

Riverview Gardens School District

Behavior Guide and Discipline Procedures for Secondary Students

370 Northumberland Drive ::: St. Louis, MO 63137 ::: 314.869.2505

www.rgsd.k12.mo.us

Approved by SAB August 28, 2018

**SAFE SCHOOLS HOTLINE NUMBER
314-889-SAFE (7233)**

RIVERVIEW GARDENS

SCHOOL DISTRICT

Discipline Handbook Receipt Form

Please sign and return this form to your student's teacher or advocate.

I have received a copy of the District's Behavior Guide and Discipline Procedures handbook. I have been informed that it is my student's and my responsibility to read and follow the Code of Conduct of the Riverview Gardens School District.

Date

Parent/Guardian

Student

School

Teacher/Advocate

If you have any questions regarding information in this handbook, please contact your school principal.

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Riverview Gardens School District

2019-2020



July 2019							January 2020						
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S
	1	2	3	4	5	6				1	2	3	4
7	8	9	10	11	12	13	5	6	7	8	9	10	11
14	15	16	14	18	19	20	12	13	14	15	16	17	18
21	22	23	24	25	26	27	19	20	21	22	23	24	25
28	29	30	31				26	27	28	29	30	31	
August 2019							February 2020						
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S
				1	2	3							1
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30	31	23	24	25	26	27	28	29
September 2019							March 2020						
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S
1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28
29	30						29	30	31				
October 2019							April 2020						
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S
		1	2	3	4	5				1	2	3	4
6	7	8	9	10	11	12	5	6	7	8	9	10	11
13	14	15	16	17	18	19	12	13	14	15	16	17	18
20	21	22	23	24	25	26	19	20	21	22	23	24	25
27	28	29	30	31			26	27	28	29	30		
November 2019							May 2020						
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S
					1	2						1	2
3	4	5	6	7	8	9	3	4	5	6	7	8	9
10	11	12	13	14	15	16	10	11	12	13	14	15	16
17	18	19	20	21	22	23	17	18	19	20	21	22	23
24	25	26	27	28	29	30	24	25	26	27	28	29	30
December 2019							June 2020						
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S
1	2	3	4	5	6	7		1	2	3	4	5	6
8	9	10	11	12	13	14	7	8	9	10	11	12	13
15	16	17	18	19	20	21	14	15	16	17	18	19	20
22	23	24	25	26	27	28	21	22	23	24	25	26	27
29	30	31					28	29	30				

Important Dates						
July 4-5	Independence Day Holiday - District Closed					
July 23-24-25	New Teacher Orientation					
July 29 - Aug 2	Administrators' Retreat					
Aug 5 - 13	10 Month Staff Professional Development					
August 14	First Day of School Late Start					
Sept. 2	Labor Day Holiday - District Closed					
Sept. 13	Professional Development - No School					
Oct. 16-17	Parent Conferences *extended days for staff					
Oct. 17	End of First Quarter					
Oct. 18	Schools Closed - District Open					
Oct. 21	Professional Development - No School					
Nov. 4	Professional Development - No School					
Nov. 5	Teacher Work Day-Early Release					
Nov. 27-29	Thanksgiving Holiday - District Closed					
Dec. 20	End of Second Quarter/1st Semester					
Dec. 23-Jan. 3	Winter Break - District Closed					
Jan. 10	Professional Development - No School					
Jan. 20	Dr. Martin Luther King, Jr.'s Holiday - District Closed					
Feb. 14	Professional Development - No School					
Feb. 17	Presidents' Day Holiday - District Closed					
March 4-5	Parent Conferences *extended days for staff					
March 5	End of Third Quarter					
March 6	Schools Closed - District Open					
March 16-20	Spring Break - District Closed					
April 10	Spring Holiday - District Closed					
May 25	Memorial Day Holiday - District Closed					
May 28	End of Fourth Quarter/2nd Semester					
May 28	Last Day of School - Early Release					
May 29-June 5	* Available Snow/Make-up Days (as needed)					

Regular Hours						
High	7:30 - 2:30	7:30 - 12:15	3:00 - 6:30			
Elem	8:05 - 3:05	8:05 - 12:50	3:30 - 7:00			
Middle	8:45 - 3:45	8:45 - 1:30	4:15 - 7:45			
Early Childhood	8:15 a.m. - 3:15 p.m. (extended hours available)					

Late Start Times						
Elementary	9:05	Middle	9:45	High School	8:30	

Quarters						
End of 1st Quarter - October 17, 2019 (45 Days)						
End of 2nd Quarter - December 20, 2019 (39 Days)						
End of 3rd Quarter - March 6, 2020 (40 Days)						
End of 4th Quarter - May 28, 2020 (52 Days)						

<div><div></div><div>Student Attendance Days: 176 Teacher Contract Days: 190 Professional Development Full Days: 10 Professional Development Late Start: 24</div><div></div></div>						
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Key

Teacher Work

Prof. Development

District Closed

No School, District Office Open

New Teacher Orientation

Key

Early Release

Parent Conferences

Late Start

Admin. Retreat

Snow/Make-up

Approved by SAB: 4/23/19

Approved by SAB: 4/23/19

Special Administrative Board

Dr. Lynn Beckwith, Jr., Advanced C.B.M.
Ms. Veronica Morrow-Reel, Master C.B.M.
Ms. Mary Oswald, C.B.M.

Chairman
Vice-Chairman
Secretary/Treasurer

Central Office Administration

Dr. Scott Spurgeon	Superintendent of Schools
Dr. Stacy Nichols	Assistant Superintendent of Curriculum & Instruction
Ms. Monica Williams-Woods	Assistant Superintendent of Human Resources
Dr. Michael Triplett	Assistant Superintendent of Leadership and Accountability
Ms. Chaketa Riddle	Assistant Superintendent of Student, School, and Community Support Services
Mr. Patrick Lanane	Chief Financial Officer
Mr. Anthony Keikow	Executive Director of Communications
Mr. John Kitchens	Executive Director of Assessment
Ms. Kim Bryant	Director of Food Services
Dr. Lanor Payne	Director of Early Childhood Education Center
Dr. Jesolyn Larry	Director of Technology
Mr. Warren Newton	Director of Safety and Security
Ms. Kimberly Loomis	Director of Federal Programs
Ms. Barbara Sharp	Professional Development Coordinator
Ms. Tonya Ross	Curriculum Coordinator
Dr. Chad Lent	Director of Special Education
Ms. Sha Fields	Coordinator of Board Governance

Riverview Gardens School District

Riverview Gardens School District does not discriminate in treatment, admission or access and participation in district programs and activities on the basis of sex, race, color, age, national origin or disability. The Assistant Superintendent for Human Resources has been designated to coordinate the district's effort to comply with the regulations as it relates to adults, and the Assistant Superintendent of Student Services as it relates to students, to comply with the regulations implementing Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973. These administrators may be reached at 314- 869- 2505.

RIVERVIEW GARDENS

SCHOOL DISTRICT

A Message from the Superintendent

To Our Valued Parents, Guardians, and Students,

We begin the school year with the goal of restoring academic honor to all of our schools. We have high expectations of raising student achievement and regaining district accreditation. It is critical that all students have the opportunity to be productive, creative and valued in our schools, so they can attain their goals.

This year's Behavior Guide and Discipline Procedures booklet outlines the conduct expectations we have for all of our students, as well as the consequences and ramifications for poor choices. Enforcing the discipline policies and codes will foster a quality learning environment that allows students to reach their potential and achieve academic excellence.

Also included in this booklet are public notices that comply with requirements from the Missouri Department of Elementary and Secondary Education and the U.S. Department of Education. They are aligned with required policies of the Riverview Gardens School District. It is important that you are aware of these requirements as we work toward full accreditation.

As partners in educating our youth, we ask parents and guardians to **sign and return the form within this booklet** to notify us that you have reviewed the contents with your child. Please send the signed form back to school with your child.

We appreciate your continued support and commitment to the Riverview Gardens School District as we focus on excellence in all our efforts every day in delivering the highest quality education that all of our students deserve.

Sincerely,

Scott D. Spurgeon, Ed.D.

RIVERVIEW GARDENS

SCHOOL DISTRICT

A Message from our Principals

Dear Parents, Guardians, and Students,

We believe students do their best learning, and teachers do their best instruction, in an atmosphere where appropriate behavior is expected and demonstrated. We believe students choose their behaviors and can learn to make appropriate choices. The responsibility for school conduct involves students, teachers, parents, administrators and the community to ensure an effective discipline program.

This behavior guide includes policies and procedures approved by the Special Administrative Board. Please review the discipline procedures, along with the consequences, to help your child understand his or her responsibility.

