cyberbullying</u></b> Each infraction will be dealt with on an individual basis up to and including suspension and expulsion, possible notification of law enforcement officials.</p> <p><b><u>Failure to Attend After School Detention</u></b> 1st Offense            Reschedule, contact parent 2nd Offense            4 hours Saturday detention</p> <p><b><u>Minor Scuffling</u></b> 1st Offense            2 to 4 hours 2nd Offense            4 to 8 hours</p> <p><b><u>Possession of a lighter</u></b> 1st Offense            2 hours 2nd Offense            4 hours</p> <p><b><u>Public Display of Affection (PDA)</u></b> 1st Offense            Warning 2nd Offense            8 hours</p> <p><b><u>Vulgar Language</u></b> 1st Offense            4 hours 2nd Offense            8 hours</p>	<p><b><u>Class Disturbance/Inappropriate Behavior (minor in nature)</u></b> Per Offense            2 to 8 hours</p> <p><b><u>Dishonesty</u></b> <b><u>Any act of deceit, whether verbal or written, including forgery</u></b> 4 hours, nullification of document, parent contact</p> <p><b><u>Tardies to First Hour</u></b> <i>(per semester) may result in truancy</i> 3rd Tardy              2 hours 5th Tardy              4 hours 7th Tardy              4 hours</p> <p><b><u>Tardies (less than 10 minutes late to any class including 1st hour)</u></b> <i>(per semester/all classes combined)</i> 3rd Tardy              Warning Letter 5th Tardy              2 hours 7th Tardy              4 hours 9th Tardy              8 hours</p> <p><b><u>Truancy (Purposeful absence from assigned class or area or unexcused tardies by more than 10 minutes to first hour)</u></b> 1st Offense            4 hours (part of an hr. through 4 hrs.) 1st Offense            8 hours (absent more than 4 hrs.) 2nd Offense            8 hours</p>
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## IN SCHOOL SUSPENSION

All incidents are documented in students' discipline records.

<p><b><u>Academic Dishonesty</u></b> 2nd Offense            3 days, Zero credit, parent contact Subsequent Offense 10 days, zero credit</p> <p><b><u>Class Disturbance/Inappropriate Behavior</u></b> Per Offense            5-10 days</p> <p><b><u>Blatant Disrespect</u></b> <i>Disparaging or demeaning language (defamation of a person's religion, gender or ethnic origin); disrespectful / disruptive speech or conduct (verbal, written or symbolic language or gesture directed to staff or student)</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b><u>Student to Student</u></b></td> <td style="width: 50%;"><b><u>Student to Staff</u></b></td> </tr> <tr> <td>1st Offense            5 days</td> <td>1st Offense            5 - 10 days</td> </tr> <tr> <td>2nd Offense            10 days</td> <td></td> </tr> </table> <p><b><u>Blatant Insubordination</u></b> 1st Offense            5-10 days</p> <p><b><u>Depantsing - student(s) in presence of same gender audience resulting in improper exposure (underwear exposed)</u></b> 5 days</p> <p><b><u>Disrespect</u></b> <i>Disparaging or demeaning language or defamation of a person's religion, gender or ethnic origin; disrespectful speech or conduct (verbal, written or symbolic language).</i> 1st Offense            3 days 2nd Offense            5 days</p> <p><b><u>Disruptive Conduct or Speech</u></b> <i>Verbal, written, pictorial or symbolic language or gesture that is overtly violent otherwise rude, vulgar, defiant, considered inappropriate in education settings or that materially and substantially disrupts classroom work, school activities or school functions.</i> 1st offense            3-5 days Subsequent Offense See OSS</p> <p><b><u>Failure to Attend After School Detention</u></b> 3rd Offense            3 days 4th Offense and Additional Offenses            5 days</p> <p><b><u>Failure to Attend Saturday Detention Hours</u></b> 1st Offense            3 to 5 days</p>	<b><u>Student to Student</u></b>	<b><u>Student to Staff</u></b>	1st Offense            5 days	1st Offense            5 - 10 days	2nd Offense            10 days		<p><b><u>Improper Exposure - (undergarment exposed)</u></b> <i>In front of differing gender audiences, i.e.: including sagging pants</i> 5 days</p> <p><b><u>Insubordination</u></b> 1st Offense            3 days 2nd Offense            5 days</p> <p><b><u>Major Scuffling (includes instigator, if applicable)</u></b> 1st Offense            3 days 2nd Offense            5 to 10 days</p> <p><b><u>Nuisance Items - (Including Laser Pointers, toys, games, media players)</u></b> 3 to 10 days - Possible notification of law enforcement officials</p> <p><b><u>Possession / Use of Tobacco, Electronic Cigarettes, or any other Nicotine Delivery Devices / Materials (on bus, district property, district activity)</u></b> 1st Offense            5 days - notification of law enforcement 2nd Offense            10 days, notification of law enforcement</p> <p><b><u>Removal from Detention Hours</u></b> 1st Offense            3 days 2nd Offense            5 days Additional Offenses            10 days</p> <p><b><u>Repeated Disciplinary Violations</u></b> 5 days</p> <p><b><u>Sexual Harassment/Sexual Misconduct</u></b> 1st Offense            3 to 5 days 2nd Offense            10 days 3rd Offense            See Chronic Disciplinary Violations, notification of law enforcement officials</p> <p><b><u>Sexting, Transmitting, or Possession of Sexually Explicit Vulgar or Violent Material</u></b> 1st Offense            5 to 10 days, notification of law enforcement</p> <p><b><u>Theft. (Less than \$30)</u></b> 3 to 5 days - PLUS restitution for damages or replacement if applicable</p> <p><b><u>Theft. (\$30 to \$100)</u></b> 5 days - PLUS restitution for damages or replacement if applicable</p>
<b><u>Student to Student</u></b>	<b><u>Student to Staff</u></b>						
1st Offense            5 days	1st Offense            5 - 10 days						
2nd Offense            10 days							

