



USD 207 Fort Leavenworth

CODE OF STUDENT CONDUCT

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Superintendent – Keith A. Mispagel

Board of Education

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Superintendent's Message:

Dear Parents and Students:

Providing you with a safe and orderly learning environment is a top priority of this district and community.

The Board of Education has adopted a *Code of Student Conduct* that the district expects all schools to implement and that all students will follow.

We encourage you to read this important information and discuss this as a family at home. Please feel free to contact your school administrators to discuss any aspect of these policies or ask any questions regarding implementation.

In addition to these policies, the Fort Leavenworth School District promotes positive expectations for students through school experiences that promote character and leadership. Our Student Guiding Principles of respect, honesty, responsibility, and trustworthiness guide the day-to-day expectations for student interaction. We strive to create an atmosphere where all students, regardless of individual differences, are respected and accepted.

We appreciate your support of our efforts to keep schools safe and free of behavior issues. Our community expects each school to be safe for all.

Sincerely,



Keith A. Mispagel
Superintendent of Schools

MISSION AND BELIEFS

FORT LEAVENWORTH SCHOOL DISTRICT MISSION:

To provide a safe environment where all students acquire skills, knowledge, abilities, and behaviors necessary to be productive citizens in an ever-changing world.

BELIEFS:

We Believe...

- all children can learn.
- a quality education enables students to acquire skills, learn knowledge, and develop necessary abilities and behaviors.
- a quality education should be accessible to all children.
- education is the shared responsibility of every student, parent, teacher, staff and community member.
- all children and adults must have high standards for themselves and have high expectations for others.
- education must develop and nurture respect and dignity for self and others.
- a safe environment is essential to a quality education.
- education requires many different resources to meet many different needs.
- education stimulates intellectual curiosity.
- learning is a life-long process.

SCHOOL AND FAMILY PARTNERSHIP

The Fort Leavenworth School District believes that a strong home-school partnership is a vital component in a quality educational experience. Students maximize their learning when parents and teachers engage in frequent communication about shared expectations for academic achievement and student behavior. Central to the dialog is a thorough understanding of the standards of school conduct. This *Code of Student Conduct* defines a clear standard of behavior essential to an effective school.

The School Will:

- provide quality caring learning environments.
- employ the best teachers, administrators and support staff who exhibit professional self-motivation.
- value the worth of each individual.
- maintain a safe and orderly environment for students.
- hold high expectations for academic achievement and good citizenship.
- afford students substantive and procedural due process.
- ensure that curriculum and instruction meets the needs of students.
- create a supportive environment for students and parents/guardians through open communication.
- provide modern resources and technology.
- provide information about the *Code of Student Conduct* to each family.
- be available to confer with families about education and discipline.

The Parent(s) or Guardian(s) Will:

- foster a positive attitude toward education in the home.
- show an active interest in their child's school work and progress through regular communication with the school.
- assist their child in being neat, appropriately dressed, and well-groomed.
- ensure their child attends school regularly and on time.
- report and explain to the school any absence or late arrival.
- assist school personnel in developing a plan when their child is involved in a disciplinary matter.
- become familiar with the *Code of Student Conduct*, the school and classroom rules, and encourage and assist their child to follow them.
- be available to talk with the school staff especially about class work and discipline.
- have a conference at the school with the teacher(s) if their student receives an unsatisfactory or failing grade in any academic subject or if their student is involved in a discipline matter resulting in a school imposed consequence.

The Student Will:

- come to school every day.
- attend all classes and be on time.
- prepare for class with assigned work and appropriate materials.
- account for his/her own work.
- be neat, clean, appropriately dressed, and well-groomed.
- conduct himself/herself in a safe and responsible manner.
- show respect for all individuals and property.
- seek help from school personnel when having school or personal problems.
- follow the rules and regulations established by the school, the classroom teacher, and the *Code of Student Conduct*.
- assume responsibility for his/her own actions.

STUDENT GUIDING PRINCIPLES

Approved by the Board of Education, these attributes of character represent the foundation of good behavior vital to citizenship in a democracy. The examples of positive behavior associated with these Guiding Principles are not intended to be a complete list. Having identified these attributes of character, the district will afford students many opportunities to learn and demonstrate the behaviors associated with the Student Guiding Principles.

1. **Honesty** - Truthfulness to oneself and others in both words and actions...

- I tell the truth.
- I respect the property of others.
- I do my own work.

2. **Respect** - Treating others as you wish to be treated...

- I am courteous.
- I try to understand the viewpoints of others.
- I display gratitude.

3. **Responsibility** - **Doing what you're supposed to do when it needs to be done, even** when no one is watching...

- I choose to make right choices as an individual.
- I control my own behavior and emotions.
- I give my best effort in everything I do.

4. **Trustworthiness** - Exhibiting dependable behaviors....

- I keep my promises.
- When I say I will do something, I will do it.
- You can count on me to make good choices.

Introduction to the Code of Student Conduct

The standards of conduct listed in the *Code of Student Conduct* and the consequences following have been adopted by the Board of Education as approved procedure.

The *Code of Student Conduct* is designed to encourage student responsibility, respect for the rights of others and to ensure the safe and orderly operation of all District schools.

This booklet contains examples of the types of misconduct which result in disciplinary action. The behaviors described should be viewed as representative of the misconduct which most frequently causes disruption of the orderly educational process. The list does not include all types of misconduct. The student who commits an act of misconduct which is not listed but which is disruptive of an orderly educational environment will be subject to the authority of the classroom teacher, principal, and/or district personnel.

