

This handbook is designed to promote understanding of the Board of Education Policies and expectations for the conduct for all students, parents, staff and the community as we come together to provide high quality educational experiences in the classroom, busses and school sponsored events.

Students please keep track of this Code of Conduct handbook at all times.

For an additional copy, contact your building principal.

An on-line publication of the Code of Conduct can be obtained through the

District website: www.kckps.org

The Board of Education

Harold Brown	Wanda K. Brownlee-Paige
Maxine Drew	Dr. Valdenia Winn
Janey Humphries	Dr. Stacy Yeager
Brenda C. Jones	

Superintendent of Schools
Kansas City, Kansas Public Schools
2010 North 59th Street
Kansas City, Kansas 66104
(913) 551-3200

REVISED: April, 2018



2018- 2019

**Student and Parent
Acknowledgement and Pledge**

Date: _____

Name: _____ ID#: _____

School: _____ Grade: _____

The Student Code of Conduct has been developed to help your child receive quality instruction in an orderly environment. The school needs your cooperation in this effort. Therefore, please review and discuss the Student Code of Conduct with your child. Please sign the acknowledgment and pledge and return to your child's school.

Signatures of Acknowledgement and Pledge:

To keep my school safe, I pledge to show good character, work to the best of my ability and adhere to the expectations, rights and responsibilities within the Student Code of Conduct.

Student Signature: _____

I have reviewed the Student Code of Conduct, and I understand the expectations, rights, responsibilities contained therein.

Parent Signature: _____

Address: _____

Phone Number: _____

Return to Teacher/Advocate

I have reviewed the Student Code of Conduct with my student(s), and I will support their understanding of the expectations, rights, and responsibilities to promote quality instruction in orderly environment.

Advocate's Signature: _____ Date: _____

Table of Contents

The Board of Education.....	1
2018- 2019	2
Student and Parent.....	2
Acknowledgement and Pledge.....	2
Purpose: “Inspiring Excellence: Every Grownup, Every Child, Every Day”	6
Student Code of Conduct Expectations, Rights and Responsibilities	7
Discipline Overview: Offenses/Definitions	10
Class I offenses	10
Class II offenses.....	10
Class III offenses	10
Class IV offenses	10
Class III or IV offenses	10
Class I Definitions and Explanations:.....	11
1. Academic Dishonesty/Cheating/Forgery:.....	11
2. Disrespect/Use of Profanity:.....	11
3. Excessive Tardiness:	11
4. Improper Display of Affection:	11
5. Inappropriate Computer/Internet Misuse:.....	11
6. Non-Conformity to Dress Code:	11
7. Possession of Educational Nuisance:.....	11
8. Skipping Class:.....	11
9. Tobacco Possession:.....	11
10. Violation of General School Rules and/or School Disruption:.....	12
Administrative Options, Class I Responses:	12
Early Childhood	12
Elementary School.....	12
Middle School.....	13
High School.....	13
Class II Definitions and Explanations:.....	14
1. Contributing to or Inciting a Disruptive Situation:	14
2. Defamation:.....	14
3. Defiance of Authority/Gross Disrespect:.....	14
4. Gambling:.....	14
5. Gross Disruptive Behavior:.....	14
6. Inappropriate Computer/Internet Misuse:.....	14
7. Misuse/Use of Technology Devices:.....	14
8. Possession of Incendiary Devices:	14
9. Stealing/Theft:	15
10. Tobacco Use:	15
11. Trespassing:.....	15
12. Truancy:	15
13. Unnecessary delay of the Bus:	15
Administrative Options, Classification II Responses:	15
Early Childhood	15
Elementary	15
Middle School.....	16

High School.....	16
TRANSPORTATION	17
Elementary School.....	17
Middle School.....	17
High School.....	17
Class III Definitions and Explanations:.....	18
1. Alcohol Possession and Use or Dispersal:.....	18
2. Bullying:.....	18
3. Bus Property Damage:.....	18
4. Bus - Creating Unsafe Conditions:.....	18
5. Destructive Device:	18
6. Drug Possession/Dispersal/Use/Solicitation/Sale.....	19
7. Extortion:	19
8. Fighting:.....	19
9. Gang Related Activity:	19
10. Graffiti-Individual/School Property:.....	19
11. Harassment:	19
12. Inciting to Fight:.....	20
13. Intimidation/Threatening of Staff or Students:	20
14. Leaving School without Permission:	20
15. Sexual Misconduct:.....	20
16. Stalking:.....	20
17. Tobacco Solicitation/Sale	20
18. Vandalism-Personal.....	20
Administrative Options, Classification III Responses:.....	20
Early Childhood	20
Elementary School.....	21
Middle School.....	21
High School.....	21
TRANSPORTATION	22
Elementary School.....	22
Middle School.....	22
High School.....	22
Class IV Definitions and Explanations:	23
1. Arson/Fire:.....	23
2. Detonation of Incendiary or Explosive Device.	23
3. False Reports/Bomb or School Threats:.....	23
4. Firearm/Weapon	23
5. Kidnapping.....	23
6. Murder/Homicide:	23
7. Physical Abuse towards the Bus Driver:.....	23
8. Physical Assault/Battery:	23
9. Robbery.....	24
10. Setting Off Falsely or Misuse of Disaster Alarm or Equipment:.....	24
11. Sexual Assault:	24
12. Solicitation/Sale of Weapon:	24
13. Use of Fireworks or Explosives, Sale, Distribution:.....	24
14. Vandalism-School Property:.....	24
Administrative Responses, Classification IV Responses:	24
TRANSPORTATION	24

Jurisdiction of School Officials24

Search and Seizure on School Premises25

DEFINITIONS25

 Alternative School Program (ASP):.....25

 Bullying:25

 Detention:26

 Expulsion:.....26

 In-School Suspension (ISS):26

 Long-Term Suspension:26

 Short-Term Suspension:.....26

Community-Based Resources: United Way of Wyandotte County 2-1-126

Suspension Guidelines and Requirements26

 Grounds for Out-of-School Suspension.....26

 Short-Term Suspension Procedure27

 Long-Term Suspension and Expulsion Procedure27

Emergency Safety Interventions30

Notice of Non-Discrimination.....36

Purpose: “Inspiring Excellence: Every Grownup, Every Child, Every Day”

The Kansas City, Kansas Public Schools (KCKPS) has established a challenging vision, to become one of the top ten school districts in the nation! This vision matches both the potential of what our students are capable of achieving, and the hopes and dreams of our students, their parents, and this community.

To realize this vision, the entire community will need to work together, by living our mission, “Inspiring Excellence: Every Grownup, Every Child, Every Day.” To inspire excellence in our students, it is important that we surround our students with grownups who express a unified message that education is the gateway to a fruitful life. Students will need to come to school, ready and willing to learn. They will need support from parents, teachers, administrators and community members, in order to learn the necessary skills to be successful in school, and in life. As a community, we must be responsible for making sure that our young people learn the skills that they will need, in order to graduate prepared for college and careers in a global society. KCKPS has defined “prepared” as graduating “Diploma+©”. You can learn more about Diploma+© at www.kckps.org/diploma.

The Code of Conduct handbook is designed to promote a better understanding of the policies, procedures, and expectations of KCKPS, in order to foster a positive learning environment. Please take some time to look through the information contained inside, and to talk about it with your child. If there are items about which you have questions, please feel free to talk about them with your principal, or to contact our Office of Student Services.

