

Shelby County Board of Education

STUDENT CONDUCT

6022

Issued Date: 08/26/10

Revised: 06/11/13

I. PURPOSE

To support positive student behavior and, when appropriate, apply reasoned discipline.

II. SCOPE

This policy applies to students in all programs of the Shelby County Schools and shall be in force for all school facilities, school property, school buses, and school-sponsored/sanctioned activities.

III. POLICY STATEMENT

The Shelby County Board of Education accepts the responsibility for establishing and maintaining proper standards of discipline and behavior in the public schools. In order to maintain good order and insure an environment conducive to learning, the Board considers behavior or conduct occurring on school property or at any school sponsored activity occurring off school property which interferes with the above to be offenses. The District establishes the Shelby County Schools Student Code of Conduct to provide a sample of unacceptable student behaviors and a related sample of disciplinary actions. The Code of Conduct and any revisions shall be approved and adopted by the SCS Board of Commissioners as the student discipline policy of the District.

IV. RESPONSIBILITY

Principals and their designees shall be responsible for enforcing the rules of student conduct in accordance with the administrative rules and regulations accompanying this policy and the district-wide Student Code of Conduct accompanying this policy.

Adopted 02/24/77
Revised 07/28/83
Revised 09/29/94
Revised 12/05/96
Revised 09/25/97
Revised 08/31/00
Revised 06/26/03

STUDENT CONDUCT

PREVENTION AND INTERVENTION STRATEGIES

The District shall develop and communicate a comprehensive prevention and intervention program. The program shall include a parental engagement component outlining strategies for parents to support the prevention of inappropriate and/or disruptive behavior in their children and participate in intervention efforts if such behavior occurs.

DISCIPLINARY MEASURES

Several disciplinary measures may be employed to support acceptable student behavior. Disciplinary measures include confiscation of items, loss of privileges, before/after school detention/Saturday school, suspension from the bus, in-school suspension, out-of-school suspension, expulsion, and remand/alternative placement.

With the exception of privileges restricted by the principal, suspension from the bus and confiscation of items, schools shall not impose multiple disciplinary measures on a student for a single offense or violation of the Code of Conduct. The principal may restrict activities for students who accumulate a certain number of suspensions. Activities that may be restricted by the principal and the actions that may place students on restriction shall be communicated to students and parents by the principal.

A. Confiscation of Items and/or Loss of Privileges

Confiscation of Items

“Confiscated items” include beepers, telephone pagers, laser pointers, and cellular phones, prohibited electronic devices, and any other item prohibited by the District. Unless the District extends the return time of confiscated items because the item or its contents may be evidence of violation of law or policy, the parent may pick up the item at a the time and location designated by the principal at the close of the next school day following the day that the parent received notification of confiscation or earlier at the principal’s discretion. Thereafter, the parent may pick up the device by appointment. The district does not take responsibility for confiscated items and will not compensate the

owner for any lost, stolen, or damaged confiscated items while in the custody of the district.

Loss of Privileges

Students may lose privileges including, but not limited to, the following:

- Loss of classroom privileges
- Loss of parking privileges
- Loss of extracurricular/athletic or other school-wide privileges
- Privileges Restricted by the Principal

B. Before/After School Detention/Saturday School - Students may be detained before or after the school day or required to attend Saturday school as a means of disciplinary action. The following guidelines shall be followed:

- The student will be given at least one (1) full day of notice before detention/Saturday school.
- Parents/guardians will be informed before detention/Saturday school takes place.
- Students will be under supervision of certified staff members.
- Detention will not exceed 45 minutes after the official closing of the school day but may be administered several days in succession.
- Teachers must have the approval of the principal before issuing detention or requiring a student to attend Saturday school.
- Students riding school buses will be provided an alternative to detention, or with agreement of the parents, go to detention at a later date.
- Students with religious exemptions to Saturday school shall be provided with an alternative disciplinary option.

C. In-School Suspension - The in-school suspension program includes a behavior management component that teaches students skills to improve their behavior and make good choices while allowing students the opportunity to complete their regular classroom assignments in an isolated environment. The principal, including vice/assistant principal, has sole discretion to issue in-school suspensions.

