

## **STUDENTS**

## **Regulation 2664**

### **Discipline**

#### **Enrollment or Return Following Suspension and/or Expulsion**

##### **Conference Required**

The conference shall include the appropriate school officials, including (1) any teacher employed in the District or directly involved with the conduct that resulted in the suspension or expulsion, (2) the student, (3) the parent/guardian of the pupil, and (4) any agency having legal jurisdiction, care, custody or control of the student.

The District shall notify in writing the parent/guardian and all other parties of the time, place, and agenda of any such conference. However, failure of any party to attend this conference shall not preclude holding the conference.

Notwithstanding any provision of this regulation to the contrary, no student shall be readmitted or enrolled in a regular program of instruction if:

1. The student has been convicted of one of the offenses listed below.
2. The student been charged with one of the offenses and there has been no final judgment.
3. A juvenile petition has been filed alleging that the student committed an act, which if committed by an adult, would be one of the offenses listed below, and there has been no final judgment; or
4. The student has been adjudicated to have committed an act, which if committed by an adult, would be one of the offenses listed below.

##### **Offenses to Which this Policy Applies**

1. First degree murder under Mo. Rev. Stat. § 565.020
2. Second degree murder under Mo. Rev. Stat. § 565.021
3. First degree assault under Mo. Rev. Stat. § 565.050
4. Forcible rape under Mo. Rev. Stat. § 566.030
5. Forcible sodomy under Mo. Rev. Stat. § 566.060
6. Robbery in the first degree under Mo. Rev. Stat. § 569.020

7. Distribution of drugs to a minor under Mo. Rev. Stat. § 195.212
8. Arson in the first degree under Mo. Rev. Stat. § 569.040
9. Kidnapping, when classified as a Class A felony under Mo. Rev. Stat. § 565.110
10. Statutory rape under Mo. Rev. Stat. § 566.032
11. Statutory sodomy under Mo. Rev. Stat. § 566.062

Nothing in this regulation shall be construed to prevent the District from imposing discipline under the Student Code of Conduct for conduct underlying the above-listed offenses, even if the adult charge or juvenile petition has been dismissed, or the student has been acquitted or adjudicated not to have committed such acts in a criminal or juvenile court - if by a preponderance of the evidence, it can be established that the student engaged in the underlying conduct. The District may enroll a student, otherwise excluded under this regulation, in an alternative education program if the District determines that such enrollment is appropriate.

This policy shall not apply to a student with a disability, as identified under state eligibility criteria, who is convicted or adjudicated guilty as a result of an action related to the student's disability.

Students denied enrollment because of conviction of one of the acts set out in this regulation or due to an existing suspension or expulsion from another school district will be advised of the reasons for denial of enrollment and will be given an opportunity to respond to those reasons.

### **Suspension or Expulsion from Other Schools**

Prior to enrollment, a student who is under suspension or expulsion from any other in-state or out-of-state public or private school and who is seeking admission will be evaluated by the Superintendent or Superintendent's designee. However, upon request, the Superintendent/designee will confer with the pupil, parent/guardian or person acting as parent of a special education student to consider imposition of the other school's suspension or expulsion. If the Superintendent/designee determines that such conduct would have resulted in a suspension or expulsion had the conduct been committed in District schools, the suspension or expulsion will be implemented.

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