

Name \_\_\_\_\_

School \_\_\_\_\_

*Code of Conduct*

STUDENT

**code of conduct**

# Code of Conduct

a guide for student behavior



KANSAS CITY  
KANSAS  
PUBLIC SCHOOLS

Code of Conduct

Reprinted in 2006

**code of conduct**

*code of conduct*

code of conduct

*code of conduct*

# Official Board of Education Non-Discrimination Notice

---

The Kansas City, Kansas School District does not discriminate, and is required by law not to discriminate, on the basis of race, color, religion, sex, national origin, age handicap or disability in admission, access to, or treatment of its programs and activities.

The Kansas City, Kansas School District does not discriminate on the basis of race, color, religion, sex, national origin, age, handicap or disability in the administration of any employment initiative. Including hiring, firing, termination, disciplinary procedures, or other related programs and activities.

Disabled individuals shall have equivalent enjoyment of the programs, services, facilities, privileges, advantages or accommodations of any facility owned, leased or operated by the district.

Pursuant to Title IX of the Education Amendments of 1972, the Kansas City, Kansas School District does not discriminate on the basis of sex in any education program or activity, including programs, services, facilities, privileges, advantages or accommodations in facilities.

Specific complaints or alleged discrimination should be referred to Mr. John Rios, Non-Discrimination Coordinator, 625 Minnesota Avenue, Kansas City, Kansas 66101; telephone number (913) 551-3200.

Regardless of the means selected for resolving the complaint, the initiation of a complaint of alleged discrimination will not cause any negative reflection on the complainant nor will it affect his/her access to the programs, activities, services, facilities, privileges, advantages or accommodations in facilities, provided by the Kansas City, Kansas School District.

Comments or suggestions regarding this document should be referred to:  
Dr. Kelli Mather, Executive Director of Student-Family Services,  
4601 State Avenue, Suite # 38, Kansas City, Kansas 66102;  
telephone number (913) 279-2247.

# District Mission Statement

---

The Kansas City, Kansas Public School District's mission is to develop life-long learners.

## Beliefs

---

- ▲ Quality Education is a collaborative effort among the schools, students, parents and community.
- ▲ All of our children can learn.
- ▲ All of our children are entitled to a caring and safe learning environment.
- ▲ All of our children should be enabled to develop to his/her fullest potential.
- ▲ All of our children should respect themselves and others.
- ▲ All of our children must be equipped to be productive, responsible adults and to meet the challenges of the future.

As noted above, the Mission is a collaborative effort. Accomplishment of our vision can only be achieved with the cooperation of our students, families, school personnel and the community. Toward this end, the expectations highlighted in this handbook are essential.

## Goals of the District Improvement Plan

---

### 1. Academic success at every level

Students will meet or exceed grade-level expectations or standards

### 2. Competent graduates

All students graduating from high school will be well-prepared as life-long learners to meet the challenges of college, career, entrepreneurship, and other future advancements.

### 3. Safe, orderly, and caring schools

All students will comply with the expectations in the Student Code of Conduct and will demonstrate a positive work ethic.

### 4. Involved parents

District parents will be actively involved in their children's education and will express high levels of satisfaction with their children's schools.

### 5. Community and Business Partners

Each school will have strategically and effectively developed community and business partnerships to help meet the needs of its students.

# Table of Contents

---

## Part One

A Note to Parents .....	1
Philosophical Basis .....	2
Code of Conduct and School Reform .....	3-4
Code of Conduct Expectations .....	5-7

## Part Two

Stakeholder Responsibilities .....	8
Parent's and Guardian's Responsibilities .....	8
School Staff Responsibilities .....	9
Community and Family Service Organization's Responsibilities .....	9

## Part Three

Jurisdiction of School Officials .....	10
Offenses/Definitions .....	11
Class I Definitions and Explanations .....	11
Class I Behaviors and Definitions .....	12-13
Excessive Tardiness .....	12
Disruptive Behavior .....	12
Truancy/Skipping Class or School .....	12
Excused Absence .....	12
Unexcused Absences .....	12
Violating Playground Rules .....	12
Violating Lunchroom Rules .....	12
Violating Hall Rules .....	13
Violating School Assembly Rules .....	13
Unauthorized Sale or Distribution of Items Not Otherwise Specified .....	13
Non-conformity to Dress Code .....	13
Possession of Education Nuisance .....	13
Failure to do Schoolwork .....	13
"Improper" Display of Affection .....	13
Obscene Behaviors/Use of Profane Language .....	13
Classification I Consequences/Intervention .....	14
Class II Definitions and Explanations .....	14
Disrespect .....	14
Tobacco Use .....	14
Tobacco Possession .....	14
Use or Possession of Tobacco or Tobacco Products .....	14
Trespassing .....	14
Inciting to Fight .....	15
Fighting .....	15
Violent Fighting .....	15
Constant Refusal to do Schoolwork .....	15
Academic Dishonesty/Cheating/Forgery .....	15
Inappropriate Computer/Internet Use .....	15
Vandalism – School Property .....	15
Vandalism – Personal .....	15
Setting Off Falsely or Misuse of Disaster Alarm or Equipment .....	15

# Table of Contents, continued...

Stealing/Theft.....	16
Contributing to or Inciting a Disruptive Situation .....	16
Gambling.....	16
Extortion .....	16
Leaving School Without Permission .....	16
Defiance of Authority.....	16
Physical Assault/Battery.....	16
Possession of Incendiary Devices.....	16
Cumulative/Incorrigible Bad Conduct.....	16
Misbehavior on Bus .....	16
Violation of Parking Rules.....	17
Impermissible Driving to School.....	17
Misuse of Technology Devices .....	17
Defamation.....	17
Classification II Consequences/Intervention.....	17
Class III Definitions and Explanations.....	17
Aggravated or Physical Abuse of School Employee .....	18
Alcohol Possession .....	18
Alcohol Use.....	18
Marijuana Possession .....	18
Marijuana Use .....	18
Illicit Drug Possession .....	18
Illicit Drug Use .....	18
Drug Paraphernalia Possession .....	18
Alcohol Solicitation/Sale.....	18
Marijuana Solicitation Sale.....	18
Illicit Drug Solicitation/Sale.....	19
Tobacco Solicitation/Sale .....	19
False Reports/Bomb Threats/School Threats .....	19
Arson Fire.....	19
Use and/or Threat to Use Fireworks or Explosives Possession, sale, distribution, detonation, or threat of detonation of an incendiary or explosive material or device/or Look-Alikes .....	19
Possession of a firearm/weapon .....	19
Use of a weapon.....	20
Solicitation/Sale of a weapon .....	20
Possession of Contraband .....	20
Gang Related Activity .....	21
Kidnapping.....	21
Robbery .....	21
Gross Disrespect/Verbal Abuse of Teacher/Staff .....	21
Physical Attack/Assault on a Community Member .....	22
Stalking .....	22
Intimidation/Threatening School Personnel .....	22
Harassment: Individual .....	22
Harassment: Sexual .....	22
Sexual Assault.....	22
Sexual Misconduct.....	22
Indecent Exposure .....	22

# Table of Contents, continued...

---

Non-Violent Sexual Offenses.....	22
Harassment/Conduct: Hate – Related.....	23
Murder/Homicide.....	23
Classification III Consequences/Intervention.....	23
Administration Options for Violations.....	24
Corporal Punishment.....	24

## Part Four

Options/Definitions.....	25	
Detention.....	25	
Friday and/or Saturday School.....	25	
In-School Suspension (ISS).....	25	
Short-term Suspension.....	25	
Extended-term Suspension.....	25	
Expulsion.....	25	
Parental Notification/Notice.....	25	
Project PACT.....	26	
LINK/Alternative School Program.....	26	
Notice of Placement in Alternative Program.....	26	
Description of School-Based Alternative/Options		
Parent Conference.....	27	
Peer Leadership/Helpers.....	27	
After School Activities.....	27	
Saturday School.....	27	
Adult/Teacher Mentor.....	28	
Peer Mediation.....	28	
Tutoring Sessions.....	28	
Behavior Contracting.....	28	
Time Owed/Time for Time.....	28	
Description of Community-Based Alternative/Options.....		29
Local Treatment Centers.....	29	
Mental Health Centers.....	29	
Community Service Programs.....	29	
Social Service Agencies.....	29	
Job Service/Training Programs.....	30	
Social Rehabilitative Services.....	30	
Law Enforcement.....	30	

## Part Five

Procedures for Suspension and Expulsion.....	31-37	
Selected Kansas Laws Relating to Student Safety and the Possession of Weapons.....		37
The Kansas School Safety and Security Act.....	37	
The Weapon-Free Schools Act.....	38	
Criminal Possession of a Firearm.....	39	
Possession of a Firearm by a Juvenile.....	40	
Suspension of Drivers' License.....	41	

## A Note to Parents

---

The majority of students enrolled in the Kansas City, Kansas Public Schools come to school ready and willing to learn. With the support of teachers, school administrators, friends, family, and community members, our students succeed. To ensure the success of your son or daughter, please take a few moments and review this Code of Conduct with your child. Explain to your child the importance of the “Student Expectation” section and how the virtues listed will serve them now and in their adult lives. Remind your son or daughter that the expectations listed are useful in both the educational environment and life in general.