## IN SCHOOL SUSPENSION (CONTINUED)

All incidents are documented in students' discipline records.

### Knowingly Possession of Stolen Property (Less than \$30)

3 days - PLUS restitution for damages or replacement if applicable

### Knowingly Possession of Stolen Property (\$30 to \$100)

5 days - PLUS restitution for damages or replacement if applicable

### Tardies (All Classes combined - Per Semester)

11th Tardy 3 to 5 days

13th Tardy 5 days

### Truancy (Purposeful absence from assigned class, area off campus)

3rd Offense 3 to 5 days, No Make-up privileges

### Vulgar Language

3rd Offense 5 days

Subsequent see Chronic Disciplinary Violations

### Vandalism (Less than \$30)

3 to 5 days PLUS restitution for damages

### Vandalism (\$30 to \$100)

5 days PLUS restitution for damages

## OUT OF SCHOOL SUSPENSION

All incidents are documented in students' discipline records.

### Arson/Explosives

Starting or attempting to start a fire or causing an explosion with the intention to damage property or buildings. Includes setting paper on fire.

10 days with possible referral to the superintendent for additional suspension days or expulsion; notification to law enforcement officials

### Assault

Attempting to cause injury to another person; placing a person in reasonable apprehension of imminent injury, includes puncturing/sticking other students with pins/needles/other object(s) and fights which result in personal injury.

### Assault - 4th Degree

A person commits the offense of assault in the fourth degree if the person attempts to cause or recklessly causes physical injury, physical pain, or illness to another person; causes physical injury to another person by means of a firearm; purposely places another person in apprehension of immediate physical injury; recklessly engages in conduct which creates a substantial risk of death or serious physical injury to another person; knowingly causes or attempts to cause physical contact with a person with a disability, which a reasonable person, who does not have a disability, would consider offensive or provocative; knowingly causes physical contact with another person knowing the other person will regard the contact as offensive or provocative; or any other act that constitutes criminal assault in the fourth degree.

5 to 10 days with possible referral to Superintendent for additional suspension days, possible notification to law enforcement officials.

### Assault - 3rd Degree

A person commits the offense of assault in the third degree if he or she knowingly causes physical injury to another person; or any other act that constitutes criminal assault in the third degree.

10 days with possible referral to superintendent for additional suspension days or expulsion; notification to law enforcement officials

### Assault - 1st & 2nd Degree

Knowingly causing or attempting to cause serious bodily injury or death to another person, recklessly causing serious bodily injury to another person, or any other act that constitutes assault in the first & second degree

10 days with possible referral to the Superintendent for additional suspension days or expulsion; notification to law enforcement officials.

### Blatant Disrespect/Insubordination to Staff

2nd Offense - 5-10 days with possible referral to Superintendent for additional suspension days

3rd Offense - 10 days with possible referral to Superintendent for additional suspension days

### Bullying/Hazing/Harassment/Cyberbullying

Each infraction will be dealt with on an individual basis up to and including suspension and expulsion and possible notification of law enforcement

### Chronic Disciplinary Violations/Inappropriate Behavior

5 to 10 days with possible referral to the superintendent for additional suspension days

### Conduct Prejudicial to the Good Order and Discipline of School

(Safe Schools Violation - Felony Charge and Non-Felony)

Each infraction will be dealt with on an individual basis up to and including suspension or expulsion of the student.

### Depantsing of student(s) Resulting in:

-Improper Exposure (undergarment exposed) in front of differing gender - 5 days

-Indecent Exposure (skin exposed) in presence of same or differing gender - 10 days

### False Alarm

Tampering with emergency equipment, setting off false alarms, making false report, dialing 911.

