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FILE: JG-R1
Critical

EXPLANATION: STUDENT DISCIPLINE - Elementary

MSBA has revised the definition of "bullying" in this regulation to match the new definition of bullying in policy JFCF, which was modified in response to House Bill 1583 (2016).

MSBA has also revised the definition of "assault." This offense is modeled after the state criminal offenses of assault in the first, second and third degree. As of July 1, 2017, the definitions of those crimes will change, and there will be a criminal offense of assault in the fourth degree. MSBA has amended this regulation accordingly.

MSBA has also added a statement that students may be excluded from honors and awards as a disciplinary consequence. The offense of "sexual activity" was amended to clarify that it only applies to consensual sexual activity. Nonconsensual sexual activity is a crime that must be reported to police and would fall under sexual harassment as well.

<i>MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.</i>					
X	Board Secretary		Business Office	X	Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
	Human Resources	X	Principals		Library/Media Center
	Health Services		Counselor	X	Special Education
	Transportation	X	Public Info/Communications		Technology

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STUDENT DISCIPLINE (Elementary)

Introduction

Our goal is to guide each child to develop desirable character traits so that he/she ultimately is able to exercise the ideal type of discipline — self-discipline. We will strive to see that every child is treated with fairness and respect. We will not permit any child to disrupt school in any manner to the degree that the educational opportunities of other children are hindered. As a member of the school community, a student enjoys certain rights and accepts certain responsibilities. These rights and responsibilities should be emphasized equally. This code includes, but is not necessarily limited to, acts of students on district property, including playgrounds, parking lots and district transportation, or at a district activity, whether on or off district property. The district may also discipline students for off-campus conduct that negatively impacts the educational environment, to the extent allowed by law.

We believe that good school discipline is essential in order to have an educational atmosphere where orderly learning is both encouraged and possible to maintain. School district personnel, including all administrators, faculty and noncertified staff, are responsible for the care and supervision of students and are both authorized and expected to hold every student strictly accountable for any disorderly conduct. Good discipline is to be maintained at all times in classes, in school buildings, on school property, on school transportation, during recess periods, in cafeterias, and during all school-sponsored activities. The consequences of improper behavior are set forth in the discipline plan with individual disciplinary action to be determined by student attitudes and specific circumstances of the situations. Every effort is made to keep parents informed of behavior, both positive and negative, through conferences, telephone calls, notes and letters.

School administrators may establish further rules and regulations and, in some cases, deviate from the handbook for the maintenance of proper school discipline. Students should be aware that the order of consequences will not always be followed due to the many different circumstances surrounding each individual case, previous incidents and warnings, student attitude, and extenuating circumstances.

Reporting to Law Enforcement

It is the policy of the Camdenton R-III School District to report all crimes occurring on district property to law enforcement, including, but not limited to, the crimes the district is required to report in accordance with law. A list of crimes the district is required to report is included in policy JGF.

The principal shall also notify the appropriate law enforcement agency and superintendent if a student is discovered to possess a controlled substance or weapon in violation of the district's policy.

In addition, the superintendent shall notify the appropriate division of the juvenile or family court upon suspension for more than ten days or expulsion of any student who the district is aware is under the jurisdiction of the court.

Documentation in Student's Discipline Record

The principal, designee or other administrators or school staff will maintain all discipline records as deemed necessary for the orderly operation of the schools and in accordance with law and policy JGF.

Conditions of Suspension, Expulsion and Other Disciplinary Consequences

All students who are suspended or expelled, regardless of the reason, are prohibited from participating in or attending any district-sponsored activity, or being on or near district property or the location of any district activity for any reason, unless permission is granted by the superintendent or designee. ~~In addition~~ **When appropriate**, the district may prohibit students from participating in activities or restrict a student's access to district property as a disciplinary consequence even if a student is not suspended or expelled from school, ~~if appropriate~~. **Likewise, a student may become ineligible for or be required to forfeit any honors and awards as a disciplinary consequence.**