Help us in communicating to your child that while a small percentage of students engage in disruptive behaviors, the effect of their behavior has an impact on the learning environment. Review the materials which describe prohibited activities and the consequences for students who engage in them. Share your thoughts on these matters with your child. Alert your son or daughter to what they must do to assist school officials in providing all students with a safe and secure learning environment. The comments you make at home will go a long way in reinforcing the efforts we are making at school. Moreover, your recognition that disruptive and violent behavior will not be tolerated will greatly assist your child in making the decisions necessary to avoid troublesome situations. Of course, the most important benefit is that the combination of these efforts will facilitate the creation of a safe and secure learning environment.

It is our hope that this handbook will promote a better understanding of the policies, procedures, and expectations generated by the Kansas City, Kansas Public Schools’ community to foster a positive learning environment. Individuals in such an environment relate to one another in a positive, rewarding, participatory, and welcoming fashion. They are secure in knowing that established discipline policies and programs are consistently implemented. Such an environment aids all members of the school to be actively engaged in the business of learning.

The district is committed to providing all of its students the support and guidance they need to be life-long learners and good citizens. By reading this Code and discussing the importance of good behavior with your children, you will assist the district in our efforts to help your children reach their highest potential.

# Philosophical Basis

---

The public schools of Kansas City, Kansas have the responsibility of preparing students for roles in a democratic society by providing public education for children residing in the district. School authorities and parents must ensure an environment in each school which is conducive to the learning process.

Federal and state laws confer rights and freedoms to every citizen both in and out of school. Each citizen has the responsibility to respect the rights of others. In the school environment, these rights and responsibilities must be harmonious with the learning process.

There must be respect and mutual trust among students, parents, teachers, administrators and support staff. As a symbol of this commitment to respect and trust, high expectations and standards for behavior have been developed into a Code of Conduct. Rules which establish discipline guidelines for students are necessary and basic to student growth and development. These expectations, standards and discipline procedures are consistent, help maintain an effective learning environment and strive to promote the development of students both academically and socially.

While there are many factors which affect the learning environment, most problems result from inappropriate conduct. This handbook has been designed to inform parents and students about school policies, procedures and expectations. It must be recognized by schools and home alike that the conduct of the student in school is ultimately the responsibility of the parents.



# The Code of Conduct and School Reform

---

In order to reach the goals of the district, the district has continued to operate under the districtwide First Things First initiative. First Things First addresses both academic and conduct issues through seven critical features that are the basis for every school's plan for improvement. The first four critical features focus on teaching and learning and student/staff relationships. The remaining three features focus on adult responsibilities, supports, and resource allocation. This Code of Conduct and the seven critical features of First Things First are related in important ways as explained in the following:

- ▲ Lowering **Student/Adult Ratios** (*Critical Feature #1*) by half during core instructional periods through redistribution of professional staff allows for better opportunities to create relationships and follow through with the school staff responsibilities.
- ▲ Provide **Continuity of Care** (*Critical Feature #2*) requires that we support student development over time and that we build relationships to do so.

Building closer, more respectful, and more productive relationships between students attending schools in KCK and the adults working in these schools is the foundation for improved student performance. The belief that better relationships between adults and students contributes to improved educational outcomes for students is shared by most – if not all – school reform leaders. Extensive research supports the fact that strong relationships between young people and adults are created through interactions in which the young person experiences the adult:

- ▲ Providing valuable psychological resources (time; respect, caring);
- ▲ Setting high, clear and fair standards, and
- ▲ Encouraging expressions of individuality.

To provide this continuity of care and foster the development of positive relationships, schools have formed Small Learning Communities (SLC) to give greater support and guidance to students. Some schools refer to these as “families.” Teachers in an SLC remain with the same students over several years and are able to better identify teaching strategies for students and build caring relationships with them and their families.

Student learning is enhanced when students have greater access to adult support and guidance during instructional periods and when adults provide this guidance and support over longer periods of time.

- ▲ Set **High Clear and Fair Academic and Conduct Standards** (Critical Feature #3) requires that we clearly specify the behaviors that we expect to see in students. These behaviors should specify standards that characterize good citizens and that will support achieving the academic standards. These behavior standards should be specifically taught, just as the academic standards are taught.
- ▲ Provide **Enriched and Diverse Opportunities** (Critical Feature #4), can only be accomplished if the students are in school. While we do not want to compromise the safe, orderly, and caring environment that is needed for all, we must also find alternatives to suspension, which deprives the student of enriched and diverse opportunities to learn. The Code of Conduct must provide for a continuum of support for reaching both the academic and behavior standards.
- ▲ Assure **Collective Responsibility** (Critical Feature #5), places responsibilities on all of us for student success. It requires us to provide structured support at the time of misbehavior, as well as interventions to help students to feel capable and connected, to prevent future violations of the conduct standards. Student support, student beliefs about themselves, and student engagement are crucial for changing the educational outcomes for students.
- ▲ Provide **Instructional Autonomy and Support** (Critical Feature #6) to teams of teachers, such that they can develop instructional strategies that will best meet the individual and collective needs of their students. The Small Learning Community structure provides the necessary support to meet this critical feature.
- ▲ Allow for **Flexible Allocation of Available Resources** (Critical Feature #7) should be based on the instructional and interpersonal needs of students. When teams are planning to meet students' needs, people, facilities, time and funds can be utilized where they are most needed.

*The Code of Conduct has a crucial role to play in helping us to achieve four District Improvement Plan goals:*

Academic Success at Every Level  
Safe, Orderly, and Caring Schools

Competent Graduates  
Involved Parents

## **Code of Conduct Expectations**

---

The following pages outline the high, clear, and fair conduct standards for our community of learners. Examples are given for each standard; however, this is not intended to be a complete list. The conduct standards outlined in the Code of Conduct will apply at all times while students are on or about school property or areas adjacent thereto, which shall include: any district property being used for an official school activity; property not owned by the district being used for school sponsored activities or events; and any vehicle, including school buses, while such vehicle is being used to transport students for the district.

### **1. HONESTY:**

Be a person who can be counted on...

Be free of deceit and untruthfulness and use integrity when completing work or sharing ideas in order to realize opportunities for academic and personal growth.

- ◆ Tell the truth
- ◆ Do your own work
- ◆ Give credit to others for their work and thoughts

### **2. RESPECTFUL BEHAVIOR:**

Treat each person as you should be treated...

Model positive behavior and language, which reflect cooperation with all members of the school community in order to realize opportunities for academic and personal growth.

- ◆ Exhibit a positive, cooperative attitude about school and learning
- ◆ Respect the racial, gender, language, cultural and religious differences of others
- ◆ Avoid profane and obscene language and gestures
- ◆ Use a respectful tone of voice and body language
- ◆ “Put-up,” don’t “Put-Down”
- ◆ Resolve conflicts in a respectful, non-physical manner
- ◆ Keep your school clean, don’t litter or deface
- ◆ Take turns when talking
- ◆ Use manners and be polite (*please, thank you*)

### 3. **RESPONSIBILITY:**

Do the right thing...

Accept responsibility for actions and education while abiding by established school rules, regulations, and laws of the community, state, and nation in order to realize opportunities for academic and personal growth.

- ◆ Assume responsibility for what you do by accepting the consequences, positive or negative
- ◆ Attend school daily and be on time
- ◆ Make up all missed work
- ◆ Complete tasks on time
- ◆ Ask for help when you need it
- ◆ Participate in the democratic process
- ◆ Be resourceful and recycle whenever possible
- ◆ Be a responsible group member, support the community
- ◆ Promote justice and strive for fairness
- ◆ Keep commitments
- ◆ Follow proper channels to resolve conflict
- ◆ Monitor and be responsible for academic progress
- ◆ Help clean up

### 4. **COMPASSION:**

Be kind...

Exercise consideration of others at all times, be empathetic and seek reconciliation in conflict in order to realize opportunities for academic and personal growth.

- ◆ Be considerate
- ◆ Help others
- ◆ Give careful and thoughtful feedback
- ◆ Be encouraging
- ◆ Share with others
- ◆ Reach out to others in need
- ◆ Be gentle

## 5. **SELF-DISCIPLINE:**

Take charge of yourself...

Exercise ability to work within limits established personally and within the school community in order to realize opportunities for academic and personal growth.

