

Hamilton County Schools
**“Code of Acceptable Behavior and
Discipline”**
2019-2020

DRAFT



Parental/Student Notification Form

Signatures below acknowledge receipt of the Hamilton County Schools' Student Code of Acceptable Behavior and Discipline.

If parents/guardians have questions regarding the content of this pamphlet, please contact the school that your student(s) attends.

Each school administration shall ensure that the contents are understood by students attending their school.

Students in grades six (6) through twelve (12) shall sign this form. A signature acknowledges that the student understands the content of the code.

Parents/guardians are requested to sign and date this form. Students shall return this notification form to their school.

Date

Signature of Parent or Guardian

Date

Signature of Student (Grades 6-12)

Print Name of Student

Superintendent's Letter

DRAFT

Dr. Johnson

Code of Acceptable Behavior and Discipline

Much work and thought has gone into the preparation of the Code of Acceptable Behavior and Discipline. It is consistent with State Board policy, state legislation, and the most recent court decisions. It should prove to be beneficial to everyone involved: students, parents, and school employees. This code is reviewed annually and revised, as necessary, by a committee composed of educators, board members, students and parents. In essence, it does the following five things:

1. It provides substantial guidance for behavior standards and expectations for students.
2. It assures due process and fair treatment for every student, assuring each an opportunity to be heard.
3. It is the foundation that should foster a wholesome environment within the schools of the system.
4. It affords each student an uninterrupted opportunity to pursue academic excellence.
5. It provides rules designed for the safety and welfare of the students.

It does not, in any sense, weaken the position of the teachers and principals with regard to the maintenance of good conduct and order. We feel that it is a good guide for our school system. This booklet should be used as a reference until another is revised and issued by Hamilton County Schools.

STUDENT ATHLETES

In recognition of the honor and responsibility that comes with representing his or her school, student athletes are expected to be model students both on and off campus. Principals may hold student athletes accountable for any conduct that reflects poorly on the school or the program whether occurring off campus or outside the sports season.

Rights and Responsibilities

Each student has the right to:

1. Have the opportunity for a free education in the most appropriate and safe learning environment;
2. Be secure in his/her person, papers and effects against unreasonable searches and seizure;
3. Expect that the school will be a safe place;
4. Have an appropriate environment conducive to learning;
5. Not be discriminated against on the basis of sex, race, color, creed, religion, national origin or disabilities (1); and
6. Be fully informed of school rules and regulations.

Each student has the responsibility to: (2)

1. Know and adhere to reasonable rules and regulations established by the Board;
2. Respect the human dignity and worth of every other individual;
3. Refrain from libel, slanderous remarks, and obscenity in verbal and written expression;
4. Study and maintain the best possible level of academic achievement;
5. Be punctual and present in the regular school program;
6. Dress and groom in a manner that meets reasonable standards of health, cleanliness, modesty and safety;
7. Maintain and/or improve the school environment, preserve school and private property, and exercise care while using school facilities;
8. Refrain from behavior which would lead to physical or emotional harm or disrupts the educational process;
9. Respect the authority of school administrators, teachers and other authorized personnel in maintaining discipline in the school and at school-sponsored activities;
10. Obey the law and school rules as to the possession or the use of alcohol, illegal drugs and other unauthorized substances or materials; and
11. Possess on school grounds only those materials which are acceptable under the law, Board policy and school rules and accept the consequences for articles stored in one's locker or vehicle.
 1. School Board Policy 6.301
 2. 20 U.S.C. 1703
 3. TCA 49-6-3401

Digital Citizenship Statement

Hamilton County Schools recognizes that technology has become an essential part of our lives. With that in mind, schools must teach our students how to effectively, ethically, responsibly, and safely use technology as a resource to support academic goals. The use of technology may include the following devices; cell phones, iPads, desktops, laptops, etc., Schools can play a vital role in educating our students with the best practices around the proper use of technology. Without proper guidance, technology may become a distraction. Therefore, the inappropriate use of technology and devices may result in a discipline infraction as outlined in the code of acceptable behavior.

*Each school has the autonomy to establish their own specific guidelines in determining the use of technology during school hours and school events for educational purposes only.

Dress Code Policy

A student shall not dress, groom, wear or use emblems, insignias, badges, or other symbols where the effect thereof is to distract unreasonably the attention of other students or otherwise to cause disruption or interference with the operation of the school

Zero Tolerance Offenses

According to state and federal law, a student who commits a zero tolerance offense is expelled for one calendar year, unless modified by the Superintendent. This includes offenses on school properties, including buses and at school-sponsored activities. All violations will be reported to local law enforcement officials.

The following are zero tolerance offenses:

- **Weapons and dangerous instruments** (these shall include, but are not limited to a firearm or anything manifestly designed, made or adapted for the purpose of inflicting death or serious bodily injury or anything that in the manner of its use or intended use is capable of causing death or serious bodily injury.
- **Drugs** (any student who unlawfully possesses or is under the influence of any drug including any controlled substance or legend drug.
- **Assault** (any student who commits aggravated assault or commits an assault that results in physical contact with any teacher, principal, administrator, and other employee of the school, or school resource officer.
- **Threat by Electronic Device** (any student who transmits by an electronic device a credible threat to cause bodily injury or death to another student or school employee and the threat causes actual disruptive activity at the school.

School Board Policy 6.309

Searches

Students have the right to be safe and secure at school and pursue their education in a disciplined environment conducive to learning. Therefore, students and all their property will be subject to random administrative searches. Refusal to cooperate with a reasonable request may result in disciplinary actions.

Any principal, or his/her designee, having reasonable suspicion may search any student, place or thing on school property or in the actual or constructive possession of any student during any organized school activity off campus, including buses, vehicles of students or visitors (Notice shall be posted in the school parking lot that vehicles parked on school property by students or visitors are subject to search for drugs, drug paraphernalia or dangerous weapons), and containers or packages if he/she receives information which would cause a reasonable belief that the search will lead to the discovery of:

1. Evidence of any violation of the law;
2. Evidence of any violation of school rules or regulations or proper standards of student or faculty conduct;
3. Any object or substance which, because of its presence, presents an immediate danger of harm or illness to any person.

Locker Use

The school has the authority and control the locker and may gain access to it at any time. Any lock to which the school does not have the key or combination will be removed by the school. A student using a locker that is the property of the school system does not have the right of privacy in that locker or its contents. All lockers or other storage areas provided for student use on school premises remain the property of the school system and are provided for the use of students subject to inspection, access for maintenance and search. Notice shall be posted in each school that lockers and other storage areas are school property and are subject to search.