The district is committed to providing all of its students the support and guidance they need to be life-long learners and good citizens. By reading this Code of Conduct and discussing the importance of good behavior with your children, you will assist the district in our efforts to help your children reach their highest potential. We look forward to having a great year together, as we seek to graduate each student Diploma+©.

Sincerely,

Brenda C. Jones, President
Kansas City, Kansas Board of Education

Student Code of Conduct Expectations, Rights and Responsibilities

The following pages outline the high, fair and clear expectations for our community of learners in the Kansas City, Kansas Public Schools. A strong connection exists between social and emotional development (SECD), school behavior, and academic performance. Social and emotional factors relative to student success promote a healthy school. Social, Emotional and Character Development (SECD) provides a foundation for our community of learners, which positively impacts student's feelings of connectedness, which creates a sense of autonomy about their schooling and other aspects of their lives. Students will gain a sense of competence that encompasses academic, emotional and physical safety for each child to succeed and be college and career ready. (Please note: this is not intended to be a complete list)

1. COOPERATION

Students will be expected to:

Be a team player.

Model positive behavior and communication that reflects cooperation with all members of the school, college campus and work community, in order to realize opportunities for academic and personal growth.

We will teach students to demonstrate:

- a. Positive communication and teamwork
- b. A positive, cooperative attitude about school and learning
- c. Good sportsmanship and teamwork
- d. Play by the rules

2. RESPONSIBILITY

Students will be expected to:

Take responsibility for what you do;

We will teach students to demonstrate:

- a. Being at school or work on time everyday
- b. Taking responsibility for what you do
- c. Making up all missed work as required
- d. Completing and turning assignments in on time and do your own work (do not plagiarize)

3. EMPATHY

Students will be expected to:

Be understanding of others and what others are feeling;

We will teach students to demonstrate:

- a. Listening to others thoughts and ideas
- b. Respecting the ideas, feelings, experiences, and wants of others
- c. Seeking reconciliation in conflict at school, work or in community activities
- d. Communicating by using respectful language with regard to race, gender, disabilities and sexual orientation and respecting the cultural and religious differences of others

4. GRATITUDE

Students will be expected to:

Give favorable notice of an act or achievement;

We will teach students to demonstrate:

- a. Giving a genuine, verbal or written compliment
- b. Recognizing benefits, we receive through teamwork
- c. Acknowledging others for helping in a big or small way
- d. Taking care of the materials and supplies provided for work or play

5. PATIENCE

Students will be expected to:

Practice self-control and learn how to solve problems logically;

We will teach students to demonstrate:

- a. Being flexible and adaptive to change
- b. Promoting a supportive and safe learning community
- c. Taking turns and sharing
- d. Giving time for others to talk and participate in activities

6. PERSEVERANCE

Students will be expected to:

Be diligent with inner strength and determination to pursue academic and professional goals in school;

We will teach students to demonstrate:

- a. Building academic strengths
- b. Understanding the process and benefits of setting goals
- c. Working with teachers and counselors to create career and college goals and develop action plans to achieve those goals
- d. Taking initiative to monitor and be responsible for your own academic progress.

7. COMPASSION

Students will be expected to:

Be genuinely concerned for the welfare of others and;

Demonstrate empathy by willingly taking action to help those in need through acts of kindness and caring for all members in our school and community.

We will teach students to demonstrate:

- a. Listening carefully to others and give help when it is needed
- b. Helping a person or people who are going through difficult times
- c. Being kind
- d. Being sensitive and respectful to peers

8. RESPECT

Students will be expected to:

Model positive behavior and language;

We will teach students to demonstrate:

- a. Exhibiting a positive, cooperative attitude about school and learning
- b. Using positive language and actions to communicate with others
- c. Initiating leadership by being a peer mediator in bullying or aggressive situations
- d. Using language that affirms or supports yourself and/or others

9. COURAGE

Students will be expected to:

Demonstrate determination and confidence;

We will teach students to demonstrate:

- a. Engaging in new academic or service learning opportunities
- b. Utilizing mistakes as learning opportunities
- c. Walking away from a fight
- d. Leading others to do the right thing

10. AMBITION

Students will be expected to:

Create a goal that guides action;

We will teach students to demonstrate:

- a. Creating goals and action plans
- b. Graduating college and career ready
- c. Aspiring for leadership opportunities by being involved in school and the community
- d. Constant and earnest effort to accomplish academic or personal goals

11. CITIZENSHIP

Students will be expected to:

Be dedicated to yourself in your educational purposes and requirements;

We will teach students to demonstrate:

- a. Knowledge and understanding of expectations, rights and responsibilities
- b. Actions that demonstrate consideration for the rights of others
- c. Applying learned knowledge and skills to be work ready
- d. Discussing different points of view to develop a plan that leads to success for all

12. INTEGRITY

Students will be expected to:

Do the right thing, even when no one is watching;

We will teach students to demonstrate:

- a. Being honest and telling the truth
- b. Courageously standing for what is right: "Do the Right Thing"
- c. Being consistent in your character
- d. Promoting justice and striving for fairness

Discipline Overview: Offenses/Definitions

The Student Code of Conduct has been written to illustrate that there are levels of responses within Class I, II and III offenses. Below is an overview of each class. The following pages further define the offenses, intervention and responses.

Class I offenses include a wide range of behaviors which disrupt the learning environment. The classroom teacher is the first level of intervention to correct Class I behaviors. In most cases, response strategies used by the teacher will be sufficient to bring the student's behavior to an acceptable level. For Class I behaviors, a short-term or long-term (out of school suspension) will not be assigned for any grade level.

Class II offenses are behaviors that tend to seriously disrupt the learning environment. A Class II offense may warrant an office referral. Administrative responses may include a menu of in school interventions as well as short term suspension depending on the severity of the incident. A long-term suspension or an expulsion will not be assigned as a response in Class II.

Class III offenses are behaviors that may seriously jeopardize school order and security. School officials will treat these behaviors very seriously. Accordingly, the responses in Class III may include, but are not limited to, short-term and/or long-term suspension.

Class IV offenses are behaviors considered criminal acts that *seriously jeopardize* school order and security.

Class III or IV offenses, a reentry plan must be created before the student returns from long term suspension or expulsion so that strategies can be implemented immediately upon the student's return to school. This can include mediation or additional strategies to restore the relationships.

Class I Definitions and Explanations:

Class I offenses are behaviors that tend to *disrupt* the learning environment. A Class I offense may warrant an office referral; however, the teacher will be primarily responsible for responding and correcting these offenses. For Class I behaviors, short-term or long-term (out of school suspension) will not be assigned for any grade level.

