

Houston County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Code of Conduct & Discipline Policy	Descriptor Code: 6.300	Issued Date: 06/13/22
		Rescinds: JC, JCC, 6.313	Issued: 07/08/13, 05/12/14, 05/13/19; 06/08/20

The Houston County Board of Education is committed to providing a safe and orderly school environment that encourages the academic, emotional, and social development of all students. The Board recognizes the need to clearly define these expectations for acceptable conduct on school property (including school vehicles) and at school-sanctioned events.

All students, when on school property (including school buses/vehicles) or attending school functions, will

- follow all school rules.
- respect fellow students and all school personnel.
- exhibit academic integrity.
- use appropriate language, avoiding profanity, racial and ethnic slurs, or any other denigration of others in communications.
- assist to eliminate the use of violence, bullying, and intimidation of others.
- demonstrate respect for school campuses and property.
- support their school's activities and organizations.
- display good sportsmanship and school spirit.
- work to improve their school.

The director of schools is responsible for overall implementation and supervision of the Code of Conduct and Discipline Policy, and each school principal is responsible for administration and implementation within the principal's school.¹ The principal of each school shall apply the policy uniformly and fairly to each student at the school without partiality and discrimination.²

A copy of the Code of Conduct & Discipline Policy shall be posted on the LEA or school website and a copy must be supplied to all school counselors, teachers, administrative staff, students, and parents.³

The Board delegates to the director of schools the responsibility of developing more specific codes of behavior and discipline which are appropriate for each level of school, namely, elementary, middle, and senior high schools.⁴

Code of conduct for students in pre-kindergarten (Pre-K) and kindergarten shall utilize alternative discipline practices such as modeling, redirection, positive behavioral supports, individual behavior plans, and/or time-out. In these grades, exclusionary discipline (suspension and expulsion) shall only be used as a measure of last resort.

The following categories of misbehavior, disciplinary procedures, and options are standards designed to protect all members of the educational community in the exercise of their rights and duties and to maintain a safe learning environment where orderly learning is possible and encouraged.¹ These misbehaviors apply to student conduct while on school property (including school buses/vehicles) and at school-sponsored events.

Staff members shall ensure that disciplinary measures are implemented in a manner that⁵:

1. Balances accountability with an understanding of traumatic behavior;
2. Teaches school and classroom rules while reinforcing that violent or abusive behavior is not allowed at school;
3. Minimizes disruptions to education with an emphasis on positive behavioral supports and behavioral intervention plans;
4. Creates consistent rules and consequences; and
5. Models respectful, non-violent relationships.

In order to ensure that these goals are accomplished, the school district shall utilize the following trauma-informed discipline practices: school-wide positive behavior supports, “Access for All”, preventative strategies for Adverse Childhood Experiences (ACEs), individual behavior plans, and/or school Behavioral Support Teams.

OFFENSES

In grades pre-kindergarten (Pre-K) through 2nd, all disciplinary action for offenses is at the discretion of the school principal. Code of conduct for students in Pre-K and kindergarten shall utilize alternative discipline practices such as modeling, redirection, positive behavioral supports, individual behavior plans, and/or time-out. In these grades, exclusionary discipline (suspension and expulsion) shall only be used as a measure of last resort.

Repetition of any of the offenses set forth herein shall require assignment of additional points in a minimum of five-point increments in addition to any discipline imposed.

All reference to days suspended shall mean “school days” rather than “calendar days”. Suspension may be *in-* or *out-of-*school.

Principals have discretion to refer any category offense to the school Behavioral Support Team.

CATEGORY I OFFENSES

A. TARDINESS:

Failing to attend classes promptly within the time limits set by the school. Teachers may impose classroom penalties for any unexcused tardiness. After being tardy three (3) unexcused times to any class, the student will be referred to the principal for discipline.

DISCIPLINARY ACTION:

1st Offense: (5 points) At discretion of the principal, not including suspension or greater punishment.

2nd & 3rd Offenses: (10 points) At discretion of the principal, but not to exceed in-school suspension.

4th & Subsequent Offenses: (15 points) At discretion of the principal, suspension, alternative school.

CATEGORY II OFFENSES

A. PUBLIC DISPLAY OF AFFECTION:

Bodily contact, including kissing and/or hugging, and/or hand holding.

B. SKIPPING CLASS:

Willfully refusing to attend assigned classroom and/or leaving a classroom without permission from the person in charge.

C. TOBACCO*:

Possessing any type of tobacco products (including smokeless tobacco), electronic/battery operated devices, vapor products, and all other associated paraphernalia on school premises (including school buses/vehicles) or at any school-sponsored activity. Students in violation of the policy will be required to attend a nicotine cessation course provided by the School Resource Officer.

D. CANNABIDIOL (CBD)

Possessing CBD (compounds derived from the marijuana plant) or similar products in any form (oil, gummies, vapes, etc.) on school premises (including school buses/vehicles) or at any school-sponsored activity. Most, if not all, CBD products may not be purchased by minors in Tennessee.