Student Vehicles on School Property

Students of driving age are permitted to operate their own vehicles on campus if they have proof of liability insurance coverage and paid required parking fees. However, a student shall permanently lose the privilege to have a vehicle on school grounds if the student is involved in any manner with drugs or drug paraphernalia, other controlled substances including alcohol or possession of a weapon

Bullying/Harassment/Cyber-Bullying/Hazing

Is a violation of Hamilton County School Board Policy. Claims of bullying/harassment/cyber-bullying/ are to be directed to the building administrator for investigation without the fear of reprisal or retaliation. False accusations as a means of reprisal or retaliation will be disciplined in accordance with the district policies, procedures, and agreements. Hamilton County Schools (HCS) will host annual events for parents to discuss HCS prevention strategies. Dates, times, and locations will be forwarded through the HCS messaging system. Additional resources are available at https://www.tn.gov/content/dam/tn/education/safety/bully_harass_cyber-bullying_laws.pdf

NOTE: This Code of Acceptable Behavior will be implemented in compliance with the requirements of applicable Federal and State statutes and accompanying regulations governing the appropriate discipline of students suspected or identified as having a disability.

It is the policy of Hamilton County Board of Education not to discriminate on the basis of sex, race, national origin, creed, religion, age, marital status, or disability in its educational programs, activities, or employment policies.

A complaint may be filed by anyone who has a grievance regarding discrimination as set forth in one of the following statutes:

1. The Rehabilitation Act of 1972, Section 504;
2. Title VI of the Civil Rights Act of 1964; or
3. Title IX of the Educational Amendments of 1972

**** For each consequence that an Administrator suspends a student for more than 5 days (Letters V, X, or HH), then a Behavior Improvement Plan (Letters G and/or W) must be implemented.**

Acts Against Persons

The Hamilton County Board of Education is fully committed to providing a safe and orderly learning environment for all students in order for them to achieve academic success. This environment shall be free from discrimination, harassment, sexual harassment, hazing, bullying or cyber-bullying. The Hamilton County Board of Education will not tolerate acts of discrimination, harassment, sexual harassment, hazing, bullying, or cyber-bullying toward students by other students or staff. In addition, the Board of Education will not tolerate conduct aimed at defining a student in a sexual manner, and conduct impugning the character of a student based on allegations of sexual promiscuity.

if a pupil is determined, via a fair and thorough investigation made by the principal or the principal's appointed representative, to have acted in self-defense under a reasonable belief that the student, or another to whom the student was coming to the defense of, may have been facing the threat of imminent danger of death or serious bodily injury, which the student honestly believed to be real at that time, then, at the principal's recommendation, the student may not face any disciplinary action.

PowerSchool Entry	Incident	1 st Consequence	2 nd Consequence	3 rd Consequence	4 th – 10 th Consequence
	Bullying/Cyber-Bullying	A, F, G, L, O, P, S, T, U, W, X, Y, EE,,GG, HH, II, JJ, LL	A, B, F, G, L, Q, R, S, U, V W,, X, Y, EE, GG, HH, II, JJ	A, B, G, V, W, X, Y, EE, HH, II, JJ	A, B, V, X, Y, HH, II, JJ
	Harassment	A, B, F,, L, O, P, T,, EE, GG, II, LL	A, F,, L, P, Q, S, T, EE, GG, II	A, F,, P, S, T, U, EE, GG, II	A, F, G, P, T, V, W, EE, HH, II

**When deciding what disciplinary action should be taken for Fighting, the Administrator may consequence the involuntary mutual combatant differently based upon the results of the investigation.*

	Fighting- Major (Mutual Combat)*	A, G, T, U, V, W, Y, EE, GG, HH	A, G, R, U, V, W, Y, EE, GG, HH	A, G, V, W, Y, EE, HH	A, Y, EE, HH
	Fighting- Minor Altercation/Confrontation*	A, I, L, P, R, T, EE, LL	A, J, L, Q, T, EE	A, B, K, Q, U, EE, GG	A, B, G, V, W, Y, EE, GG, HH
	Hazing	A, F, G, L, O, P, Q, S, T, U, V, W, Y, EE, GG, II, LL	A, F, G, P, Q, S, T, U, V, W, Y, EE, GG, II	A, F, G, P, Q, S, T, U, V, W, Y, EE, HH, II	A, F, P, Q, S, T, U, V, Y, EE, HH, II
	False Accusation against school staff	A, B, F, Q, U, EE	A, B, F, Q, V, EE, GG	A, B, V, EE, GG, HH	A, B, V, EE, HH

Acts Against Persons (Continued)

****When deciding what disciplinary action should be taken, the administrator may consider the severity of the offense and may impose a more severe consequence.**

Power School Entry	Incident	1 st Consequence	2 nd Consequence	3 rd Consequence	4 th – 10 th Consequence
	Assault (Verbal)/Threat (Low level, non-criminal/no harm or physical injury)	A, B, F, H, I, N, O, P, EE, LL	A, B, F, N, L, O, P, Q, W, EE	A, Q, R, T, EE	A, G, U, V, W, EE, GG
	Assault/Threat- High/(Serious) Level	A, C, G, V, W, X, Y, EE, GG, HH	A, C, G, V, W, X, Y, EE, GG, HH	A, C, V, X, Y, EE, HH	A, C, V, X, Y, EE, HH
	Battery- the crime of threatening a person together with the act of making physical contact with them.	A, B, G, T, U, W, X, Y, EE, GG, HH	A, B, G, V, W, X, Y, EE, HH	A, V, X, Y, EE, HH	A, V, X, Y, EE, HH
	Battery of School Employee/Law Enforcement	A, G, W, X, Y	A, G, W, X, Y	A, X, Y	A, X, Y
	Battery against a student (Serious)	A, G, V, W, X, Y, EE, GG, HH	A, G, V, W, X, Y, EE, GG, HH	A, X, Y, EE, HH	A, X, Y, EE, HH
	Sexual Harassment	A, B, F, O, P, Q, T, U, Y, EE	A, F, G, O, Q, U, V, W, Y, EE, GG	A, F, G, Q, V, W, Y, EE, HH	A, F, Q, EE, HH, Y
	Sexual Misconduct and/or Indecent Exposure**	A, B, F, G, O, T, U, V, W, Y, EE, GG, HH	A, F, G, U, V, W, Y, EE, HH	A, F, V, Y, EE, HH	A, F, V, Y, EE, HH

Attendance Incidents

The Hamilton County Board of Education believes in the establishment of a tradition of regular school attendance for each student. This establishes the first step toward a successful academic career culminating in a high school diploma and this is an essential concept to learn for the job market. Attendance is a key factor in student achievement and, therefore, students are expected to be present each day that school is in session. By law students must attend school daily. HCDE will allow parent/guardian excuses to serve as documentation for three (3) personal illness days only. After three (3) parent/guardian excused personal illness days, parents must provide medical services documentation for the following: personal illness, family illness, or personal (as defined above). To avoid student absences being recorded as unexcused, a written statement signed and dated by the parent/guardian and any medical documentation should be presented to the appropriate school official within five (5) days of the student returning to school.