D. Out-of-School Suspension – Out-of-school suspensions vary in length from zero (0) to ten (10) days. It is not the intent of the system to remove students from the school society for first-time or for minor violations. Therefore, suspension from school should be used with caution and only in

appropriate cases. The principal, including vice/assistant principal, has sole discretion to issue out-of-school suspensions from zero (0) to ten (10) days.

1. A behavioral intervention plan shall be developed for students who accumulate more than five days of suspensions during the school year.
2. Multiple suspensions shall not run consecutively; nor shall multiple suspensions be applied to avoid expulsion from school.

Reasonable effort shall be made to contact the parent/guardian immediately regarding any suspension. If contact with the parent/guardian cannot be made, the student will remain at school until dismissal time except in cases of police arrest or an emergency, such as when the student's continued presence poses a danger to persons or property in the school or an ongoing threat of disrupting the academic process. Students on suspension must not be permitted to set foot on school property, attend class, take exams, or participate in school-sponsored activities while under suspension, unless otherwise allowed by law and/or Board policy (see TCA 49-6-3401(d) and the policy on Alternative Schools).

E. Expulsion - Expulsions vary in length from eleven (11) days to the remainder of the school year or one (1) calendar year for state-mandated expulsions. (Any single suspension in excess of 10 consecutive days or multiple suspensions totaling 15 days in one month is an expulsion.) The principal may issue expulsions subject to student legal due process rights regarding appeals of expulsions (suspension of more than ten (10) days) and in accordance with the district-wide Student Code of Conduct. The Superintendent may modify a state-mandated one-year expulsion on a case-by-case basis.

When the student's infraction involves a substantive threat of harm or possession of a weapon, the student shall be referred for threat assessment and the parents will be informed that the case is being held under advisement pending outcome of the threat assessment. Threat assessment findings will be utilized by the department responsible for student services in adjudicating these cases and in making appropriate placement recommendations to ensure the safety of the student and others.

F. Suspension From the School/MATA Bus – Except where prohibited by law, students who engage in bus-related misconduct may be suspended from riding the school or MATA bus to and from school. Decisions involving temporary/ permanent removal from school bus or MATA bus ridership will be

made by the principal. In such cases, the student would typically continue his/her school assignment, but he/she would have to find another means of transportation. Truancy laws would still be in effect. Additional disciplinary actions may also apply when bus-related misconduct involves a violation of the Student Code of Conduct.

A student receiving special education services shall not be suspended from school/Mata bus transportation if transportation services are required under the student's Individual Education Plan (IEP).

G. Motor Vehicle or Permit License Revocation – In accordance with state law, any student fifteen (15) years of age or older who becomes academically deficient or deficient in attendance shall be reported to the Department of Safety for motor vehicle or permit license revocation.

A student shall be deemed academically deficient if he/she has not received passing grades in at least three (3) full unit subjects or their equivalency at the end of semester grading.

A student shall be deemed deficient in attendance when he/she drops out of school or has ten (10) consecutive or fifteen (15) days total unexcused absences during a single semester-, unless the absences are due to transfer or are beyond the student's control. The Superintendent (designee), with the assistance of the attendance teacher and any other staff or school personnel, shall be the sole judge of whether unexcused absences are due to circumstances beyond the student's control. Suspensions shall be considered unexcused absences. Suspension, expulsion or confinement in a correctional institution shall not constitute a circumstance beyond the control of a student.

A copy of the notice sent to the Department of Safety by school personnel shall also be mailed to the student's parent or guardian.

REPORTING PROCEDURES

Mandatory reportable criminal offenses shall be reported in accordance with state law and Board policy (see 7005 Mandatory Police Reporting). The principal shall consult with department responsible for security when determining whether local law enforcement should be contacted regarding any violation of the Code of Conduct that does not require mandatory reporting to law enforcement or other agency. For reporting discrimination and sexual

harassment, any student or parent/legal guardian who believes s/he is experiencing student-to-student discrimination or sexual harassment shall report such circumstances to a teacher, counselor, or principal immediately. If the report is made to a teacher or counselor, s/he must notify the principal immediately.