Sincerely,

Dr. Lanor Payne, Director	Early Childhood Education Center
Dr. Sheri Schjolberg, Principal	Danforth Elementary School
Ms. Crystal Henderson, Principal	Gibson Elementary School
Ms. LaKena Curtis, Principal	Glasgow Elementary School
Mr. Shaun Jones, Principal	Highland Elementary School
Ms. LaShanda Johnson, Principal	Koch Elementary School
Mr. Travis Brown, Jr., Principal	Lemasters Elementary School
Mr. Adam Brower, Principal	Lewis & Clark Elementary School
Mr. Duane West, Principal	Meadows Elementary School
Ms. Amber White, Principal	Moline Elementary School
Ms. Rachel Clark, Principal	Central Middle School
Mr. Dominic Lenoir, Principal	Westview Middle School
Ms. Traci Nave, Principal	Riverview Gardens High School

Rights and Responsibilities

Students have the right:

- To a quality education
- To an environment conducive to learning
- To a safe environment
- To be treated as individuals
- To communicate with school staff

Students have the responsibility:

- To abide by the laws of the United States of America, the State of Missouri and the policies of the School District of Riverview Gardens
- To come to school on time and ready to learn with appropriate learning tools such as books, materials, homework when assigned, and the desire to learn and achieve
- To be courteous and respectful of themselves and others
- To abide by staff members' requests and procedures
- To follow the rules the teacher establishes within the classroom
- To conduct themselves in a manner that benefits the class and the school
- To complete assignments to the best of their abilities

Parents have the right:

- To expect a quality education for their children
- To receive information regarding the progress of their children
- To review their children's educational records and to have these records kept confidential
- To hear an appeal decision made regarding their children

Parents have the responsibility:

- To abide by the laws of the United States of America, the State of Missouri and the policies of the School District of Riverview Gardens
- To send their children to school on time and ready to learn with appropriate learning tools such as books, supplies and materials, homework when assigned, and the desire to learn and achieve
- To abide by the policies of the Riverview Gardens School District
- To respect school rules and to help their children understand these rules
- To assist in making the educational experience as meaningful as possible for their children
- To communicate with school staff members

Staff members have the right:

- To teach and conduct the educational process in an atmosphere conducive to learning
- To a safe environment
- To expect that students will follow the rules of the school and classroom
- To expect that students will arrive in class on time and ready to learn with appropriate tools such as books, materials, and homework when assigned, and the desire to learn and achieve
- To give and expect cooperation from parents

Staff members have the responsibility:

- To abide by the laws of the United States of America, the State of Missouri and the policies of the School District of Riverview Gardens
- To abide by the laws of the United States of America, the State of Missouri and the policies of the School District of Riverview Gardens
- To provide a quality education for students
- To encourage in each student the desire to achieve his or her full potential
- To open lines of communication and keep students and parents informed of expectations and students' progress
- To foster appropriate behaviors and to maintain a positive learning environment for all students
- To be firm, fair, and consistent with all students
- To implement the curriculum as prescribed by the Special Administrative Board
- To be respectful of students' needs and individual differences
- To search inspect school lockers, desks, student vehicles parked on school parking lots and any other district property whenever there is reasonable suspicion of a violation of district rules, policy or law (This would be conducted by building administrator or designee.



Disciplinary Consequences

The discipline consequences to be enforced by district administrators are defined below. TYPE I infractions are defined as illegal activities, possible life-threatening activities or activities that affect individuals or school community. TYPE II infractions are defined as activities that disrupt the learning environment or that may lead to TYPE I activities. Consideration is given to the age and maturity of the student in developing a range of consequences to be given at the elementary and secondary grade levels. The minimum consequence indicates that no less action than that should be assigned but gives the administrator the latitude to assess any consequence up to the maximum for either a first occurrence or repeated violations. The exact disciplinary consequence imposed upon a student who has failed to follow a district rule is at the discretion of the district official who is authorized to maintain discipline.

Student Conference

A formal conference is held between the student and one or more school officials. During this conference, the student must agree to correct his or her behavior.

Parent Involvement

Parent(s) and/or legal guardian(s) are notified of disciplinary action by telephone, personal contact, letter, or certified letter. A conference may be conducted between the student, his or her parents, a school administrator, and/or teacher as appropriate.

Behavioral Contract

The administrator, counselor or teacher, in consultation with the parent and student, may develop a behavioral contract. A behavioral contract identifies a specific behavior, describes strategies for behavior modification and clearly specifies the consequences of any continued misbehavior.

Parent/Guardian Observation

The student's parent or guardian attends class with the student.

Confiscation

Items not allowed in school or items that are being used inappropriately will be taken. Such items may be returned to the parent, student, or the police depending on the nature of the item.

Referral to Counselor/Social Worker

Students may be required to meet with an assigned counselor or district social worker on a periodic basis. The counselor or social worker will help students find ways to improve their behavior. The counselor or social worker may recommend special projects to students, including reading and attending individual or group sessions.

Referral to Law Enforcement Agencies

Students may be referred to the appropriate law enforcement agency for inappropriate behavior. Students will be referred to the appropriate law enforcement agency for all felony offenses. Parents will be notified of such action.

Referral to Other Agencies

Students, with parental notification, may be referred to other agencies as appropriate; i.e., Special

School District, Division of Family Services, and substance abuse assessment programs.

Assignment of Extra Duty or Extra Work

Depending on the nature of the behavior infraction, duties or extra work may be assigned to match the nature of the offense and are to be completed by the student on his or her own time. These duties or extra work shall be meaningful activities assigned and evaluated by a teacher or administrator. At the discretion of the teacher or administrator, extra work may or may not be credited to the student's academic record.

Detention

Students may receive a detention at the discretion of the teacher and/ or principal. Parents are to be notified by the principal or teacher if the student is to be detained after school hours or on Saturdays. The parent is responsible for the student's transportation. Students who are assigned extended detention but fail to attend may be issued a suspension from school.

Extended Detention

At the discretion of the principal, students may be assigned to attend an extended detention. Extended detention will be held after school and/or on Saturday morning under the supervision of a staff member. Students who are assigned extended detention but fail to attend may be issued a suspension from school. Parents will be notified.

Loss of Privileges

Extracurricular activities are special privileges offered to enhance the student's overall learning experience. Field trips, attendance at assemblies and other special events are privileges. Any or all of these privileges may be revoked. The student's parent or guardian will be notified.

Restitution

Parents will be responsible for the payment and/or restoration of school or personal property or articles that have been vandalized, damaged, lost, or stolen. The parent or guardian will be notified.

Temporary/Permanent Removal from Class

A student may be temporarily or permanently removed from a class. A conference between the student, parent, teacher, principal, and/or other personnel may be held if deemed necessary by the principal.

Probation

A student who chronically fails to follow school rules or the reasonable directives of school personnel, or a student who commits other acts of misconduct detrimental to the good order and discipline of the school, at the professional judgment of the administrator, will be placed on disciplinary probation for up to one (1) calendar year.

Suspension

In accordance to MO state law statute 160.261, any student suspended for any offense listed in this handbook is not allowed within 1,000 feet of the school property or any activity of the district, regardless of whether or not the activity takes place on district property. The suspended student must obtain written permission from the superintendent or superintendent's designee to be on school property.

In-School Suspension/Alternative Learning Environment

A principal or teacher may determine that a student be placed in an alternative learning environment for a specified number of days during regular school hours. This means that a student is suspended

from attending classes and all extracurricular privileges are suspended until he or she is allowed to return to the classroom. While the student is in the alternative learning environment, he or she is required to complete class assignments and may earn credit for work completed. Inappropriate behavior while in the alternative learning environment may result in additional days or an out-of-school suspension. The parent or guardian of the student will be notified in writing of such actions.

Out-Of-School Suspension

Students under such suspension and found on school property without permission will be subject to trespassing charges and additional disciplinary actions.

A building principal may suspend a student for a period of time not to exceed ten (10) school days. Only the superintendent of schools, or designee, may suspend a student for a period of time up to, but not exceeding one-hundred eighty (180) school days. A building principal may request a district-level hearing for Type I infractions. Students receiving an out-of-school suspension are prohibited from any school or extra-curricular activity during the term of the suspension. Students under such suspension and found on school property without permission will be subject to trespassing charges and/or additional disciplinary actions.

Homework assignments during suspensions up to 30 days will be assigned by school level personnel. A student under suspension may make up any major test or project, or any work that would significantly impact a student's grade thus causing him/her to fail. Actions taken, and results attained are recorded in the administrative disciplinary log. A student who has received multiple suspensions may be referred to the superintendent for consideration of further action.

Overnight Suspension

An overnight suspension occurs from the time school is dismissed until the start of the next school day. It is designed so that the student will not lose any instructional time provided that parental involvement occurs to address the student's inappropriate behavior. An absence of parent involvement may result in suspension from school.

Expulsion

Expulsion is the permanent removal of a student from the district by action of the Special Administrative Board. Only the Special Administrative Board can expel a student from school. The district reserves the right to honor an out of-school suspension or expulsion imposed by other school districts.

*All actions taken results attained are maintained by the school district and may be recorded in the administrative disciplinary log.

STUDENT DISCIPLINE ***(Secondary)***

The Student Code of Conduct is designed to foster student responsibility, respect for others, and to provide for the orderly operation of district schools. No code can be expected to list each and every offense that may result in disciplinary action; however, it is the purpose of this code to list certain offenses which, if committed by a student, will result in the imposition of a certain disciplinary action. Any conduct not included herein, any aggravated circumstance of any offense, or any action involving a combination of offenses may result in disciplinary consequences that extend beyond this code of conduct as determined by the principal, superintendent and/or Board of Education. In extraordinary circumstances where the minimum consequence is judged by the superintendent or designee to be manifestly unfair or not in the interest of the district, the superintendent or designee may reduce the consequences listed in this policy, as allowed by law. 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.

Reporting to Law Enforcement

It is the policy of the Riverview Gardens 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, 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.

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.

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.

Impact on Grades

As with any absence, absences due to an out-of-school suspension may result in the student earning a lower grade in accordance with the district's policy on absences.