Each identified act of misconduct is followed by a description of disciplinary consequences which may be imposed. U.S.D. #207 staff will use their professional judgment in determining which disciplinary action will be most effective in dealing with the student's misconduct, taking into account the student's age and maturity, the nature and seriousness of the infraction, the student's previous disciplinary record, and any other relevant factors.

Each principal has the authority to use discretion and common sense as he/she enforces the *Code of Student Conduct*. However, the principal also has a responsibility to impose an appropriate level of consequence for clear violations of the *Code*. Additionally, the principal is authorized to apply a higher level of consequence for serious violations of the *Code* even if it is a student's first offense. Parents or guardians are our most important partner in our work with students and parents/ guardians will be contacted for all repeated Class I and all Class II, III and IV offenses.

The disciplinary consequences apply to all students consistent with Kansas Statutes Annotated, 72-8901 to 72-8906. A student who is recommended for suspension of more than ten days or an expulsion from school is eligible for procedural due process. Specific procedures for applying disciplinary consequences for students with disabilities are implemented in accordance with State and Federal regulations.

SCOPE OF AUTHORITY

The provisions of this *Code* apply in all situations in which students are involved, including:

- 1) school activities on Fort Leavenworth School District property.
- 2) travel on district transportation.
- 3) off-site school sponsored activities.
- 4) school related problems or violence occurring off of school grounds which are the result or cause of disruptive behavior on school grounds. (Situations originating off-site, which then continue on-site and vice versa, can be considered into the determination of Administrative Action)
- 5) misbehavior occurring at any school in the district.

GENERAL NOTE:

The *Code of Student Conduct* applies at all times while students are on or about school district property or areas adjacent thereto, which shall include: any district property being used for an official school activity, property not owned by the district being used for an official school activity, property not owned by the district being used for any school-sponsored activities or events and any vehicle, including school buses, while such vehicle is being used to transport students of the district. This *Code of Student Conduct* also applies to any students whose conduct at any time or place has a direct and immediate effect on maintaining order and discipline in the schools and/or which reasonably would be expected to undermine the proper disciplinary authority of the schools, the safety of the students or staff or cause a disruption in the schools.

Class I Offenses

- 1. EXCESSIVE TARDINESS:** Repeated failure to report without acceptable excuse to assigned classrooms or other instructional areas at designated time(s).
- 2. CLASSROOM DISRUPTIONS:** Intentional acts, behaviors, or conduct in the classroom or in the school building or upon school district property, which disrupt the educational process.
- 3. FAILURE TO FOLLOW DIRECTIONS IN CLASS OR TO DO CLASS ACTIVITIES:** The refusal to participate in required assigned classroom activities.
- 4. VIOLATION OF GENERAL SCHOOL RULES:** The failure to comply with or follow general rules of conduct or procedures outlined in school "Student Handbooks."
- 5. VIOLATING PLAYGROUND RULES:** The failure to comply with or follow established procedures for playground activities.
- 6. VIOLATING LUNCHROOM RULES:** The failure to comply with or follow established procedures for use of the lunchroom facilities.
- 7. VIOLATING HALL RULES:** The failure to comply with or to follow established procedures for hallway behavior.
- 8. VIOLATING SCHOOL ASSEMBLY RULES:** The failure to comply with or follow established procedures for proper assembly conduct.
- 9. USE OF PROFANE LANGUAGE:** The use of any language, act, remark or expression, including obscene gestures, which is offensive to modesty or decency.
- 10. INAPPROPRIATE DRESS:** Dress or appearance that is likely to cause disruption of the educational process or to create a health or safety concern. Any reference to alcohol, tobacco, other drugs, sex or profane language on clothes is prohibited.
- 11. EDUCATIONAL NUISANCE:** Devices that impede or interrupt the educational process and serve no educational purpose.
- 12. ACADEMIC DISHONESTY:** Plagiarism, cheating on tests, copying assignments or papers, placing parent/teacher signature on document.

Each principal has the authority to use discretion and common sense in enforcing the *Code of Student Conduct*. The principal is authorized to apply a higher level of consequence for serious violations of the *Code* even if it is a student's first offense.

Class I offenses typically do not require a police report.

INTERVENTIONS

CLASS I OFFENSES

Classroom teachers will evaluate each incident of student misconduct and select appropriate interventions. These interventions are designed to empower the teacher to maintain safety and order in the classroom.

- ___ Conference with student and teacher
- ___ Parent/Guardian contact
- ___ Mandatory student, parent/guardian and teacher conference
- ___ Contract with student, parent/guardian and teacher
- ___ Time out in another supervised classroom
- ___ Referral to school counselor
- ___ Detention(s)
- ___ Zero on work involving dishonesty or cheating
- ___ Administrative referral

ADMINISTRATIVE ACTIONS

Class I= First Offense

Elementary K-6

In-School Conference with Student
Individual Behavior Plan
Detention(s)
Parent/Guardian Conference
In-School Suspension
Probation

Junior High 7-9

In-School Conference with Student Detention
Other Extended School Time Options
Parent/Guardian Conference
Restriction of Attendance at School Sponsored Activities
In-School Suspension
Probation
Short-Term Suspension

Class I = Second Offense

Elementary K-6

Junior High 7-9

- Individual Behavior Plan**
- Detention(s)**
- Parent/Guardian Conference**
- In-School Suspension**
- Probation**

- Student Detention Other Extended School Time Options**
- Parent/Guardian Conference**
- Restriction of Attendance at School Sponsored**
- Activities**
- In-School Suspension**
- Probation**
- Short-Term Suspension**