PowerSchool Entry	Incident	1 st Consequence	2 nd Consequence	3 rd Consequence	4 th – 10 th Consequence
	Class Cut During School Day (Skipping)	A, B, I, L, N, O, P, EE, KK	A, F, G, I, L, N, O, P, EE, KK	A, I, L, P, Q, G, EE, KK	A, I, G, P, Q, T, U, EE, KK
	Class Cut from School. Not attending the entire day. (Skipping)	A, J, L, N, P, EE	A, J, L, N, P, EE	A, I, G, Q, EE	A, I, G, Q, T, U, EE
	Leaving Campus without permission (per semester)	A, J, L, N, P, EE, KK	A, J, L, P, Q, EE, KK	A, J, K, P, Q, EE, KK	A, G, J, K, O, S, P, Q, T, U, V, W, EE, GG, KK
	Out of assigned area	A, I, L, N, O, P, EE	A, I, L, O, P, EE	A, K, N, O, P, Q, EE	A, P, Q, T, U, EE, GG
	Tardiness, Habitual (4 in a 9 week/Qtr; period to one class/period. On 4th tardy a teacher referral will be submitted to School Administration)	4th Tardy to a Class/Period. A, I, EE	For 5th Tardy to a Class/Period. A, J, EE	For 6th Tardy to one particular Class/Period A, J, L, P, EE	7 or more Tardies a Class/Period (Consecutively) A, J, K, L, P, Q, T, U, EE
	Truancy/Absentee (3 days unexcused for entire school year)	3 Unexcused Absences A, B (Parent Contact by phone and/or robo call)	5 Unexcused Absences. A, B, G, EE (Parent contact made by sending letter home) Tier One Intervention	8-10 Unexcused Absences A, B, F, L, O, P, Q, S, EE, KK Tier Two Intervention	16 or more Unexcused Absences A, B, F, L, O, P, Q, S, EE, KK Tier Three Intervention

Disruptive Incidents

The Hamilton County Board of Education expects all students to treat each other with civility and respect and not to engage in behavior that is disruptive or violent. Hamilton County students are expected to behave in a way that does not interrupt the education of other students.

PowerSchool Entry	Incident	1 st Consequence	2 nd Consequence	3 rd Consequence	4 th – 10 th Consequence
	Disobedience- Insubordination	A, O, P, L, T, EE	A, L, O, P, Q, S, T, EE	A, Q, T, U, EE, GG	A, G, Q, T, U, V, W, EE, GG, HH
	Disruptive Behavior-Minor (Unruly)	A, H, I, N, O, P, T, EE	A, I, L, P, Q, T, EE	A, P, Q, S, T, U, EE	A, G, P, Q, T, U, V, W, EE, GG
	Disruption on Campus- Major/Substantial	A, G, O, Q, S, U, V, W, Y, EE, GG, HH	A, G, Q, U, V, W, Y, EE, GG, HH	A, Q, U, V, Y, EE, HH	A, Q, U, V, Y, EE, HH
	Distribution-sale of Unauthorized materials (non-criminal)	A, C, H, I, N, EE	A, C, H, J, L, O, P, EE	A, C, H, Q, EE	A, G, C, Q, T, U, V, W, Y, GG (School Confiscation)
	Falsification-Misrepresentation (lying, forgery of signature)	A, I, J, N, P, T, EE	A, I, J, L, O, P, Q, T, EE	A, P, Q, S, T, U, Y, EE	A, G, U, V, W, Y, EE
	False Bomb/Shooter Threat	A, G, O, W, Y, EE, HH	A, G, W, Y, EE, HH	A, Y, EE, HH	A, Y, EE, HH
	False Fire Alarm/911	A, B, F, U, Y, EE	A, G, V, W, Y, EE	A, G, W, Y, EE, HH	A, Y, EE, HH
	Gambling	A, C, F, I, N, O, P, EE	A, C, I, L, P, Q, Y, EE	A, I, P, T, U, Y, EE	A, C, G, U, V, W, Y, EE, GG
	Gang Activity	A, G, Q, Y, T, EE	A, G, U, V, W, Y, EE, GG	A, G, W, Y, EE, HH	A, Y, HH
	Inciting a disturbance	A, F, L, P, Q, T, U, Y, EE, GG	A, G, P, Q, T, U, V, W, Y, EE	A, G, U, V, W, Y, HH, EE	A, U, V, Y, HH, EE
	Passing/Producing counterfeit money	A, F, C, L, P, EE, Y	A, C, Q, Y, EE	A, C, T, U, Y, EE, GG	A, G, C, V, W, Y, EE, GG, HH

	Profanity- Directed towards a Staff Member	A, L, P, Q, O, S, T, U, EE	A, P, Q, T, U, EE, GG	A, G, U, V, W, EE, GG, KK	A, Q, U, EE, HH
	Profanity- Use of insulting-obscene Language	A, H, I	A, H, J, L, P, EE	A, H, K, L, P, Q, W, EE	A, G, H, K, P, Q, T, U, V, W, EE, GG
	Prohibited-Distracting Items-Possession-Use (Laser Pointer, Bull Horn, etc.)	A, C, H, EE	A, C, H, I, L, P, EE	A, C, F, H, L, P, T, EE	A, C, G, U, V, W, EE, GG (School Confiscation)
	Trespassing	A, L, P, T, EE	A, F, P, T, U, Y, EE	A, G, Q, U, V, W, Y, EE, GG	A, G, Q, U, W, Y, EE, HH

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Property Incidents

A student will be held responsible for the cost of replacing any materials or property which the student loses or damages, including textbooks, library books, equipment and buildings. All money collected as fines shall be placed in the system-wide school fund.