Prohibited Conduct

The following pages show the types of disciplinary action that will be taken for each disciplinary 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. In each instance, a minimum and a maximum action is listed as well as an action for the first violation and subsequent violations. Following is an explanation of some of the terms used:

Student Conference - Administrator discusses the incident in question with the accused student

Parent Involvement - Administrator discusses the student's actions with the student's parent or Guardian

Detention - Before school, After School, and/or Saturdays

I.S.S. - In-School Suspension

Short-term Suspension - 1-5 days

Long-term Suspension - 6-10 days

Extended Suspension - 11-180 days

TYPE 1 INFRACTIONS

Arson

Starting or attempting to start a fire or causing or attempting to cause an explosion. **Restitution, if appropriate, must be made. Arson may result in a referral to a law enforcement agency.**

	First Occurrence	Repeated Occurrence
Minimum:	Long-term Suspension	Extended Suspension
Maximum:	Expulsion	Expulsion

Assault

- 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 degree.

	First Occurrence	Repeated Occurrence
Minimum:	Long-term Suspension	Extended Suspension
Maximum:	Expulsion Police Notified	Expulsion Police Notified

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

	First Occurrence	Repeated Occurrence
Minimum:	10-180 days out-of-school suspension	Expulsion
Maximum:	Expulsion	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; threats of retaliation for reporting such acts; sending or posting harmful or cruel text or images using the Internet or other digital communication devices; sending or posting materials that threaten or raise concerns about violence against others, suicide or self-harm. Students will not be disciplined for speech in situations where the speech is protected by law.

	First Occurrence	Repeated Occurrence
Minimum:	Short-term Suspension	Long-term Suspension
Maximum:	Long-term Suspension	Expulsion

Disparaging or Demeaning Language

Verbal, written, pictorial or symbolic words or gestures meant to harass or injure another person; i.e., threats of violence, bullying, name-calling, intentionally hurting others' feelings, inappropriate conduct, or defamation of a person's race, religion, gender or ethnic origin. Constitutionally protected speech will not be punished.

	First Occurrence	Repeated Occurrence
Minimum:	Parent Involvement	Short-term Suspension
Maximum:	Extended Suspension	Expulsion

Drugs/Alcohol (see Board policies JFCH and JHCD)

1. Possession, sale, purchase or distribution of any over-the-counter drug, herbal preparation or imitation drug or herbal preparation. **Items will be confiscated.**

	First Occurrence	Repeated Occurrence
Minimum:	Short-term Suspension	Extended Suspension and Drug Counseling
Maximum:	Long-term Suspension	Expulsion

2. Possession of or attendance while under the influence of or soon after consuming any unauthorized prescription drug, alcohol, narcotic substance, unauthorized inhalants, counterfeit drugs, imitation controlled substances or drug-related 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. **Items will be confiscated.**

	First Occurrence	Repeated Occurrence
Minimum:	Long-term Suspension Drug Counseling	Extended Suspension Drug Counseling
Maximum:	Extended Suspension	Expulsion

3. Sale, purchase or distribution of any prescription drug, alcohol, narcotic substance, unauthorized inhalants, counterfeit drugs, imitation controlled substances and/or drug-related 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. **Items will be confiscated.**

First Offense:	1-180 days out-of-school suspension or expulsion. Law enforcement notified.
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Extortion

Threatening or intimidating any person for the purpose of obtaining money or anything of value.

	First Occurrence	Repeated Occurrence
Minimum:	Parent Involvement	Short-term Suspension
Maximum:	Extended Suspension	Extended 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. A report will be sent to law enforcement for trespassing.

	First Occurrence	Repeated Occurrence
Minimum:	Long-term Suspension	Extended Suspension
Maximum:	Extended Suspension	Expulsion

False Alarms (see also "Threats or Verbal Assault")

Tampering with emergency equipment, setting off false alarms, making false reports; 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. **Any person making a false alarm must make restitution.**

	First Occurrence	Repeated Occurrence
Minimum:	Long-term Suspension	Extended Suspension
Maximum:	Expulsion	Expulsion

Fighting (see also, "Assault")

Mutual combat in which both parties have contributed to the conflict either verbally or by physical action. **Fighting may result in a referral to a law enforcement agency.**

	First Occurrence	Repeated Occurrence
Minimum:	Short-term Suspension	Long-term Suspension
Maximum:	Extended Suspension	Expulsion

Fireworks, Explosives or Incendiary Devices

The possession or use of fireworks, explosive devices, matches, lighters and other incendiary devices is forbidden. **Items will be confiscated. Possession or use may result in a referral to a law enforcement agency.**

	First Occurrence	Repeated Occurrence
Minimum:	Short-term Suspension	Long-term Suspension
Maximum:	Extended Suspension	Expulsion

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. **Gambling paraphernalia will be confiscated, and restitution must be made. Gambling may result in a referral to a law enforcement agency.**

	First Occurrence	Repeated Occurrence
Minimum:	Parent Involvement	Long-term Suspension
Maximum:	Short-term Suspension	Extended Suspension

Gang-Related Behaviors

Students are prohibited from promoting or participating in any gang-related activity. Students are prohibited from displaying or wearing any secret organization or gang logos, from writing or distributing any gang-related symbols or literature or communicating in any kind of gang sign language.

	First Occurrence	Repeated Occurrence
Minimum:	Parent Involvement	Short-term Suspension
Maximum:	Extended Suspension	Expulsion

Group Fighting

Group fighting is defined as any time more than two participants are involved in a physical confrontation. (See fighting for further definition of a fight).

	First Occurrence	Repeated Occurrence
Minimum:	Long-term Suspension	Extended Suspension
Maximum:	Expulsion	Expulsion

Harassment, Including Sexual Harassment (see Board policy AC)

1. Use of material of a sexual nature or unwelcome verbal, written or symbolic language 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.

	First Occurrence	Repeated Occurrence
Minimum:	Short-term Suspension	Extended Suspension
Maximum:	Extended Suspension	Expulsion

2. Unwelcome physical contact based on gender, race, color, religion, sex, national origin, ancestry, disability or any other characteristic protected by law. Examples include physical acts of aggression including pushing or fighting based on protected characteristics. For unwelcome physical contact of a sexual nature, see Sexual Misconduct/Sexual Assault.

	First Occurrence	Repeated Occurrence
Minimum:	Short-term Suspension	Extended Suspension
Maximum:	Extended Suspension	Expulsion

Hazing (see Board policy JFCF)

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.

	First Occurrence	Repeated Occurrence
Minimum:	Parent Involvement	Long-term Suspension
Maximum:	Long-term Suspension	Expulsion

Public Display of Affection

Physical contact that is inappropriate for the school setting including, but not limited to, kissing and groping.

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference Parent Involvement	Short-term Suspension
Maximum:	Long-term Suspension	Extended Suspension

Repeated School Violations

Students who have served maximum penalties for repeated occurrences of Type II infractions will be subject to the ranges of discipline for Type I occurrences as well as referral to the CARE Team.

	First Occurrence	Repeated Occurrence
Minimum:	Long-term Suspension	Extended Suspension
Maximum:	Extended Suspension	Expulsion

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. **Items including electronic devices containing material may be confiscated, or material may be captured and electronic device returned.**

	First Occurrence	Repeated Occurrence
Minimum:	Short-term Suspension	Long-term Suspension
Maximum:	Extended Suspension	Expulsion

Sexual Activity

Acts of sex or simulated acts of sex including, but not limited to, intercourse or oral or manual stimulation.

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference Parent Involvement	Short-term Suspension
Maximum:	Long-term Suspension	Expulsion

Sexual Misconduct/Sexual Assault

Unwelcome physical contact of a sexual nature. Examples 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.

	First Occurrence	Repeated Occurrence
Minimum:	Long-term Suspension	Extended Suspension
Maximum:	Expulsion	Expulsion

Technology Misconduct (see Board policies EHB and KKB and procedure EHB-AP)

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.
Restitution, if appropriate, must be made.

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference	Parent Involvement
Maximum:	Temporary Loss of Privileges	Short-term Suspension Permanent Loss of Privileges

2. The possession and use of personally owned (or borrowed) electronic devices that disrupt the learning environment or substantially cause the disruption of school operations.

Examples may include the inappropriate photos of another student's body parts; cheating on school work or disregarding teacher instructions to turn off and put away technology during testing; making or taking telephone calls in class, texting in class; tape recording conversations without proper notice; counterfeiting currency and/or forging school documents; posting anyone's private pedigree information publicly without permission; excessively loud music; using earphones to block out administrator's verbal instructions; gang-related messages and images; violence on campus through technology; veiled or implied threats to intimidate staff and other such acts.

	First Occurrence	Repeated Occurrence
Minimum:	Confiscate technology and turn over to parents	Counselor Referral and Parent Involvement
Maximum:	Short-term Suspension	Expulsion

3. Violations, other than those listed in (1) above, of Board policy EHB, procedure EHB-AP or any policy or procedure regulating student use of personal electronic devices. **Restitution, if appropriate, must be made.**

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference	Parent Involvement
Maximum:	Temporary Loss of Privileges	Short-term Suspension Permanent Loss of Privileges

4. Use of audio or visual recording equipment in violation of Board policy KKB. **Recording devices will be confiscated.**

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference	Parent Involvement
Maximum:	Short-term Suspension	Long-term Suspension

Theft (Major)

Theft is attempted theft or knowingly in possession of stolen property. **Major theft is defined as property or cash exceeding the value of \$50.00. Any person committing theft must return property or make restitution.**

	First Occurrence	Repeated Occurrence
Minimum:	Long-term Suspension	Extended Suspension
Maximum:	Extended Suspension	Expulsion

Threats or Verbal Assault

Verbal, written, pictorial or symbolic language or gestures that create a reasonable fear of physical injury or property damage.