SPECIAL EDUCATION CONSIDERATIONS

Students who also qualify for special education services determined to have violated this policy may be suspended, expelled, or remanded or otherwise disciplined only in accordance with special education laws and policies. For zero tolerance offenses, remand of students who qualify for special education services must be based on recommendation of the IEP team.

Unless a disciplinary infraction is the direct result of a child's disability, the child will be disciplined in the same manner as a nondisabled child. The district, parent/guardian, and relevant members of the IEP team shall review all relevant information to determine:

- a. if the conduct was a direct result of the district's failure to implement the IEP; and/or
- b. if the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability.

Serious safety issues involving weapons, drugs, or inflicting serious bodily injury upon another person while at school, on school premises, or at a school function will result in removal for up to forty-five school days. In cases of expulsions (suspensions longer than 10 days), the child must continue to receive educational services.

Regular education students may invoke rights under special education laws under certain conditions, including if the parent has expressed concern in writing to supervisory or administrative personnel of the district, or the child's teacher, that the child is in need of special education and related services.

The school district must also contact the Education Specialist at the Department of Children's Services if a foster child (with or without an identified disability)

has allegedly committed an offense that may result in a suspension of 10 or more days or has had a petition filed against him/her by the school or school system.

STUDENT CONDUCT – Student Code of Conduct

(Offenses and Penalties by Category)

The infractions of school discipline in the Shelby County Schools listed below are grouped into categories according to the seriousness of the offense. This list is not intended to be exclusive or all inclusive. For infractions not specifically listed below, school principals shall assign discipline in accordance with the category that appears to be comparable to the offenses specifically listed in the category.

Category A – State Zero Tolerance Offenses

1. Aggravated Assault resulting in serious bodily injury upon any teacher, principal, administrator, school resource officer, or any other school employee;
2. Unlawful possession, sale, or evidence of use of drugs/narcotics at school or at a school-sponsored activity;
3. Unauthorized possession of a firearm on school property or at a school sponsored activity.

Penalty for *Category A* Offenses:

- Expulsion/Suspension for 180 days

Notification will be made to law enforcement authorities. Any modification of this penalty can only be made by the Superintendent.

Category B

1. Possession of a knife or any potentially lethal weapon, Taser, or explosive on school property or at a school-sponsored activity;
2. Evidence of drinking or possession of alcoholic beverages in school or at a school sponsored activity;

3. Off-campus criminal behavior resulting in a felony charge, when the behavior poses a danger to persons or property or disrupts the educational process;
4. Gang activities - Activity that is threatening and/or intimidating, harassing in nature or recruiting; gang notebooks with gang pledges, codes and symbols that are used in communication such as threats and warnings and recruiting; gang related fights, and all types of violent acts; gang graffiti especially drawn on school property (bathrooms, lockers and hall walls); electronic devices such as cell phones with recognized gang text, with gang symbols, signs and language that is threatening and or intimidating;
5. Evidence of use or possession of drug paraphernalia, substances for huffing, any substance under guise of it being a controlled substance or prescription drug, and/or medical preparations without proper medical authorization.
6. Possession, use or distribution of counterfeit money on school property or at any school sponsored activity.
7. Assault upon any teacher, principal, administrator, school resource officer, or any other school employee.
8. Continuous and/or severe Category C Offenses

PENALTY for *Category B* Offenses:

- Out-of School Suspension
- Expulsion (11-180 day)

When appropriate, notification will be made to law enforcement authorities. Modification of this penalty can be made by the Superintendent or the Disciplinary Hearing Authority.