Class I = Subsequent Offenses (three or more)

Elementary K-6

Junior High 7-9

- Individual Behavior Plan**
- Detention(s)**
- Parent/Guardian Conference**
- In-School Suspension**
- Probation**
- Short-Term Suspension**

- Student Detention Other Extended School Time Options**
- Parent/Guardian Conference**
- Restriction of Attendance at School Sponsored**
- Activities**
- In-School Suspension**
- Probation**
- Short-Term Suspension**
- Long-Term Suspension**

Class II Offenses

- 1. VERBAL ABUSE OR THREAT OF OTHERS:** Any act of disrespect directed at a teacher, staff member, student or other person in school, including bullying, profane or insulting remarks, gestures, or a statement that offends or is intended to offend such persons or the intentional unlawful threat or intimidation by word or act to do violence to the person or property of others or the doing of any act which creates a well-founded fear within another person.
- 2. INCITING TO FIGHT:** The intentional promotion by a student to engage another student in physical conflict, continuous harassment or to engage and/or promote other students to engage in physical conflict or the willful engagement of two or more students in physical combat.
- 3. ASSAULT and/or BATTERY:** Physical contact with another person when done in a rude, insulting and/or angry manner.
- 4. CONSTANT REFUSAL TO FOLLOW DIRECTIONS IN CLASS OR TO DO CLASS ACTIVITIES:** The consistent refusal to participate in regularly assigned classroom activities.
- 5. VANDALISM:** The willful or malicious destruction or defacement of any property. Vandalism includes, but is not limited to, breaking windows, writing on walls, destroying restroom fixtures, or the use of paint or like materials to deface any portion of the interior or exterior of school property and lawns and/or landscaping, including the furnishings and equipment housed within or upon the school property.
- 6. STEALING:** The unlawful taking or disposition of property of another with intent to deprive the person of the property. Receiving stolen property or possession of stolen property is included in this offense.
- 7. CONTRIBUTING TO A DISRUPTIVE SITUATION:** The intentional promotion or advocacy of student misconduct by any student, for any purpose including gang related graffiti or attire, or signs/symbols.
- 8. STUDENT SEXUAL HARASSMENT OF OTHERS:** Including, but not limited to:
 - Verbal, such as derogatory comments, jokes, slurs or remarks/questions of a sexual nature;
 - Physical, such as unnecessary, unwanted or offensive touching;
 - Visual, any derogatory writings such as: e-mail, drawings, graffiti, gestures and looks.
- 9. DEFIANCE OF AUTHORITY:** The refusal to comply with a reasonable request from any school representative, lying to any school representative, or disobeying any general rule of school conduct.

10. INCENDIARY DEVICES: The possession of any combustible or explosive substance or devices is forbidden (including fireworks). The intentional damaging of a building, or the disruption caused either in the building or on school grounds by the use of any combustible or explosive substances or devices. The violations may result in Class III consequences.

11. INCORRIGIBLE CONDUCT: Persistent violations of the Code of Student Conduct or persistent violation of the criminal laws of Kansas. Four offenses - either all of Class I or in combination with Class II offenses in a school year - can be considered as “persistent.”

12. MISBEHAVIOR ON BUS: The failure to comply with or to follow established procedures for bus transportation privileges distributed by transportation provider.

13. POSSESSION OR EXHIBITION OF OBSCENE LITERATURE OR MATERIAL: In all instances the parent/guardian will be notified and the material will be confiscated from the student and be returned only to the parent/guardian.

14. MISUSE OF COMPUTER OR VIOLATION OF NETWORK PRACTICES: Any misuse or inappropriate network practices including, but not limited to, practices that do not conform to District policy or procedures.

15. SKIPPING CLASS OR SCHOOL: The unauthorized absence from a scheduled class or school without obtaining consent of the proper school authority.

16. LEAVING SCHOOL WITHOUT PERMISSION: The leaving of school grounds after arrival at school without first obtaining permission of the principal or principal’s designated representative.

17. TOBACCO-POSSESSION, USE, SALE OR DISTRIBUTION: Possession use, sale or distribution of tobacco products at school, on school district property or during a school activity. In all instances, the tobacco products will be confiscated from the student.

18. HARRASSMENT: Including, but not limited to:

- Verbal, such as derogatory comments, jokes, slurs or remarks/questions of a harassing or intimidating nature;
- Physical, such as unnecessary, unwanted or offensive touching;
- Visual, any derogatory writings such as: e-mail, drawings, graffiti, gestures and looks.

Each principal has the authority to use discretion and common sense in enforcing the *Code of Student Conduct*. The principal is authorized to apply a higher level of consequence for serious violations of the *Code* even if it is a student’s first offense.

Class II offenses may result in a police report.

Administrative Options: Class II Offenses

Class II = First Offense

ELEMENTARY K-6

JUNIOR HIGH 7-9

In-School Conference With Student

Detention(s)

Review Bus Privilege

Parent/Guardian Conference

Individual Behavior Plan

In-School Suspension

Suspension or Forfeiture of Access to

Computer Privilege

In-School Conference With Student

Detention Or Other Extended School Time Options

Review Bus Privilege

Restitution

Parent/Guardian Conference

Restriction of Attendance at School Sponsored Activities

Loss of Athletic/Activity Privilege

In-School Suspension

Probation

Suspension or Forfeiture of Access to Computer Privilege

Short-Term Suspension

Long-Term Suspension

Class II = Second Offense

ELEMENTARY K-6

JUNIOR HIGH 7-9

In-School Conference With Student

Detention(s)

Review Bus Privilege

Parent/Guardian Conference

Individual Behavior Plan

In-School Suspension

Suspension or Forfeiture of Access to

Computer Privilege

Parent/Guardian Conference

Review of Bus Privilege

In-School Suspension and Behavioral Contract with

Parent/Guardian/Student which may involve

Community Service.