	First Occurrence	Repeated Occurrence
Minimum:	Long-term Suspension	Extended Suspension
Maximum:	Extended Suspension	Expulsion

Trespassing

Trespassing is unauthorized presence on district property or refusing to leave when directed to do so by a person in authority. During the term of suspension from school, a suspended student is not allowed on any district property or allowed to participate in district-sponsored extracurricular activities. **Police authorities will be contacted.**

	First Occurrence	Repeated Occurrence
Minimum:	Short-term Suspension	Extended Suspension
Maximum:	Long-term Suspension	Expulsion

Vandalism (see Board policy ECA)

Willful damage to real or personal property belonging to the district, staff or students, with the cost of labor and materials exceeding \$100. **Restitution must be made.**

	First Occurrence	Repeated Occurrence
Minimum:	Short-term Suspension	Extended Suspension
Maximum:	Extended Suspension	Expulsion

Weapons (see Board policy JFCJ)

1. Possession or use of any weapon as defined in Board policy, other than those defined in 18 U.S.C. 921, 18 U.S.C. 930(g)(2) or 571.010, RSMo. **Items will be confiscated.**

	First Occurrence	Repeated Occurrence
Minimum:	Long-term Suspension	Extended Suspension
Maximum:	Expulsion	Expulsion

2. Possession or use of a firearm as defined in 18 U.S.C. 921 or 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). **Items will be confiscated.**

First Offense:	One calendar year suspension or expulsion (unless modified by the Board upon recommendation by the superintendent), notification to law enforcement officials, and documentation in student discipline record.
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3. Possession or use of ammunition or a component of a weapon.

	First Occurrence	Repeated Occurrence
Minimum:	Parent Involvement	Short-term Suspension
Maximum:	Expulsion	Expulsion

TYPE II INFRACTIONS

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 Occurrence	Repeated Occurrence
Minimum:	Student Conference Grade Reduction	Parent Involvement No Credit for the Work
Maximum:	Parent Involvement Removal from Extracurricular Activities	Referral to Counselor Course Failure

Automobile/Vehicle Misuse

Uncourteous or unsafe driving on or around district property, unregistered parking, failure to move vehicle at the request of school officials, failure to follow directions given by school officials or failure to follow established rules for parking or driving on district property. The student privilege to operate a motorized vehicle is subject to the rules detailed in the student handbook.

	First Occurrence	Repeated Occurrence
Minimum:	Parent Involvement Parking Fine	Parking Privileges Revoked
Maximum:	Parking Privileges Revoked	Parking Privileges Revoked

Bus or Transportation Misconduct (see Board policy JFCC)

Any offense committed by a student on transportation provided by or through the district shall be punished in the same manner as if the offense had been committed at the student's assigned school. In addition, transportation privileges may be suspended or revoked. **Serious or repeated violations of this section of the discipline code will be treated as a Type I offense.**

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference	Short-term Bus Suspension
Maximum:	Long-term Bus Suspension	Permanent Bus Suspension

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 that materially and substantially disrupts classroom work, district activities or district functions. Students will not be disciplined for speech in situations where it is protected by law. Serious or repeated violations of this section of the discipline code will be treated as a Type I offense.

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference Parent Involvement Detention	Parent Involvement Parent/Teacher/Principal Conference Short-term Suspension
Maximum:	Long-term Suspension	Extended Suspension

Electronic Devices

Electronic devices such as cellular phones, pagers, tape/disc/MP3 players, hand-held games, personal digital assistants, personal laptops, other electronic communication devices, or other similar items may not be used, displayed or activated during school hours, including before- or after-school tutoring, class change time, breakfast, lunch or detention. **Unauthorized electronic devices will be confiscated.**

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference	Parent Involvement
Maximum:	Short-term Suspension	Long-term Suspension

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. **Restitution may be required.**

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference and/or Parent Involvement	Detention
Maximum:	Detention	Short-term Suspension

Failure to Serve Detention

If detention is assigned and not served, further action will be taken.

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference Reassign Detention	Extended Detention
Maximum:	Short-term Suspension	Long-term Suspension

Failure to Display or Surrender ID

Students must display correct identification when required by authorized school personnel. Students are required to surrender school identification when requested to do so by a staff member. Students defacing ID cards will be required to purchase replacements.

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference	Extended Detention
Maximum:	Short-term Suspension	Long-term Suspension

Food and Drink in Halls, Classrooms and on School Buses

Food and beverages are not to be consumed in hallways, classrooms, or on school buses **unless so authorized. Items will be confiscated.**

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference	Parent Involvement Detention
Maximum:	Detention	Short-term Suspension

Forgery

Writing or impersonating another for the purpose of falsifying school-related information.

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference, Parent Involvement, and Detention	Long-term I.S.S.
Maximum:	Short-term I.S.S.	Long-term Suspension

Hallways/Lockers/Locker Rooms/Restrooms

Students should not be in hallways during class time without proper authorization. Each school will establish a procedure and define what constitutes proper authorization.

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference	Parent Involvement
Maximum:	Detention	Short-term Suspension

Horseplay

Horseplay is defined as rough, boisterous and/or playful behavior.

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference	Short-term Suspension
Maximum:	Long-term Suspension	Extended OSS

Inappropriate Behavior

The failure of a student to comply with reasonable and expected behaviors that is disruptive and adversely affects the learning process.

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference	Parent Involvement
Maximum:	Parent Involvement	Short-term Suspension

Instigation of a Fight

Students are not to goad or urge others to participate in a fight.

	First Occurrence	Repeated Occurrence
Minimum:	Parent Involvement	Short-term Suspension
Maximum:	Short-term Suspension	Long-term Suspension

Insubordination

Students are to obey the direct requests or orders of teachers, administrators and other school personnel.
Serious or repeated violations of this section of the discipline code will be treated as a Type I offense.

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference	Parent Involvement
Maximum:	Parent Involvement	Short-term Suspension

Late Arrivals/Early Departures

Students who arrive at school late or leave before the end of the school day are to officially check in/out with the school office. Students who leave school grounds without permission will be considered truant.

	First Occurrence	Repeated Occurrence
Minimum:	Parent Involvement	Short-term I.S.S.
Maximum:	Detention	Short-term Suspension

Lying

Lying is the presenting of false information or the withholding of accurate information which leads students or school personnel to erroneous conclusions.

	First Occurrence	Repeated Occurrence
Minimum:	Parent Involvement	Detention
Maximum:	Detention	Short-term Suspension

Skateboards, Roller Blades and Bicycles

Students are not to bring skateboards or roller blades onto school property. The student privilege to operate a bicycle is subject to the rules detailed in the student handbook. **Items will be confiscated.**

	First Occurrence	Repeated Occurrence
Minimum:	Parent Involvement	Detention
Maximum:	Detention	Extended Detention

Tardiness

Arriving after the expected time class or school begins, as determined by the district.

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference	Detention
Maximum:	Parent Involvement	Social Worker Referral Long-term Suspension

Theft (Petty)

Theft is the unauthorized acceptance, possession, selling, purchase, taking and/or transfer of property belonging to another. **Petty theft is limited to property or cash not exceeding the value of \$50.00. Any person committing theft must return property or make restitution.**

	First Occurrence	Repeated Occurrence
Minimum:	Student Conference	Short-term Suspension
Maximum:	Long-term Suspension	Extended Suspension

Throwing Objects

Students are not permitted to throw any objects with the intent to injure others, destroy property, or cause a disruption to the educational environment.

	First Occurrence	Repeated Occurrence
Minimum:	Parent Involvement	Long-term I.S.S.
Maximum:	Short-term Suspension	Long-term Suspension

Tobacco

Possession or use 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 or used in accordance with district policy JHCD. **Items will be confiscated.**

	First Occurrence	Repeated Occurrence
Minimum:	Detention	Short-term Suspension
Maximum:	Short-term Suspension	Long-term Suspension

Truancy (see Board policy JED and procedures JED-AP1 and JED-AP2)

Absence from class or school without the knowledge and consent of parents/guardians and the school administration; excessive non-justifiable absences, even with the consent of parents/guardians.