Following is a list of Class I behaviors and definitions:

1. **Academic Dishonesty/Cheating/Forgery:** Academic dishonesty through cheating, copying, forging signature of teacher and/or parent, plagiarizing, or altering records, or assisting another in such actions.
2. **Disrespect/Use of Profanity:** Use of negative language/profanity that disrupts others in the learning community. This behavior includes written, oral, electronic, and any remark or expression, including obscene gestures, which is offensive in violation of school standards but that is not directed at an individual.
3. **Excessive Tardiness:** Repeated reporting to assigned class(es) after tardy bell rings without acceptable excuse. More than 7 (seven) tardies, late arrivals to school, and/or leaving before the end of school.
4. **Improper Display of Affection:** Improper touching, hugging, kissing and/or engaging in inappropriate social behavior.
5. **Inappropriate Computer/Internet Misuse:** Accessing, communicating or creating inappropriate and/or profane information that interferes with the student's participation in the classroom.
6. **Non-Conformity to Dress Code:** Dress or appearance that is likely to cause disruption of the educational process or to create a health or safety problem. Neatness, decency are good taste guidelines of the district dress code. Students must dress in a manner that is not obscene; offensive; or substantially or materially disruptive to the learning environment. Apparel that is sexually suggestive; promotes violence, illegal activities, drugs, alcohol and/or tobacco; or is determined to be gang related is prohibited.
7. **Possession of Educational Nuisance:** Devices that impede or interrupt the educational process including, but not limited to, cell phones on or used during class, video games, disc players, playing or trading cards, electronic devices, stuffed animals, radios, MP3 players, skateboards and any social media devices.
8. **Skipping Class:** The unauthorized absence from a scheduled class or after school detention, without obtaining consent of the proper school authority.
9. **Tobacco Possession:** Having tobacco on one's person, in one's pockets, bags, car, and or locker, on school property or at school-sponsored event(s).

10. ***Violation of General School Rules and/or School Disruption:*** The failure to comply with or follow established procedures or intentional acts, behaviors, or conduct in the classroom, school building, buses and/or on any school district property or at a school-sponsored activity, which disrupts the orderly education process for the student and/or students near in proximity. This includes all areas and locations on school district property or environments where expectations for appropriate school-behavior exist, including but not limited to classrooms, playgrounds, field trips, lunchrooms, hallways, school assembly areas, parking lots, and school busses.

Administrative Options, Class I Responses:

The following responses are options for Class I. Parent/Guardian contact is mandatory.

Early Childhood

- Modeling
- Redirection
- Using Visuals
- Consult with Colleagues
- Parent Contact
- Office Referral

Elementary School

- Restitution
- Teacher conference with student
- Parent/Guardian Conference
- Individual or Small Group Counseling with School Counselor
- Loss of a Privilege(s)
 - a. In class activities
 - b. Recess: not to exceed more than 2 recesses
 - c. School assembly/event/party: not to exceed more than 2
- SIT Plan – Student Improvement Team Plan
 - A student academic and/or behavior support plan
 - Re-teaching of classroom expectations
 - Incentives for meeting behavior expectations
 - Community resources and or services
- Office Referral

Middle School

- Restitution
- Teacher Conference with Student
- Parent/Guardian Conference
- Individual or Small Group Counseling with school counselor
- Loss of a Privilege(s)
 - In class activities
 - School assembly/event/party: not to exceed more than 2
- SIT Plan – Student Improvement Team Plan
 - A student academic and/or behavior support plan
 - Re-teaching of Classroom Expectations
 - Incentives for Meeting Behavior Expectations
 - Community Resources and or Services
- Detention or other Extended Day School Options
- Temporary Restriction of Attendance at School Sponsored Activity
- In School Suspension/STS-Second Step (where available)
- Office Referral

High School

- Restitution
- Teacher Conference with Student
- Parent/Guardian Conference
- Individual or Small Group Counseling
- Loss of a Privilege(s)
 - a. In class activities
 - b. School assembly/event/party: not to exceed more than 2
 - c. Temporary Restriction of Attendance at School Sponsored Activity
- SIT Plan – Student Improvement Team Plan
 - A student academic and/or behavior support plan
 - Re-teaching of Classroom Expectations
 - Incentives for Meeting Behavior Expectations
 - Community Resources and or Services
- Detention or other Extended Day School Options
- Temporary Revocation of Parking Privilege
- Office Referral
- In School Suspension/STS-Second Step (where available)

Class II Definitions and Explanations:

Class II offenses are behaviors that tend to seriously disrupt the learning environment and/or while on the bus. A Class II offense may warrant an office referral. Administrative responses may include a menu of in school interventions as well as an out of school short-term suspension depending on the severity of the incident. A long-term suspension or an expulsion will not be assigned as a response in Class II.

Following is a list of Class II behaviors and definitions:

1. ***Contributing to or Inciting a Disruptive Situation:*** The intentional promotion or advocacy of student misconduct by any student, for any purpose; including loud conversations and shouting on the bus or (2) Behavior which interferes with the learning of others in a classroom or others in the learning environment.
2. ***Defamation:*** False or unprivileged statements or representations about an individual or identified group of individuals that harm the reputation of the person or the group by demeaning him, her, or them, or deterring others from associating or dealing with the individual group.
3. ***Defiance of Authority/Gross Disrespect:*** The refusal to comply with a reasonable request or directive from school personnel that disrupts the orderly process of instruction or any act of gross disrespect, including profanity, directed at school personnel.
4. ***Gambling:*** The participation on school property in games of chance with the express purpose of exchanging money or tangible barter that disrupts the orderly process of instruction.
5. ***Gross Disruptive Behavior:*** Minor scuffles not involving major injury or disruptive behavior, which may involve pushing, hitting, kicking, shoving, or other actions that interfere with the educational environment.
6. ***Inappropriate Computer/Internet Misuse:*** Accessing, communicating or creating inappropriate and/or profane information that seriously disrupts the learning environment.
7. ***Misuse/Use of Technology Devices:*** The willful or intentional misuse of any technological equipment such as cellular phones, computers, video equipment or other audio-visual equipment that results in classroom disruption. Possession or use of any electronic device, carried, worn, or transported by a student to receive or communicate messages that is not authorized by the local Board of Education.
8. ***Possession of Incendiary Devices:*** The possession of any combustible or explosive substance or device(s), including fireworks, matches and lighters are

forbidden.

9. ***Stealing/Theft:*** The unlawful taking or disposition of property of another with intent to deprive the person of the property, without threat, violence or bodily harm. Receiving stolen property or possession of stolen property is included in this offense.
10. ***Tobacco Use:*** Smoking, chewing, or otherwise using tobacco. The use in any manner, in any form or manner of tobacco products while in or upon school premises and a minimum of 200 ft away from any school facility, including, but not limited to smoking, chewing, or inhaling tobacco.
11. ***Trespassing:*** Unauthorized presence on school property after being warned to leave or not to appear on the property including, but not limited to, while on suspension.
12. ***Truancy:*** Violation of state, school district, or school policy relating to attendance. The unauthorized absence from school, without obtaining consent of the proper school authority.
13. ***Unnecessary delay of the Bus:*** Unnecessary delay of the bus before entering, while on, or after leaving the bus.

Administrative Options, Classification II Responses:

The following responses are options for Class II. Parent/Guardian contact is mandatory.