- ◆ Be on time
- ◆ Be prepared
- ◆ Do your work/Take turns
- ◆ Show good sportsmanship
- ◆ Dress appropriately by district standards
- ◆ Take care of your body; live a healthy lifestyle
- ◆ Be flexible and adaptable to meet changing demands
- ◆ Clean up after yourself

## 6. **PERSEVERANCE:**

Stick to it...

Be diligent, with the inner strength and determination to pursue goals in order to realize opportunities for academic and personal growth.

- ◆ Set goals and create plans to achieve them
- ◆ Develop new skills
- ◆ Use effective effort...focus + commitment + strategies
- ◆ Don't give up; seek all available help and assistance

## 7. **GIVING:**

Share your time and talents...

Respond positively to others by sharing talents and service with them without being asked, in order to realize opportunities for academic and personal growth.

- ◆ Support your school, be involved
- ◆ Participate in community projects
- ◆ Do helpful things without being asked
- ◆ Speak constructively about your school and community

In order for our children to maximize the opportunities provided through public education, everyone shares in the collective responsibility of promoting behavior that provides an environment in which all children can learn.

# Stakeholder Responsibilities

---

All members of society have a major role to play as positive models for respectful behavior. Respectful behavior toward self, others, property, and divergent thought or behavior is a minimal expectation in order to function in society. The following paragraphs discuss the student, parent, staff, and community expectations and responsibilities in the delivery of educational services.

## **Students' Responsibilities**

It is important that students take an active role in monitoring their own behavior and model appropriate behavior for their fellow students. In order to accomplish this, students must:

1. Become familiar with the conduct standards;
2. Try to follow the conduct standards;
3. Set goals for improvement, and;
4. Accept feedback and use it to get better.

## **Parents' and Guardians' Responsibilities**

No role model is more powerful than a parent. Parents are the first teachers who provide direction for our children. With the support of the community, the parents of USD 500 students must:

1. Become familiar with the conduct standards and discuss them with their children.
2. Provide their children with a warm, nurturing, and healthy environment, assuring the support needed to be successful;
3. Support and reinforce behavior expectations and disciplinary policies of the school by assuming the primary responsibility for the discipline of their children;
4. Cooperate with and support classroom teachers and staff. Maintain regular communication with teachers regarding their children's school work and behavior.
5. Reinforce learning at home by monitoring their children's homework and academic progress and by supporting academic and extracurricular activities;
6. Ensure that their children attend school every day and arrive on time but recognize there are extraordinary occasions when a student is lawfully absent; and
7. Teach their children to seek positive resolution to problems encountered in daily living and to handle confrontation non-violently.

## **School Staff Responsibilities**

Each member of the school staff has the primary responsibility of providing for the educational needs of all students. The school staff members are responsible for:

1. Maintaining an atmosphere conducive to learning and good behavior and developing good study habits;
2. Teaching and modeling the conduct standards;
3. Building close and productive relationships with students and their families by providing time, respect, caring and effective communication;
4. Demonstrating a high level of organizational and instructional management to create a quality classroom environment with an appealing atmosphere;
5. Learning and utilizing informal strategies for intervening with appropriate behavior;
6. Administering discipline in a fair and impartial manner to teach the principles of justice and citizenship by example;
7. Communicating on a regular basis with parents regarding their children's academic and conduct progress; and
8. Involving parents in the process of problem solving.

## **Community and Family Service Organizations' Responsibilities**

Public, private, religious, secular organizations and businesses can help address the prevention, intervention, and remediation of issues associated with student discipline when they:

1. Assist in violence prevention, substance abuse education and character development.
2. Serve as a resource for families of students unable to meet the behavioral expectations of the school and community;
3. Assist students and parents in re-entry to schools;
4. Become partners with schools by coordinating services to support school system disciplinary policies and by mentoring students in the development of positive social skills; and
5. Serve as mentors in nurturing a safe and orderly environment.

## **Jurisdiction of School Officials**

---

School officials may discipline students for misconduct as defined in this Code of Conduct which occurs in and around school property or activities.

While misconduct which occurs outside the school environment is an issue to be addressed by local law enforcement, school officials may discipline students for such conduct when the conduct impacts the school environment, educational objectives and the greater interests of the school district. Accordingly, school officials may discipline students for conduct occurring:

While on or about school premises;

While en route to and from school, including bus stops;

While on school buses to and from school, on school sponsored field trips, and while attending or participating in extracurricular activities;

While engaged in school related activities on or off premises;

While on school property, but during non-school non-school hours; and/or

While off school premises if the misconduct is directed toward school personnel.



# Offenses/Definitions

---

## Class I Definitions and Explanations

Classification I includes a wide range of behaviors which disrupt the learning environment but are normally not severe enough to need referral to administrators. The classroom teacher is the first level of intervention to correct Class I behaviors. In most cases, **informal intervention strategies** used by the teacher will be sufficient to bring the student's behavior to an acceptable level.

When the informal strategies do not correct the behavior, formal strategies of intervention are called for. **The teacher and the student develop a written action plan indicating what both are going to do to help correct the behavior problem.** It is imperative that both the student and the teacher participate in the development of the action plan.

If the behavior identified has not been corrected through the use of the informal strategies and the action plan, **a referral to the Small Learning Community team or SIT team is required.** The team gathers information regarding the student, reviews and completes the problem solving process. An intervention plan will be developed on behalf of and with the student and family to address issues utilizing both school-based and community-based resources.

When a student engages in behaviors listed in Classification I, consideration will be given to whether that violation constitutes an example of **repeated misbehavior or seriously disrupts or threatens the school's security and order.** Under these circumstances, the violation will be treated as persistent disobedience or gross misconduct, or a serious or persistent disregard of behavioral expectations stated in the Student Code of Conduct and the classroom teacher, Small Learning Community team, or SIT team may refer the student to the administration for intervention. **In such instances, the Administration shall have the full range of consequences listed in Class I and Class II available to address the behavior.**

**A student should not be referred to the administration for repeated misbehavior of a Class I offense until the teacher and the Small Learning Community or SIT team have taken the required steps of informal strategies, action plan, team review and intervention(s). A referral to the administration for a Class I behavior that seriously disrupts or threatens the school's security and order may be made without the initial steps being taken.**

## **Class I Behaviors with Definitions:**

**Excessive Tardiness:** Repeated failure to report without acceptable excuse to assigned classrooms or other instructional areas after the tardy bell rings.

**Disruptive Behavior:** Behavior which substantially disrupts the orderly learning environment. Does not involve violence, property damage or obscenity.

**Truancy/Skipping Class:** Violation of state, school district, or school policy relating to attendance. The unauthorized absence from school, a scheduled class or after school detention, without obtaining consent of the proper school authority.

**Excused absences:** An excused absence is one which has been classified excused by the building administration. An absence which falls under one of the six Board of Education approved reasons for absence will be classified excused if the building attendance procedure is followed by the student and the parent or person acting as the parent. Absences shall be excused for the following reasons:

1. Illness of the student;
2. Urgent need of the child to be at home due to illness in the immediate family;
3. Death in the family;
4. Absence approved by the principal and prearranged by the parent, student and principal;
5. Other emergency reasons approved by principal or a designee; and
6. School approved activities.

**Unexcused absence:** An unexcused absence is one which has been classified as such by the building administration. An absence will be classified as unexcused if it does not fit one of the Board's six stated reasons for excusable absences or the building attendance procedure is not followed. A student is inexcusably absent if under the suspension (out-of-school); leaves the school without permission; does not attend class without permission; does not attend a required conference or detention period; fails to comply with building attendance procedures and the State Compulsory Attendance Laws.

**Violating Playground Rules:** The failure to comply with or follow established procedures for playground activities.

**Violating Lunchroom Rules:** The failure to comply with or follow established procedures for use of the lunchroom facilities.

**Violating Hall Rules:** The failure to comply with or follow established procedures for hallway behavior.

**Violating School Assembly Rules:** The failure to comply with or follow established procedures for proper assembly conduct.

**Unauthorized Sale or Distribution of Items Not Otherwise Specified:** Unapproved sale or distribution of items not otherwise defined in the Code of Student Conduct.

**Non-Conformity to Dress Code:** (1) Dress or appearance that is likely to cause disruption of the educational process or to create a health or safety problem; or (2) failure to comply with policy governing attire set by the Board of Education or as stated in building policies provided that such policies are communicated to students.

**Possession of Educational Nuisance:** Devices that impede or interrupt the educational process including, but not limited to, video games, disc players, playing or trading cards, laser pointers, stink bombs, beepers, stuffed animals, cellular phones, radios, tape players and skateboards.

**Failure to Do Schoolwork:** The failure to participate in regularly assigned classroom activities or the failure to do required assignments.

**Improper Display of Affection:** Improper touching, hugging, kissing and/or engaging in inappropriate social behavior.

**Obscene Behaviors/Use of Profane Language:** The use of any language or actions, written, oral, physical, or electronic, remark or expression, including obscene gestures, which is offensive to modesty or decency, in violation of community or school standards. If done repeatedly after being told to stop by a school staff member or if directed at school staff, this becomes a Class II offense.