Category C

1. Threatening bodily harm to school personnel, including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to a school employee and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention;
2. Making a threat, including a false report, to use a bomb, dynamite, any other deadly explosive or destructive device, including chemical weapons, on school property or at a school-sponsored event;

3. Smoking and or the possession of tobacco products by students while in or on school, properties or under school's jurisdiction during school hours or while participating in a school-sponsored event;
4. Gang activities - any gang related activity not specified in Category B;
5. One (1) or more students initiating a physical attack on an individual student on school property or at a school-sponsored activity;
6. Malicious destruction of or damage to school property, including electronic media, or the property of any person attending or assigned to the school;
7. Stealing or misappropriation of school or personal property (regardless of intent to return);
8. Immoral or disreputable conduct
9. Continuous and/or severe Category D Offenses

Penalty for Category C Offenses:

- In-School Suspension
- Out-of School Suspension

When appropriate, notification will be made to law enforcement authorities.

Category D

1. Open or continued defiant attitude or willful disobedience toward a member of school staff;
2. Vulgar, profane, immoral/disreputable or rude remarks or non-verbal action to staff member or fellow student;
3. Physical or verbal intimidation or threats to other students, including hazing;
4. Threatening bodily harm to another student, including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to a student and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention;
5. Fighting in or on school property unless, in accordance with state law, the principal recommends no disciplinary action for a student who is deemed to have acted in self-defense or defense of another;
6. Possession of mace or disabling sprays;
7. Inappropriate use of electronic media, including, but not limited to, all calls (land line, cellular or computer generated), instant messaging, text messaging, audio recording devices, iPods, MP3s or any type of

- electronic music or entertainment device, and cameras and camera phones;
8. Sexual, racial, ethnic, or religious harassment/discrimination;
 9. Bullying, intimidation, and harassment
 10. Refusal to produce an object identified by metal detectors;
 11. Inciting, advising or counseling of others to engage in any acts in Categories A, B or C.
 12. Continuous and/or severe Category E Offenses

Penalty for Category D Offenses:

- Parent-Principal Conference
- Before/After School Detention/Saturday School
- In-School Suspension
- Out-of-School Suspension

Category E

1. Habitual and/or excessive tardiness
2. Class cutting;
3. Intentional disturbance of class, cafeteria or school activities;
4. Leaving school grounds without permission;
5. Being in an unauthorized area without permission;
6. Tampering with grades or report cards;
7. Possession of lighters or matches;
8. Possession of and access to beepers, cellular phones or other electronic communication devices during school hours without written permission of the principal;
9. Inciting, advising or counseling others to engage in any acts in Category D;
10. Dress code violation, including wearing, while on school grounds during the regular school day, clothing that exposes underwear or body parts in an indecent manner that disrupts the learning environment

Penalty for Category E Offenses:

- Parent-Principal Conference
- Before/After School Detention/Saturday School
- In-School Suspension

Student Code of Conduct

Category A – State Zero Tolerance Offenses	<i>Parent – Principal Conference</i>	<i>Detention Saturday School</i>	<i>ISS</i>	<i>OSS</i>	<i>11 to 180</i>	Required 180
Aggravated Assault resulting in serious bodily injury upon any teacher, principal, administrator, school resource officer, or any other school employee						•
Unlawful possession, sale, or evidence of use of drugs/narcotics at school or at a school-sponsored activity						•
Unauthorized possession of a firearm on school property or at a school sponsored activity						•
<i>NOTE: For Category A Offenses, notification will be made to law enforcement authorities. Any modification of this penalty can only be made by the Superintendent.</i>						
Category B	<i>Parent – Principal Conference</i>	<i>Detention Saturday School</i>	<i>ISS</i>	<i>OSS</i>	<i>11 to 180</i>	Required 180
Possession of a knife or any potentially lethal weapon, Taser, or explosive on school property or at a school-sponsored activity				•	•	
Evidence of drinking or possession of alcoholic beverages in school or at a school sponsored activity				•	•	
Off-campus criminal behavior resulting in a felony charge, when the behavior poses a danger to persons or property or disrupts the educational process				•	•	
Gang activities - Activity that is threatening and/or intimidating, harassing in nature or recruiting; gang notebooks with gang pledges, codes and symbols that are used in communication such as threats and warnings and recruiting; gang related fights, and all types of violent acts; gang graffiti especially drawn on school property (bathrooms, lockers and hall walls); electronic devices such as cell phones with recognized gang text, with gang symbols, signs and language that is threatening and or intimidating				•	•	
Evidence of use or possession of drug paraphernalia, substances for huffing, any substance under guise of it being a controlled substance or prescription drug, and/or medical preparations without proper medical authorization				•	•	
Possession, use or distribution of counterfeit money on school property or at any school sponsored activity.				•	•	
Assault and/or battery upon any teacher, principal, administrator, school resource officer, or any other school employee				•	•	
Continuous and/or severe Category C Offenses				•	•	
<i>When appropriate, for Category B Offenses notification will be made to law enforcement authorities. Modification of this penalty can be made by the Superintendent or the Disciplinary Hearing Authority.</i>						
Category C	<i>Parent – Principal Conference</i>	<i>Detention Saturday School</i>	<i>ISS</i>	<i>OSS</i>	<i>11 to 180</i>	Required 180
Threatening bodily harm to school personnel, including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to a school employee and the			•	•		