E. DISOBEDIENCE:

Willfully disobeying the authority of a person duly authorized to exercise such authority at school or at a school-sponsored activity.

F. DISRUPTIVE OR BOISTEROUS CONDUCT:

Engaging in conduct which is boisterous or disruptive of the educational process.

G. DISRESPECT TOWARDS A TEACHER OR ANY SCHOOL DISTRICT EMPLOYEE

H. GAMBLING:

Wagering money or personal property.

I. SELLING ITEMS ON SCHOOL PROPERTY OUTSIDE OF SCHOOL-SANCTIONED FUNDRAISERS

J. LEAVING SCHOOL WITHOUT PERMISSION

K. INDECENT OR OBSCENE ACTS:

1. Any indecent or obscene act, including possession or distribution of obscene materials, or other acts of an obscene or vulgar nature. **Such materials involving minors may be subject to legal action. See Category V, B.*
2. Wearing clothing, while on school grounds during the school day, which exposes underwear or body parts in an indecent manner⁶ or contains suggestive writings, images, weapons, references to alcohol, drugs, and/or tobacco and disrupts the learning environment.
3. Vulgar and Profane Language: Using profane or obscene language or gestures. Use of such language or gestures toward any school system employee shall be viewed as requiring suspension or greater punishment. (50 points)

4. Unwanted physical contact such as intentional touching, bodily contact, patting, grabbing, or kissing.

L. DEROGATORY REMARKS

Racial, sexist, or homophobic slurs directed toward another.

M. OTHER CONDUCT WARRANTING DISCIPLINE:

Any conduct which is dishonest (e.g., cheating, plagiarism, or other intent to deceive, etc.), disruptive, or may be harmful to the student or others, and interfering with any school purpose, not otherwise specifically enumerated herein.

DISCIPLINARY ACTION:

1st Offense: (10 points) At discretion of the principal, in-school suspension, suspension, or alternative school (none of which may exceed five (5) days).

2nd Offense: (15 points) At discretion of the principal, in-school suspension, suspension, or alternative school (none of which may exceed ten (10) days).

3rd & Subsequent Offenses: (30 points) Suspension, alternative school, or expulsion.

N. DISPLAY OF OR USE OF A CELL PHONE/ALL ELECTRONIC COMMUNICATION DEVICES DURING SCHOOL HOURS, TO INCLUDE SCHOOL TRANSPORTATION.

Students may possess personal communication devices, such as cell phones, smart watches, etc. while on school property, however, the personal communication device must be in the “off” mode and kept put away (e.g. in a backpack, purse, or similar personal carry-all) and may not be used during school hours, to include transportation on a school bus/vehicle to and from school. The principal or designee may grant a student permission to use a personal communication device at his/her discretion. A device used outside these parameters shall result in confiscation of the device until such a time as it may be released at the principal’s discretion to the student’s parent or guardian.

A student in violation of this policy is subject to disciplinary action. The consequences for infractions of the electronic device policy are listed below.

1st Offense: Student may pick up device at the end of the school day from the front office.

2nd Offense: Parent/guardian must pick up device at the end of the school day from the front office.

3rd & Succeeding Offenses: Principal/designee retains device until such a time as it may be released to a parent/guardian.

CATEGORY III OFFENSES

A. THEFT*:

Theft of property of the school or property of any person on school premises. Possession of stolen property with the intent to deprive the true owner thereof shall be considered theft. **IN ALL CASES**, the student shall be required to compensate for the damage or theft. Report to law enforcement officials if theft exceeds \$50.00 or if there is suspicion of chronic theft.

B. THREATS:

Threatening or implying physical violence against any other student.

C. POSSESSION OF A *LOCKING* BLADE POCKET KNIFE WITH BLADE NOT EXCEEDING 3” IN LENGTH

D. BULLYING / HARASSMENT

DISCIPLINARY ACTION:

1st Offense: (10 points) At principal’s discretion, suspension or alternative school (neither of which may exceed five (5) days).

2nd Offense: (15 points) Suspension, alternative school.

3rd Offense: (20 points) Suspension, alternative school or expulsion.

4th Offense: (30 points) Expulsion.

CATEGORY IV OFFENSES

A. ASSAULT AND FIGHTING:

Physically assaulting another student. Report to proper law enforcement officials if bodily harm is inflicted.

B. DAMAGE TO SCHOOL OR PERSONAL PROPERTY:

Willfully damaging or destroying school district property. In ALL CASES, the student shall be required to compensate for the damage. Report to proper law enforcement officials if damage exceeds \$50.00.

C. EXTORTION*:

Obtaining anything of value or forcing anyone to do something against his/her will or attempting to do so by threat of violence or retribution. Report to proper law enforcement officials upon second offense.

D. HAZING

DISCIPLINARY ACTION:

1st Offense: (25 points) At discretion of the principal.

2nd Offense: (30 points) Suspension, alternative school.

3rd Offense: (35 points) Expulsion.