**Classification I Consequences/Interventions:** may include the following (listed in no particular order)

- a. Development of a SIT Plan
  - b. Counseling/social work services
  - c. Parent conference
  - d. Peer mediation
  - e. Student behavior contract
  - f. Student conference and/or temporary removal from class
  - g. Saturday school (where available)
  - h. Denial of participation/attendance at extracurricular activities
  - i. After-school detention
  - j. Community service
  - k. Denial of school privileges (i.e., field-trip, picnics, assemblies)
  - l. In school suspension
  - m. Short-term suspension program (where available)
- 

## **Class II Definitions and Explanations:**

Classification II includes behaviors which are serious in nature. Some, but not all of these behaviors are criminal acts. These behaviors tend to disrupt the school learning environment, are not reflective of the high expectations set for students and will not be tolerated. The consequences in Classification II include interventions up to and including expulsion and the involvement of law enforcement officials.

**Disrespect:** Inappropriate comments or physical gestures to teachers or staff members or others.

**Tobacco Use:** Smoking, chewing, or otherwise using tobacco. The use in any manner, in any form or manner of tobacco or tobacco products while in or upon school premises and a minimum of 200ft. away from any school facility, including, but not limited to smoking, chewing, or inhaling tobacco.

**Tobacco Possession:** Having tobacco in one's pocket(s), bags(s), car, locker, etc.

**Trespassing:** To enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry. Unauthorized presence on school property after being warned to leave or not to appear on such, including but not limited to, while on suspension.

**Inciting to Fight:** The intentional promotion by a student to engage another student in a physical conflict, continuous harassment, or to engage and/or promote other students to engage in physical conflict.

**Gross Disruptive Behavior:** Minor scuffles may involve, pushing and shoving that interfere with the educational environment, but does not result in major injury.

**Violent Fighting:** Mutual and/or willful engagement in an incident involving physical violence/combat.

**Constant Refusal to Do Schoolwork:** The constant failure to participate in regularly assigned classroom activities, or the consistent failure to do required assignments.

**Academic Dishonesty/Cheating/Forgery:** Altering, copying, or imitating of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud. Academic dishonesty includes, but is not limited to: plagiarism, forgery, copying or stealing another person's work, allowing another person to copy one's own work, doing another person's class work, creating more than one copy of one's work for distribution, intentionally accessing another's material for the purpose of using it as one's own, downloading information from other sources and presenting it as one's own, unauthorized copying of software, unauthorized use of hard copy or software to develop one's own software. Faculty and building administrators will have the responsibility for monitoring the above actions.

**Inappropriate Computer/Internet Misuse:** Accessing, communicating or creating inappropriate and/or profane information. Use of school computers to view inappropriate material, change school records, etc.

**Vandalism – School Property:** The willful or malicious destruction of any school district property. Vandalism includes, but is not limited to, breaking windows, writing on walls, destroying restroom fixtures, or the use of print or like materials to deface any portion of the interior or exterior of school property, including the furnishings and equipment housed within or upon the school property.

**Vandalism – Personal:** Willful destruction or defacement of an individual's property or property belonging to a group other than the school district.

**Setting Off Falsely or Misuse of Disaster Alarm or Equipment:** The intentional activation of fire alarms or like warning devices.

**Stealing/Theft:** The unlawful taking or disposition of property of another with intent to deprive the person of the property, without threat, violence or bodily harm. Receiving stolen property or possession of stolen property is included.

**Contributing to or Inciting a Disruptive Situation:** The intentional promotion or advocacy of student misconduct by any student, for any purpose; or (2) Behavior which interferes with the learning of others in a classroom or other learning environment.

**Gambling:** The participation on school property that unlawfully bet or wager money or something else of value; assist, promote, or operate a game of chance for money or some other stake; possess or transmit wagering information; manufacture, sell, purchase, possess, or transport gambling equipment, devices, or goods; tamper with the outcome of a sporting event or contest to gain a gambling advantage.

**Extortion:** The solicitation of money, or something of value, from another student, regardless of the amount, in return for protection or in connection with a threat to inflict harm.

**Leaving School without Permission:** The leaving of school grounds during the designated school day without first obtaining permission of the principal or principals designated representative. (Parents, for just cause, may request by note or by telephone, permissions for their child to leave school grounds).

**Defiance of Authority:** The refusal to comply with a reasonable request or directive from school personnel or disobeying any general rule of school conduct.

**Physical Assault/Battery:** Intentionally causing bodily harm to an individual without provocation.

**Possession of Incendiary Devices:** The possession of any combustible or explosive substance or device(s), including fireworks, is forbidden. The intentional or unintentional damaging of a building, injury to persons, or the disruption caused either in the building or on school grounds, by the use of any combustible or explosive substances or devices. Multiple violations may result in Class III consequences.

**Cumulative/Incorrigible Bad Conduct:** Incident represents a threshold being crossed in terms of a preset number of incidents allowed before consequences are applied. Persistent violations of the Code of Conduct or persistent violations of the Criminal laws of Kansas. Four (4) offenses in a school term – either all Class I or in combination with Class II offenses – can be considered “persistent.”

**Misbehavior on the Bus:** The failure to comply with or follow established procedures for bus transportation privileges.

**Violation of Parking Rules:** The failure to comply with or follow established procedures for school parking for students.

**Impermissible Driving to School:** Elementary and middle school students and students not properly licensed are not permitted to drive a car to and from school.

**Misuse of Technology Devices:** (1) The willful or intentional misuse of any technological equipment such as cellular phones, computers, video equipment or other audio-visual equipment that results in damage, computer hacking, or any other illegal activity; or (2) Possession or use of any electronic device, carried, worn, or transported by a student to receive or communicate messages that is not authorized by the local Board of Education.

**Defamation:** False or unprivileged statements or representations about an individual or identified group of individuals that harm the reputation of the person or the group by demeaning him, her, or them or deterring others from associating or dealing with the individual group.

**Classification II Consequences/Interventions:** may include the following (listed in no particular order)

- a. SIT Plan (revised and reviewed as necessary)
- b. Denial of school privileges (i.e., field trips, picnics, graduation activities)
- c. Short-Term Suspension Program (where available)
- d. Parent conference
- e. Peer mediation
- f. Student behavior contract
- g. Student conference/temporary removal from the class
- h. Denial of participation/attendance at extracurricular activities
- i. Restitution (where applicable)
- j. Saturday school (where applicable)
- k. Short-Term Suspension
- l. Extended Suspension
- m. Expulsion
- n. After-school detention

---

### **Class III Definitions and Explanations:**

Classification III includes behaviors which may seriously jeopardize school order and security. The majority of these behaviors are criminal acts and will be treated very seriously by school officials. Accordingly, the consequences in Classification III include intervention up to and including expulsion and the involvement of law enforcement officials.

**Aggravated or Physical Abuse of School Employee:** The unwanted intentional or unintentional touching or application of force to the person of a teacher or staff member when done in a rude, insolent or angry manner.

**Alcohol Possession:** Having alcoholic beverages on one's person, in one's pocket(s), bag(s), car, locker, on school property or at school-sponsored event(s).

**Alcohol Use:** Drinking alcoholic beverages on school property or at school-sponsored event(s).

**Marijuana Possession:** Having marijuana or another cannabinoid on one's person, in one's pocket(s), bag(s), car, locker, on school property or at school-sponsored event(s).

**Marijuana Use:** Smoking, snorting, injecting, or otherwise using marijuana or another cannabinoid, on school property or at school-sponsored event(s).

**Illicit Drug Possession:** Having an illegal drug or over-the-counter medication in violation of school policy in one's pocket(s), bag(s), car, locker, etc., or at school-sponsored event(s).

**Illicit Drug Use:** Smoking, snorting, injecting, ingesting, or otherwise using an illegal drug or over-the-counter medication in violation of school policy, on school property or at school-sponsored event(s).

**Drug Paraphernalia Possession:** Having equipment (e.g. bong) used in consuming illegal drugs in one's pocket(s), bag(s), car, locker, on school property or at school-sponsored event(s).

First-time use or possession of small quantities of controlled substances or drug paraphernalia requires referral to Project P.A.C.T. in addition to being referred to Project P.A.C.T., the student will be placed on a five (5) day suspension. Failure to complete P.A.C.T., failure to enter P.A.C.T. or subsequent use of possession will result in the imposition of discipline including suspension/or expulsion.

\*NOTE: When it is necessary and/or in the best interest of the student to have prescribed medication while in school, it is permissible to use Administrative Guidelines 5.3.3.7.1.3.2 (Substance Abuse Prevention/Intervention Services)

**Alcohol Solicitation/Sale:** Selling or purchasing alcoholic beverages on school property or at school-sponsored event(s).