Restriction of Attendance at School Sponsored Activities

Loss of Athletic/Activity Privilege

Probation

Suspension or Forfeiture of Access to Computer Privilege

Short-Term Suspension

Long-Term Suspension

Expulsion

Class II = Subsequent Offenses (three or more)

ELEMENTARY K-6

JUNIOR HIGH 7-9

**Suspension or Forfeiture of Access to
Computer Privilege**

Loss of Bus Privilege

Short-Term Suspension

Long-Term Suspension

**Suspension or Forfeiture of Access to
Computer Privilege**

Loss of Bus Privilege

Short-Term Suspension

Long-Term Suspension

Expulsion

Class III Offenses

1. SETTING OFF DISASTER ALARM FALSELY: The intentional activation of fire alarms or like warning devices.

2. AGGRAVATED ASSAULT: An intentional, willful threat or attempt to do bodily harm to a teacher, staff member, student or other person in school; blatant degrading verbal abuse of others; the unwanted, intentional touching of or application of force to another person when done in a rude, insolent or angry manner or the unintentional touching of or application of force to another person which is the result of conduct committed in violation of other Class II or Class III offenses in the Code of Student Conduct.

3. POSSESSION AND/OR USE OR THREAT TO USE A WEAPON OTHER THAN A FIREARM: Possession and/or use or threat to use weapons, knives (including pocket knives), explosives, or other dangerous articles if such articles may be used as weapons or are designed to hurt someone or put someone in fear. The use of laser pointers in a harmful way is forbidden in school.

4. GANG RELATED VIOLENCE: Organized gang related violence which includes but is not limited to threats, confrontations, intimidations, fighting, and/or possession or use of weapons, when such can be attributed to organized groups or gangs.

5. CAUSING SERIOUS PHYSICAL HARM TO STUDENT OR STAFF: Intentional efforts resulting in serious physical harm to a student or staff members.

6. POSSESSION AND/OR USE OF TOXIC SUBSTANCES: Use and/or possession of intoxicants which cause a loss of control or inebriation and which shall include, but not be limited to glue, solvents, and misuse of over the counter drugs.

7. POSSESSION OR DISTRIBUTION OF NONCONTROLLED SUBSTANCES: Distribution, attempt to distribute, or possession with intent to distribute a noncontrolled substance, over the counter drugs or upon the representation that the substance is a controlled substance.

8. SEXUAL MISCONDUCT: Actual or simulated conduct, including but not limited to, fondling, inappropriate touching, indecent exposure, or the engagement in any sexual activity on school property, during school functions, or at school-sponsored activities.

9. ALCOHOL POSSESSION, CONSUMPTION OF ALCOHOL, AND/OR BEING UNDER THE INFLUENCE OF

ALCOHOL: Possession, use, or being under the influence of alcohol at school, on school district property or during a school sponsored activity. The first offense will result in a short-term out-of-school suspension. Subsequent offenses will result in a recommendation for a long-term out-of-school suspension or expulsion.

10. DISTRIBUTION OF ALCOHOL: The distribution of alcohol to anyone at school, on school district property or during a school sponsored activity is prohibited.

11. POSSESSION AND/OR USE OF DRUGS, BEING UNDER THE INFLUENCE OF DRUGS, AND/OR

POSSESSION OR USE OF DRUG PARAPHERNALIA: Possession, purchase or attempt to purchase, use or being under the influence of controlled substances (other than alcohol and tobacco) at school, on school district property or during a school activity. In all instances, the drug or drug paraphernalia will be confiscated from the student and turned over to local law enforcement agencies. All incidents involving possession and/or use of these drugs will result in a recommendation for a long-term out-of-school suspension or expulsion.

12. ARSON: Arson is defined as the willful and malicious burning of a building or its contents and/or the personal property of others.

13. CRIMINAL DAMAGE TO PROPERTY: The willful or malicious destruction or defacement of any property on school district grounds or in a school district building.

Each principal has the authority to use discretion and common sense in enforcing the *Code of Student Conduct*. The principal is authorized to apply a higher level of consequence for serious violations of the *Code* even if it is a student’s first offense.

Class III offenses may require a police report.

ADMINISTRATIVE OPTIONS

CLASS III OFFENSES

ELEMENTARY K-6

- | |
|------------------------------|
| Short-Term Suspension |
| Long-Term Suspension |
| Expulsion |

JUNIOR HIGH 7-9

- | |
|------------------------------|
| Short-Term Suspension |
| Long-Term Suspension |
| Expulsion |

CLASS IV OFFENSES

1. POSSESSION AND/OR USE OF A FIREARM: Possession and/or use of a firearm or gun of any kind that can be used to injure someone or place someone in fear or apprehension of bodily harm. This policy may be applied to replicas and/or toy firearms or guns.