In accordance with law, any student who is suspended for any offenses listed in § 160.261, RSMo., or any act of violence or drug-related activity defined by policy JGF as a serious violation of school discipline, shall not be allowed to be within 1,000 feet of any district property or any activity of the district, regardless of whether the activity takes place on district property, unless one of the following conditions exist:

1. The student is under the direct supervision of the student's parent, legal guardian, custodian or another adult designated in advance, in writing, to the student's principal by the student's parent, legal guardian or custodian, and the superintendent or designee has authorized the student to be on district property.
2. The student is enrolled in and attending an alternative school that is located within 1,000 feet of a public school in the district.
3. The student resides within 1,000 feet of a public school in the district and is on the property of his or her residence.

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If a student violates the prohibitions in this section, he or she may be suspended or expelled in accordance with the offense, "Failure to Meet Conditions of Suspension, Expulsion or Other Disciplinary Consequences," listed below.

Consequences of Violating Standards and Disciplinary Actions

Violations of the *Standards of Student Conduct* are grouped into four categories. Options or disciplinary actions available to the responsible school officials for the various violations are as follows:

Category I - Those violations to be handled by the teacher, sponsor or individual immediately at hand.

1. Conference with student (warning)
2. Conference with counselors/administrators
3. Parental contact/conference
4. Seating reassignment
5. Isolation within classroom/outside classroom
6. Withholding of privileges including recesses
7. Extra work assignment
8. Temporary removal from class
9. Referral to principal
10. Confiscation of nuisance items
11. Contract with student
12. Detention before or after regular school hours

Category II - Those violations to be handled by the principal or director.

1. Conference with student (warning)
2. Contract with student
3. Parental contact/conference
4. Loss of privilege (recess, field trip, track meet, etc.)
5. In-school isolation/Time out
6. Saturday School
7. Restitution/School service
8. After-School Detention
9. In-school suspension not to exceed five days
10. A combination of the above
11. Seating reassignment

Category III -Those more serious violations to be handled by the principal or director.

1. Student/Parent conference
2. Contract with student
3. Saturday School
4. Loss of privileges (recess, field trip, track meet, etc.)
5. Restitution/School service
6. In-school suspension
7. In-school isolation/Time out
8. After-School Detention
9. Out-of-school suspension not to exceed 10 calendar days, handled by the principal
10. Referral to superintendent
11. Out-of-school suspension not to exceed 180 calendar days, handled by the superintendent
12. Expulsion as determined by the Board of Education
13. Referral to outside authorities
14. A combination of the above

Category IV - Those violations to be referred to authorities outside the school organization.

1. Referral to appropriate non-school authorities
2. Other consequences as circumstances warrant
3. Possible documentation in student's discipline file
4. Serious violations of the district's discipline policy as derived from the Safe Schools Act of 1996 in which Board policy and/or state law applies

The consequences for repeat offenders may be elevated to a higher category if circumstances warrant.

In determining the consequence or punishment for acts violating the standards of conduct, the responsible school official shall examine the facts and circumstances surrounding the case. Disciplinary actions are not listed in any kind of sequential order. Any one or a combination of actions might be used. The attempt to commit any offense is punishable in the same manner as the listed offense. In arriving at the consequence or discipline to be imposed, consideration shall be given to:

1. The maturity level of the student
2. Any extenuating circumstances
3. The seriousness of the act
4. Prior incidents of misconduct

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5. Intent of the student
6. Degree of involvement of the student
7. Appropriateness of the punishment

Students charged with misconduct shall be accorded due process to include at least the following:

1. An oral or written explanation of the charges against him/her
2. Prior to suspension, if the charges are denied, an oral or written explanation of the facts that form the basis for the proposed suspension;
3. Prior to suspension, an opportunity to present the student's version of the incident;
4. An opportunity to appeal to the next higher authority as permitted by school policy and the right to be reinstated pending appeal in the case of a suspension of more than ten days except as otherwise provided by law.