Power School Entry	Incident	1 st Consequence	2 nd Consequence	3 rd Consequence	4 th – 10 th Consequence
	Arson-Starting a fire on campus	A, B, D, F, G, R, U, V, W, Y, EE, GG, HH	A, B, D, G, V, W, Y, EE, HH	A, D, V, Y, EE, HH	A, D, Y, EE, HH
	Burglary- Unlawful breaking/entering into a school facility or property	A, B, D, F, G, O, R, S, U, V, W, Y, EE, GG, HH, KK	A, D, G, O, S, V, W, Y, EE, GG, HH, KK	A, D, V, Y, EE, HH, KK	A, D, V, Y, EE, HH, KK
	Technology- Inappropriate Use (Computers and/or Network)	A, B, F, L, N, O, P, Q, T, EE	A, B, G, L, O, P, Q, T, U, V, W, EE, GG	A, G, P, Q, T, U, V, W, EE, GG	A, Q, U, V, EE, HH
	Technology- Illegal use (Computers and/or Network)	A, B, G, O, S, V, W, Y, EE, GG, HH	A, B, G, S, V, W, Y, EE, GG, HH	A, V, Y, EE, HH	A, V, Y, EE, HH
	Theft-Minor Less than \$100	A, D, L, P, T, EE	A, B, D, F, Q, U, EE	A, B, D, G, Q, U, V, W, EE	A, B, D, G, Q, V, W, EE, GG, HH
	Theft- Moderate \$101-\$500	A, B, D, Q, U, EE	A, B, D, F, Q, U, Y, EE	A, B, D, G, Q, V, W, Y, EE, GG, HH	A, D, G, V, W, Y, EE, GG, HH
	Theft- Grand More than \$500	A, B, D, F, G, O, Q, V, W, Y, EE, GG, HH	A, D, G, Q, V, W, Y, EE, GG, HH	A, D, Q, V, Y, EE, GG, HH	A, D, Q, V, Y, EE, HH
	Theft/Motor Vehicle	A, D, G, O, W, EE, HH	A, G, W, EE, HH	A, EE, HH	A, EE, HH
	Vandalism Less than \$100	A, B, D, L, O, N, P, EE	A, B, F, D, Q, T, EE	A, D, T, U, EE	A, D, G, U, V, W, EE, GG, HH
	Vandalism/Damage to Property \$101- \$1000	A, B, D, F, G, O, Q, U, V, W, Y, EE, GG,	A, B, D, G, V, W, Y, EE, GG, HH	A, D, V, Y EE, HH	A, D, V, Y EE, HH
	Vandalism/Damage to property More than \$1000	A, D, F, G, O, V, W, Y EE, GG, HH	A, D, F, G, V, W, Y EE, GG, HH	A, D, V, Y EE, HH	A, D, Y EE, HH

Rule Violation Incidents

The principal of each school shall be responsible for implementation and administration in his/her school and shall apply the Code uniformly and fairly to each student at the school without partiality and discrimination.

Power School Entry	Incident	1 st Consequence	2 nd Consequence	3 rd Consequence	4 th – 10 th Consequence
	Cell Phone Violation	A, C, H (If parent is unable to pick up, then school holds for three days)	A, C, EE (School confiscates for 5 school days)	A, C, EE (School confiscates for 10 school days)	A, C, EE (School Confiscates 20 school days)
	Cell Phone/Electronic Devices Violation (Offensive/unlawful use or publication)	A, C, G, N, O, S, U, V, W, Y, EE, HH, GG (School/law enforcement confiscates until deemed appropriate to give back to parent/guardian)	A, C, G, S, U, V, W, Y, EE, HH, GG (School/law enforcement confiscates until deemed appropriate to give back to parent/guardian)	A, C, V, Y, EE, HH (School/law enforcement confiscates until deemed appropriate to give back to parent/guardian)	A, C, U, V, X, Y, EE, HH (School/law enforcement confiscates until deemed appropriate to give back to parent/guardian)
	Cheating/Plagiarism (Major)	A, EE A zero may be given	A, J, L, P, EE A zero may be given	A, K, O, P, Q, EE A zero may be given	A, Q, T, U, EE A zero may be given
	Detention- Unserved	A, EE 1 chance to make up the missed day	A, J, EE	A, P, EE	A, Q, T, U, EE
	Dress Code Violation	A, B, P, EE	A, B, G, L, N, O, P, I, EE	A, F, J, L, Q, EE	A, K, P, Q, S, T, U, EE, GG
	Saturday School- Unserved	A, EE 1 chance to make up the missed day	A, O, P, EE	A, Q, S, EE	A, Q, S, T, U, EE, GG

Correct the issue (ie: take off jacket, hoodie, tuck in shirt, and etc.). If the school has a clothes closet, provide clothes so the student can get in to dress code Call parent and have them bring correct clothing. ISS as last resort.

School Bus Behavior Incidents

By law, school bus transportation is a privilege and not a right. A student shall be prevented from using bus transportation if his/her behavior physically endangers other riders, causes problems on the school bus or when he/she breaks state and/or local rules and regulations pertaining to school bus transportation.

Power School Entry	Incident	1 st Consequence	2 nd Consequence	3 rd Consequence	4 th – 10 th Consequence
	<p>Level One Violation:</p> <ol style="list-style-type: none"> 1. Eating, drinking on bus. 2. Failure to sit as assigned by bus driver 3. Attempting to board the wrong bus or getting on or off at the wrong stop. 	A, B, AA	A, F, EE	A, BB	A, G, W, BB, CC, FF
	<p>Level Two Violation:</p> <ol style="list-style-type: none"> 1. Disrupting, distracting, and disobeying the bus driver. 2. Failure to utilize required safety equipment on the bus. 3. Getting out of seat while the bus is in motion. 4. Loud talking, spitting, and/or inappropriate remarks at students, pedestrians and motorists. 5. Placing body parts out of window. 	A, B, EE	A, F, BB, EE	A, G, W, BB, CC, EE	A, G, W, BB, CC, EE, FF
	<p>Level Three Violation:</p> <ol style="list-style-type: none"> 1. Opening emergency door or exits. 2. Threats against the bus driver, attendant or passengers on the bus. 3. Profanity directed at the bus driver or bus attendant. 4. Fighting or smoking on the bus. 5. Throwing objects out of the bus window or at the bus. 6. Vandalism of seats or other bus equipment. 7. Sexual harassment, behavior, and/or conduct. 	A, D, F, G, W, BB, CC	A, D, G, W, BB, CC	A, D, G, W, BB, CC	A, D, CC, DD, FF

Substance Abuse/Drug Incidents

Students will not possess, distribute or be under the influence of illegal drugs or alcoholic beverages in school buildings or on school grounds, in school vehicles or buses, or at any school-sponsored activity at any time, whether on or off school grounds. Students will not market or distribute any substance which is represented to be or is substantially similar in color, shape, size or markings to a controlled substance in school buildings or on school grounds, in school vehicles or buses, or at any school-sponsored activity at any time, whether on or off school grounds.