Threatening bodily harm to school personnel, including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to a school employee and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention			•	•		
Making a threat, including a false report, to use a bomb, dynamite, any other deadly explosive or destructive device, including chemical weapons, on school property or at a school-sponsored event			•	•		
Smoking and or the possession of tobacco products by students while in or on school, properties or under school's jurisdiction during school hours or while participating in a school-sponsored event			•	•		
Gang activities - any gang related activity not specified in Category B			•	•		
One (1) or more students initiating a physical attack on an individual student on school property or at a school-sponsored activity			•	•		
Malicious destruction of or damage to school property, including electronic media, or the property of any person attending or assigned to the school			•	•		
Stealing or misappropriation of school or personal property (regardless of intent to return)			•	•		
Immoral or disreputable conduct			•	•		
Continuous and/or severe Category D Offenses			•	•		
When appropriate, for <i>Category C Offenses</i> notification will be made to law enforcement authorities.						
Category D	Parent – Principal Conference	Detention Saturday School	ISS	OSS	11 to 180	Required 180
Open or continued defiant attitude or willful disobedience toward a member of school staff	•	•	•	•		
Vulgar, profane, immoral/disreputable or rude remarks or non-verbal action to staff member or fellow student	•	•	•	•		
Physical or verbal intimidation or threats to other students, including hazing	•	•	•	•		
Threatening bodily harm to another student, including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to a student and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention	•	•	•	•		
Fighting in or on school property unless, in accordance with state law, the principal recommends no disciplinary action for a student who is deemed to have acted in self-defense or defense of another	•	•	•	•		
Possession of mace or disabling sprays	•	•	•	•		
Inappropriate use of electronic media, including, but not limited to, all calls (land line, cellular or computer generated), instant messaging, text messaging, audio recording devices, iPods, MP3s or any type of electronic music or entertainment device, and cameras and camera phones	•	•	•	•		

Bullying, intimidation, and harassment	•	•	•	•		
Refusal to produce an object identified by metal detectors	•	•	•	•		
Inciting, advising or counseling of others to engage in any acts in Categories A, B or C	•	•	•	•		
Continuous and/or severe Category D Offenses	•	•	•	•		
<i>Category E</i>	<i>Parent – Principal Conference</i>	<i>Detention Saturday School</i>	<i>ISS</i>	<i>OSS</i>	<i>11 to 180</i>	<i>Required 180</i>
Habitual and/or excessive tardiness	•	•	•			
Class cutting	•	•	•			
Intentional disturbance of class, cafeteria or school activities	•	•	•			
Leaving school grounds without permission	•	•	•			
Being in an unauthorized area without permission	•	•	•			
Tampering with grades or report cards	•	•	•			
Possession of lighters or matches	•	•	•			
Possession of and access to beepers, cellular phones or other electronic communication devices during school hours without written permission of the principal	•	•	•			
Inciting, advising or counseling others to engage in any acts in Category D	•	•	•			
Dress code violation, including wearing, while on school grounds during the regular school day, clothing that exposes underwear or body parts in an indecent manner that disrupts the learning environment	•	•	•			