Early Childhood

- Parent Contact
- Collaboration with Parents
- Consult with Colleagues
- Community Referrals
- Home Visit, if necessary

Elementary

- Restitution
- Teacher Conference with Student
- Parent/Guardian Conference
- Individual or Small Group Counseling with School Counselor
- Loss of a Privilege(s)
 - Suspension or Forfeiture of Access to Computer Privilege
 - Field Trip
- SIT Plan – Student Improvement Team Plan
 - A student academic and/or behavior support plan
 - Re-teaching of Classroom Expectations
 - Incentives for Meeting Behavior Expectations
 - Community Resources and or Services

- Office Referral
- Short-Term Out of School Suspension

Middle School

- Teacher Conference with Student
- Parent/Guardian Conference
- Restitution
- Individual or Small Group Counseling
- Loss of a Privilege(s)
 - Suspension or Forfeiture of Access to Computer Privilege
 - Field Trip
 - Temporary Restriction of Attendance at School Sponsored Activity
 - Suspension or Forfeiture of Access to Computer Privilege
 - Loss of Athletic/Activity Privilege
- SIT Plan – Student Improvement Team Plan
 - A student academic and/or behavior support plan
 - Re-teaching of Classroom Expectations
 - Incentives for Meeting Behavior Expectations
 - Community Resources and or Services
- Detention or other Extended Day School
- Office Referral
- In-School Suspension with access to academic supports/STS-Second Step (where available)
- Short-Term Out of School Suspension

High School

- Teacher Conference with Student
- Parent/Guardian Conference
- Restitution
- Individual or Small Group Counseling with School Counselor
- Loss of a Privilege(s)
 - Suspension or Forfeiture of Access to Computer Privilege
 - Field Trip
 - Temporary Restriction of Attendance at School Sponsored Activity
 - Suspension or Forfeiture of Access to Computer Privilege
 - Temporary Revocation of Parking Privilege
 - Loss of Athletic/Activity Privilege
- SIT Plan – Student Improvement Team Plan
 - A student academic and/or behavior support plan
 - Re-teaching of Classroom Expectations
 - Incentives for Meeting Behavior Expectations
 - Community Resources and or Services
- Detention or other Extended Day School
- Office Referral
- Peer Mediation
- Community Service
- In-School Suspension with access to academic supports

- Short-Term Out of School Suspension/STS-Second Step (where available)

TRANSPORTATION

Elementary School

- Parent Notification
- First Misconduct Notice signed by Parent and Principal
- Second Misconduct Notice signed by Parent and Principal
- Bus Suspension

Middle School

- Parent Notification
- First Misconduct Notice signed by Parent and Principal
- Bus Suspension

High School

- Parent Notification
- First Misconduct Notice signed by Parent and Principal
- Bus Suspension

Class III Definitions and Explanations:

Class III offenses are behaviors that may *seriously jeopardize* school order and security. School officials will treat these behaviors very seriously. Accordingly, the responses in Class III may include but are not limited to, short-term and/or long-term suspension.

Following is a list of Class III behaviors and definitions:

1. **Alcohol Possession and Use or Dispersal:** The possession, use or possession with the intent to sell, or to distribute alcohol or other controlled substances, "look-alikes" for the purpose of intoxication or being under the influence of alcohol. Having alcoholic beverages on one's person, in one's pocket(s), bag(s), car, and locker, on or in school property or at school-sponsored event(s).
2. **Bullying:** K.S.A 72-8256: "Bullying" means: Any intentional gesture or any intentional *written, verbal, electronic (e.g. social media) or physical act or threat* that is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for a student or staff member that a reasonable person, under the circumstances, knows or should know will have the effect of:
 - a. Harming a student or staff member, whether physically or mentally;
 - b. Damaging a student's or staff member's property;
 - c. Placing a student or staff member in reasonable fear of harm to the student or staff
 - i. member; or
 - d. Placing a student or staff member in reasonable fear of damage to the student's or staff
 - i. member's property
3. **Bus Property Damage:** Creating any hazard or damage to the bus.
4. **Bus - Creating Unsafe Conditions:** Extending hands, heads or objects from the bus.
 - a. **4A. Failure to Remain Seated on the Bus:** Failure to remain seated at all times except when entering or leaving the bus.
 - b. **4B. Obscene Language or Gestures on the Bus**
 - c. **4C. Tampering with Bus Operating Equipment:** Tampering with any of the operating equipment including sitting in the driver's seat or opening the emergency door.
 - d. **4D. Throwing Objects from or within the Bus**
 - e. **4E. Verbal Abuse towards the Bus Driver:** The use of language or action which includes the use of profane, vulgar, or insulting remarks, gestures, or a statement that is intended to berate the bus driver.
5. **Destructive Device:** possession or handling an item that looks like or could be considered a weapon (i.e. kitchen, camping, household tools or toy look alike).

- a. **Possession of a Destructive Device:** use or handling of a destructive device on school property or school sponsored event.
 - b. **Use of Destructive Device:** Attempted use or use of a destructive device, an instrument or object designed to inflict harm on other persons.
6. ***Drug Possession/Dispersal/Use/Solicitation/Sale:***
- a. **Drug Paraphernalia:** Possession, use or possession with the intent to sell, give or deliver, or distribute any alcoholic substances, tobacco or tobacco products; inhalants or other intoxicants (e.g. vaporizer or e-cigarette); controlled dangerous substances including prescription drugs, over-the counter medicines, look-alike drugs, substances represented as controlled dangerous substances; or drug paraphernalia. Having equipment (e.g. bong) used in consuming illegal drugs in one's pocket(s), bag(s), car, locker, on school property or at school-sponsored event(s).
 - b. **Illicit (Illegal) Drug Possession:** The possession, or use (smoking, snorting, injecting, ingesting) or intent to sell an illegal drug(s), such as marijuana or another cannabinoid, or over the counter medication in violation of school policy in one's pocket(s), bag(s), car, locker, etc., on school property or at school sponsored event(s).
7. ***Extortion:*** The process of obtaining property from another, with or without that person's consent, by a wrongful use of force, fear, or threat.
8. ***Fighting:*** The willful engagement of two or more students in physical combat; this includes the school bus.
9. ***Gang Related Activity:*** The presence of gangs and gang-related activities, which threaten the safety, or well-being of persons or property on school grounds or at school activities are prohibited. **Note:** The following is the Board of Education Policy (JHCAA):
- a. Disciplinary action can be taken against any student wearing, carrying, or displaying gang paraphernalia, or exhibiting behavior or gestures, which symbolize gang membership or causing and/or participating in gang related activities.
10. ***Graffiti-Individual/School Property:*** Deface any portion of the interior or exterior of school property or personal property, including the furnishings and equipment housed within or upon the school property.
11. ***Harassment:*** Harassment is a type of discriminatory conduct directed at an individual because of his or her race, color, ethnicity, national origin, sex/gender, religion, disability or other classification protected by law. Harassment covers a wide range of behaviors of an offensive nature that are sufficiently severe or persistent to interfere with or limit the ability of a student to participate in or benefit from the services, activities or programs of the school or that otherwise

create a hostile academic environment. Harassment can include physical contact and verbal or written communications. **Note:** Please see Board of Education Policies (JGEC Sexual Harassment and JGECA Racial and Disability Harassment)

12. **Inciting to Fight:** The intentional promotion *and/or recording by electronic device* by a student to engage another student in a physical conflict, continuous harassment, disruption, or to engage and/or promote other students to engage in a physical conflict or disruption for any purpose or behavior which interferes with the learning of others in a classroom or other learning environment.
13. **Intimidation/Threatening of Staff or Students:** Physical, verbal, written or electronic action which immediately creates fear of harm, without displaying a weapon and without subjecting the person to actual physical attack, or the doing of any act which creates *a well-founded fear within the student or school employee.*
14. **Leaving School without Permission:** The leaving of school grounds during the designated school day without first obtaining permission of the principal or principal's designated representative. (Parents, for just cause, must give permission for their child to leave school grounds.)
15. **Sexual Misconduct:** Actual or simulated conduct including but not limited to, fondling, touching, indecent exposure, or the engagement in any sexual act on school property, during school functions, or at school sponsored activities.
16. **Stalking:** Engaging in a course of conduct targeted at a specific person which would cause the targeted person to fear for their safety, or the safety of a member of the person's immediate family.
17. **Tobacco Solicitation/Sale:** Selling or purchasing tobacco products, including but not limited to cigarettes, chewing tobacco in or upon school premises.
18. **Vandalism-Personal:** Willful destruction or defacement of an individual's property or property belonging to a group other than the school district.