Power School Entry	Incident	1 st Consequence	2 nd Consequence	3 rd Consequence	4 th – 10 th Consequence
	Alcohol Sale-Attempted Sale-Transmittal	A, B, C, E, G, W, Y, EE, HH, KK	A, B, C, E, G, W, Y, EE, HH, KK	A, B, C, E, Y, EE, HH, KK	A, B, C, E, Y, EE, HH, KK
	Alcohol- (Use, possession, under the influence)	A, B, C, E, G, W, Y, EE, HH, KK	A, B, C, E, G, W, Y, EE, HH, KK	A, B, C, E, Y, EE, HH, KK	A, B, C, E, Y, EE, HH, KK
	Drug Paraphernalia-Possession	A, B, C, E, F, G, R, W, Y, EE, HH, GG, KK	A, B, C, E, Y, GG, KK	A, B, C, E, X, Y, HH, KK	A, B, C, E, X, Y, HH, KK
	Drug- (Possession, use, under the influence)	A, B, C, E, G, W, X, Y, KK	A, B, C, E, G, W, X, Y, KK	A, B, C, E, X, Y, KK	A, B, C, E, X, Y, KK
	Drug Sale-Attempted Sale, Transmittal	A, B, C, E, G, W, X, Y, KK	A, B, C, E, G, W, X, Y, KK	A, B, C, E, X, Y, KK	A, B, C, E, X, Y, KK
	Over the counter medication-Unauthorized use/possession	A, C, H, I, L, N, P, O, EE	A, B, C, F, H, J, O, Q, R, T, EE	A, B, C, G, S, U, V, W, EE, GG	A, B, C, E, I, EE, V, GG
	Over the counter medication-sale/attempted/Sale Transmittal	A, B, C, H, Q, EE	A, B, C, F, H, O, Q, R, U, EE	A, B, C, G, S, V, W, EE, GG	A, B, C, HH, EE
	Tobacco/Vapes-(Use, Possession, Sale, transmittal)	A, B, C, H, I, Y, EE	A, B, C, E, H, J, L, O, P, R, S, Y, EE	A, B, C, Q, T, Y, EE	

Other Criminal Incidents

Off-campus criminal behavior that results in the student being legally charged with an offense that would be classified as a felony if the student was charged as an adult or if adjudicated delinquent for an offense that would be classified as a felony if the student was an adult, or if the student was convicted of a felony, and the student's continued presence in school poses a danger to persons or property or disrupts the educational process.

Power School Entry	Incident	1 st Consequence	2 nd Consequence	3 rd Consequence	4 th – 10 th Consequence
	Bomb/Shooter Threat (Placing)	A, B, G, R, Q, V, W, X, Y, GG, HH	A, B, G, R, W, X, Y, HH	A, B, R, X, Y, HH	A, B, R, X, Y, HH
	Bomb/Shooter Threat (False Reporting)	A, B, F, P, Q, T, EE, O, S,	A, B, O, Q, S, U, EE, GG	A, G, V, W, Y, EE, GG	A, V, Y, EE, HH
	Extortion	A, B, D, G, R, V, W, Y, GG, HH	A, B, D, G, R, W, X, Y, HH	A, B, D, R, X, Y, HH	A, B, D, R, X, Y, HH
	Homicide	A, B, G, R, W, X, Y	A, B, R, X, Y	A, B, R, X, Y	A, B, R, X, Y
	Kidnapping or Abduction	A, B, G, R, W, X, Y, HH	A, B, R, X, Y, HH	A, B, R, X, Y, HH	A, B, R, X, Y, HH
	Robbery or Attempted Robbery	A, B, D, G, R, W, Y, HH	A, B, D, G, R, W, Y, HH	A, B, D, R, Y, HH	A, B, D, R, Y, HH
	Robbery (Armed) or attempted armed robbery	A, B, D, G, R, W, X, Y	A, B, D, R, X, Y	A, B, D, R, X, Y	A, B, D, R, X, Y
	Sexual Battery/Rape (Actual or Attempted)	A, B, D, G, R, W, X, Y, HH	A, B, D, R, X, Y, HH	A, B, D, R, X, Y, HH	A, B, D, R, X, Y, HH
	Weapons- (Possession, use, transmittal)	A, B, G, R, W, X, Y	A, B, R, X, Y	A, B, R, X, Y	A, B, R, X, Y
	Other Serious Incident/Delinquent Act	A, B, D, G, R, W, Y, HH	A, B, D, R, Y, HH	A, B, D, R, Y, HH	A, B, D, R, Y, HH

Glossary

Word/Term	Definition
Arson	<i>The criminal act of deliberately setting fire to property</i>
Assault	<i>an intentional threat by words or action to do harm to another person, coupled with an apparent ability to carry out the threat, and/or committing an act that creates a well-founded fear in such person that such violence is imminent.</i>
Battery	<i>an intentional touching or striking another person without their consent or against their will or causing bodily injury to another person. In the case of "battery on a School Board employee" or "Law Enforcement Officer" there must be evidence of an unprovoked, deliberate act with intent to cause physical harm to the person.</i>
Bullying	<i>Unwanted, aggressive, repeated behavior that involves a power imbalance and places a student in reasonable fear and causes a hostile education environment.</i>
Burglary	<i>Entry to a building illegally with intent to commit a crime, especially theft.</i>
Cheating/Plagiarism	<i>Cheating- act dishonestly or unfairly in order to gain an advantage in classwork and/or tests. Plagiarism- the practice of taking someone else's work or ideas and passing them off as one's own</i>
Controlled Substance	<i>Generally a drug or chemical whose manufacture, possession, or use is regulated by a government, such as illicitly used drugs or prescription medications that are designated by law.</i>
Cyber-Bullying	<i>is bullying that takes place using electronic technology. Electronic technology includes devices and equipment such as cell phones, computers, and tablets, as well as communication tools including social media sites, text messages, chat, and websites. Examples may include mean text messages or emails, rumor sent by email or posted on social network sites, and embarrassing pictures, videos, websites, or fake profiles.</i>
Detention	<i>The punishment of being kept in school after regular hours.</i>
Disruption (Minor)	<i>Disturbance or problems which interrupt an event, activity or process in a small setting. (Classroom and etc.)</i>
Disruption (Major/Substantial)	<i>is defined as an incident which results in the temporary suspension of the educational process due to a school evacuation, interference with learning activities/educational process, and/or requires the intervention of outside agencies such as the police or fire department.</i>
Dress Code	<i>The formal imposed standards of dress at a particular school</i>
Drug Paraphernalia	<i>equipment, products, and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, concealing, containing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance.</i>