Specific Acts of Misconduct

Following are specific acts of misconduct that violate the Standards of Student Conduct along with the category of the violation. Building-level administrators are authorized to more narrowly tailor potential consequences as appropriate for the age level of students in the building. ~~All consequences must be~~ within the ranges established in this regulation. In addition to the consequences specified here, school officials will notify law enforcement and document violations in the student's discipline file pursuant to law and Board policy.

Minor Misconduct

1. **Misbehavior in the Classroom** – Persistent refusal to do assignments and homework, refusal to attend to task at hand. Unsolicited talking, wisecracks, moving about, pestering of classmates, chewing gum in class, and other acts disruptive or distracting to the learning environment.

Disciplinary Actions - I and II

2. **Misbehavior in the Cafeteria** – Excessive noise, discourteous to others, moving about, not following instructions.

Disciplinary Actions - I and II

3. **Misbehavior in the Hall/Restroom** – Running, excessive noise, horseplay, disrupting classes in session, throwing items, climbing or swinging on doors or walls.

Disciplinary Actions - I and II

4. **Misbehavior on the Playground (see playground rules)** – Failure to obey any playground rules and regulations.

Disciplinary Actions - I and II

5. **Misbehavior on School Transportation (see Board policy JFCC and procedure JFCC-AP)**

6. **Selling or Trading Articles in School** – Selling or trading articles with other students in school or on school transportation.

Disciplinary Actions - I and II

7. **Tardiness (see Board policy JED and procedure JED-AP1)** – Habitually arriving at school late for a reason not related to operational transportation problems.

Disciplinary Actions - I and II

Serious Misconduct

Academic Dishonesty – Cheating on tests, assignments, projects or similar activities; plagiarism; claiming credit for another person's work; fabrication of facts, sources or other supporting material; unauthorized collaboration; facilitating academic dishonesty; and other misconduct related to academics.

First Offense:	No credit for the work, grade reduction, or replacement assignment.
Subsequent Offense:	No credit for the work, grade reduction, course failure, or removal from extracurricular activities.

Arson – Starting or attempting to start a fire or causing or attempting to cause an explosion.

Category of Disciplinary Action:	III and IV
Consequences:	In-school suspension, 1-180 days out-of-school suspension or expulsion, parent conference upon return.

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Assault

1. Using physical force, such as hitting, striking or pushing, to cause or attempt to cause physical injury; placing another person in apprehension of immediate physical injury; recklessly engaging in conduct that creates a grave risk of death or serious physical injury; causing 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 third **or fourth** degree.

Category of Disciplinary Action:	III and IV
Consequences:	Immediate 1-180 days out-of-school suspension or expulsion, parent conference upon return.

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

First Offense:	10-180 days out-of-school suspension or expulsion.
Subsequent Offense:	Expulsion.

Bullying and Cyberbullying (see Board policy JFCF) – ~~Intimidation or harassment of a student or multiple students perpetuated by individuals or groups. Bullying includes, but is not limited to: physical actions, including violence, gestures, theft, or damaging property; oral or written taunts, including name-calling, put-downs, extortion, or threats; or threats of retaliation for reporting such acts. Bullying may also include cyberbullying or cyberthreats. Cyberbullying is sending or posting harmful or cruel text or images using the Internet or other digital communication devices. Cyberthreats are online materials that threaten or raise concerns about violence against others, suicide or self-harm.~~ **Intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property; that substantially interferes with the educational performance, opportunities or benefits of any student without exception; or that substantially disrupts the orderly operation of the school. Bullying includes, but is not limited to: physical actions, including violence, gestures, theft or property damage; oral, written or electronic communication, including name-calling, put-downs,**

extortion or threats; or threats of reprisal or retaliation for reporting such acts. Cyberbullying is a form of bullying committed by transmission of a communication including, but not limited to, a message, text, sound or image by means of an electronic device including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager.

Category of Disciplinary Action:	I, II, III and IV
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Dishonesty – Any act of lying, whether verbal or written, including forgery.