**Marijuana Solicitation/Sale:** Selling or purchasing marijuana or another cannabinoid, on school property or at school-sponsored event(s).



**Illicit Drug Solicitation/Sale:** Selling or purchasing illegal drugs or over-the-counter medication in violation of school property.

**Tobacco Solicitation/Sale:** Selling or purchasing tobacco products, including but not limited to cigarettes, chewing tobacco in or upon school premises.

**False Reports/Bomb Threats/School Threats:** Any threat (verbal, written, or electronic) by a person to bomb or use substances or devices for the purpose of exploding, burning, causing damage to a school building or school property, or to harm students or staff. The conveyance of threats or false information concerning the placement of explosive or destructive substances, initiating a report, warning of a fire, or other catastrophe without cause. Misuse of 911. Discharging a fire extinguisher.

**Arson/Fire:** To unlawfully and intentionally damage or attempt to damage any school or personal property by fire or incendiary device. Firecrackers, fireworks, and trashcan fires would be included in this category if they were contributing factors to a damaging fire.

**Use and/or Threat to Use Fireworks or Explosives. Possession, Sale, Distribution, Detonation, or Threat of Detonation of an Incendiary or Explosive Device:** This includes firecrackers, smoke bombs, flares, or any combustible or explosive substance or combination of substances or articles.

**Possession of a Firearm/Weapon:** A student shall not knowingly possess, handle or transmit any object that can reasonably be considered a firearm on the school grounds or off the school grounds at a school activity, function or event. This shall include any firearm, any item being used as a firearm or destructive device, or any facsimile of a firearm.

Possession of a firearm shall result in expulsion from school for a period of not less than one year, except that the Superintendent may recommend that this expulsion requirement be modified on a case-by-case basis under the provisions of Juvenile Detention laws.

As used in this policy, the term “firearm” shall also mean any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, or any firearm muffler or silencer, or any destructive device.

As used herein, the term “destructive device” means an explosive, incendiary or poison gas; bomb; grenade; rocket having a propellant charge of more than four ounces; missile having an explosive or incendiary charge of more than one quarter ounce; mine; or other device similar to any of these devices.

**Use of a weapon:** Use of an instrument or object designed to inflict harm on other persons.

**Solicitation/Sale of Weapon:** Sale or purchase of an instrument or object designed to inflict harm on other persons.

**Possession of Contraband:** A student shall not knowingly possess, handle or transmit any object that can reasonably be considered contraband on the school grounds or off the school grounds at a school activity, function or event. This shall include any weapon, any item being used as a weapon or destructive device, or any facsimile of a weapon.

“Contraband” is defined as all substances or materials, the presence of which is prohibited by school policy or state or federal law, including but not limited to, controlled substances, drugs, alcohol, or alcoholic beverages, abusable glue or aerosol paint and weapons. This term also includes items which have been reported stolen, lost or misplaced.

“Weapon” under this provision includes the following:

an electronic dart gun;

shotgun, rifle, machine gun or any other weapon that simulates or is adaptable for use as a machine gun;

Switchblade knife, gravity knife and cane sword (a cane that conceals a knife);

Billy club, blackjack, bludgeon, chukka stick and metal knuckles;

Sandbag and sandclub;

Slingshot (small, heavy weights attached to a thong);

Explosive, incendiary device or bomb and bombshell;

Dagger, silletto, dangerous knife and straight razor;

Air gun, spring gun or other instrument or weapon in which the propelling force is a spring or air, and any weapon in which any loaded or blank cartridge may be used (such as a BB or pellet gun);

Acid, mace, pepper spray, or other deadly or dangerous chemical;

Imitation pistol;

Loaded or blank cartridges and ammunition; and

Any deadly, dangerous or sharp-pointed instrument that can be used as a weapon (such as broken glass, case cutter, chains, wire). Even a nail file can be considered a weapon when factors indicate that the individual in possession of such an article has the intention of using it as a weapon in order to inflict physical or mental harm.

**Gang Related Activity:** The presence of gangs and gang activities can cause a substantial disruption of or material interferences with school and school activities. A “gang” as defined in this policy is any group of two or more persons whose purposes include the commission of illegal acts. By this policy, the Board of Education acts to prohibit.

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

- A. Shall wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign or other things which are evidence of membership or affiliation in any gang;
- B. Shall commit any act or omission, or use any speech, either verbal or non-verbal (gestures, hand-shakes, etc.) showing membership or affiliation in a gang;
- C. Shall use any speech or commit any act or omission in furtherance of the interests of any gang or gang activity, including, but not limited to:
  - i. soliciting others for membership in any gangs;
  - ii requesting any person to pay protection or otherwise intimidating or threatening any person.
  - iii committing any other illegal act or other violation of district policies;
  - iv inciting other students to act with physical violence upon any other person.

**Kidnapping:** Unlawful seizure, transportation, and/or detention of another against his/her will, or without parental consent. Includes hostage taking.

**Robbery:** The taking of, or attempting to take anything of value that is owned by another organization, under confrontational circumstances, by force, or threat of force or violence and /or by putting the victim in fear.

**Gross Disrespect/Verbal Abuse of Teacher/Staff:** Any act of disrespect directed at a teacher/staff member which includes the use of profane, vulgar or insulting remarks, gestures, or a statement that upbraids or is intended to upbraid such employee.

**Physical Attack/Assault on a Community Member:** Physically pushing, hitting or otherwise attacking a member of the community while on school grounds or at a school-sponsored event.

**Stalking:** A malicious course of conduct that includes approaching or pursuing another person with the intent to place that person in reasonable fear of serious bodily injury or death or that a third person will likely suffer serious bodily injury or death.

**Intimidation/Threatening of School Personnel:** Physical, verbal, written or electronic action which immediately creates fear of harm, without displaying a weapon and without subjecting the school employee to actual physical attack.

**Harassment: Individual (Threatening of Another Student/Bullying)** Engaging in threatening, repetitive, negative actions resulting in a feeling of powerlessness on the part of the victim. Repeatedly annoying or attacking a student resulting in a hostile educational environment specific to that individual.

**Harassment: Sexual** – Unwanted and inappropriate verbal, written, or physical conduct directed toward others. Unwelcome sexual advances, touching, requests for sexual favors, and/or other inappropriate verbal, written, or physical conduct of a sexual nature directed toward others, including gender-based harassment. This includes, but is not limited to derogatory comments, jokes, slurs, remarks or questions of a sexual nature; offensive touching, derogatory or offensive posters, cards, cartoons, graffiti, drawings, gestures, sexual rankings, the rankings or scoring of body parts, and leering.

**Sexual Assault:** Engagement in a sexual activity or behavior. Forced sexual contact.

**Sexual Misconduct:** Actual or simulated conduct including but not limited to, fondling, touching, indecent exposure, or the engagement in any heterosexual or homosexual act on school property, during school functions, or at school sponsored activities,

**Indecent Exposure:** Exposure of the private parts of the body in a lewd or indecent manner in or on school property or school-sponsored event.

**Non-Violent Sexual Offenses:** Behavior intended to result in sexual gratification without force or threat of force.

**Harassment/Conduct: Hate-Related** – If in the commission of or the attempted commission of or as part of a conspiracy to commit a Class I, II, or III offense, it is determined that the student intentionally selected the person against whom such misconduct was directed or selected the property that is damaged or stolen in whole or in part because of the student’s belief or perception regarding race, religion, color, disability, gender, sexual orientation, national origin or ancestry of that person or the owner of that property, whether or not the student’s belief or perception was correct, the student shall be suspended for a minimum of 30 days. A student’s return to his/her school and continued enrollment therein shall be conditioned on his/her demonstration of having commenced appropriate counseling or tolerance training (at the student or parent’s expense) and the submission of a statement by the student’s parent or guardian or an appropriate health care professional indicating the student’s satisfactory completion of such counseling or training.

**Murder/Homicide:** Activities on school grounds or school sponsored activities or events that result in the death of a person. The killing of a human being.

### **Classification III Consequences/Interventions:**

In addition to the consequences available under specific policies and those for Classification I and II violations, the following consequences (listed in no particular order) may be used for Classification III violations:

- a. denial of participation/attendance at extracurricular activities
- b. expulsion, extended, in-school or short-term suspensions
- c. restitution, where applicable
- d. drug, alcohol, weapon violations may include referral to state/federal officials
- e. for Hate related offenses, see section on page 22
- f. police contacts/student arrested
- g. removal from regular education setting to alternative setting
- h. alcohol and drug offenses see pages 21 for possession

## **Administrative Options for Violations**

For a finding that a student has committed an offense in violation of the Code of Student Conduct, the penalty of discipline imposed shall be within the limitations set forth in policy 5.6.1.0.0 entitled “Consequences/Interventions” as deemed appropriate by the building administrator or hearing officer on appeal.