The school will turn over all firearms to the appropriate law enforcement agency. In compliance with the “Gun Free Schools Act” (Federal) and KSA 72-89b01 to 72-89b04

Any student who is determined to have brought a weapon (as defined in this subparagraph) to school in violation of this policy shall be expelled for a period of not less than one (1) year and will be referred to the appropriate legal authorities. The Superintendent may modify such suspension on a case by case basis. For the purpose of this subparagraph the term “weapon” shall mean a “firearm” as defined under 18 U.S.C. 921 and KSA 72-89a01:

"Weapon" means (1) any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (2) the frame or receiver of any weapon described in the preceding example; (3) any firearm muffler or firearm silencer; (4) any explosive, incendiary, or poison gas (A) bomb, (B) grenade, (C) rocket having a propellant charge of more than four ounces, (D) missile having an explosive or incendiary charge of more than 1/4 ounce (E) mine, or (F) similar device; (5) any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than 1/2 inch in diameter; (6) any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled; (7) any bludgeon, sandclub, metal knuckles or throwing star; (8) any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement; (9) any electronic device designed to discharge immobilizing levels of electricity, commonly known as a stun gun.

2. POSSESSION OF DRUGS WITH INTENT TO SELL OR DISTRIBUTE: The possession of a controlled substance which by virtue of the quantity, packaging, or other circumstances demonstrates intent or effort to sell or distribute.

Class IV offenses require a police report.

NOTE: Whenever a pupil who has attained the age of 13 years has been expelled from school or suspended for an extended term in accordance with the statutory provisions contained in articles 89 or 89a of chapter 72 of Kansas Statutes Annotated, and such expulsion or extended-term suspension was imposed upon the pupil for the following reasons:

- (1) possession of a weapon, controlled substance or illegal drug at school, upon school property, or at a school-supervised activity; or
- (2) behavior at school, upon school property, or at a school-supervised activity, which resulted in, or was substantially likely to have resulted in, serious bodily injury to others,

the chief administrative officer of the school shall make an immediate report of the pupil's act to the appropriate law enforcement agency. Upon receipt of the report, the law enforcement agency shall investigate the matter and give written notice to the division of vehicles of the department of revenue of the act committed by the pupil. The notice shall be given to the division of vehicles by the law enforcement agency within three days, excluding holidays and weekends, after receipt of the report and shall include the pupil's name, address, date of birth, driver's license number, if available, and a description of the act committed by the pupil. Upon receipt of the notice, the division of vehicles shall suspend the pupil's driver's license or privilege to operate a motor vehicle on the streets and highways of this state. The duration of the suspension shall be for a period of one year. Upon expiration of the period of suspension, the pupil may apply to the division for return of the license. If the license has expired, the pupil may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the pupil's privilege to operate a motor vehicle is in effect. If the pupil does not have a driver's license, the pupil's driving privileges shall be revoked. No Kansas driver's license shall be issued to a pupil whose driving privileges have been revoked pursuant to this subsection for a period of one year.

ADMINISTRATIVE OPTIONS

CLASS IV OFFENSES

ELEMENTARY K-6

JUNIOR HIGH 7-9

<p>Long-term Suspension</p> <p>Expulsion</p>

<p>Long-term Suspension</p> <p>Expulsion</p>

DEFINITION OF CONSEQUENCES

- 1. IN-SCHOOL CONFERENCE WITH STUDENT:** A private conference between student, teacher and/or principal attempting to resolve unacceptable behavior.
- 2. DETENTION:** A period of temporary custody during regularly scheduled recess or beyond the length of the regular school day.
- 3. EXTENDED SCHOOL TIME:** A period of temporary custody for a period of several hours, i.e., Friday evening or on Saturdays. Appropriate supervision, school assignments, and parental notification will be provided. Transportation is not provided.
- 4. PARENT/GUARDIAN CONTACT:** Written notice, phone conference or meeting in person with school representative regarding student misbehavior.
- 5. PARENT/GUARDIAN CONFERENCE:** A meeting between parent and teacher or other school representative.
- 6. SUSPENSION OR FORFEITURE OF ACCESS TO COMPUTER PRIVILEGE:** As stated in the Acceptable Use Guidelines, any student found responsible for misuse or inappropriate network or technology practices may have access privileges suspended for a specific period or terminated. This includes district computer access, Internet, or any other technology applications.
- 7. LOSS OF BUS PRIVILEGE:** Subject to the offense, students may lose bus transportation privilege for a specified amount of time according to guidelines developed by the district and transportation provider.
- 8. RESTRICTION OF ATTENDANCE AT SCHOOL SPONSORED ACTIVITIES:** Cancellation of student privilege to attend school sponsored activities as a spectator for a specified amount of time.
- 9. INDIVIDUAL BEHAVIOR PLAN:** A behavioral agreement between parties outlining future actions, limitations, and/or consequences.
- 10. LOSS OF ATHLETIC/ACTIVITY PRIVILEGE:** Cancellation of student privilege to participate in school sponsored athletics or activities for a specified amount of time.

11. RESTITUTION: An agreement between student and school that the student will attempt to restore or replace damaged property, equipment or supplies to their original condition.

12. PROBATION: Requires meeting standards in specific areas where adjustment must be shown and maintained for continued placement. Notification will be provided to parent before initiation.

13. IN-SCHOOL SUSPENSION (ISS): The interruption of classroom attendance and regular school participation, by official directive from the chief building administrator or the designated representative, for a period of time not to exceed five days. A designated, supervised, academically conducive but restrictive atmosphere will be substituted. Administrators will attempt to notify parents prior to placing a student in In-School Suspension.

14. IN-SCHOOL SUSPENSION AND BEHAVIORAL CONTRACT: An in-school suspension followed by a behavioral agreement between parties outlining future actions, limitations, and/or consequences.