Category of Disciplinary Action:	I, II, III and IV
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Disrespectful or Disruptive Conduct or Speech (see Board policy AC if illegal harassment or discrimination is involved) – Verbal, written, pictorial or symbolic language or gesture that is directed at any person that is in violation of district policy or is otherwise rude, vulgar, defiant, considered inappropriate in educational settings or that materially and substantially disrupts classroom work, school activities or school functions. Students will not be disciplined for speech in situations where it is protected by law.

Category of Disciplinary Action:	II, III and IV
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Drugs/Alcohol (see Board policies JFCH and JHCD)

Possession, sale, purchase, distribution of unauthorized prescription drugs, alcohol, imitation controlled substances, counterfeit substances, narcotic substance, unauthorized inhalants, drug paraphernalia, including controlled substances and illegal drugs defined as substances identified under schedules I, II, III, IV or V in section 202(c) of the Controlled Substances Act, or attendance while under the influence of or soon after consuming any of the foregoing.

Possession, sale, purchase or distribution of any over-the-counter drug, herbal preparation or imitation drug or herbal preparation.

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First Offense

Category of Disciplinary Action:	III and IV
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1. Recommendation may be made for the student to be placed in a drug rehabilitation or counseling program. The length of stay shall be determined by the professional staff of the rehabilitation or counseling center.
2. Camdenton R-III Schools will provide educational materials to the staff of the rehabilitation center or provide education through homebound study. Only those subjects which are part of core curriculum will be included. Subjects requiring special equipment such as Band and Industrial Arts will not be included.
3. Upon completion of the rehabilitation program, the student may be assigned to the Camdenton R-III School District's In-School Suspension Center for the remainder of the suspension. Education will be continued by a certified teacher assigned to the In-School Suspension Center.
4. The student shall attend weekly counseling sessions as recommended by the rehabilitation or counseling center.

Second Offense

Category of Disciplinary Action:	III and IV
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Extortion – Threatening or intimidating any person for the purpose of obtaining money or anything of value.

Category of Disciplinary Action:	I, II, III and IV
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Failure to Care for or Return District Property – Loss of, failure to return, or damage to district property including, but not limited to, books, computers, calculators, uniforms, and sporting and instructional equipment.

First Offense:	Restitution. Principal/Student conference, detention, or in-school suspension.
Subsequent Offense:	Restitution. Detention or in-school suspension.

Failure to Meet Conditions of Suspension, Expulsion or Other Disciplinary Consequences – Violating the conditions of a suspension, expulsion or other disciplinary consequence including, but not limited to, participating in or attending any district-sponsored activity or being on or near district property or the location where a district activity is held. See the section of this regulation titled, "Conditions of Suspension, Expulsion and Other Disciplinary Consequences."

As required by law, when the district considers suspending a student for an additional period of time or expelling a student for being on or within 1,000 feet of district property during a suspension, consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether the student's presence is disruptive to the educational process or undermines the effectiveness of the district's discipline policy. Student will be reported to law enforcement for trespassing if expelled.

Category of Disciplinary Action:	I, II, III and IV
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False Alarms (see also "Threats of Serious Injury or Death or Verbal Assault") – Making any false alarms, such as bomb threats, setting off fire alarms, tampering with emergency equipment or making unauthorized 911 calls; communicating a threat or false report for the purpose of frightening or disturbing people, disrupting the educational environment or causing the evacuation or closure of district property. A person commits the crime of making a false bomb report if he or she knowingly makes a false report or causes a false report to be made to any person that a bomb or explosive has been placed in any public or private place or vehicle.

Category of Disciplinary Action:	III and IV
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Fighting (see also "Assault") – Mutual combat in which both parties have contributed to the conflict either verbally or by physical action.

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Category of Disciplinary Action:	III and IV
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Gambling – Betting on an uncertain outcome, regardless of stakes; engaging in any game of chance or activity in which something of real or symbolic value may be won or lost. Gambling includes, but is not limited to, betting on outcomes of activities, assignments, contests and games.