Drugs	<i>A medicine or other substance which has a physiological effect when ingested or otherwise introduced into the body.</i>
E-Cig, Juul, Vape	<i>E-Cig- A cigarette-shaped device containing a nicotine-base liquid that is vaporized and inhaled.</i>
Evening School	<i>The placement of a student at school after regular hours in lieu of attending classes during the regular school day</i>
Expulsion	<i>A long term, complete exclusion from school and activities. From 11 days to 365 days.</i>
Extortion	<i>the practice of obtaining something, especially money, through force or threats.</i>
Felony	<i>A crime, typically one involving violence, regarded as more serious than a misdemeanor, and usually punishable by imprisonment for more than one year or by death.</i>
Fighting Major (Mutual Combat)	<i>is when two or more persons mutually participate in a hostile, physical encounter/altercation involving serious force/violence that results in injury requiring professional medical attention and/or brings about a major campus disruption.</i>
Firearm	<i>a rifle, pistol, or other portable gun</i>
Forgery	<i>Produce a copy or imitation of (a document, signature, banknote, or work of art) for the purpose of deception</i>
Gambling	<i>playing games of chance for money or something that has monetary or social value</i>
Gang Activity	<i>An activity that involves an organized group of criminals.</i>
Harassment	<i>(Sexual, racial, ethnic, religious) includes words, gestures, threats, or any other conduct that is severe, pervasive or persistent and creates a hostile environment that interferes with or limits a student's ability to participate in or benefit from services, activities, or opportunities offered by the school.</i>
Hazing	<i>Is any act intended to or reasonably be expected t have the effect of humiliating, intimidating or demeaning a student or endangering the mental or physical health of the student committed by an individual or group against a student in connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization affiliated with any school or program operated by the school district.</i>
Inciting a Disturbance	<i>is defined as the encouragement of confrontations, fights, disruptions, and/or any violation of the Code of Student Conduct, that are reasonably foreseeable to negatively impact the school community and/or cause substantial disruption on school campus or during a school-sponsored event. Encouragement includes, but is not limited to knowingly using: 1) an electronic device/social media to incite a disturbance 2) racial slurs/epithets of any kind or any form of discrimination as outlined in Section II of this policy or Policy 4001.1: Non-Discrimination to incite a disturbance</i>

<i>In-School Suspension</i>	<i>The punishment of being at school during regular school hours in a specific classroom designated for discipline infractions.</i>
<i>Insubordination</i>	<i>Defiance of authority; refusal to obey orders from a school employee</i>
<i>Legend Drug</i>	<i>Drugs that are approved by the US Food and Drug Administration (FDA) and that are required by federal or state law to be dispensed to the public only on prescription of a licensed physician or other licensed provider.</i>
<i>Over the Counter Medication</i>	<i>Medicines sold directly to a consumer without a prescription from a health care professional.</i>
<i>Profanity</i>	<i>Blasphemous or obscene language</i>
<i>Robbery</i>	<i>Taking another person's possession or money by force or fear.</i>
<i>Saturday School</i>	<i>The placement of a student for a punishment on a Saturday for an allotted amount of time.</i>
<i>Sexual Battery</i>	<i>The act of intentionally or recklessly engaging in, or causing, offensive or unwanted sexual contact with a person's body. An unwanted form of sexual contact with an intimate part of someone's body.</i>
<i>Sexual Harassment</i>	<i>Behavior characterized by the making of unwelcome and inappropriate sexual remarks or physical advances in a school, workplace, or other professional or social situation.</i>
<i>Sexual Rape</i>	<i>Unlawful sexual activity and usually intercourse carried out forcibly or under threat of injury against a person's will or with a person who is beneath a certain age or incapable of valid consent because of mental illness, mental deficiency, intoxication, unconsciousness, or deception.</i>
<i>Skipping</i>	<i>Attending school and then not going to a scheduled or required class and/or leaving home and not arriving at school for an entire class or day.</i>
<i>Stealing</i>	<i>Taking another person's property without their permission or knowledge</i>
<i>Suspension</i>	<i>A temporary, complete exclusion from school and activities from 1-10 days</i>
<i>Tardy</i>	<i>Not being in a designated place or area at the designated scheduled time</i>
<i>Theft</i>	<i>the action or crime of stealing</i>
<i>Threats</i>	<i>Threatening a person with the intent to take their money or property, or causing them to do anything against their will. Any threat to do harm to self or others will be taken seriously.</i>

Trespassing	<i>Unlawfully entering a public school, grounds, or school bus.</i>
Truancy	<i>Is any intentional, unjustified, unauthorized, or illegal absence from compulsory education. It is absence caused by students of their own free will, and usually does not refer to legitimate excused absences, such as ones related to medical conditions.</i>
Vandalism	<i>Action involving deliberate destruction of or damage to public or private property</i>
Weapon	<i>anything designed or used for inflicting bodily harm or physical damage</i>
Zero Tolerance Offenses	<i>Possession of a firearm, explosive, poison gas device, bomb or similar device. Illegal possession or under the influence of a controlled substance or drugs. Striking a teacher, principal, administrator or any other employee of the Hamilton County Department of Education, or an School Resource Officer (SRO)</i>

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Student Disciplinary Procedures

Any administrator may suspend any student from school, from any school-related activity on or off campus, from a specific class or classes (i.e., in-school suspension), or from riding a school bus for any misconduct prejudicial to good order and discipline, including, but not limited to, any misconduct described more particularly in the Board's Code of Acceptable Behavior or Zero Tolerance policies, or any misconduct that violates the law.¹

Procedures for suspensions²

Unless the student's continued presence in the school, class or school-related activity presents an immediate danger to the student or other persons or property, no principal shall suspend any student until that student has been advised of the nature of his/her misconduct, questioned about it, and allowed to give an explanation.

Upon suspension of any student, including an in-school suspension in excess of one (1) day, the principal shall make an immediate attempt to contact the parent or guardian to inform him or her of the suspension, the reason for the suspension, and any conditions on readmission to the school. Within twenty-four (24) hours, the principal shall provide this same information in writing to the Chief Operations Officer (COO).

The student shall not be sent home before the end of the school day unless the parent or guardian has been contacted.

- **Suspensions in excess of five (5) days:³**

For any suspension in excess of five (5) days, whether in-school or out-of-school, the principal shall develop a behavioral intervention plan. If the student is one with a disability, the principal shall notify the case manager and collaborate with the student's IEP team or Section 504 committee.

- **Suspensions in excess of ten (10) days:⁴**

If at the time of the suspension the principal determines that an offense has been committed which, in the judgment of the principal, would justify a suspension for more than ten (10) days, he/she may suspend the student unconditionally for a specified period of time or upon such terms and conditions as are deemed reasonable.

The principal shall immediately give written or actual notice to the parent or guardian and the student of the right to appeal the decision to suspend for more than ten (10)

days. All appeals must be filed, orally or in writing, within five (5) days after receipt of the notice and may be filed by the parent or guardian, the student, or any person holding a teaching license who is employed by the school system if requested by the student. The appeal from this decision shall be to the disciplinary hearing authority per Board Policy No. ###.

If the suspension occurs during the last ten (10) days of any term or semester, the student shall be permitted to take such final examinations or submit such required work as necessary to complete the course of instruction for that semester, subject to conditions prescribed by the principal.⁵

Students found to be eligible for special education shall only be suspended in accordance the Board Policy No. ### governing such suspensions.

- **In-school suspensions.⁶**

For purposes of this Policy, in-school suspensions include any removal of a student from a regular class or classes and assigning that student to a restricted class, night school, or some other program at the same school.

Students given an in-school suspension in excess of one (1) day shall attend either special classes attended only by students guilty of misconduct or be placed in an isolated area appropriate for study.

Personnel responsible for in-school suspension will see that each student is supervised at all times and has textbooks and classwork assignments from his/her regular teachers. Students given in-school suspension shall be required to complete academic assignments and shall receive credit for work completed.