Nothing herein provided, however, shall limit the Superintendent from authorizing a principal to impose stricter consequences in an emergency situation where intentional and willful violation of the Code of Student Conduct substantially disrupts, impedes, or interferes with the operation of a school.

Additionally, the Board of Education may grant a variance from the Code of Student Conduct for any school with a unique program or specialized needs based upon the recommendation of the Superintendent of Schools following an appeal to the Superintendent by the school principal or director.

### **Corporal Punishment**

No teacher or administrator shall use physical force or physical contact against a student or strike a student as punishment for a violation of the Code of Student Conduct. Provided, however, nothing in this policy shall be construed to impair a teacher or administrator from using reasonable and necessary physical force to restrain a student in order to protect one’s self, other persons, prevent the destruction of property, or to prevent any illegal overt act on the part of the student. (See policy No. 4.2.19.5.1. and 4.2.19.5.1.1.)

## Options/Definitions

The list of options available to administrators includes, but not limited to, the following:

**Detention:** A period of temporary custody during regularly scheduled recess or beyond the length of the regular school day. Prior to the commencement of any detention, the student's parents must be notified. Transportation from school after the period of detention is the sole responsibility of the student and his/her parent or guardian.

**Friday and/or Saturday School:** A period of temporary custody from 3 to 5 hours on Fridays or Saturdays. Appropriate supervision, school assignments, and parental notification will be provided. Transportation is not provided.

**In-School Suspension (ISS):** The interruption of classroom attendance and regular school participation by official directive from the chief building administrator or the designated representative, for a period not to exceed 5 days. A designated, supervised, academically conducive but not restrictive atmosphere will be substituted. Parent notification will be provided.

**Short-Term Suspension:** The interruption of school attendance by official directive from the chief building administrator or the designated representative, for a period of time not to exceed ten (10) days. Mandatory parental notification.

**Extended-Term Suspension (also known as long-term suspension):** A short-Term suspension which has been timely followed with an official proposal to extend the period of exclusion from school to a period not to exceed 90 school days. Such action may result in loss of credit for the affected semester. Mandatory parental notification.

**Expulsion:** A short-term suspension which has been timely followed with an official proposal to extend the period of exclusion to a term not exceeding 186 school days. Such action may result in loss of credit of not less than 1 and no more than 2 semesters. Mandatory parental notification.

**Parental Notification/Notice:** The act of giving notice of or reporting to the parent or guardian (either by telephone or written notice) the consequential or disciplinary action that has been imposed. In case of short-term, extended term and long-term suspension or expulsion written notice is required by Kansas statute and shall be mailed to the residence of the parents or guardians at the address on file in the school records or by personal delivery. K.S.A. 710980(g) within four (4) days of the action taken.

**Project P.A.C.T. (Positive Alternatives for Children in Trouble):** An alcohol and drug intervention program requiring participation by the student and his/her parents or guardian. Referral to PACT is required for first time possession or use of alcohol or drugs in school, on school grounds or at school-sponsored activities. Failure to complete the PACT program, failure to enter PACT, or subsequent use and/or possession of alcohol or other drugs will result in long-term suspension.

**LINK/Alternative School Program (ASP):** Students who show repeated, persistent misconduct within the classroom, violating the condition of the Student Code of Conduct, may be offered, at the discretion of the school administrator, the LINK/ASP placement as an alternative to a long-term suspension. LINK requires the parent/guardian and the student to attend one orientation session prior to entering into the ASP component. ASP is located at the student's home school for a minimum of 10 hrs per week, which may include up to four hours on Saturday. ASP is also at the home school to assist in the transition back to the regular school setting. The LINK orientation is held at the Education Center at 4601 State Avenue.

Procedural recommendations for alternative placement: student placement in ASP is not to exceed a five (5) week period without a review to determine continued placement. A review team consisting of an ASP teacher, administrator, counselor, and parent will meet and determine if placement is to be continued. Continuation of placement after a review in ASP may not exceed another five weeks without another required review.

### **Notice of Placement in Alternative Program**

Placement of a student in an alternative school setting for disciplinary purposes shall not occur until notice and an opportunity for hearing has been provided to the student, and if the student has not attained 18 years of age, to the parent(s) and/or guardian(s). The aforesaid requirement for notice is satisfied by including it in the notice of short-term suspension or the notice of proposal for extended suspension or expulsion.



## Description of School-Based Alternatives/Options

The list of options available includes, but is not limited to, the following:

**Parent Conference (Home Contact):** parent conferences or contact with the home should be done as frequently as possible. Involving the parents or guardian in the student's education and behavior further supports the school and the efforts of intervention. Conferences also provide additional insight into the student's behavior or academic performance witnessed by the family. Parent conferences are mandatory only if the team wants to make a recommendation that additional assessments be obtained outside of the school, illegal or severe behavior has been committed, or a life-threatening situation has arisen. All students and families are assigned a Family Advocate and through Family Advocacy, contacts and relationships will be built.

**Peer Leadership/Helpers:** All of the district's high schools and some of the middle schools have established Peer Helpers programs. Students that participate in these programs are trained in effective listening, providing support and assisting peers when needed. Students are not counselors but are trained to seek the assistance of an adult if a concern arises that is life-threatening or too difficult for the Peer Helper to manage. Peer Helpers can be connected with students and devise a "buddy system" when appropriate or they can be called on to work with their peers one-on-one.

**After School Activities:** Schools are encouraged to provide activities for students after school hours. Activities provided should be diverse to meet the various needs of students. Activities can include, but are not limited to, extracurricular sports, tutoring, reading clubs, language clubs, healthy lifestyles clubs, the arts, computers, and structured game time or intramurals. Students can be placed in after school activities as part of an intervention, where and when available.

**Saturday School:** Established to provide students with additional academic support, the programs are scheduled on Saturdays for three to five hours. Appropriate supervision, school assignments, and parental notification will be provided. Transportation is not provided.

**Adult/Teacher Mentor:** Mentoring is defined as a sustained relationship between a youth and an adult. Through continued involvement, the adult offers support, guidance, and assistance as the younger person goes through a difficult period, faces new challenges, and/or works to correct earlier problems.

Two types of mentoring occur: natural mentoring and planned mentoring. Natural mentoring occurs through friendship, collegiality, teaching, coaching, and counseling. Planned mentoring occurs through structured programs in which mentors and participants are selected and matched through formal process. Schools have the opportunity to participate in both types of mentoring and offer students additional support through these services.

**Peer Mediation:** Peer Mediation programs are designed to encourage students to solve their own problems. Students must first be trained in appropriate conflict resolution skills and then provided an environment in which to conduct mediations. Students who demonstrate difficulty with others can be referred to mediation with peers as part of a structured intervention.

**Tutoring Sessions:** If students are identified as struggling with their school work, tutoring sessions before, after or during the school day should be established to assist these students. All students have the right to obtain additional support as needed. Tutoring sessions can be part of the School Improvement Plan, Title I activities or Supplemental Services.

**Behavior Contracting:** Behavior contracts are used with students who are exhibiting behavior(s) that are causing them difficulty in school, either behaviorally or academically. Contracting clearly outlines the expectations of the student, school and family, as well as defining the consequences associated with compliance or noncompliance with the contract.

**Time Owed/Time for Time:** A period of time when a student must make up time that he/she owes to the classroom teacher or other adult in the building. This can be done during the regular school day, recess or after the regular school day.

## Description of Community-Based Alternatives/Options

The list of options includes but is not limited to; the following:

**Local Treatment Centers:** Local treatment centers are utilized when the team feels that additional assessment is needed to make an appropriate recommendation. The team refers to the local treatment center for assessment only; the referral is *not* for treatment services. Treatment center personnel are encouraged to work with school personnel and family members in communicating their results, so that the school can continue to support the student in an appropriate educational manner. It is not the role of the school to provide therapeutic interventions, diagnosis or treatment services; thus, community resources become an important entity for the success of students. It is also important to note that if students have been in a treatment program, it is important for the school to be aware of this so that continued support can be provided to the student when he/she returns to school.

**Mental Health Centers:** Mental health centers are utilized in the same way as the local treatment centers. School personnel can refer to the mental health center for further assessment, but not for treatment. Treatment recommendations come from either the center itself or the family. Mental health centers provide services not only to youth, but also the entire family. Again, if students are receiving services from a mental health center, it is important for the school to be notified so that consistent, educationally-based support can be provided in the school.

**Community Service Programs:** It is important to have youth involved in community service programs to support a sense of contribution and commitment to their own community. Students can be encouraged to participate in community service projects to promote active involvement and contribution to the community. In other cases, students are placed in community service programs as part of restitution. In either situation, if students are completing community service, communication with the school is important.

**Social Service Agencies:** Students may be involved with one or more social service agencies and a partnership among these agencies and the school is important to provide consistent service to students. Schools can also provide a recommendation to the parent or guardian to a social service agency for additional support. The family has the right to decline the recommendation.