First Offense:	Principal/Student conference, loss of privileges, detention, or in-school suspension.
Subsequent Offense:	Principal/Student conference, loss of privileges, detention, in-school suspension, or 1-10 days out-of-school suspension.

Gang-Related Behavior – Conflict between groups of individuals and/or grouping for the purpose of intimidation or retaliation or to commit any other kind of illegal act will not be tolerated. Apparel, jewelry, grooming or behaviors or symbols that by virtue of color, arrangement, or other distinctive attributes denote membership in gangs that advocate drug use, violence or disruptive behavior, or that otherwise present a threat of disruption or danger in the school environment, are prohibited.

Category of Disciplinary Action:	I, II, III and IV
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Harassment, including Sexual Harassment (see Board policy AC)

Use of material or unwelcome physical contact of a sexual nature or unwelcome verbal, written or symbolic language or unwelcome physical contact based on gender, race, color, religion, sex, national origin, ancestry, disability or any other characteristic protected by law. Examples of illegal harassment include, but are not limited to, racial jokes or comments; requests for sexual favors and other unwelcome sexual advances; graffiti; name calling; or threatening, intimidating or hostile acts based on a protected characteristic. Examples of harassing contact include, but are not limited to, touching or fondling of the genital areas, breasts or undergarments, regardless of whether the touching occurred through or under clothing; or pushing or fighting based on protected characteristics.

Category of Disciplinary Action:	I, II, III and IV
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Hazing (see Board policy JFCFJFCG) – Any activity that a reasonable person believes would negatively impact the mental or physical health or safety of a student or put the student in a ridiculous, humiliating, stressful or disconcerting position for the purposes of initiation, affiliation, admission, membership or maintenance of membership in any group, class, organization, club or athletic team including, but not limited to, a grade level, student organization or district-sponsored activity. Hazing **may** occur even when all students involved are willing participants.

Category of Disciplinary Action:	I, II, III and IV
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Incendiary Devices or Fireworks – Possessing, displaying or using matches, lighters or other devices used to start fires unless required as part of an educational exercise and supervised by district staff; possessing or using fireworks.

First Offense:	Confiscation. Warning, principal/student conference, detention, or in-school suspension.
Subsequent Offense:	Confiscation. Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

Nuisance/Dangerous Items – Bringing items to school which create problems and that take time away from and detract from learning such as: toys, dolls, balls, games, portable media players or other gadgets that are not authorized for educational purposes. Only with approval from a teacher may one of the items above be brought to school, when it will be used in a learning activity. Items that may be considered dangerous are prohibited including, but not limited to: laser lights, pocket knives, stink bombs and flammable items.

Category of Disciplinary Action:	I, II and III
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Profanity/Obscenities – Profanity or obscenity at any time, at school, on the playground, or while riding district transportation or at the bus stop.

Category of Disciplinary Action:	II and III
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Public Display of Affection (PDA) – Physical contact that is inappropriate for the school setting, including, but not limited to, kissing and groping.

Category of Disciplinary Action:	I, II, III and IV
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Sexting and/or Possession of Sexually Explicit, Vulgar or Violent Material – Students may not possess or display, electronically or otherwise, sexually explicit, vulgar or violent material including, but not limited to, pornography or depictions of nudity, violence or explicit death or injury. This prohibition does not apply to curricular material that has been approved by district staff for its educational value. Students will not be disciplined for speech in situations where it is protected by law.

First Offense:	Confiscation. Principal/Student conference, detention, or in-school suspension.
Subsequent Offense:	Confiscation. Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Sexual Activity – **Consensual** acts of sex or simulated acts **consensual simulations** of sex including, but not limited to, intercourse or oral or manual stimulation.

First Offense:	Principal/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.
Subsequent Offense:	Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Technology Misconduct (see Board policy EHB and procedure EHB-AP1)

1. 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.

First Offense:	Restitution. Principal/Student conference, loss of user privileges, detention, or in-school suspension.
Subsequent Offense:	Restitution. Loss of user privileges, 1-180 days out-of-school suspension, or expulsion.

