

DISCIPLINE REPORTING AND RECORDS
(Reporting Agreement with Law Enforcement)

This agreement is entered into this _____ day of _____, 20____, by and between _____, Superintendent of (the "District"), and _____ (the "Law Enforcement Entity"), pursuant to ' 167.117, RSMo., for the purpose of establishing guidelines for school principals in reporting incidents that may constitute third-degree assault occurring on District property, District transportation or during District activities for investigation by law enforcement.

Definitions

Knowingly: A person is aware that his or her conduct is practically certain to cause that result.

Physical Injury: Slight impairment of any function of the body or temporary loss of use of any part of the body.

Third-Degree Assault: A person knowingly causes physical injury to another person.

Reporting to Law Enforcement

In addition to reporting third-degree assaults in accordance with the procedures below, administrators of the District will report other crimes as required by law and District policy to the Law Enforcement Entity or another appropriate law enforcement agency when they believe a student has committed a crime, or an act that would be a crime if committed by an adult, on District property, on District transportation or at a District activity.

Procedure for Reporting Third-Degree Assaults

1. The principal will determine whether he or she believes a third-degree assault has occurred on District property, District transportation or during a District activity. The age and maturity of the students involved may be considered in evaluating whether conduct meets the "knowingly" standard. The younger and less mature the student is, the less likelihood there is that the student is able to meet the "knowingly" standard for third-degree assault.
2. The principal or designee should report to the Law Enforcement Entity incidents of third-degree assaults that involve a weapon or serious bodily harm, require medical treatment by a school nurse or physician or that are based upon allegations of sexual conduct. The principal or designee should make such reports orally, in person or by telephone, as soon

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as possible after determining that such an assault has occurred, followed by such written documentation as may be requested.

3. In any other case in which the principal determines that a third-degree assault has occurred, the principal may make the report either orally or in writing, together with such written documentation as may be requested, within a reasonable time period after receiving the information that is the basis for the report but no later than five working days.

Reports to the District Required by Law

Pursuant to ' 167.115, RSMo., the Law Enforcement Entity will notify the District if a petition has been filed on a student enrolled in the District alleging that the student has committed one of the following acts:

1. First- or second-degree murder (' ' 565.020, .021, RSMo.)
2. First- or second-degree kidnapping (' ' 565.110, .120, RSMo.)
3. First- or second-degree assault (' ' 565.050, .052, RSMo.)
4. Rape in the first or second degree (' 566.030, .031, RSMo.)
5. Sodomy in the first or second degree (' ' 566.060, .061, RSMo.)
6. First-degree burglary (' ' 569.160, RSMo.)
7. First-degree robbery (' 570.023, RSMo.)
8. Manufacture of a controlled substance (' 579.055, RSMo.)
9. Delivery of a controlled substance (' 579.020, RSMo.)
10. First-degree arson (' 569.040, RSMo.)
11. Voluntary manslaughter (' 565.023, RSMo.)
12. Involuntary manslaughter in the first or second degree (' 565.024, .027, RSMo.)
13. First-degree property damage (' 569.100, RSMo.)
14. Possession of a weapon (Chapter 571, RSMo., 18 U.S.C. ' 921)
15. First-, second- or third-degree child molestation (' ' 566.067, .068, .069, RSMo.)
16. Sexual misconduct involving a child (' 566.083, RSMo.)
17. Sexual abuse in the first degree (' 566.100, RSMo.)

In addition, the Law Enforcement Entity will notify the District of any alleged criminal activity that will directly impact the safety of students in the District.

The District will be notified in a timely manner but no later than five days following the filing of the petition. The notification will include a complete description of the conduct the student is alleged to have committed and the dates the conduct occurred but shall not include the name of any victim. If the report is made orally, written notice will follow in a timely manner. Upon the disposition of the case, the Law Enforcement Entity will send a second notification to the

superintendent providing the disposition of the case, including a brief summary of the relevant finding of facts, no later than five days following the disposition of the case.

Signature of Superintendent

Date

Signature of Law Enforcement Entity Representative

Date

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Note: The reader is encouraged to review policies and/or procedures for related information in this administrative area.

Implemented: December 19, 2007

Revised: June 21, 2017