**Job Service/Training Programs:** Some students do not succeed in the traditional education setting and may benefit from participation in a job training or vocational program. A referral to such a program would be used to provide the student with a successful experience and prepare them for their future. In addition, some students are already participating in such programs and this information needs to be shared so that the school can support the student's participation in class selection and preparation.

**Social Rehabilitative Services (SRS):** Some students are under the guardianship of SRS and a partnership between SRS and the school is essential in providing consistent service. The partnership with this agency is not intended to report students in a punitive manner, but rather support student and family success.

**Law Enforcement:** Some students have experienced difficulty with the law or currently have a probation officer. This partnership with the school is intended to provide consistent support to the student. This option should be used to gather additional information about the student and is not intended to be used as a punitive action. However, under the Kansas Safety Law educators are required to report to law enforcement any suspicious or harmful acts. (see BOE policy, 4.1.12.5.0 et. Seq. and 4.2.13.5.0 et. Seq.)

# Procedure for Suspension and Expulsion

---

## Authority to Suspend or Expel

The Superintendent of Schools and/or any principal having charge of a school and any certified employee acting as a hearing officer for an appeal to the Board of Education are hereby authorized to suspend or expel any student found guilty of any of the grounds prescribed in Policy No. 5.6.3.2.0. K.S.A. 72-8901.

## Grounds for Suspension or Expulsion

A student shall be suspended or expelled from school upon finding that the student is guilty of:

- (a) willful violation of any published regulation for student conduct adopted or approved by the Board of Education (Code of Conduct) for which the applicable penalty or discipline is suspension or expulsion from school; or
- (b) conduct which substantially disrupts, impedes, or interferes with the operation of any public school; or
- (c) conduct which endangers the safety of others or substantially impinges upon or invades the rights of others at school, on school property, or at a school supervised activity; or
- (d) conduct which, if the student is an adult, constitutes the commission of a felony or, if the student is a juvenile, would constitute the commission of a felony if committed by an adult; or has resulted in conviction of the student of any crime specific in Chapter 21, of the Kansas Statutes Annotated or any criminal statute of the United States; or
- (e) conduct at school, on school property, or at a supervised activity which, if the student is an adult, constitutes the commission of a misdemeanor if committed by an adult; or
- (f) disobedience of an order of a teacher, peace officer, school security officer, or other school authority when such disobedience can reasonably be anticipated to result in disorder, disruption, or interference with the operation of a school or substantial and material impingement upon or invasion of the rights of others; or
- (g) failure to comply with the Kansas School Immunization Law. When a student is suspended under this policy, notice and hearing shall be provided in accordance with procedures hereinafter set forth. The suspension shall extend until compliance is obtained. K.S.A. 72-5208-5211a.

## **Duration of Suspension or Expulsion**

A suspension may be for a short term not exceeding ten school days, or for an extended term not exceeding 90 school days. An expulsion may be for a term not exceeding 186 school days. If a suspension or expulsion is for a term exceeding the number of school days remaining in the school year, any remaining part of the term of the suspension or expulsion may be applied to the succeeding school year.

## **Short-Term Suspension Procedure**

A short-term suspension not to exceed ten (10) days may be imposed upon a student after giving the student oral or written notice of the charges against the student and after affording the student a hearing thereon. Such hearing shall be held immediately and may be conducted informally but shall include:

- (a) the right of the student to be present at the hearing,
- (b) the right of the student to be informed of the charges against the student,
- (c) the right of the student to be informed of the basis for the charges, and
- (d) the right of the student to make statements in defense or mitigation of the charges or accusations.

If the student's presence endangers other persons or property or disrupts, impedes or interferes with operation of the school, a short-term suspension may be imposed forthwith without a hearing.

## **Written Notice of Short-Term Suspension**

A written notice on Form A (see Policy No. 5.6.3.8.1) of any short-term suspension and the reason therefore shall be given to the student involved and mailed to the student's parents or guardian of the student is under 18 years of age, within 24 hours after such suspension has been imposed. In the event the student has not been afforded a hearing prior to the short-term suspension, an informal hearing shall be provided as soon thereafter as practicable but in no event later than 72 hours after such short-term suspension has been imposed. K.S.A. 72-8902(b)(2).

## **Extended Suspension and Expulsion Procedure**

No extended suspension and no expulsion shall be imposed upon a student until opportunity for a formal hearing on such suspension or expulsion shall be afforded to such student.

### **Written Notice of Extended Suspension or Expulsion; Place of Formal Hearing; Principal to Conduct Hearing**

A written notice of any proposal to suspend for an extended-term or to expel from school and the charges upon which the same is based shall be given to the student proposed to be suspended or expelled and given or sent to the student's parents or guardian if the student is under 18 years of age at least two days prior to the hearing. It shall be sufficient if the notice is mailed to the address on file in the school records of the student. In lieu of mailing the written notices the notices may be personally delivered.

Such notice shall be prepared using Form B (see Policy No. 5.6.3.8.2) and shall state the time, date and place where the student will be afforded an opportunity for a formal hearing. The failure of the student and if the student is under 18 years of age the student's parents or guardians to attend the hearing will result in a waiver of the student's opportunity for the hearing.

The hearing date shall be no later than 10 days after the student has been given the notice of the proposed extended suspension or expulsion. Such notice shall be accompanied by a copy of K.S.A. 72-8901, et. Seq., and the Code of Student Conduct. The place of the formal hearing on an extended suspension or expulsion shall be at the school which has proposed that the student be suspended or expelled. The principal or designee of the principal shall conduct the formal hearing. K.S.A. 72-89028.

### **Report of Results of Formal Hearing on Extended Suspension or Expulsion**

Upon the conclusion of any formal hearing which results in suspension for an extended term or an expulsion, the principal or designee who conducted the hearing shall make a written report on Form C (see Policy No. 5.6.3.8.3) of the findings and results of the hearing. Such a report shall be directed to the Board of Education and filed in the office of the Assistant Superintendent for Student, Parent and Community Services.

The report shall be open to the inspection of the student and if the student is under 18 years of age, to the parents or guardians and counsel or other advisor of the student. If the student is an adult the report shall be open to the inspection of the parents or guardians and counsel or other advisor of the student only upon written consent of the student. K.S.A. 72-8903(c).

Information shall be provided to the student and parent/guardian concerning services or programs offered by public and private agencies that work toward improving the attitudes and behavior that contributed to the conduct upon which the suspension or expulsion is based.

### **Written Notice of Results of Formal Hearing on Extended Term Suspension or Expulsion**

Written notice of the results of any formal hearing resulting in an extended term suspension or expulsion shall be given to the student suspended or expelled and to the student's parents or guardian, if the student is under 18 years of age, within 24 hours after determination thereof. Such notice shall be prepared using Form D. (see Policy No. 5.6.3.8.4. and K.S.A. 72-8904(a).

### **Procedural Due Process Requirements for Formal Hearings and Hearings on Appeal to Board of Education or Designated Hearing Officers**

The formal hearing provided by the school and any hearing on appeal to the Board of Education or a designated hearing officer shall include the following due process requirements:

- (a) The right of the student to have counsel of the student's choice present and to receive the advice of such counsel or other person.
- (b) The right of the parents or guardian of the student to be present at the hearing.
- (c) The right of the student and the student's counsel or advisor to hear or read a full report of testimony of witnesses against the student.
- (d) The right of the student and the student's counsel to confront and cross-examine witnesses who appear in person at the hearing, either voluntarily or as a result of the issuance of a subpoena.
- (e) The right of the student to present the student's own witnesses in person or their testimony by affidavit.
- (f) The right of the student to testify in the student's own behalf and give reasons for the student's conduct.
- (g) The right of the student to have an orderly hearing.
- (h) The right of the student to a fair and impartial decision based on substantial evidence. K.S.A. 72-8903.

### **Appeal of Extended Suspension or Expulsion to Board of Education**

Any student who has been suspended for an extended term or expelled, or one of the student's parents or guardians, may appeal such suspension or expulsion to the Board of Education by filing a written notice of appeal with the clerk of the Board of Education within 10 calendar days after receiving the written notice of the results of the hearing as specified in Policy No. 5.6.3.4.3.



Any such appeal shall be heard by the Board of Education or by a hearing officer appointed by such board, not later than 20 calendar days after such notice of appeal is filed. The student and the student's parents or guardians shall be notified in writing of the time and place of the appeal hearing at least 5 days prior thereto. In all extended or long-term suspension or expulsion cases appealed to the Board of Education, there shall be made a record of the appeal hearing. K.S.A. 72-8904(b).

### **Record of Appeal Hearings**

In all extended-term suspensions and expulsion from school cases, there shall be made a record of the hearing of an appeal of the suspension or expulsion, whichever is applicable, by mechanical or electronic recording or by an official court reporter, and the costs thereof shall be paid by the school district.