Administrative Options, Classification III Responses:

The following responses are options for Class III. Parent/Guardian contact is mandatory.

Early Childhood

- Engage with the Parents
- Mandatory Parent Conference within 24-48 hours (could be a phone conference)
- Mental Health Consultation

- Home Visit, if necessary
- Short-Term Suspension with Re-entry plan in place

Elementary School

- Restitution
- Teacher Conference with Student
- Parent/Guardian Conference
- Individual or Small Group Counseling with School Counselor
- SIT Plan – Student Improvement Team Plan
 - A student academic and/or behavior support plan
 - Re-teaching of Classroom Expectations
 - Incentives for Meeting Behavior Expectations
 - Community Resources and or Services
- Detention or other Extended Day School Options
- Office Referral
- Short-Term Out of School Suspension
- Long-Term Out of School Suspension
- Alternative Plan or Options

Middle School

- Teacher Conference with Student
- Parent/Guardian Conference
- PACT Referral
- Individual or Small Group Counseling with School Counselor
- SIT Plan – Student Improvement Team Plan
 - A student academic and/or behavior support plan
 - Re-teaching of Classroom Expectations
 - Incentives for Meeting Behavior Expectations
 - Community Resources and or Services
- Detention or other Extended Day School
- Temporary Restriction of Attendance at School Sponsored Activity
- Restitution
- Loss of Athletic/Activity Privilege
- Office Referral
- In-School Suspension with access to academic supports
- Short-Term Out of School Suspension
- Long-Term Out of School Suspension
- Alternative Plan or Options

High School

- Teacher Conference with Student

- Parent/Guardian Conference
- Individual or Small Group Counseling with School Counselor
- PACT Referral
- SIT Plan – Student Improvement Team Plan
 - A student academic and/or behavior support plan
 - Re-teaching of Classroom Expectations
 - Incentives for Meeting Behavior Expectations
 - Community Resources and or Services
- Detention or other Extended Day School Options
- Restitution
- Loss of Athletic/Activity Privilege
- Office Referral
- In-School Suspension with access to academic supports
- Short-Term Out of School Suspension
- Long-Term Out of School Suspension
- Alternative Plan or Options

TRANSPORTATION

Elementary School

- Parent Notification
- First Misconduct Notice signed by parent and principal
- Second Misconduct Notice signed by parent and principal
- Bus Suspension

Middle School

- Parent Notification
- First Misconduct Notice signed by parent and principal
- Bus Suspension

High School

- Parent Notification
- First Misconduct Notice signed by parent and principal
- Bus Suspension

Class IV Definitions and Explanations:

Class IV offenses are behaviors considered criminal acts that *seriously jeopardize* school order and security. The establishment of interventions is not required when the offense falls under Class IV.

Following is a list of Class IV behaviors and definitions:

1. **Arson/Fire:** To unlawfully and intentionally damage or attempt to damage any school or personal property by fire or incendiary device. Firecrackers, fireworks, and trash can fires would be included in this category if they were contributing factors to a damaging fire.
2. **Detonation of Incendiary or Explosive Device.** The intentional damaging of a building, injury to persons, or the disruption caused either in the building or on school grounds, by the use of any combustible or explosive substances or devices.
3. **False Reports/Bomb or School Threats:** Any threat (verbal, written, or electronic) by a person to bomb or use substances or devices for the purpose of exploding, burning, causing damage to a school building or school property, or to harm students or staff. The conveyance of threats or false information concerning the placement of explosive or destructive substances, initiating a report, warning of a fire, or other catastrophe without cause. Misuse of 911, discharging a fire extinguisher.
4. **Firearm/Weapon:**
 - a. **Possession of a Firearm:** A student shall not possess, handle or transmit any object that can reasonably be considered a firearm on the school grounds or off the school grounds at a school activity, function or event. **See Weapons-Free Schools Act Statue KS72-89A01 District Policy JCDBB**
 - b. **Possession of a Weapon:** use or handling of a weapon on school property or school sponsored event.
 - c. **Use of Weapon:** Attempted use or use of weapon an instrument or object designed to inflict harm on other persons. **See Weapon-Free Schools Act Statue KS72-89A01 District Policy JCDB**
5. **Kidnapping:** Unlawful seizure, transportation, and/or detention of another against his/her will, or without parental consent; includes hostage taking.
6. **Murder/Homicide:** Activities or events that result in the death of human being.
7. **Physical Abuse towards the Bus Driver:** Intentionally causing bodily harm to a bus driver on school property or school sponsored event.
8. **Physical Assault/Battery:** Intentionally causing bodily harm to an individual.

9. **Robbery:** The taking of, or attempting to take anything of value that is owned by another organization and/or individual, under confrontational circumstances, by force, or threat of force or violence and/or by putting the victim in fear.
10. **Setting Off Falsely or Misuse of Disaster Alarm or Equipment:** The intentional activation of fire alarms or like warning devices.
11. **Sexual Assault:** Engagement in a sexual activity or behavior with a minor. Forced sexual contact or contact with an underage person.
12. **Solicitation/Sale of Weapon:** Sale or purchase of an instrument or object designed to inflict harm on other persons.
13. **Use of Fireworks or Explosives, Sale, Distribution:** This includes but not limited to firecrackers, smoke bombs, flares.
14. **Vandalism-School Property:** The willful or malicious destruction of any school district property. Vandalism includes the destruction of any portion of the interior or exterior of school property, including the furnishings and equipment housed within or upon the school property.

Administrative Responses, Classification IV Responses:

The following responses are required for Class IV. Parent/Guardian contact is mandatory

- Expulsion
- Re-entry Plan Following an Expulsion
- Class IV offenses require a police report

TRANSPORTATION

- Immediate suspension from the bus

Jurisdiction of School Officials

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

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

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

- While engaged in school related activities on or off premises;
- While on school property, but during non-school hours; and/or
- While off school premises if the misconduct is directed toward school personnel;
- When the misconduct is facilitated by school district provided technology and/or other devices;
- When the misconduct violates various State or Federal laws applicable to our schools, whether that occurs on school property or at a school-sponsored activities or not.

Search and Seizure on School Premises

Purpose and Objective

To maintain order and discipline in the schools, school officials are empowered to conduct searches of student and school property. Accordingly, students who bring contraband on to school property or to school-related activities may be searched in order to secure the school environment so learning can take place, and to protect students, staff and visitors from any potentially harmful effects stemming from the contraband. The Administration may utilize reasonable suspicion searches, metal detectors and canines as necessary to carry out and further the objectives of this policy. A student's failure to submit to searches and seizures as provided in this policy will be considered grounds for disciplinary action up to and including expulsion.