	First Occurrence	Repeated Occurrence
Minimum:	Parent Involvement and Detention	Parent Involvement and Short-term Suspension
Maximum:	Short-term Suspension	Long-term Suspension and Agency Involvement

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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: 07/01/2010

Revised: 09/13/2011; 08/28/2012; 05/27/2014

MSIP Refs: 6.6

School District of Riverview Gardens, St. Louis, Missouri

Infractions

Infraction	Safe Schools Violation	Type I	Type II
Academic Dishonesty			x
Arson	x	x	
Assault	x	x	
Automobile Vehicle Misuse			x
Bullying/Cyber-bullying		x	
Bus Transportation Misconduct			x
Disparaging or Demeaning Language		x	
Disrespectful or Disruptive Conduct or Speech			x
Drugs/Alcohol	x	x	
Electronic Devices			x
Extortion		x	
Failure to Care for or Return School District Property			x
Failure to Display or Surrender ID			x
Failure to Meet Conditions of Suspension		x	
Failure to Serve Detention			x
False Alarms		x	
Fighting		x	
Fireworks, Explosives or Incendiary Devices		x	
Food and Drink in Halls, Classrooms, Bus			x
Forgery			x
Gambling		x	
Gang Related Behaviors		x	
Group Fighting		x	
Hallways/Lockers/Locker-Rooms/Restrooms			x
Harassment/Sexual Harassment		x	
Hazing		x	
Horseplay			x
Inappropriate Behavior			x
Instigation of a Fight			x
Insubordination			x
Late Arrivals/Early Departures			x
Lying			x
Public Display of Affection		x	
Repeated School Violations		x	
<u>Sexting/Possession of Sexually Explicit Material</u>		x	
Sexual Activity		x	
Sexual Misconduct/Sexual Assault	x	x	
Skateboards/Rollerblades/Bicycles			x
Tardiness			x
Technology Misconduct		x	
Theft		x	
Theft (Petty)			x
Threats or Verbal Assaults		x	
Throwing Objects			x
Tobacco			x
Trespassing		x	
Truancy			x
Vandalism		x	
Weapons	x	x	

Discipline of Students with Disabilities

A student with a disability is a student identified as a "child with a disability" under the eligibility criteria of state regulations implementing the Individuals with Disabilities Education Improvement Act (IDEA-2004) as amended, or as a person with a qualifying disability for the purpose of Title II of the Americans with Disabilities Act or Section 504 of the Rehabilitation Act.

Due Process

Due process procedures, applicable to suspension, removal or expulsion of students from public schools under state law, shall be afforded in accordance with policy JGD, Student Suspension and Expulsion.

Discipline of a "Child with a Disability" Receiving Special Educational Services

Although students with disabilities will be afforded all the rights guaranteed by IDEA-2004, those who violate the school district's discipline code will be disciplined in accordance with the district's normal discipline code. All students, including those with disabilities, may be referred for law enforcement action when their conduct warrants the referral. Informational summaries of the discipline provisions of IDEA-2004 are as follows:

(1) Discipline Code calls for short-term suspensions, placement in an appropriate interim alternative educational setting, or placement in another setting, for ten (10) school days or less per occurrence.

Such removals may be applied in the same manner as such removals are applied to all students under the discipline policy. When such absences aggregate to 11 or more days. Riverview Gardens and Special School District staff determine whether a suspension of more than 10 days throughout the school year constitute a "long-term" suspension. This determination is based on whether such a short-term removal or suspension would cause a "change of placement" to occur under the factors outlined by law.

(2) Discipline Code calls for long-term suspension or expulsion.

If a child's IEP team determines that conduct in violation of the regular discipline code is unrelated to the disability, the district may implement suspensions in excess of ten (10) consecutive school days, a short-term suspension that may result in more than ten (10) days in a school year, or an expulsion. The student's IEP team will determine what services the student will receive during the suspension.

(3) 45-school-day removals for drugs/weapons/serious bodily injury

A student may be suspended for 45 school days if the student carried or possessed a weapon at school or to a school function; or knowingly possessed or used illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function; or inflicts serious bodily injury while at school, on school premises or at a school function.

(4) Dangerous or violent student

The district may seek a removal of a dangerous or violent student to a 45-school-day alternative educational placement through a hearing officer appointed by the Department of Elementary and Secondary Education. Pursuit of this option does not replace or prevent the implementation of short-and/or long-term suspensions or expulsion when the discipline policy calls for that consequence and, if a change of placement would occur as a result, the behavior is not a manifestation of the disability.

(5) Court Injunction

The district may seek a court injunction ordering removal or a change of placement of a dangerous or violent student.

Students Not Yet Identified as Disabled

A student who qualifies as a child with a disability but has not been identified as a child with a disability may be subjected to the same disciplinary measures applied to students without disabilities if the district did not have knowledge of the disability.

Students with Disabilities Not Eligible under IDEA

This section summarizes the procedural rules for students who have disabilities under Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act, but do not require special educational services as a "child with a disability" under Part B of the IDEA.

The expulsion of such a student, the exclusion of the student for an indefinite period, or the exclusion of the student for more than 10 consecutive school days constitutes a "significant change in placement." A series of suspensions each of which is 10 or fewer days in duration, but that creates a pattern of exclusions, may also constitute a "significant change in placement."

Before implementing a suspension or expulsion that constitutes a significant change in the placement of a student with a disability, a school district must conduct a re-evaluation of the student to determine whether the misconduct in question is caused by the student's disability and, if so, whether the student's current educational placement is appropriate. If it is determined that the misconduct is not caused by the child's disability, the child may be excluded from school in the same manner as are similarly situated children who do not have disabilities.

Missouri Department of Elementary & Secondary Education Every Student Succeeds Act COMPLAINT PROCEDURES

The Federal Every Student Succeeds Act of 2015 (ESSA), Title IX Part C. Sec. 9304(a)(3)(C) requires the Missouri Department of Elementary & Secondary Education (DESE) to adopt procedures for resolving complaints regarding operations of programs authorized under the Act, including Title I, Title II, Title III, Title IV (Part A), Title V, Title VI, and Title VII and Title IX, part C.

Who May File a Complaint

Any local education agency (LEA), consortium of LEAs, organization, parent, teacher, or member of the public may file a complaint.

Definition of a Complaint

There are both formal and informal complaint procedures.

A formal complaint must be a written, signed statement that includes:

1. an allegation that a federal statute or regulation applicable to the state educational agency (SEA) or a local education agency (LEA) program has been violated,
2. facts, including documentary evidence that supports the allegation, and
3. the specific requirement, statute, or regulation being violated.

Alternatives for Filing Complaints

It is federal and state intent that complaints are resolved at a level nearest the LEA as possible. As described below, formal complaints filed with the SEA will be forwarded to the appropriate LEA for investigation and resolution.

Informal complaints made to the SEA will be subject of an initial investigation by the SEA but will be forwarded to the LEA if a formal complaint evolves. Precise processes in both instances are described below.

Informal and Formal Complaints Received by the Local Education Agency

Informal and formal complaints filed with the LEA concerning ESSA program operations in that LEA are to be investigated and resolved by the LEA according to locally developed procedures, when at all possible. Such procedures will provide for:

1. disseminating procedures to the LEA school board,
2. central filing of procedures within the district,
3. addressing informal complaints in a prompt and courteous manner,
4. notifying the SEA within 15 days of receipt of written complaints,
5. timely investigating and processing of complaints within 30 days, with an additional 30 days if exceptional conditions exist,
6. disseminating complaint findings and resolutions to all parties to the complaint and the LEA school board. Such findings and resolutions also shall be available to parents, teachers and other members of the general public, provided by the LEA, free of charge, if requested, and
7. appealing to the Missouri Department of Elementary & Secondary Education within 15 days

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Appeals to the Missouri Department of Elementary & Secondary Education will be processed according to the procedures outlined in sections below.

Informal Complaints Received by the SEA Office

Informal complaints (i.e., verbal and/or anonymous) to the SEA by individuals (who may ask not to be identified to the LEA) concerning program operations in an LEA will be investigated by the SEA, according to procedures deemed most appropriate by the SEA, within 10 days of receipt of the complaint. Findings of this investigation shall be reported to the complainant within 10 additional days. In the event that the complainant requests further investigation or a hearing, the complainant must file a signed written complaint. This formal complaint will be processed according to procedures outlined in sections below.

Formal Complaints Initially Received by the SEA Office

1. *Record.* Upon receipt of a written complaint, a record of the source and nature of the complaint, including the applicable program involved in the complaint, statute violated and facts on which the complaint is based, will be initiated.
2. *Notification of LEA.* Within 15 days of receipt of the complaint, a written communication will notify the district superintendent and the district NCLB coordinator of the complaint filed with the SEA. Upon receipt of the communication, the LEA will initiate its complaint procedures as set forth above. If the complaint is that an LEA is not providing equitable services to private school children, it also will be filed with the U.S. Secretary of Education.
3. *Report by LEA.* Within 20 days of receipt of the complaint, the LEA will advise the SEA of the status of the complaint resolution proceedings and, at the end of 30 days, will submit a written summary of the LEA investigation and complaint resolution. This report is considered public record and may be made available to parents, teachers, and other members of the general public. A copy of this procedure also will be filed with the U.S. Secretary of Education, if it involves equity of services to private school children.
4. *Verification.* Within ten days of receipt of the written summary of a complaint resolution, the DESE office will verify the resolution of the complaint through an on-site visit, letter or telephone call(s). Verification will include direct contact with the complainant. If the complaint is about equity of services to private school children, the U.S. Secretary of Education shall also be given copies of all related communications.

Appeals

Appeal to the SEA

1. *Record.* Upon receipt of a written appeal to a complaint unresolved at the LEA level, a record of the source and nature of the complaint, including the applicable program involved in the complaint, statute violated and facts on which the complaint is based, will be initiated.
2. *Investigation.* The SEA will initiate an investigation within 10 days, which will be concluded within 30 days from receipt of the appeal. Such investigation may include a site visit if the SEA determines that an on-site investigation is necessary. By stipulation of all concerned, this investigation may be continued beyond the 30-day limit.
3. *Hearing.* If required by the SEA, or formally requested by parties to the complaint, this investigation will include an evidentiary hearing(s) before a SEA Division Director acting as chairperson and designated staff personnel. Conduct of such hearings will follow the procedures outlined in state rules. The hearing proceedings shall be tape recorded and the recording preserved for preparation of any transcript required on appeal.