CATEGORY V OFFENSES

A. SEXUAL MISCONDUCT*

B. ILLEGAL USE OF COMMUNICATION DEVICE*

1. Intentionally or knowingly, by use of a telecommunication device, transmits, distributes, publishes, or disseminates a photograph, video, or other material that contains a sexually explicit image of a **minor**; or
2. Intentionally possesses a photograph, video, or other material that contains a sexually explicit image of a **minor**. [TCA 37-1-148]

C. USE OF ELECTRONIC DEVICES TO DISTRIBUTE UNFIT MATERIAL

DISCIPLINARY ACTION:

1st & Subsequent Offenses: (75 points) Automatic referral to the Behavioral Support Team. Suspension, alternative school, or expulsion.

CATEGORY VI OFFENSES

A. DANGEROUS CONDUCT*:

1. Threatening to use any weapon.
2. Using or threatening to use a contrived weapon to inflict bodily harm. (*Contrived weapon - any such sharp pointed or edged instrument such as a chair, bat, tool, or any other contrived weapon*).

B. THREATS TOWARD ANY SCHOOL DISTRICT EMPLOYEE*:

Threatening physical violence against *any* school district employee.

C. BOMB THREAT*:

Making a bomb threat relative to any school system property.

D. ACTIVATING A FALSE FIRE ALARM*

E. ACTIVATING A FALSE EMERGENCY ALARM*

F. ANY THREAT OF MASS VIOLENCE ON SCHOOL PROPERTY*

A threat, by any means of communication, which could lead to bodily injury of two or more people. Also Included is failure to report knowledge of such a threat.

G. ANY CONDUCT WHICH IS DANGEROUS, NOT OTHERWISE SPECIFICALLY ENUMERATED

DISCIPLINARY ACTION:

1st Offense: (75 points) Placement in alternative school for not less than 30 days, expulsion.

CATEGORY VII OFFENSES

A. ALCOHOL, ILLEGAL DRUGS, AND/OR ILLEGAL DRUG PARAPHERNALIA*:

Possession or under the influence of alcohol, illegal drugs, and/or illegal drug paraphernalia.

DISCIPLINARY ACTION:

1st Offense: (75 points) Automatic referral to Behavioral Support Team. Placement in alternative school for not less than thirty (30) days, expulsion.

CATEGORY VIII OFFENSES

A. ARSON*:

Starting a fire, implying a fire will be started on school property, or being an accomplice to starting a fire.

DISCIPLINARY ACTION:

1st Offense: (75 points) Automatic referral to Behavioral Support Team. Placement in alternative school for not less than thirty (30) days, expulsion. Restitution for damages shall be made before readmission will be considered.

CATEGORY IX OFFENSES

A. OTHER CRIMINAL CONDUCT*:

Any other conduct, not specifically enumerated herein, that constitutes a crime under the laws of the State of Tennessee or the United States, on school premises or at any school-sponsored activity.

DISCIPLINARY ACTION:

1st Offense: (75 points) At discretion of the principal. Restitution for any damages shall be part of any disciplinary action.

**Student will be reported to appropriate law enforcement officials in addition to school imposed discipline. "Reporting" does not necessarily mean that the student should be prosecuted in juvenile proceedings. The building principal should exercise reasonable discretion and determine if prosecution is warranted. Instances of sexual misconduct or illegal use of a communication device involving minors will be reported to the Department of Children's Services (DCS).*

INFRACTIONS WHICH QUALIFY AS ZERO TOLERANCE OFFENSES UNDER THE BOARD'S ZERO TOLERANCE POLICY SHALL RESULT IN EXPULSION.

ADDITIONAL GUIDELINES:

1. A student shall not be suspended solely because charges are pending against him/her in juvenile or other court.
2. A principal shall not impose multiple suspensions consecutively that cumulative to exceed ten (10) days for the same offense.³
3. A teacher or other school official shall not reduce or authorize the reduction of a student's grade because of discipline problems except in deportment or citizenship.
4. A student shall not be denied the passing of a course or grade promotion solely on the basis of absences except as provided by board policy.

5. A student shall not be denied the passing of a course or grade promotion solely on the basis of failure to:
- a. pay any activity fee;
 - b. pay a library or other school fine; or
 - c. make restitution for lost or damaged school property.

DUE PROCESS:

Before imposing disciplinary action, the teacher or principal shall follow the procedural due process standards enumerated in Board Policy 6.302, and, in the case of suspension, expulsion or remand, the process enumerated in Board Policy 6.316.

NOTE: Discipline of students with disabilities shall comply with the Individuals with Disabilities Education Act.

Legal References

- 1. TCA 49-6-4002
- 2. TCA 49-6-4004
- 3. TCA 49-6-4007
- 4. TCA 49-6-4005
- 5. TCA 49-6-4109
- 6. TCA 49-6-4009
- 7. TCA 49-6-3007

Cross References

TDOE Discipline Reform Task Force Report
Procedural Due Process 6.302
Zero Tolerance Offenses 6.309
Suspension/Expulsion/Remand 6.309
HCB0E Student Handbook