DEFINITIONS

Alternative School Program (ASP):

A student may *only* be placed in the ASP Program if a long-term suspension has been proposed and a formal disciplinary hearing has taken place. Placement in ASP is the decision of the designated hearing officer as an alternative to a long-term out-of-school suspension. A student assigned to ASP will be for a period not to exceed 25 school days for a minimum of 12 hours per week. A student cannot be proposed for a long-term suspension without another formal hearing. The parent and student must agree to the terms of the ASP contract.

At the end of the 25 school days, school administrators will convene a transition meeting with the student, parent, ASP teacher, counselor, and other student support staff, in order to re-teach behavior expectations, identify resources, and establish a re-entry plan for a successful transition to school.

Bullying:

K.S.A 72-8256: "Bullying" means: Any intentional gesture or any intentional *written, verbal, electronic (e.g. social media) or physical act or threat* that is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for a student or staff member. Further definition on page 17.

Detention: A period of temporary custody during regularly scheduled recess or beyond the length of the regular school day. Prior to the commencement of any detention, parental notification will be provided. Transportation from school after the period of detention is the sole responsibility of the student and his/her parent or guardian.

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

In-School Suspension (ISS): The interruption of classroom attendance and regular school participation by a decision of a hearing office as a result of a long-term hearing. A period is not to exceed a maximum of 10 days. A designated, supervised, academically conducive but not restrictive atmosphere will be substituted. Parent notification will be provided.

Long-Term Suspension: A short-term suspension, which has been timely, followed with an official proposal to extend the period of exclusion from school to a period not to exceed 90 school days. The suspension period will not exceed a grading period. Such action may result in loss of credit for the affected semester. Mandatory parental notification.

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

Community-Based Resources: United Way of Wyandotte County 2-1-1

Find the most current information by Dialing 2-1-1

United Way of Wyandotte County is a resource connecting people to available community resources. By dialing 2-1-1, or (816) 474-5112, available at no cost 24 hours a day, you can make one call and talk to a live operator to find or give help. To connect online Visit www.unitedway-wyco-org for more information on 2-1-1.

Suspension Guidelines and Requirements

Grounds for Out-of-School Suspension (short-term suspension, long-term suspension, and/or expulsion)

A student may be assigned an out-of-school suspension if:

- Out-of-school suspension is listed as an available response under the code of conduct classification, and

- The school administrator determines the student's attendance in school presents a substantial risk to the safety of students and/or staff and invades the rights of other students to a safe and secure learning environment, and
- The student and parent were informed of his/her misconduct, provided an opportunity to respond, and reasonable efforts were made to contact the parents/guardians, and
- A signed copy of the notice of suspension was provided to the student's parents/guardians.

Short-Term Suspension Procedure

A short-term suspension not to exceed ten (10) days may be imposed upon a student after giving the student oral *and* written notice of the charges against the student and after affording the student an opportunity for a hearing (KSA 72-8902). Such hearing shall be held immediately after notice is given and may be conducted informally but shall include:

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

Refusal of the student to be present at the Hearing will constitute a waiver of the student's opportunity for a hearing.

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

Written Notice of Short-Term Suspension

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

Long-Term Suspension and Expulsion Procedure

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

Written Notice of Long-Term Suspension or Expulsion

A written notice of any proposal to long-term suspend or to expel from school and the charges upon which the same is based shall be given to the student proposed to be

suspended or expelled and given or sent to the student's parents or guardian if the student is under 18 years of age at least two days prior to the hearing. It shall be sufficient if the notice is mailed to the address on file in the school records of the student. In lieu of mailing the written notices, the notices may be personally delivered.

Such notice shall be prepared using Form B (see Policy JDD) and shall state the time, date and place where the student will be afforded an opportunity for a formal hearing. The failure of the student to attend the hearing will result in a waiver of the student's opportunity for the hearing.

The hearing date shall be no later than 10 days after the student has been given the notice of the proposed long-term suspension or expulsion. **Such notice shall be accompanied by a copy of the Kansas Student Suspension and Expulsion Law (K.S.A. 72-8901 – 72-8908) and Board Policy.** The place of the formal hearing on a long-term suspension or expulsion shall be at the school, which has proposed that the student be suspended or expelled. A formal hearing shall be conducted by any person or committee of persons authorized by the Board of Education to conduct a hearing. K.S.A. 72-8902(d)

Report of Results of Formal Hearing on Long-Term Suspension or Expulsion

Upon the conclusion of any formal hearing, which results in a long-term suspension or an expulsion, the person or persons appointed to conduct the hearing shall make a written report on Form C (see Policy JDD) of the findings and results of the hearing. Such a report shall be directed to the Board of Education and filed in the office of the Director for Student Services.

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

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

Written notice of the results of any formal hearing resulting in a long-term suspension or expulsion shall be given to the student suspended or expelled and to the student's parents or guardian, if the student is under 18 years of age, within 24 hours after determination thereof. Such notice shall be prepared using Form D. (see Policy JDD. and K.S.A. 72-8904(a)).

Due Process Requirements for Formal Hearings

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

- (a) The right of the student to have counsel of the student's choice.
- (b) The right of the parents or guardian of the student to be present at the hearing.
- (c) The right of the student to hear or read a full report of testimony of witnesses.
- (d) The right of the student and the student's counsel to confront and cross-examine

- witnesses who appear in person at the hearing.
- (e) The right of the student to present the student's own witnesses.
 - (f) The right of the student to testify in the student's own behalf and give reasons for the = student's conduct.
 - (g) The right of the student to have an orderly hearing.
 - (h) The right of the student to a fair and impartial decision based on substantial evidence. K.S.A. 72-8903.

Appeal of Long-term Suspension or Expulsion

Any student who has been long-term suspended or expelled, or one of the student's parents or guardians, may appeal such suspension or expulsion to the Board of Education by filing a written notice of appeal with the clerk of the Board of Education within 10 calendar days after receiving the written notice of the results of the hearing as specified in Policy JDD-4.

Any such appeal shall be heard by the Board of Education or by a hearing officer appointed by such board, no later than 20 calendar days after such notice of appeal is filed. The student and the student's parents or guardians shall be notified in writing of the time and place of the appeal hearing at least 5 days prior thereto. In all long-term suspension or expulsion cases appealed to the Board of Education, there shall be made a record of the appeal hearing (K.S.A. 72-8904(b)).

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

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

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

Powers and Duties of Persons Conducting Hearings

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

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

Emergency Safety Interventions

The board of education is committed to limiting the use of Emergency Safety Interventions (ESI), such as seclusion and restraint, with all students. Seclusion and restraint shall be used only when a student's conduct necessitates the use of an emergency safety intervention as defined below. The board of education encourages all employees to utilize other behavioral management tools, including prevention techniques, de-escalation techniques, and positive behavioral intervention strategies.

The board of education follows ESI statutes/regulations established by the State of Kansas and Kansas State Department of Education. Board policy and practices shall follow and reflect any changes made in statutes/regulations governing the use of ESI.

This policy shall be made available on the district website with links to the policy available on any individual school pages. In addition, this policy shall be included in at least one of the following: each school's code of conduct, school safety plan, or student handbook.

Definitions (See K.A.R. 91-42-1)

"Emergency Safety Intervention" is the use of seclusion or physical restraint, but does not include physical escort or the use of time-out.