Decision

Within 10 days of conclusion of the investigation and/or evidentiary hearing(s), the SEA will render a decision detailing the reasons for its decision and transmitting this decision to the LEA, the complainant, and the district school board.

Recommendations and details of the decision are to be implemented within 15 days of the decision being given to the LEA. This 15-day implementation period may be extended at the discretion of the SEA Division Director. The complainant or the LEA may appeal the decision of the SEA.

Formal LEA Complaints Against SEA

1. Record. The SEA will record the source, and nature of the complaint, including the applicable program involved in the complaint, statute violated and facts on which the complaint is based.
2. Decision. The SEA decision will be rendered within 15 days of the complaint receipt. The LEA will be promptly notified of the SEA's decision.
3. Appeal. The LEA may appeal the decision of the SEA to the SEA review board within 30 days of receipt of the decision. Procedures under the "Appeal to the State Agency Review Board" section will be followed.
4. Second Appeal. An applicant has the right to appeal the decision of the SEA Review Board to the U.S. Secretary of Education. The applicant shall file written notice of the appeal with the Secretary within 20 days after the applicant has been notified by the SEA of its decision.

Complaints Against LEAs Received from the United States Department of Education

1. Complaints against LEAs received from the U.S. Department of Education will be processed as though they had been received initially at the SEA.
2. A report of final disposition of the complaint will be filed with the U.S. Department of Education.
3. These procedures shall not prevent the SEA from partially or wholly interrupting funding of any LEA IASA program or taking any other action it deems appropriate.

Procedure Dissemination

1. This procedure will be disseminated to all interested parties through the agency webpage at <http://dese.mo.gov> and to subscribers to the Federal Programs listserv.
2. This guidance will be distributed through regional and statewide meetings with Federal Programs Coordinators. LEAs are asked to incorporate the elements of the complaint procedure into their own policies and procedures.
3. DESE will also keep records of any complaints filed through this policy.

The Department of Elementary and Secondary Education does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. Inquiries related to Department programs and to the location of services, activities, and facilities that are accessible by persons with disabilities may be directed to the Jefferson State Office Building, Civil Rights Compliance (Title VI/Title IX/504/ADA/Age Act), 5th Floor, 205 Jefferson Street, Jefferson City, MO 65102-0480; telephone number 573-526-4757 or Relay Missouri 800-735-2966.

Notification to Students of Their Rights under the Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age (eligible students) certain rights with respect to the student's educational records.

These rights include:

The right to inspect and review the student's education record within 45 days of the day the School receives a request for access.

Parents or eligible students should submit to the School principal, or appropriate school official, a written request that identifies the records they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

The right to request the amendment of the student's education record that the parent or eligible student believes is inaccurate or misleading.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal or appropriate official responsible for the record, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading.

If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or the eligible student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School in an administrative, supervisory, academic or research, or support staff position (including health staff or medical staff and law enforcement unit personnel); a person serving on the School Board; a person, company, or agency with whom the School has contracted to provide services that the School, itself, would otherwise have to provide (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the School discloses education records without consent to officials of another school in which a student seeks or intends to enroll, or where the student is enrolled in or receives services from the other institution. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]

The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District of Riverview Gardens to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

District-Level Hearing Process

Rationale

District-level hearings are limited to Type I infractions and are held in order to consider the assignment of an extended suspension (11 to 180 days) or recommendation to the Special Administrative Board for expulsion (permanent removal). Any infraction considered to be an act of violence resulting in a 10-day suspension or that violates the Missouri Safe Schools Act also requires a district-level hearing.

Notification

Students and parents will be notified at the time of the suspension as to the necessity of a district-level hearing. Information will follow regarding the time and place of the hearing by mail.

Attendance

The student and his or her legal guardian are encouraged to attend the hearing. However, in most cases, the hearing will be held even in the absence of the student and the guardian. **Minor students may not attend the hearing alone or without his or her legal guardian.** The hearing will be conducted by the District Hearing Officer as the Superintendent's designee. The building administrator who held the due process conference with the student will be in attendance at the hearing. Other administrators, guidance counselors, special educators, social worker, security personnel, and deputy juvenile officers may also be in attendance as necessary. Attorneys are generally not involved at this level, but if the parent requests that their attorney attends, the district will also have its attorney present.

Purpose

The purpose of the district level hearing is to determine the length of the student's suspension and his or her educational placement. The hearing officer will check facts related to the case and give the student the opportunity to share his or her account of the incident. The student's cumulative discipline, academic, and attendance records will be reviewed and considered in determining the outcome of the hearing. All attending parties will be given the opportunity to share information without interruptions. The hearing officer will conduct additional questioning as needed for clarification, counseling and fact finding. Recommendations will be developed and presented to the superintendent. The student and legal guardian will be contacted by phone with the results of the hearing. A formal letter will also be sent to the student's residence.

Appeals

According to district policy, the student, his or her parent, guardian or others having custodial care have a right to appeal the superintendent's decision to the Special Administrative Board. Appeals should be made in writing within 10 days of the date of the formal letter outlining the hearing outcome. Appeals should be delivered to the district's administrative offices at 1370 Northumberland Drive, St. Louis, MO 63137.

Key Points - Missouri Safe Schools Act

- Each district must develop a written discipline policy.
- School administrators must report acts of school violence to district employees with a "need to know."
- The policy must provide for a suspension of not less than one year or expulsion for a student who brings a weapon to school.
- Any student who is suspended for violation of a Safe Schools Act offense shall not be allowed within 1,000 feet of any public-school property unless residing within that distance or given prior permission by school district officials.
- School administrators must report the following acts occurring on school property, on a school bus, or during school activities to law enforcement: first- and second-degree murder, kidnapping, first and second-degree assault, forcible rape, forcible sodomy, first and second-degree burglary, first-degree robbery, distribution of drugs, distribution of drugs to a minor, arson, voluntary and involuntary manslaughter, sexual assault, felonious restraint, property damage, the possession of a weapon, child molestation in the first degree, deviant sexual assault, sexual misconduct involving a child, or sexual abuse.
- Districts cannot readmit or enroll a student who has been charged with, convicted of, had a petition filed in juvenile court, or had a petition sustained alleging first or second-degree murder, first-degree assault, forcible rape, forcible sodomy, statutory rape, statutory sodomy, first-degree robbery, distribution of drugs to a minor, first-degree arson, or kidnapping.
- School principals must immediately report to law enforcement and the superintendent any of the following incidents occurring on school property, on a school bus, or during a school activity: first, second, or third-degree assault, sexual assault, deviant sexual assault against a pupil or school employee. The principal must also immediately report to law enforcement and the superintendent if any pupil has on his person, among his possessions, or placed elsewhere on school premises (including, but not limited to the school playground or parking lot, on a school bus, or at a school activity, whether on or off of school property) any controlled substance or weapon.

- **The Safe Schools Act** requires that a juvenile officer, the sheriff, chief of police, or other appropriate law enforcement authority notify the school superintendent or the superintendent's designee no later than five days after a petition is filed in juvenile court alleging that a student committed one of the following acts:
 - first- and second-degree murder,
 - kidnapping,
 - first- and second-degree assault,
 - forcible rape,
 - forcible sodomy,
 - first-degree burglary,
 - first-degree robbery,
 - distribution of drugs,
 - distribution of drugs to a minor,
 - first-degree arson,
 - sexual assault,
 - voluntary and involuntary manslaughter,
 - felonious restraint,
 - first-degree property damage,
 - possession of a weapon,
 - child molestation in the first degree,
 - deviant sexual assault,
 - sexual misconduct involving a child,
 - sexual abuse
- **Failure to report criminal offenses to law enforcement is considered a misdemeanor offense. It is imperative that all RGSD staff members are aware of this particular code.**

Note: The full text of the Missouri Safe Schools Act can be accessed online at <http://dese.mo.gov/schoollaw/LegFolder/SafeSchools.htm>

Video Surveillance Cameras

The Special Administrative Board supports the use of surveillance cameras when necessary in its schools, buses, and on school grounds.

- Surveillance cameras will only be utilized in public areas where there is no reasonable expectation of privacy.
- Any video recording used for surveillance purposes shall be the sole property of the school district, and the superintendent or his designee will be the custodian of such recordings.
- Under no circumstances will the recordings be duplicated and/or removed from the district's premises unless in accordance with a court order and/or subpoena.
- Surveillance video may be used to assist in any district investigation.
- Surveillance cameras are not monitored twenty-four (24) hours a day. However, they will be randomly reviewed by the appropriate district personnel.

The superintendent or his designee has the sole authority to determine who may view the video.

Dress Code

The District shall establish the dress code for its student body. The dress code shall be enforced by personnel in each building. The dress code policy for each building can be found in that building's student handbook.

1. Students must wear designated school building uniforms.
2. Student pants must be secured at the waist (no under garments showing). No sagging.
3. Shirts must be tucked inside of waistband
4. No wearing of caps or hats while inside of school building. No wearing of any headgear during school hours unless otherwise authorized by a building administrator.

District-Level Probation

Students who are placed on district-level probation are required to have exemplary attendance, maintain punctuality to class, passing grades, and no violations of the Code of Conduct.