15. SHORT-TERM SUSPENSION: The interruption of school attendance by official directive from the chief building administrator or the designated representative, for a period of time not to exceed 10 school days. Notification will be provided to parent before initiation. Students may not participate in extra-curricular activities during suspension.

16. LONG-TERM SUSPENSION: The exclusion from school for a period of up to 90 school days. A long-term suspension begins with a short-term suspension (see #15). Parental notification is given at or near the time of the short-term suspension. Students may not participate in extra-curricular activities during suspension.

17. EXPULSION: The exclusion from school for a period up to 186 days begins with a short-term suspension. (See #15). Parental notification is given at or near the time of short-term suspension. Students may not participate in extra-curricular activities during expulsion.

SECTION II: Suspension and Expulsion of Students: ADDITIONAL INFORMATION - SELECTED KANSAS STATUTES, SELECTED BOARD OF EDUCATION POLICIES AND PROCEDURES, AND PARENT INFORMATION

KANSAS STATUTES ANNOTATED CHAPTER 72-8901 THRU 72-8906

AS AMENDED BY THE LEGISLATURE

Article 89 – SUSPENSION AND EXPULSION OF PUPILS

72-8901. Grounds for suspension or expulsion; who may suspend or expel. The board of education of any school district may suspend or expel, or by regulation authorize any certificated employee or committee of certificated employees to suspend or expel, any pupil guilty of any of the following:

- (a) Willful violation of any published regulation for student conduct adopted or approved by the board of education;
- (b) conduct which substantially disrupts, impedes or interferes with the operation of any public school;
- (c) conduct which endangers the safety of others or which substantially impinges upon or invades the rights of others at school, on school property, or at a school supervised activity;
- (d) conduct which, if the pupil is an adult, constitutes the commission of a felony or, if the pupil is a juvenile, would constitute the commission of a felony if committed by an adult;
- (e) conduct at school, on school property, or at a school supervised activity which, if the pupil is an adult, constitutes the commission of a misdemeanor or, if the pupil is a juvenile, would constitute the commission of a misdemeanor if committed by an adult; or
- (f) disobedience of an order of a teacher, peace officer, school security officer or other school authority when such disobedience can reasonably be anticipated to result in disorder, disruption or interference with the operation of any public school or substantial and material impingement upon or invasion of the rights of others.

72-8902. Duration of suspension or expulsion; notice; hearings, opportunity afforded, waiver, time, who may conduct. (a) A suspension may be for a short term not exceeding 10 school days, or for an extended term not exceeding 90 school days. An

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

(b) (1) Except as authorized in provision (2), no suspension for a short term shall be imposed upon a pupil without giving the pupil notice of the charges and affording the pupil an opportunity for a hearing thereon. The notice may be oral or written and the hearing may be held immediately after the notice is given. The hearing may be conducted informally but shall include the following procedural due process requirements: (A) The right of the pupil to be present at the hearing; (B) the right of the pupil to be informed of the charges; (C) the right of the pupil to be informed of the basis for the accusation; and (D) the right of the pupil to make statements in defense or mitigation of the charges or accusations. Refusal of a pupil to be present at the hearing will constitute a waiver of the pupil's opportunity for a hearing.

(2) A short-term suspension may be imposed upon a pupil forthwith, and without affording the pupil a hearing if the presence of the pupil endangers other persons or property or substantially disrupts, impedes or interferes with the operation of the school.

(c) A written notice of any short-term suspension and the reason therefore shall be given to the pupil involved and to the pupil's parent or guardian within 24 hours after the suspension has been imposed and, in the event the pupil has not been afforded a hearing prior to any short-term suspension, an opportunity for an informal hearing shall be afforded the pupil as soon thereafter as practicable but in no event later than 72 hours after such short-term suspension has been imposed. Any notice of the imposition of a short-term suspension that provides an opportunity for an informal hearing after such suspension has been imposed shall state that failure of the pupil to attend the hearing will result in a waiver of the pupil's opportunity for the hearing.

(d) No suspension for an extended term and no expulsion shall be imposed upon a pupil until an opportunity for a formal hearing thereon is afforded to the pupil. A written notice of any proposal to suspend for an extended term or to expel from school, and the charges upon which the proposal is based shall be given to the pupil proposed to be suspended or expelled from school, and to the pupil's parent or guardian. Any notice of a proposal to suspend for an extended term or to expel from school shall state the time, date and place that the pupil will be afforded an opportunity for a formal hearing, and that failure of the pupil and the pupil's parent or guardian to attend the hearing will result in a waiver of the pupil's opportunity for a hearing.

The hearing shall be held not later than 10 days after the date of the notice. The notice shall be accompanied by a copy of this act and the regulations of the board of education adopted under K.S.A. 72-8903, and amendments thereto.

(e) Whenever any written notice is required under this act to be given to a pupil or to a pupil's parent or guardian, it shall be sufficient if the notice is mailed to the address on file in the school records of the pupil. In lieu of mailing the written notice, the notice may be personally delivered.

(f) A formal hearing on a suspension or expulsion may be conducted by any person or committee of persons authorized by the board of education to conduct the hearing.