"Seclusion" means placement of a student in a location where the following criteria are met: (1) the student is placed in an enclosed area by school personnel; (2) the student is purposefully isolated from adults and peers; and (3) the student is prevented from leaving, or the student reasonably believes that the student will be prevented from leaving, the enclosed area.

"Chemical Restraint" means the use of medication to control a student's violent physical behavior or restrict a student's freedom of movement.

"Mechanical Restraint" means any device or object to limit a student's movement.

Parent means: (1) a natural parent; (2) an adoptive parent; (3) a person acting as a parent as defined in K.S.A. 72-1046(d)(2), and amendments thereto; (4) a legal guardian; (5) an education advocate for a student with an exceptionality; (6) a foster parent, unless the foster parent's child is a student with an exceptionality; or (7) a student who has reached the age of majority or is an emancipated minor.

"Physical Restraint" means bodily force used to substantially limit a student's movement, except that consensual, solicited or unintentional contact and contact to provide comfort, assistance or instruction shall not be deemed to be physical restraint.

"Physical Escort" means the temporary touching or holding the hand, wrist, arm, shoulder, or back of student who is acting out for the purpose of inducing the student to walk to a safe location.

"Time-Out" means a behavioral intervention in which a student is temporarily removed from a learning activity without being secluded.

"Campus police officer" means a school security officer designated by the board of education of any school district pursuant to K.S.A.-8222, and amendments thereto.

“Law enforcement officer” and “police officer” means a full-time or part-time salaried officer or employee of the state, a county or a city, whose duties include the prevention or detection of crime and the law enforcement of criminal or traffic law of this state or any Kansas municipality. This term includes a campus officer.

“Legitimate law enforcement purpose” means a goal within the law authority of an officer that is to be achieved through methods or conduct condoned by the officer’s appointing authority.

“School resource officer” means a law enforcement officer or police officer employed by a local law enforcement agency who is assigned to a district through an agreement between the local law enforcement agency and the district.

“School security officer” means a person who is employed by a board of education of any school district for the purpose of aiding and supplementing state and local law enforcement agencies in which the school district is located, but is not a law enforcement officer or police officer.

Prohibited Types of Restraint

All staff members are prohibited from engaging in the following actions with all students:

- Using face-down (prone) physical restraint;
- Using face-up (supine) physical restraint;
- Any restraint that obstructs the student’s airway;
- Any restraints that impacts a student’s primary mode of communication;
- Using chemical restraints, except as prescribed treatment of a student’s medical or psychiatric condition by a person appropriately licensed to issue such treatments; and
- Use of mechanical restraint, *except*:
 - Protective or stabilizing devices required by law or used in accordance with an order from a person appropriately licensed to issue the order for the device;
 - Any device used by law enforcement officers to carry out law enforcement duties; or
 - Seatbelts and other safety equipment used to secure students during transportation.

Use of Emergency Safety Interventions

ESI shall be used only when a student presents a reasonable and immediate danger of physical harm to such student or others with the present ability to effect such physical harm. Less restrictive alternatives to ESI, such as positive behavior interventions support, shall be deemed inappropriate or ineffective under the circumstances by the school employees witnessing the student’s behavior prior to the use of ESI. The use of ESI shall cease as soon as the immediate danger of physical harm ceases to exist. Violent action that is destructive of property may necessitate the use of an ESI. Use of an ESI for purposes of discipline, punishment or for the convenience of a school employee shall not meet the standard of immediate danger of physical harm.

ESI Restrictions

A student shall not be subjected to ESI if the student is known to have a medical condition that could put the student in mental or physical danger as a result of ESI. The existence of such medical condition must be indicated in a written statement from the student’s licensed

health care provider, a copy of which has been provided to the school and placed in the student's file.

Such written statement shall include an explanation of the student's diagnosis, a list of any reasons why ESI would put the student in mental or physical danger, and any suggested alternatives to ESI. Notwithstanding the provisions of this subsection, a student may be subjected to ESI, if not subjecting the student to ESI would result in significant physical harm to the student or others.

Use of Seclusion

When a student is placed in seclusion, a school employee shall be able to see and hear the student at all times. All seclusion rooms equipped with a locking door shall be designed to ensure that the lock automatically disengages when the school employee viewing the student walks away from the seclusion room, or in case of emergency, such as fire or severe weather.

A seclusion room shall be a safe place with proportional and similar characteristics as other rooms where students frequent. Such room shall be free of any condition that could be a danger to the student and shall be well ventilated and sufficiently lighted.

Training

All staff members shall be trained regarding the use of positive behavioral intervention strategies, de-escalation techniques, and prevention techniques. Such training shall be consistent with nationally recognized training programs on the use of emergency safety interventions. The intensity of the training provided will depend upon the employee's position. Administrators, licensed staff members, and other staff deemed most likely to need to restrain a student will be provided more intense training than staff who do not work directly with students in the classroom. District and building administration shall make the determination of the intensity of training required by each position.

Each school building shall maintain written and electronic documentation regarding the training that was provided and a list of participants, which shall be made available for inspection by the state board of education upon request.

Notification and Documentation

The principal or designee shall notify the parent, on the same day the emergency safety intervention was used. If the school is unable to contact the parent, the principal or designee shall attempt to contact the parent using at least two methods of contact. The same day notification requirement shall be deemed satisfied if the school attempts at least two methods of contact. A parent may designate a preferred method of contact to receive the same day notification. A parent may agree, in writing, to receive only one same-day notification from the school for multiple incidents occurring on the same day.

Documentation of the ESI used shall be completed and provided to the student's parents no later than the school day following the day on which the ESI was used. This documentation shall include:

- The events leading up to the incident;
- Student behaviors that necessitated the emergency safety intervention;
- Steps taken to transition the student back into the education setting;
- The date and time of the intervention, the type of intervention, the length of time the intervention was used, and the school personnel who participated in or supervised the intervention, and any other information required by statute or regulation.

- Space or an additional form for parents to provide feedback or comments to the school regarding the incident;
- A statement that invites and strongly encourages parents to schedule a meeting to discuss the incident and how to prevent future use of emergency safety interventions; and
- Email and phone information for the parent to contact the school to schedule the emergency safety intervention meeting.

The parent shall be provided the following information after the first and each subsequent incident in which an ESI is used during each school year: (1) a copy of the standards which indicates when ESI can be used; (2) a flyer on the parent's rights; (3) information on the parent's right to file a complaint through the local dispute resolution process (which is set forth in this policy) and, the complaint process of the state board of education; and (4) information that will assist the parent in navigating the complaint process, including contact information for Families Together and the Disability Rights Center of Kansas. Upon the first occurrence of an incident involving the use of emergency safety intervention the foregoing information shall be provided in printed form, or upon the parent's written request, by email. Upon occurrence of a second or subsequent incident, the parent shall be provided with a full and direct website address containing such information.

Law Enforcement, School Resource and Campus Security Officers

Campus police officers and school resource officers shall be exempt from the requirements of this policy when engaged in an activity that has a legitimate law enforcement purpose. School security officers shall not be exempt from the requirements of this policy.