Public Notices

ANTI-DISCRIMINATION NOTICES

ADA/Section 504

The Riverview Gardens School District does not discriminate on the basis of disability in admission to, or access or access to, or operations of its programs, services or activities. The Riverview Gardens School District does not discriminate on the basis of disability in its hiring or employment practices. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. Individuals who need auxiliary aids for effective communication in programs and services of the Riverview Gardens School District are invited to make their needs and preferences known to the ADA/Section 504 Compliance Coordinator.

Title IX/Sexual Harassment

The Riverview Gardens School District maintains a firm policy prohibiting all forms of discrimination. Religious, racial, or sexual harassment or violence against students or employees is discrimination. In keeping with Title IX of the Educational Amendments of 1972, Public Law 92-318, it is the Riverview Gardens School District's belief that all persons are to be treated with respect and dignity. Sexual violence, sexual advances or other forms of religious, racial or sexual harassment by any pupil, teacher, administrator or other school personnel, which create an intimidating, hostile or offensive environment, will not be tolerated under any circumstances.

Age Discrimination Act of 1975/Title VI of the Civil Rights Act of 1964

The Riverview Gardens School District prohibits all forms of age discrimination in keeping with the Age Discrimination Act of 1975. In addition, the Riverview Gardens School District also prohibits any form of discrimination on the basis of race, color and national origin as outlined in Title VI of the Civil Rights Act of 1964. Questions, concerns, complaints or requests for additional information regarding the ADA, Section 504, or Title IX/Sexual Harassment may be forwarded to the Assistant Superintendent for Human Resources for Section 504, Title IX, and ADA in the Human Resources Department by calling (314) 869-2505, ext. 2409 on school days between the hours of 8 a.m. and 4:30 p.m. Written inquiries/complaints may be addressed to the above at 1370 Northumberland Dr., St. Louis, MO 63137-1413.

Persons desiring to contact the Office of Civil Rights for further information relative to any kinds of complaints above, may contact the Office of Civil Rights Customer Service Team at 1-800-421-3481.

ASBESTOS NOTICE

In the past, asbestos was used extensively in building materials because of its insulating, sound absorbing, and fire retarding capabilities. Virtually any building constructed before the late 1970s contained some asbestos. Intact and undisturbed asbestos materials generally do not pose a health risk. Asbestos materials, however, can become hazardous when, due to damage or deterioration over time, they release fibers. If the fibers are inhaled, they can lead to health problems, such as cancer and asbestosis.

In 1986, Congress passed the Asbestos Hazard Emergency Response Act (AHERA) which requires schools to be inspected to identify any asbestos containing building materials. Suspected asbestos-containing building materials were located, sampled (or assumed) and rated according to condition and potential hazard. Every three years, the Riverview Gardens School District has conducted a re-inspection to determine whether the condition of the known or assumed asbestos containing building materials (ACBM) has changed and to make recommendations on managing or removing the ACBM. At the last re-inspection conducted in August 2007 on all district buildings with the exception of Danforth Intermediate, the Family Resource Center, and St. Sebastian School, all materials listed in the Management Plan as asbestos containing (or assumed to be asbestos-containing) were inspected and found to be in good condition. At the last re-inspection conducted in August 2008 at the Family Resource Center and Danforth Intermediate School buildings in August 2008 and at St. Sebastian School in August 2008, all materials listed in the Management Plan as asbestos containing (or assumed to be asbestos-containing) were inspected and found to be in good condition.

The law further requires an asbestos management plan be in place by July 1989. Riverview Gardens School District developed a plan, as required, which has been continually updated. The plan has several ongoing requirements: publish a notification on management plan availability and the status of asbestos activities; educate and train its employees about asbestos and how to deal with it; notify short-term or temporary workers on the locations of the asbestos containing building materials; post warning labels in routine maintenance areas where asbestos was previously identified or assumed; follow set plans and procedures designed to minimize the disturbance of asbestos containing building materials; and survey the condition of these materials every six months to assure that they remain in good condition.

The following buildings contain no asbestos-containing building materials, therefore no operations and maintenance programs or future inspections are required: Moline Elementary and Westview Middle School. During the past year, asbestos containing building materials have been removed, encapsulated, or enclosed in the following buildings: Riverview Gardens High School, Highland Elementary School, Koch Elementary School, Gibson Elementary School, St. Sebastian School and the Transportation Building. During the next year, we plan to conduct the following asbestos related activities at the following school buildings Riverview Gardens High School, Glasgow Elementary School, Central Middle School, Highland Elementary School, Danforth Primary School, Danforth Intermediate School, Lemasters Elementary School, Meadows Elementary School and Koch Elementary School.

It is the intention of Riverview Gardens School District to comply with all federal and state regulations controlling asbestos and to take whatever steps are necessary to ensure students and employees a healthy and safe environment in which to learn and work. You are welcome to review a copy of the asbestos management plan at the district's Department of Facilities at 10101 Lewis and Clark Blvd or by calling the Facilities Department, our designed asbestos program coordinator, at 314-869-9564, ext. 2656, during regular business hours, and all inquiries regarding the asbestos plan and asbestos-related issues should be directed to him.

PARENTS RIGHT TO KNOW NOTICE For No Child Left Behind & Title I Programs

Our district is required to inform you of certain information that you, according to The No Child Left Behind (NCLB) Act of 2001 (Public Law 107-110), have the right to know. The Riverview Gardens School District is fully committed to the NCLB requirements and its efforts to assure educational success for students.

Upon your request, the Riverview Gardens School District is required to provide to you in a timely manner, the following information:

- Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction
- Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived
- Whether your child is provided services by paraprofessionals and, if so, their qualifications
- What baccalaureate degree major the teacher has and any other graduate certification or degree held by the teacher, and the field of discipline of the certification. In addition to the information that parents may request, Riverview Gardens School District must provide to each individual parent
- Information on the achievement level of the parent's child in each of the state academic assessments as required
- Timely notice that your child has been assigned, or has been taught for four or more consecutive years by, a teacher who is not highly qualified. • Information stating that your child has been identified as limited English proficient (if applicable to your child) and will be participating in an English acquisition program.
 - Notification if your child's school has been identified for school improvement, and options available for their child.
 - Notification of the option to transfer your student if the student is enrolled in an identified persistently dangerous school or if the student has been the victim of a criminal offense while on school property to a school not identified.
 - Information on the district's complaint resolution procedures (see attached)

If you would like to receive any of the information listed above or for more information about Title I parental notification requirements, please feel free to contact the Director of State and Federal programs at (314) 869-2505.

The Riverview Gardens School District is fully committed to the success of your child. We appreciate your partnership in our efforts.

RIGHTS OF HOMELESS STUDENTS

Each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths, according to the McKinney-Vento Homeless Assistance Act. Section 725(2) of the McKinney-Vento Act defines “homeless children and youths” as individuals who lack a fixed, regular, and adequate nighttime residence. The term includes—

- Children and youths who are:
 - sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as “doubled-up”);
 - living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
 - living in emergency or transitional shelters; or
 - abandoned in hospitals;
- Children and youths who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- Migratory children who qualify as homeless because they are living in circumstances described

Services & Opportunities:

Children and youth in homeless situations are eligible to any supports/services offered to traditionally enrolled students. Those supports include, but are not limited to:

- Transportation
- School supplies/Uniforms
- School Activities and Field Trip Fees
- Tutoring
- Case Management and referral services
- Mental Health Counseling

Foster Care

Children and youth are protected under Every Student Succeeds Act of 2015 (ESSA).

- “Foster Care” is defined as 24-hour substitute care for all children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility.
- Includes placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.

The Riverview Gardens School District Office of Student, School and Community Support Services coordinates educational services for the district's homeless students. For more information, call Andrea Woods at (314) 868-9829, ext. 4871.

SERVICES AND RIGHTS FOR STUDENTS WITH DISABILITIES

Students with disabilities have protections and rights under Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA), and, when diagnosed with an educational disability that requires special education services, the Individuals with Disabilities Education Act (IDEA). Such students are protected from discrimination and entitled to a "free appropriate public education."

All responsible public agencies are required to locate, evaluate and identify children with disabilities who are under the jurisdiction of the agency, regardless of the severity of the disability, including children attending private schools, highly mobile children, such as migrant and homeless children, and children who are suspected of having a disability and in need of special education even though they are advancing from grade to grade.

The Riverview Gardens School District, in partnership with the Special School District of St. Louis County, assures that it will provide a free, appropriate public education (FAPE) to all eligible children with disabilities between the ages of 3 and 21 under its jurisdiction. Disabilities include autism, deaf/blindness, emotional disorders, hearing impairment and deafness, mental retardation, multiple disabilities, orthopedic impairment, other health impairments, special learning disabilities, speech or language impairment, traumatic brain injury, visual impairments/blindness and any child with a developmental delay.

The Riverview Gardens School District, in partnership with the Special School District of St. Louis County assures that it will provide information and referral services necessary to assist the State in the implementation of early intervention services for infants and toddlers eligible for the Missouri's First Steps Program.

The Riverview Gardens School District, in partnership with the Special School District of St. Louis County, assures that personally identifiable information collected, used, or maintained by the agency for the purposes of identification, evaluation, placement or provision of FAPE of children with disabilities may be inspected and/or reviewed by their parents/guardians. Parents/guardians may request amendment to the educational record if the parent/guardian believes the record is inaccurate, misleading, or violates the privacy or other rights of their child. Parents have the right to file complaints with the U.S. Department of Education or the Missouri Department of Elementary and Secondary Education concerning alleged failures by the district to meet the requirements of the Family Educational Rights and Privacy Act (FERPA).