Each infraction will be dealt with on an individual basis up to and including suspension and expulsion of the student.

### Fighting

5 to 10 days with possible referral to the Superintendent for additional suspension days; possible notification of law enforcement officials.

### Indecent Exposure (including mooning)

Skin exposed in presence of same gender audience

5 days, possible notification to law enforcement officials

Skin exposed in presence of differing gender audience

10 days with referral to superintendent for additional suspension days notification to law enforcement officials

### Misuse of Electronic Device/Videotaping

Each infraction will be dealt with on an individual basis up to and including suspension and expulsion, possible notification of law enforcement officials.

### Misuse of Mace/Spray Irritant

5 to 10 days with possible referral to Superintendent for additional suspension days

### Misuse of a Match or Lighter

To burn or scorch hair, clothing, or personal property)

5-10 days with possible referral to the superintendent for additional suspension days or expulsion; possible notification to law enforcement officials

### Possession /Use of Commercially Prepared Fireworks/Nuisance Items

5 to 10 days with possible referral to the Superintendent for additional suspension days

### Possession / Use of Tobacco, Electronic Cigarettes, or any other Nicotine Delivery Devices / Materials (on bus, district property, district activity)

3rd Offense 5 days - notification of law enforcement

Additional Offenses 10 days - notification of law enforcement

### Possession or Use of a Weapon

Weapon (the term "weapon" is defined to mean one or more of the following): (See Policy JFCJ)

a. a firearm as defined in 18 U.S.C. 921

b. any device defined in §571.010 RSMo., including a black jack, concealable firearm, firearm, firearm silencer, explosive weapon, gasgun, knife, knuckles, machine gun, projectile weapon, rifle, shotgun, spring gun or switchblade knife.

c. any instrument or device customarily used for attack or any instrument device used to inflict physical injury or harm to another person.

d. any instrument or device as defined as a dangerous weapon in 18 U.S.C. 930 OR 18 U.S.C. 921

10 days with a referral to the superintendent for suspension for at least one (1) calendar year or permanent expulsion in accordance with Policy JFCJ; notification to law enforcement officials; (see a,b,c, and d above)

### Racial Harassment / Sexual Harassment / Sexual Misconduct / Slurs / Ethnic Comments

Allegations of racial / sexual harassment, misconduct, slurs, and ethnic comments shall be investigated and, if substantiated, corrective or disciplinary action taken, up to and including suspension and/or expulsion of the student, possible notification of law enforcement officials

### Sexting, Transmitting, or Possession of Sexually Explicit Vulgar or Violent Material

Subsequent 5 to 10 days with possible referral to the superintendent for additional days, notification of law enforcement

## OUT OF SCHOOL SUSPENSION (CONTINUED)

All incidents are documented in students' discipline records.

### Sexual Assault

May include touching, probing, grabbing and groping.

10 days with referral to Superintendent for additional suspension days, notification to law enforcement officials

### Suspension from In-School Suspension Program

Suspended for the remaining number of in-school suspension days, unless the disciplinary infraction would result in more days than are remaining

### Tardies ( per semester, all classes combined)

15th Tardy	5 days
Additional Offenses	10 days

### Threats of Violence

Each infraction will be dealt with on an individual basis up to and including suspension and expulsion of a student, possible notification of law enforcement officials.

### Technology Misconduct

Attempting, regardless of success, to: gain unauthorized access to a technology system or information; use district technology to connect to other systems in evasion of the physical limitations of the remote system; copy district files without authorization; interfere with the ability of others to utilize district technology; secure a higher level of privilege without authorization; introduce computer viruses, hacking tools, or other disruptive/destructive programs onto or using district technology; or evade or disable a filtering/blocking device.

Each infraction will be dealt with on an individual basis up to and including suspension and expulsion, possible notification of law enforcement officials.

### Theft (over \$100)

10 days - Notification of law enforcement. Restitution and/or replacement if applicable.

### Knowingly Possessing Stolen Items (over \$100)

5 days, notification of law enforcement. Restitution if applicable.

### Truancy

5th Offense	5 days
Additional Offenses	10 days

### Wearing of Obvious Gang Apparel/Using Gang Graffiti

Each infraction will be dealt with on an individual basis, up to and including suspension and expulsion of the student.

### Vandalism (over \$100)

10 days with referral to Superintendent for additional suspension days, possible notification to law enforcement officials, restitution for damages, if applicable.

### Having Been Charged with, Convicted of, or Pled Guilty to Felony in Court of General Jurisdiction (Safe Schools Violation-Felony)

A student who has been charged with, convicted, or pled guilty in a court of general jurisdiction (i.e., an adult court, not a juvenile or family court) to commission of a felony criminal violation of state or federal law will be suspended or expelled. If the charges are subsequently dismissed or the student is acquitted, the student may be readmitted or enrolled.