72-8903. Procedural due process requirements; record of appeal, costs; report of findings and result of hearing; information regarding behavior improvement programs. (a) The formal hearing provided for in K.S.A. 72-8902, and amendments thereto, shall be conducted in accordance with regulations relating thereto adopted by the board of education. Such regulations shall afford procedural due process including, but not limited to, the following:

1. The right of the pupil to have counsel of the pupil's own choice present and to receive the advice of such counsel or other person whom the pupil may select;
2. the right of the parents or guardians of the pupil to be present at the hearing;
3. the right of the pupil and the pupil's counsel or advisor to hear or read a full report of testimony of witnesses against the pupil;
4. the right of the pupil and the pupil's counsel to confront and cross-examine witnesses who appear in person at the hearing, either voluntarily or as a result of the issuance of a subpoena;
5. the right of the pupil to present the pupil's own witnesses in person or their testimony by affidavit;
6. the right of the pupil to testify in the pupil's own behalf and give reasons for the pupil's conduct;
7. the right of the pupil to have an orderly hearing; and
8. the right of the pupil to a fair and impartial decision based on substantial evidence.

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

(c) At the conclusion of a formal hearing which results in a suspension for an extended term or an expulsion, the person or committee conducting the hearing shall make a written report of the findings and results of the hearing

The report shall be directed to the board of education of the school district and shall be open to the inspection of the pupil who is suspended or expelled and, if the pupil is a juvenile, to the parents or guardians and counsel or other advisor of the pupil. If the pupil is an adult, the report shall be open to the inspection of the parents or guardians and counsel or other advisor of the pupil only upon written consent of the pupil. Whenever a formal hearing results in suspension for an extended term or

expulsion, the person or committee conducting the hearing may make a finding that return to school by the pupil, pending appeal or during the period allowed for notice of appeal, is not reasonably anticipated to endanger the safety of others, to cause continuing repeated material disorder, disruption or interference with the operation of school, or to substantially or materially impinge upon or invade the rights of others, in which case the pupil may return to school until the period for filing a notice of appeal has expired with no notice filed, or until the determination of any appeal if a notice of appeal is filed. Whenever the person or committee conducting a hearing fails to make the findings specified above, the report of the hearing shall provide that the suspension or expulsion of the pupil shall continue until appeal therefrom is determined or until the period of suspension or expulsion has expired, whichever occurs sooner. Any such pupil shall be provided with information concerning services or programs offered by public and private agencies that work toward improving those aspects of the pupil's attitudes and behavior that contributed to the conduct upon which the suspension or expulsion was based. If the pupil is a juvenile, the information shall also be provided to the parents or guardians of the pupil.

72-8904. Notice of hearing results; appeal to board of education; hearing officers; procedure. (a) Written notice of the result of any hearing imposing an extended-term suspension or an expulsion from school shall be given to the pupil suspended or expelled from school, and to the parents or guardians of the pupil within 24 hours after determination of such result.

(b) Any pupil age 18 or older, who has been suspended for an extended term or expelled, or one of the pupil's parents or guardians of a pupil under age 18, may appeal such suspension or expulsion to the board of education of the school district by filing a written notice of appeal with the clerk of the board of education not later than 10 calendar days after receiving the written notice. Any such appeal shall be heard by the board of education, or by a hearing officer appointed by such board, not later than 20 calendar days after such notice of appeal is filed. The pupil and the pupil's parents or guardians shall be notified in writing of the time and place of the appeal hearing at least five days prior thereto. Such appeal shall be conducted under rules which are consonant with K.S.A. 72-8903, and amendments thereto. Except as provided by subsection (c), the decision on any such appeal be rendered not later than five days after the conclusion of the appeal hearing.

(c) For the purpose of hearing an appeal of an extended-term suspension or an expulsion, the board of education may appoint one or more hearing officers. Any such hearing officer shall be a member of the board of education, a certificated employee of the school district, or an attorney admitted to the practice of law in this state. Any such appointment shall apply to a particular hearing or to a set or class of hearings as specified by the board of education in making the appointment. Whenever a hearing officer appointed under authority of this section hears any appeal, the hearing officer shall prepare a written report thereon to the board of education. After receiving any such report, the board of education shall determine the matter with or without additional hearing. If a hearing officer is appointed to hear an appeal, the board shall render its decision not later than the next

regularly-scheduled meeting of the board following the date of the conclusion of the hearing of the appeal by the hearing officer. Any matter determined by the board of education in accordance with this subsection shall be valid to the same extent as if the matter were fully heard by the board of education without a hearing officer.

72-8905. Nonapplication of compulsory attendance law. The provisions of K.S.A. 72-1111, and amendments thereto, shall not apply to any pupil while subject to suspension or expulsion from school pursuant to the provisions of this act.

72-8906. Powers and duties of persons conducting hearings. (a) Any person, hearing officer or any member of a committee or the board of education conducting a hearing under this act may: (1) Administer oaths for the purpose of taking testimony; 2. call and examine witnesses and receive documentary and other evidence; and 3. take any other action necessary to make the hearing accord with procedural due process.

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

The Kansas School Safety and Security Act

(Effective July 1, 1998)

Kansas School Safety and Security Act (as amended by the 1998 session of the Kansas Legislature)

72-89b01. Citation of act. This act shall be known and may be cited as the Kansas school safety and security act.

72-89b02. Definitions. As used in this act:

(a) "Board of education" means the board of education of a unified school district or the governing authority of an accredited nonpublic school.

(b) "School" means a public school or an accredited nonpublic school.

(c) "Public school" means a school operated by a unified school district organized under the laws of this state.

(d) "Accredited nonpublic school" means a nonpublic school participating in the quality performance accreditation system.

(e) "School employee" means any administrative, professional or paraprofessional employee of a school.

(f) "Superintendent of schools" means the superintendent of schools appointed by the board of education of a unified school district or the chief administrative officer of an accredited nonpublic school appointed by the board of education of the school.