2. Using, displaying or turning on pagers, phones, personal digital assistants, personal laptops or any other electronic devices during the regular school day, including class change time, mealtimes or instructional class time, unless the use is part of the instructional program, required by a district-sponsored class or activity, or otherwise permitted by the building principal.

First Offense:	Confiscation, principal/student conference, detention, or in-school suspension.
Subsequent Offense:	Confiscation, principal/student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

3. Violations, other than those listed in (1) or (2) above, of Board policy EHB, procedure EHB-AP1 or any policy or procedure regulating student use of personal electronic devices.

First Offense:	Restitution. Principal/Student conference, detention, or in-school suspension.
Subsequent Offense:	Restitution. Loss of user privileges, 1-180 days out-of-school suspension, or expulsion.

4. Using video or audio recording equipment on district property or at district activities except: if required by a district-sponsored class or activity; at performances or activities to which the

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general public is invited such as athletic competitions, concerts and plays; at open meetings of the Board of Education or committees appointed by or at the direction of the Board; or as otherwise permitted by the principal.

First Offense:	Confiscation. Principal/Student conference, detention, or in-school suspension.
Subsequent Offense:	Confiscation. Principal/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.

Theft – Theft, attempted theft or knowing possession of stolen property.

Category of Disciplinary Action:	I, II, III and IV
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Threats of Serious Injury or Death or Verbal Assault (see Board policy JGG) – A serious threat, either written, pictorial or verbal, is defined as: A threat of injury that, if inflicted, could cause permanent disabling or result in the death of one or more persons or a threat to bring a lethal weapon to school and use it. Disciplinary action is justified if a reasonable person, upon receiving the threat, would believe the threat to be a serious expression of an intent to harm. All alleged threats will be considered in light of their entire factual context, including the surrounding events and the reaction of the listener.

Category of Disciplinary Action:	I, II, III and IV
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Tobacco Use and/or Possession (see Board policy AH) – Use or possession of any tobacco products, electronic cigarettes, or other nicotine-delivery products on district property, district transportation or at any district activity. Nicotine patches or other medications used in a tobacco cessation program may only be possessed in accordance with district policy JHCD.

Category of Disciplinary Action:	II and III
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Truancy (see Board policy JED and procedure JED-AP1) – Absence from school without the knowledge and consent of parent/guardian and the school administration; excessive non-justifiable absences, even with the consent of parents/guardians. Students disciplined as truant will be removed from extracurricular activities

Category of Disciplinary Action:	III and IV
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Unauthorized Entry – Entering or assisting any other person to enter a district facility, office, locker, or other area that is locked or not open to the general public; entering or assisting any other person to enter a district facility through an unauthorized entrance; assisting unauthorized persons to enter a district facility through any entrance.

Category of Disciplinary Action:	II, III and IV
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Vandalism/Destruction of Property (see Board policy ECA) – Knowingly vandalizing, defacing, or otherwise damaging or attempting to cause damage to real or personal property belonging to the district, staff or students. Restitution required.

Category of Disciplinary Action:	III and IV
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Weapons/Firearms (see Board policy JFCJ) – Students are forbidden to bring onto district property any item considered to be a weapon as defined in law or Board policy, including any firearm as defined in 18 U.S.C. § 921, any instrument or device defined in § 571.010, RSMo. or any instrument or device defined as a dangerous weapon in 18 U.S.C. § 930(g)(2). Examples include blackjack, clubs, firearm silencer, gas gun, knife, machine gun, projectile weapon, chains, metal knuckles, razor, ice pick, rifle, shotgun, spring gun, or switchblade knife. This includes any type of weapon by whatever name that will or that may be readily converted to expel a projectile by the action of an explosive or other propellant. Also included are explosives of any type, point gas, bombs, and any type or form of ammunition. This includes any destructive device.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: 08/08/1994

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Camdenton R-III School District, Camdenton, Missouri

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