1 T.C.A. § 49-6-3401(a) and (b) 2 T.C.A. § 49-6-3401(c) 3 T.C.A. § 49-6-3401(c)(3) 4 T.C.A. § 49-6-3401(c)(4) 5 T.C.A. § 49-6-3401(d) 6 T.C.A. § 49-6-3401(b)

Student Disciplinary Appeals

Disciplinary hearing authority.¹

A disciplinary hearing authority (DHA) will conduct hearings for students who have been suspended for more than ten (10) school days. The DHA will have the authority to determine guilt or innocence of any disciplinary case and, subject to the provisions of T.C.A. § 49-6-3401 and Board Policy Nos. ### and ###, appropriate consequences.

- **Constitution of the DHA**

The DHA will operate under the office of the Chief Operating Officer (COO). Each year in July, the Board will appoint up to nine (9) licensed employees to serve on the DHA. Three members of the DHA will constitute a quorum for the hearing of any case.

The COO shall appoint a chair of the DHA from the members appointed by the Board. The chair will be trained appropriately in the conduct of disciplinary hearings.

The chair shall schedule a hearing within forty-eight (48) hours of the timely request of a student, parent, guardian, or teacher acting on the student's behalf. In no event will the hearing be scheduled more than ten (10) days after the commencement of the suspension.

The chair shall assign members of the DHA to sit as the panel hearing each case. The chair is responsible for having the hearing recorded or transcribed.

- **Conduct of the hearing**

During the hearing, the chair will announce on the record the purpose of the hearing, including the nature of the offense, the date the offense occurred, and the date the appeal was lodged. The chair will ask each member of the DHA to introduce himself/herself on the record and will then ask the administrators and the student to introduce themselves as well. The chair will then describe the process the DHA will observe during the course of the hearing.

The administration will set forth the basis for its belief that the student is guilty of misconduct warranting a suspension in excess of ten (10) days. This explanation may consist of a summary of any investigation presented by the charging administrator, or it may consist of one or more witnesses as the administration deems appropriate. The DHA may ask such questions as it deems necessary to ensure a clear understanding of the case. Neither the student nor his parents/guardians may cross-examine the administration or the administration's witnesses.

After the administration has presented its charges and the DHA has questioned the administrators and their witnesses to their satisfaction, the student may respond. The student may speak on his/her behalf and may call such witnesses as are willing to speak for the student. The DHA may question the student and anyone speaking on the student's behalf.

While the student may have counsel present during the hearing, counsel may not examine or cross-examine any witnesses, nor may counsel advocate on behalf of the student.²

After the administration and the student have both explained their respective positions, the DHA shall retire to deliberate off the record and to make a decision. The first issue for the DHA to decide is whether the student is guilty of the misconduct alleged. If the DHA sustains the charge, then, except in the case of a zero-tolerance offense set forth in Board Policy No. ###, the DHA has the authority to decide the appropriate consequence within the scope set forth in Board Policy No. ###.

Upon reaching a decision, the DHA shall reconvene on the record and shall announce one of the following decisions:³

1. To affirm the decision of the school principal;
2. To order removal of the suspension unconditionally;
3. To order removal of the suspension upon such terms and conditions as it deems reasonable;
4. To remand the student to an alternative placement; or
5. To suspend the student for a specified period of time.

The DHA shall provide the student, parent/guardian, and administration of its written decision no later than five (5) days of the hearing. As part of this notice, the DHA shall explain the right of the parties to appeal to the COO, as the designee of the director of schools, and the Board. In the case of a zero-tolerance offense, the notice shall indicate that the COO has the sole discretion whether to modify the statutory 365-day suspension.

Appeal to the Chief Operations Officer.⁴

Any student, parent/guardian, or administrator who is dissatisfied with the decision of the DHA has the right to lodge an appeal with the COO, who shall serve as the designee of the director of schools. He/she shall have broad discretion to decide a student's guilty or innocence and appropriate consequences. He/she shall have sole discretion to modify 365-day suspensions established by state law and Board policy.

Appeal to the Board of Education. ⁵

If the student, parent/guardian, or administrator is dissatisfied with the decision of the COO, he/she may request the Board review the decision. As part of any such review, the COO and the chair of the DHA shall prepare the record, a summary of the proceedings and explanation of any decision, and a summary of the position of the administration and the student or parent/guardian, and submit these to the Board under seal.

The Board, at its next regular meeting, shall vote whether to sustain the decision of on the record, to reverse or modify the decision on the record, or to grant a new hearing. The Board does not have the jurisdiction to modify the consequences for a zero-tolerance offense.

If the Board votes to grant a new hearing, any such hearing shall be closed to the public unless the student or parent/guardian, within five (5) days, requests that the hearing be open. Any such hearing shall operate as would any DHA hearing except that, in the event of an open hearing, the Board shall not retire to deliberate. At the conclusion, the Board may affirm the decision of the COO or modify the decision of the COO, to include the imposition of a more severe consequence.

Oversight of the student disciplinary process

The COO shall establish procedures pursuant to which all cases of discipline are overseen by his/her office. These procedures will include means whereby principals report any suspension, including in-school suspensions in excess of one day, to his/her office; forms whereby parents/guardians are aware of their students' suspension and their rights to appeal; and a process whereby the panels of the DHA are aware of similar cases within the district that might serve as precedent to ensure consistent application of the Board's Code of Acceptable Behavior and other Board policies. 1 T.C.A. § 49-6-3401(c)(4) and (5) 2

Newsome v. Batavia Local School District, 842 F.2d 920 (6th Cir. 1988) 3 T.C.A. § 49-6-3401(6) 4 T.C.A. § 49-6-3401(6) 5 T.C.A. § 49-6-3401(6)

Disciplinary Procedures for Students Receiving Special Education

The purpose of this policy is to inform students, parents/guardians, and educators in general terms of the procedures governing the discipline of students with disabilities under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act (Section 504). In the event of an apparent conflict between this policy and the provisions of federal law, federal law shall control.

Limits on suspensions

Administrators may suspend students with disabilities for misconduct just as they would non-disabled students for up to ten (10) days during the course of any given school year.¹

At any time an administrator determines that a student with disabilities should be suspended for five (5) days, or if any given suspension, when added to previously imposed suspensions, exceeds the total of five days, the principal shall have the student's case manager convene an IEP team or Section 504 committee meeting as soon as practicable for the purpose of developing a behavioral intervention plan (BIP) and, if necessary, revising the IEP or Section 504 plan.² The team must consider whether the IEP or Section 504 is appropriate to the student's needs and, if so, whether it is being implemented appropriately. It is the Board's intention that the school administration and the IEP team or Section 504 committee will collaborate to develop appropriate interventions aimed to reduce the need for further disciplinary measures.