72-89b03. Information regarding identity of specified pupils, disclosure requirements; criminal acts, reports to law enforcement agencies and state board of education; school safety and security policies, availability; civil liability, immunity. (a) If a school employee has information that a pupil is a pupil to whom the provisions of this subsection apply, the school employee shall report such information and identify the pupil to the superintendent of schools. The superintendent of schools shall investigate the matter, and, upon determining that the identified pupil is a pupil to whom the provisions of this subsection apply, shall provide the reported information and identify the pupil to all school employees who are directly involved or likely to be directly involved in teaching or providing other school related services to the pupil. The provisions of this subsection apply to:

(1) Any pupil who has been expelled for the reason provided by subsection

(c) of K.S.A. 72-8901 and amendments thereto for conduct which endangers the safety of others;

(2) any pupil who has been expelled for the reason provided by subsection

(d) of K.S.A. 72-8901 and amendments thereto;

(3) any pupil who has been expelled under a policy adopted pursuant to K.S.A. 72-89a02, and amendments thereto;

(4) any pupil who has been adjudged to be a juvenile offender and whose offense, if committed by an adult, would constitute a felony under the laws of Kansas or the state where the offense was committed, except any pupil adjudicated as a juvenile offender for a felony theft offense involving no direct threat to human life; and

(5) any pupil who has been tried and convicted as an adult of any felony, except any pupil convicted of a felony theft crime involving no direct threat to human life.

A school employee and the superintendent of schools shall not be required to report information concerning a pupil specified in this subsection if the expulsion, adjudication as a juvenile offender or conviction of a felony occurred more than 365 days prior to the school employee's report to the superintendent of schools.

(b) Each board of education shall adopt a policy that includes:

(1) A requirement that an immediate report be made to the appropriate state or local law enforcement agency by or on behalf of any school employee who knows or has reason to believe that an act has been committed at school, on school property, or at a school supervised activity and that the act involved conduct which constitutes the commission of a felony or misdemeanor or which involves the possession, use or disposal of explosives, firearms or other weapons; and

(2) the procedures for making such a report.

(c) School employees shall not be subject to the provisions of subsection (b) of K.S.A. 72-89b04 and amendments thereto if:

(1) They follow the procedures from a policy adopted pursuant to the provisions of subsection (b); or

(2) their board of education fails to adopt such policy.

(d) Each board of education shall annually compile and report to the state board of education at least the following information relating to school safety and security: The types and frequency of criminal acts that are required to be reported pursuant to the provisions of subsection (b) disaggregated by occurrences at school, on school property and at school supervised activities.

The report shall be incorporated into and become part of the current report required under the quality performance accreditation system.

(e) Each board of education shall make available to pupils and their parents, to school employees and, upon request, to others, district policies and reports concerning school safety and security, except that the provisions of this subsection shall not apply to reports made by a superintendent of schools and school employees pursuant to subsection (a).

(f) Nothing in this section shall be construed or operate in any manner so as to prevent any school employee from reporting criminal acts to school officials and to appropriate state and local law enforcement agencies.

(g)The state board of education shall extract the information relating to school safety and security from the quality performance accreditation report and transmit the information to the governor, the legislature, the attorney general, the secretary of health and environment, the secretary of social and rehabilitation services and the commissioner of juvenile justice.

(h) No board of education member of any such board, superintendent of schools or school employee shall be liable for damages in a civil action resulting from a person's good faith acts or omissions in complying with the requirements or provisions of the Kansas school safety and security act.

72-89b04. Penalties for failure to make reports, preventing or interfering with reports; sanctions for making reports prohibited; immunity from liability. (a) Willful and knowing failure of a school employee to make a report required by subsection (b) (1) of K.S.A. 72-89b03, and amendments thereto, is a class B nonperson misdemeanor. Preventing or interfering with, with the intent to prevent, the making of a report required by subsection (b) (1) of K.S.A. 72-89b03, and amendments thereto, is a class B nonperson misdemeanor.

(b) Willful and knowing failure of any employee designated by a board of education to transmit reports made by school employees to the appropriate state or local law enforcement agency as required by subsection (b) (1) of K.S.A. 72-89b03, and amendments thereto, is a class B nonperson misdemeanor. Preventing or interfering with, with the intent to prevent, the transmission of reports required by subsection (b)(1) of K.S.A. 72-89b03, and amendments thereto is a class B nonperson misdemeanor.

(c) No board of education shall terminate the employment of, or prevent or impair the profession of, or impose any other sanction on any school employee because the employee made an oral or written report to, or cooperated with an investigation by, a law enforcement agency relating to any criminal act that the employee knows has been committed or reasonably believes will be committed at school, on school property, or at a school supervised activity.

(d) Any board of education, and any member or employee thereof, participating without malice in the making of an oral or written report to a law enforcement agency relating to any criminal act that is known to have been committed or reasonably is believed will be committed at school, on school property, or at a school supervised activity shall have immunity from any civil liability that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any judicial proceedings resulting from the report.



Note: Please print this **CODE OF STUDENT CONDUCT ACKNOWLEDGEMENT FORM**, fill in, sign and return with all other Required Forms. You do not need to print out the "Code of Student Conduct".

Student Name: _____

Grade: _____ School Year: 20__/20__

I have read and understand the **Fort Leavenworth USD 207 Code of Student Conduct** and agree to abide by its principles and guidelines.

Student Signature Date

I have read and understand the **Fort Leavenworth USD 207 Code of Student Conduct** and agree to abide by its principles and guidelines.

Parent or Guardian Name

Parent or Guardian Signature Date