### Students shall be immediately suspended and may be expelled if a petition has been filed in Juvenile or Family Court alleging that the student has committed, or if the student has been found by the Juvenile or Family Court to have committed an act while if committed by an adult would be one of the following offenses:

- a. First degree murder under §565.020, RSMo;
- b. Second degree murder under §565.021, RSMo;
- c. First degree assault under §565.050, RSMo;
- d. Forcible rape or rape in the first degree under §566.030, RSMo;
- e. Forcible sodomy or sodomy in the first degree under §566.060, RSMo;
- f. Statutory Rape under §566.032
- g. Statutory Sodomy under §566.062, RSMo;
- h. Robbery in the first degree under §569.020 RSMo;
- i. Distribution of drugs to a minor under §195.212 RSMo;
- j. Arson in the first degree under §195.212 RSMo;
- k. Kidnapping, when classified as a Class A felony under §565.110 RSMo.

\*If charges have been dismissed, or if the pupil has been acquitted or adjudicated not to have committed any of the above acts, the pupil may be readmitted or enrolled.

## OUT OF SCHOOL SUSPENSION-RELATED TO SUBSTANCES/CHEMICALS

Substances/Chemicals refer to drugs, alcohol, or any substances represented to be such as well as unauthorized or misuse or distribution of prescription drugs and over-the-counter drugs.

Because of the seriousness of this offense, consequences will not start over at the beginning of each school year. A second offense at any point during a student's secondary school career will constitute the consequences for the second offense.

\*Students must have an intake assessment for these infractions.

All incidents are documented in students' discipline records.

### Possession of Drug Paraphernalia

10 days

### Possession and/or Use/Under the Influence of Substances/Chemicals

1st Offense      10 days by principal; PLUS 20 days by the superintendent, notification to law enforcement officials, PLUS an additional 10 days for students who bring or contribute to the distribution of the item resulting in the involvement of other students. PLUS an additional 10 days for bringing large quantities of substances/chemicals onto school property.

2nd Offense      10 days by principal; PLUS 50 days by the superintendent; PLUS an additional 10 days for the student who brings or contributes to the distribution of the item resulting in the involvement of other students, notification to law enforcement officials

3rd Offense      10 days by principal; PLUS 163 days by the Superintendent (total of 173 school days which is equivalent to one school year). Recommendation of permanent expulsion to the Board of Education. Optional Board of Education Committee hearing to petition for alternative to expulsion, resulting in mandatory drug testing upon students return to school. Positive test result, or denying of test, will result in permanent expulsion. Notification of law enforcement officials.

### Sale of Substances/Chemicals

1st Offense      10 days by principal; PLUS 163 days by the superintendent for a total of 173 days which is equivalent to one school year notification to law enforcement officials

2nd Offense      10 days by principal; PLUS recommendation of permanent expulsion to Board of Education; notification to law enforcement officials

**MAKE -UP OPTIONS FOR SUSPENDED STUDENTS. Students must have an intake assessment for these infractions.**

Make-up work whether for excused absences or suspension will be given for five (5) days at a time. This work must be completed and returned before an additional five (5) days of assignments will be given to the student. The final five (5) days of make-up work must be returned to the teacher the first day of re-entry to school in order for the student to receive credit for the final five (5) days of make-up work. Make-up assignments must be picked up in the appropriate grade level office AFTER the regular school day, unless other arrangements are approved by the appropriate grade level principal.

**POSITIVE ALTERNATIVE TO SUSPENSION (PAS)**

PAS is an optional program designed to assist students who have been assigned long term suspension. The program provides the student with an opportunity to continue academic work while engaging in activities which are designed to promote social skills all within a supporting and accepting environment. PAS is for students who have been assigned a long-term suspension (more than 10 days) and have been referred to PAS by the Superintendent. Students may attend PAS only (1) time during their secondary career. Parents and family participation in weekly meetings at PAS is a required element of the program.

**DISCIPLINE OF SPECIAL EDUCATION STUDENTS**

Discipline of special education students will be in accordance with discipline policies and/or the student's Individual Education Plan (IEP). Complete copies of all disciplinary guidelines are available in each building office or on the district's website.

**END OF YEAR DISCIPLINE**

When detentions, in-school, or out-of-school suspensions occur at the end of the school year and are for more school days than are left in the current school year, the discipline will carry into the next school year. An option of community service may be made available to parents of students with carryover suspensions depending on the seriousness of the infraction. The community service is to be arranged by the parent. The appropriate forms are available through the grade level assistant principal. Three hours of community service is equivalent to one day of suspension for middle school students. One half hour (1/2) of community service is equivalent to one hour of detention