The Special School District of St. Louis County has developed a Local Compliance plan for implementation of State Regulations for the Individuals with Disabilities Education Act (IDEA). This Plan contains the agency's policies and procedures regarding storage, disclosure to third parties, retention and destruction of personally identifiable information and the agency's assurances that services are provided in compliance with General Education Provision (GEPA). This plan is available for public review during regular school hours on days school is in session in the Office of the Superintendent of Schools or Office of Director of Special School District at (314) 869-2505, ext. 1426.

Local school districts in the State of Missouri are required to conduct an annual census of all children with disabilities or suspected disabilities from birth to age twenty-one (21) that reside in the district. This census must be compiled by December 1 of each year. This information is treated as confidential and must include: name of the child; parent/legal guardian's name/address; birth date and age of the child; the child's disability; and the services provided to the child. If you have a child with a disability or know of a child with a disability that is not attending the public school, please contact Director of Special Education at (314) 869-2505 ext. 1426 or the Special School District of St. Louis County at (314) 989-8100.

This notice will be provided in native languages as appropriate.

ANNUAL NOTIFICATION REGARDING STUDENT RECORDS

The protection of student rights has always been a top priority of the Riverview Gardens School District. This document is distributed annually to all parents and students in order to comply with state and federal requirements to notify the parents/guardians and eligible students of their rights with respect to the student's educational records.

In general, a student's educational record includes any information maintained by the school district, which contains information directly related to a student. A major exception would be a personal record kept by a staff member if it is kept in the sole possession of the maker of the record and is not accessible or revealed to any other person except a temporary substitute for the maker of the record.

The Family Educational Rights and Privacy Act (FERPA) affords to parents/guardians (parents) of students, and to students themselves who are over 18 years of age (eligible students), certain rights with respect to the student's education records maintained by Riverview Gardens School District (District). These rights are outlined below:

1. The right to inspect and review the student's education records within 45 days of the day the District receives a written request for access. Parents or eligible students should submit to the school principal a written request that identifies, as precisely as possible, the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The rights to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students who wish to ask the District to amend a record should write the principal or appropriate official, clearly identify the part of the record they want changed and specify why it should be changed. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to privacy of personally identifiable information contained in the student's education record except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the District's Board; a person or company with whom the District has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility for the District. The Voluntary Inter-District Choice Corporation (VICC) and its officers, employees, and agents are also school officials with legitimate educational interests because they act for and on behalf of the District with respect to transfer students and the transfer program, and because they seek to advance the interests of both. A transfer student's attendance records and other educational records relevant to the student's participation in the program or to the program itself may accordingly be disclosed to VICC without obtaining written consent from the parent/guardian or eligible student. Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-8520.
5. The District may disclose appropriately designated "directory information" without written consent unless the parent or eligible student has advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the District to include this type of information from the student's education records in certain school publications. Examples include: a playbill, showing the student's role in a drama production; the annual yearbook; honor roll or other recognition lists; graduation programs; and sports activity sheets, such as for wrestling, showing weight and height of team members. Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent or eligible student's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings - unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent. Such information is also considered a "public record" which must be released upon demand to any person who requests it, under the Missouri Sunshine Law.

If a parent, guardian, or eligible student does not want the District to disclose directory information from a student's education records without their prior written consent, they must notify the District in writing within 10 days of

receiving this notification. The District has designated the following information as directory information: Student's name, address, telephone listing, electronic mail address, date and place of birth, grade level, major field of study, enrollment status, participation in officially recognized activities and sports, photographs, weight and height of members of athletic teams, dates of attendance, degrees, honors, awards received, most recent educational agency or institution attended.

Anyone having questions regarding school policy relating to student disciplinary records is welcome to contact the Riverview Gardens School District Superintendent at: 1370 Northumberland Dr., St. Louis, MO 63137-1413 or by phone at (314) 869-2505.

THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

PPRA affords parents and students who are 18 or emancipated minors (eligible students) certain rights regarding the conducting of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas (protected information survey) if the survey in whole or in part is a program of the U.S. Department of Education (ED) --
 1. Political affiliations or beliefs of the student or student's parent;
 2. Mental or psychological problems of the student or student's family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of:
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Inspect, upon request and before administration or use:

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

The Riverview Gardens School District will directly notify parents and eligible students of these policies at least annually and after any substantive changes. The District will also directly notify parents and eligible students, such as through U.S. mail or e-mail, at least annually at the start of each school year of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents/eligible students who believe their rights have been violated may file a complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-4605. Questions or requests may be addressed to the Superintendent at (314) 869-2505, 1370 Northumberland Drive, St. Louis, MO 63137-1413.

**The Family Educational Rights and Privacy Act (FERPA)
Notice of Directory Information and**

DIRECTORY INFORMATION OPT-OUT FORM

The Riverview Gardens School District designates the following information contained in the educational records of its students as "directory information" pursuant to FERPA (The Family Educational Rights and Privacy Act): **Student's Name Address; Telephone Listing; Electronic Mail Address; Date and Place of Birth; Major Field of Study; Dates of Attendance; Grade Level; Enrollment Status; Participation in Officially Recognized Activities and Sports; Weight and Height of Members of Athletic Teams; Degrees, Honors and Awards Received; Most Recent Educational Agency or Institution Attended by the Student; Student's Name, Address and Telephone Number to Military Recruiters; Photographs and Videos of student.**

The primary use of the Directory Information in the Riverview Gardens School District is to include this type of information from a student's education records in certain school publications, such as: A playbill, showing a student's role in a drama production; Honor Roll or other recognition lists; graduation programs; sports activity sheets such as for football, showing weight and height of team members; yearbook; print and broadcast media; school newspapers, newsletters and literary magazines; School District publicity such as *The View*, brochures and other printed publicity materials, promotional videos and the RGSD Website.

Parents of students or students aged 18 years or older or emancipated (Eligible Students) have the right to refuse the designation of the above information as Directory Information. If you **DO NOT** want the Riverview Gardens School District to disclose Directory Information from your education records without your prior written consent, **you must notify us in writing within ten (10) days of receiving this Notice and Directory Information Opt-out Form.** Please complete this form and return it to the school's office. Upon the District's receipt, the Directory Information identified below will not be released without prior written authorization.

To: Riverview Gardens School District
1370 Northumberland Drive
St. Louis, MO 63137-1413
Subject: Directory Information Opt-Out Notice

I understand that, pursuant to FERPA, the Riverview Gardens School District may disclose Directory Information, which is certain information about a student that is generally not considered harmful or an invasion of privacy, without the parent's or Eligible Student's consent, except as required by law. If the parent or Eligible Student does not want any of the above information to be designated as Directory Information that can be disclosed without the parent's or Eligible Student's consent, please list the full name of the student(s) and the Directory Information that cannot be disclosed about the student(s) without written consent.

Note: Return of a completed form with "All information" means that the student's portrait will NOT be included in the yearbook. If completing this form, send back to child's/children's school(s)

Parent/Guardian printed name: _____

Parent/Guardian Signature: _____ Date: _____

OR

Eligible Student printed name: _____

Eligible Student Signature: _____ Date: _____

Eligible Student Date of Birth: _____

Riverview Gardens Schools

Michelle Obama Early Childhood Center
Home of the Little Explorers
1111 St. Cyr Rd, St. Louis, MO 63137
(314) 869-3211
Director: Dr. Lanor Payne

Danforth Elementary
Home of the Dragons
1134 St. Cyr Rd, St. Louis, MO 63137
(314) 868-9524
Principal: Dr. Sheri Schjolberg

Gibson Elementary
Home of the Geckos
9926 Fonda Drive, St. Louis, MO, 63137
(314) 869-4845
Principal: Crystal Henderson

Glasgow Elementary
Home of the Cheetahs
10560 Renfrew Drive, St. Louis, MO, 63137
(314) 868-4680
Principal: LaKena Curtis

Highland Elementary
Home of the Huskies
174 Shepley Drive, St. Louis, MO, 63137
(314) 868-4561
Principal: Shaun Jones

Koch Elementary
Home of the Cougars
1910 Exuma Drive, St. Louis, MO 63136
(314) 868-3029
Principal: LaShaunda Johnson

Lemasters Elementary
Home of the Lions
1825 Crown Point Drive, St. Louis, MO 63136
(314) 868-8192
Principal: Travis Brown, Jr.

Lewis & Clark Elementary
Home of the Junior Rams
10242 Prince Drive, St. Louis, MO 63136
(314) 868-5205
Principal: Adam Brower

Meadows Elementary
Home of the Mustangs
9801 Edgefield Drive, St. Louis, MO, 63136
(314) 868-2454
Principal: Duane West

Moline Elementary
Home of the Trailblazers
9865 Winkler Drive, St. Louis, MO, 63136
(314) 868-9829
Principal: Amber White

Central Middle School
Home of the Jr. Rams
9800 Patricia Barkalow Dr., St. Louis, MO, 63137
(314) 867-2603
Principal: Rachel Clark

Westview Middle School
Home of the Eagles
1950 Nemnich Drive, St. Louis, MO, 63136
(314) 867-0410
Principal: Dominic Lenoir

Riverview Gardens High School
Home of the Rams
1218 Shepley Drive, St. Louis, MO 63137
(314) 869-4700
Principal: Traci Nave