### **Time for Board of Education Decision on Appeal**

The Board of Education shall render its decision on any extended term suspension or expulsion appeal not later than five (5) days after the conclusion of the appeal hearing. K.S.A. 72-8904(b).

### **Designated Hearing Officers for Board of Education Appeals**

For the purpose of conducting a hearing on an extended term suspension or expulsion appeal to the Board of Education, the Board may appoint one or more hearing officers. Such hearing officer shall be a member of the Board of Education or a certificated employee of the District.

After hearing an appeal, such hearing officer shall prepare a written report to the Board of Education. After receiving such report, the Board of Education shall determine the appeal with or without additional hearing. K.S.A. 72-8904(c).

### **Powers and Duties of Persons Conducting Hearings**

Any principal, assistant principal, hearing officer or the Board of Education conducting any extended suspension hearing involving the Student Code of Conduct and the suspension or expulsion of a student from school shall:

- (a) administer oaths for the purpose of taking testimony;
- (b) call and examine witnesses and receive documentary and other evidence; and
- (c) take any other action necessary to make the hearing accord with procedural due process. K.S.A. 72-8906.

## **Oath for Purpose of Taking Testimony**

Every witness before testifying shall take the following oath or affirmation. K.S.A. 60-418. The oath or affirmation shall be administered by the uplifted right hand. K.S.A. 54-102.

**Oath:** “You do solemnly swear that you will tell the truth and nothing but the truth so help you God.” K.S.A. 54-204.

**Affirmation:** “**You** do solemnly, sincerely and truly declare and affirm that you will tell the truth and nothing but the truth; and this you do under the pains and penalties of perjury.” K.S.A. 54-104.

## **Subpoena**

72-8906. (a) Any person, hearing officer or any member of a committee or the board of education conducting a hearing under this act may: (1) Administer oaths for the purpose of taking testimony;

(2) call and examine witnesses and receive documentary and other evidence; and

(3) take any other action necessary to make the hearing accord with procedural due process

(b) Any hearing officer, any member of a committee or the board of education holding a formal hearing or an appeal hearing under this act may and, upon the request of the pupil’s parents or guardians or counsel shall petition the administrative judge of the judicial district in which the school district is located, requesting that the clerk of the district court be authorized to issue subpoenas for the attendance and testimony of the principal witness or witnesses and the production of books, records, reports, papers and documents relating to the proposed suspension or expulsion from school in the same manner as provided for the issuance of subpoenas in civil actions pursuant to K.S.A. 60-245 and amendments thereto.

## **Evidence**

Any principal, assistant principal, hearing officer of the Board of Education conducting any formal or appeal hearing hereunder need not be bound by technical rules of evidence, but shall give the parties reasonable opportunity to be heard and to present evidence and the person conducting such hearing shall act reasonably without partiality. All relevant evidence shall be admissible, except that the person conducting the hearing may in his/her discretion exclude any evidence if he/she believes that its probative value is substantially outweighed by the fact that its admission will necessitate undue consumption of time. K.S.A. 72-5442; K.S.A. 77-524.

## **Intervention by Superintendent of Schools**

The Superintendent of Schools may intervene in any short-term or extended suspension hearing or an appeal therefrom, if such intervention is deemed to be in the best interest of the student.

When exercising this authority, the Superintendent may abate the proceedings entirely or lessen the severity of the discipline imposed. The Superintendent may not, however, increase the level of discipline imposed.

The Administration may not appeal the Superintendent's modifications. If the proceeding is abated, the student may be returned to school immediately or within some other period prescribed by law.

## **Selected Kansas Laws Relating to Student Safety and the Possession of Weapons**

**(The following pages contain a summary of various State and Federal laws applicable to our schools).**

---

### **The Kansas School Safety and Security Act**

The Kansas Safety and Security Act was passed for “the purpose of creating safer and more secure schools and to provide a safe and orderly environment conducive to learning.” Under the Act, school district employees are required to make an “immediate report” to law enforcement if they know or have reason to believe that a felony, misdemeanor or act which involved the possession, use, or disposal of explosives, firearms or other weapons occurred at school, on school property or at a school sponsored event.

School employees must notify the superintendent, and after an investigation, the superintendent must notify other school employees when they have knowledge of the following:

- i. The identity of any student who has been expelled for conduct which endangers the safety of others, or conduct which substantially invades the rights of others at school or a school function;
- ii. The identity of any student who has been expelled for commission of felony type offenses;
- iii. The identity of any student who has been expelled for possession of weapons;

- iv. The identity of any student who has been adjudged to be a juvenile offender and whose offense, if committed by an adult, would constitute a felony, except a felony offense involving no direct threat to human life;
- v. The identity of any student who has been tried and convicted as an adult of any felony except a felony offense involving no direct threat to human life.

## **The Weapon-Free Schools Act**

Students determined to be in possession of a weapon at school, on school property or at a school supervised “activity” shall be expelled for a period of not less than one year.

However, the Superintendent, at his or her discretion, may move to “modify the expulsion requirement in a manner which is consistent with the requirements of federal law.”

Students determined to be in the possession of a weapon shall be referred to appropriate state and local law enforcement agencies and, if the student is a juvenile, to the secretary of social and rehabilitation services.

Under this law, weapon means:

- ▲ Any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
- ▲ The frame or receiver of any weapon described in the preceding example;
- ▲ Any firearm muffler or firearm silencer;
- ▲ Any explosive, incendiary, or poison gas (A) bomb, (B) grenade & rocket having propellant charge of more than four ounces, (D) missile having an explosive or incendiary charge of more than 1/3 ounce (E) mine, or (F) similar device;
- ▲ Any weapon which will, or which may be readily converted to, expel a projectile by action of an explosive or other propellant, and which has any barrel with a bore of more than 2 inch in diameter;
- ▲ Any combination of parts either designed or intended for use in concerting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled;
- ▲ Any bludgeon, sandclub, metal knuckles or throwing star;
- ▲ Any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or movement.

The weapon-free schools act differs in several areas from the provision of the Student Suspension and Expulsion Act. Under the Suspension and Expulsion Act an expulsion cannot exceed 186 days. Under the weapons law the expulsion must be for a period of one calendar year, not one school year.

## **Criminal Possession of a Firearm**

K.S.A. 21-4204(a)(5)(6) prohibits persons from possessing a firearm on school property or grounds. K.S.A. 21-4202(a) defines criminal possession of a firearm as follows;

- i Possession of any firearm by any person other than a law enforcement officer, in or on any school property or grounds upon which is located in a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of students enrolled in kindergarten or any of the grades 1 through 12 or at any regularly scheduled school sponsored activity or event; or
  
- ii Refusal to surrender or immediately remove from school property or grounds or at any regularly scheduled school sponsored activity or event any firearm in the possession of any person, other than a law enforcement officer, when so requested or directed by an adult authorized school employee or any law enforcement officer. Firearms may be at school only under the following circumstances:
  - A. Possession of a firearm in connection with a firearms safety course or firearms course approved and authorized by the school;
  - B. Possession of any firearm in school if the presence of the firearm is specifically authorized in writing by the superintendent;

- C. Possession of a firearm secured in a motor vehicle by a parent, guardian, custodian or someone authorized to act in such person's behalf who is delivering or collecting a student; or
- D. Possession of a firearm secured in a motor vehicle by a registered voter who is on the school grounds for the purpose of voting during polling hours on an election day.

\*NOTE: There is not an exception in this law for a firearm secured in a student's motor vehicle. A student who has a firearm in his or her car on school property for the purpose of hunting before or after school is in violation of the law.

**Violation of this law may constitute with a class B nonperson select misdemeanor or a class A nonperson misdemeanor.**

### **Possession of Firearm by a Juvenile**

Under Kansas law (K.S.A. 21-4202a), it is a crime for any person under the age of 18 to knowingly possess a firearm with a barrel less than 12 inches long.

## **Suspension of Drivers' License**

**It is the Principal's duty to report to the Executive Director for Student and Family Services who will then inform the Superintendent. The Superintendent will give written notice to local authorities of the expulsion or suspension of a student 13 years or older, when the student has been expelled from school or suspended for an extended term for:**

Possession of a weapon at school, upon school property, or at a school supervised activity; or

Possession, use, sale, or distribution of an illegal drug or a controlled substance at school, upon school property, or at a school supervised activity; or

Behavior at school, on school property, or at a school supervised activity which resulted in or was substantially likely to have resulted in serious bodily injury to others.

Upon receipt of notification of the suspension or expulsion of a student from school, local authorities in accordance with state law, will suspend the student's driver's license or privilege to operate a motor vehicle on the streets and highways of this state.

# Notes



# Notes



KANSAS CITY  
KANSAS  
PUBLIC SCHOOLS

---

625 Minnesota • Kansas City, KS 66101  
(913) 551-3200