If a school is aware that a law enforcement officer or school resource officer has used seclusion, physical restraint, or mechanical restraint on a student, the school staff shall notify the parent the same day using the parent's preferred method of contact. A school shall not be required to provide written documentation to a parent, as set forth above, regarding law enforcement use of an ESI, or report to the state department of education any law enforcement use of an ESI. For purposes of this subsection, mechanical restraint includes, by is not limited to, the use of handcuffs.

Documentation of ESI Incidents

Except as specified above with regard to law enforcement or school resource officer used of emergency safety intervention, each building shall maintain documentation any time ESI is used with a student.

Such documentation must include all of the following:

- Date and time of the intervention
- Type of emergency safety intervention,
- Length of time the intervention was use,
- School personnel who participated in or supervised the ESI.
- Whether the student had an IEP at the time of the incident,
- Whether the student had a Section 504 plan at the time of the incident, and
- Whether the student had a behavior intervention plan at the time of the incident.

All such documentation shall be provided to the building principal, who shall be responsible for providing copies of such documentation to the superintendent or the superintendent's designee on at least a biannual basis. At least once per school year, each building principal

or designee shall review the documentation of ESI incidents with appropriate staff members to consider the appropriateness of the use of ESI in those instances.

Reporting Data

District administration shall report ESI data to the state department of education as required.

Parent Right to Meeting on ESI Use

After each incident, a parent may request a meeting with the school to discuss and debrief the incident. A parent may request such meeting verbally, in writing, or by electronic means. A school shall hold a meeting requested under this subsection within ten (10) school days of the parent's request. The focus of any such meeting shall be to discuss proactive ways to prevent the need for emergency safety interventions and to reduce incidents in the future.

For a student who has an IEP or a Section 504 plan, such student's IEP team or section 504 plan team shall discuss the incident and consider the need to conduct a functional behavioral analysis, develop a behavior intervention plan or amend either if already in existence. For a student with a section 504 plan, such student's section 504 plan team shall discuss and consider the need for an evaluation under the special education for exceptional children act, K.S.A. 72-961 et seq., and amendments thereto. For students who have an IEP program and are placed in a private school by a parent, a meeting called shall include the parent and the private school, who shall consider whether the parent should request an IEP team meeting. If the parent requests an IEP team meeting, the private school shall help facilitate such meeting.

For the student who does not have an individual education program (IEP) or section 504 plan, the parent and school shall discuss the incident and consider the appropriateness of a referral for an evaluation under the special education for exceptional children act, K.S.A. 72961 et. seq., and amendments thereto, the need for a functional behavioral analysis or the need for a behavior intervention plan. Any meeting called shall include the student's parents, a school administrator for the school where the student attends, one of the student's teachers, a school employee involved in the incident and such other school employees designated by the school administrator as appropriate for such meeting.

The parent shall determine whether the student shall be invited to any meeting called. The time for calling such a meeting may be extended beyond the 10 school day limit if the parent of the student is unable to attend within that time period. Nothing in this section shall be construed to prohibit the development and implementation of a functional behavior assessment or a behavior intervention plan for any student if such student would benefit from such resources.

Local Dispute Resolution Process

If a parent believes that an emergency safety intervention has been used on the parent's child in violation of state law or board policy, the parent may file a complaint as specified below.

The Board of Education encourages parents to attempt to resolve issues relating to the use of ESI informally with the building principal and/or superintendent before filing a formal complaint with the Board. Once an informal complaint is received, the administrator handling such complaint shall investigate such matter, as deemed appropriate by the administrator. In the event that the complaint is resolved informally, the administrator

must provide a written report of the informal resolution to the superintendent and the parents and retain a copy of the report at the school. The superintendent will share the informal resolution with the board of education and provide a copy to the state department of education.

If the issues are not resolved informally with the building principal and/or superintendent, the parents may submit a formal written complaint to the board of education by providing a copy of the complaint with the clerk of the board and the superintendent within 30 days of the date on which the parent was informed of the use of the emergency safety intervention.

Upon receipt of a formal written complaint, the board president shall assign an investigator to review the complaint and report findings to the board as a whole. Such investigator may be a board member, a school administrator selected by the board, or a board attorney. Such investigator shall be informed of the obligation to maintain confidentiality of student records and shall report the findings and recommendation action to the board in executive session

Any such investigation must be completed within thirty (30) days of receipt of the formal written complaint by the board clerk and superintendent. On or before the 30th day after receipt of the written complaint, the board shall adopt written findings of fact and, if necessary, appropriate corrective action. A copy of the written findings of fact and any corrective action adopted by the board shall only be provided to the parents, the school and the state department of education and shall be mailed to the parents and the state department within thirty (30) days of the board's receipt of the formal complaint.

If desired, a parent may file a complaint under the state board of education administrative review process within thirty (30) days from the date a final decision is issued pursuant to the local dispute resolution process.

Notice of Non-Discrimination

Policy Statement: The Kansas City, Kansas School District does not discriminate, and is required by law not to discriminate, on the basis of race, color, religion, sex/gender (to include orientation, identity or expression), national origin, age, handicap, disability, or any other basis prohibited by law in admission, access to, or treatment of its programs and activities. Pursuant to applicable law, disabled individuals shall have equivalent enjoyment of the programs, services, facilities, privileges, advantages, or accommodation of any facility owned, leased, or operated by the district.

Pursuant to Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, Title VI of Civil Rights Act of 1964(2000), and the Boy Scouts of America Equal Access Act of 2001, the Kansas City, Kansas School District does not discriminate on the basis of sex in any education program or activity, including programs, services, facilities, privileges, advantages or accommodations in facilities.

Programs, Activities and Employment: The Kansas City, Kansas School District does not discriminate on the basis of race, color, religion, sex/gender (to include orientation, identity or expression), national origin, age, handicap, disability or any other basis prohibited by law in the administration of any employment initiative, including hiring, firing, termination, disciplinary procedures, or other related programs and activities.

Reporting: Inquiries regarding Title IX (1972), Title VI (1964, 2000), Age Discrimination Act (1975), Boy Scouts of America Equal Access Act (2001) or reports of specific complaints, or alleged discrimination should be referred to:

Amy Jo Troyer
2010 N. 59th Street
Kansas City, Kansas 66104
Email: AmyJo.Troyer@kckps.org
Telephone number: (913) 551-3200
TTY: 913-627-5667

Or Office of Civil Rights
U.S. Department of Education
One Petticoat Lane
1010 Walnut Street, Suite 320
Kansas City, Missouri 64106
Telephone number (816) 268-0550
TTY: 877-521-2172

Disability Related Concerns: Complaints regarding disabilities and issues under Section 504 and/or the Americans with Disabilities Act and those relating to the provisions of special education services, should be referred to:

Dr. Michelle Colvin
2010 N. 59th Street
Kansas City, Kansas 66104
Email: Michelle.Colvin@kckps.org
Telephone number (913) 551-3200
TTY: 913-627-5667

No Retaliation: Regardless of the means selected for resolving the complaint, the initiation of a complaint of alleged discrimination or misconduct will not cause any negative reflection on the complainant, nor will it affect his/her access to the programs, activities, services, facilities, privileges, advantages or accommodations in facilities provided by the Kansas City, Kansas School District.



Board President

ATTEST:



Clerk of the Board of Education

Comments or suggestions regarding this document should be referred to:

Lisa Garcia-Stewart, Director of Student Services,
2010 North 59th Street, Kansas City, Kansas 66104
Telephone number: (913) 551-3200.