For any given suspension that would exceed ten (10) days, or for any suspension that, when combined with previous suspensions, would exceed a total of ten (10) days for any given school year, the school principal shall immediately ask the Office of Exceptional Education (in the case of a student receiving services under the IDEA) or Student Services (in the case of a student receiving services under Section 504) to convene a manifestation determination review (MDR) to determine whether the student conduct was a manifestation of his disability such that the student cannot be held responsible for his/her actions. The MDR shall operate in accordance with this policy and the requirements of federal law.³

Manifestation determination review

The MDR will consist of the parents/guardians of the student, the principal or his/her designee, someone from the Office of Exceptional Education or Student Services, and such other members of the IEP team or Section 504 committee as may be appropriate.⁴

The MDR shall meet within ten (10) days of the decision to suspend the student to determine whether the behavior was a manifestation of the student's disability. The MDR shall consider all relevant information, including the IEP, teacher observations, and the most current evaluations of the student. The MDR shall also consider any functional behavioral assessment (FBA) and any behavioral intervention plan (BIP). The MDR shall also consider whether the student's behavior might be a manifestation of any suspected disability voiced by any parent/guardian or considered by any member of the IEP team or Section 504 committee.

- **For behavior that is a manifestation:5**

If the MDR is unable to rule out a known or suspected disability as a cause of or a direct and substantial factor in the student's misconduct, then it shall take appropriate steps to address the educational needs of the student, including conducting an FBA (unless the MDR determines that any recent FBA is adequate), the developments or the refining of a BIP, and the revision of any IEP or 504 plan.

Except as set forth below, the student may not be suspended or removed from the existing educational placement but must "stay put" in that placement unless the IEP team or Section 504 committee, including

the parents/guardians, agree that a more restrictive placement is appropriate for the implementation of the BIP so that the student may receive a free appropriate public education.

- **For behavior that is not a manifestation:6**

If the MDR can rule out a known or suspected disability as a cause or direct and substantial factor in the student's misconduct, then the MDR shall adjourn. The student may be disciplined as would any student without disabilities per Board Policy Nos. ### and ###.

In the case of a student receiving services under the IDEA, the case manager will coordinate with the Chief Operations Officer (COO) to ensure that the student will continue to receive any services required by the IEP during the time of his/her suspension. The case manager shall convene an IEP team meeting to discuss the change of placement if such a meeting is necessary to provide a free appropriate public education.

In the case of a student receiving services under Section 504, services will cease during the period of any out-of-school suspension. If the student is remanded to an alternative educational setting and services are required to enable the student to participate in the program, the case manager will coordinate these services with the COO.

Exceptions to "stay-put"7

Irrespective of whether a student's conduct may be a manifestation of his/her disability, a student may be suspended to an interim alternative educational placement for up to forty-five (45) days for:

- Carrying or possessing a dangerous weapon as defined in 18 U.S.C. § 930 on school property or at a school function;
- Knowingly using or possessing or selling or soliciting the sale of illegal drugs on school property or at a school function; or
- Inflicting serious bodily injury, meaning an injury with a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty, while on school property or at a school function.

An interim alternative educational placement shall not automatically be forty-five (45) days but shall be in conformity with consequences imposed on students without disabilities. The case manager shall coordinate with the COO how to provide services to any students assigned to an interim alternative educational placement.

Appeal rights for students with disabilities

Any student or parent/guardian who disputes that the student violated the Code of Acceptable Behavior, Board policy, or state law; or who disagrees with the decision of the MDR that the student's behavior was not a manifestation of a known or suspected disability; or who objects to the consequences imposed by the administrator may request a hearing before the disciplinary hearing authority, the COO, and the Board of Education pursuant to Board Policy No. ###.

Alternatively, a student or parent/guardian may request a due process hearing before an administrative law judge.⁸ 1 34 C.F.R. § 300.530(b)(1) 2 T.C.A. § 49-6-3401(c)(3) 3 34 C.F.R. § 300.530(e) 4 34 C.F.R. § 300.530(e)(1) 5 34 C.F.R. § 300.530(e) and (f) 6 34 C.F.R. § 300.530(d)(1) 7 34 C.F.R. § 300.530(g) 8 34 C.F.R. § 300.532

Alternative School Program

Operation

The Board shall operate an alternative school program for students in grades ## through twelve (##-12) who have been suspended from regular school programs.¹ Alternative school programs shall be operated in accordance with state law and the Rules of the State Board of Education, and instruction shall proceed as nearly as practicable in accordance with the instructional programs at the student's home school.²

The director of schools shall develop procedures that provide appropriate educational opportunities for all students assigned to an alternative education program. These educational opportunities shall utilize Tennessee's academic standards, incorporate innovative teaching strategies, deliver research-based instructional techniques, and provide the resources necessary to foster student learning and achievement.³

Annually, the director of schools or his/her designee shall submit the following information to the Department of Education:³

1. Alternative school(s) or program(s) currently in operation in the district;
2. Number and grade level of students served in an alternative education program;
3. Primary reason for student assignment to an alternative education program; and
4. Number of faculty and staff serving each alternative education program.

Assignment

Placement in an alternative education setting shall be reserved for students who have been suspended from attending regular school programs for disciplinary reasons. Subject to more specific requirements of state and federal law, and taking into consideration the impact of exclusionary discipline practices, the director of schools and/or the disciplinary hearing authority (DHA) have discretion to remand suspended students to an alternative education setting.⁴

Prior to the assignment of the student to an alternative school program, the director of schools or the DHA shall provide written notice to the student's parent/guardian stating the reason for the student's placement. Attendance in an alternative education setting shall be voluntary.⁵

If a student has an IEP, a Section 504 plan, or is suspected of having a disability, all state and federal laws, rules, and regulations related to special education shall be followed.

The director of schools or his/her designee shall monitor and regularly evaluate the academic progress of each student enrolled in an alternative education program.

Transition plans

The director of schools or his/her designee shall develop procedures regarding the implementation of transition plans for the integration of students entering and exiting the program.⁶

1 T.C.A. § 49-6-3402(a) 2 T.C.A. § 49-6-3402(b) 3 State Board of Education Policy 2.302 4 T.C.A. § 49-6-3401(c) (5); T.C.A. § 49-6-3401(g)(3) 5 T.C.A. § 49-6-3402(c) 6 T.C.A. § 49-6-3402(h)

Action Legend

Administrative Consequences/Interventions

- *Documentation in PowerSchool and parent contact is required for all violations requiring administrative action. Discipline for IEP/504 students shall be in accordance with State and Federal Laws and School Board Policies.*
- *NOTE: The Discipline Matrix sets forth the guidelines for assessing consequences for violations of School Board policies. School principals have the discretion to deviate from these guidelines by assessing an appropriate consequence other than stated in the Matrix if he or she determines in his or her sole discretion that there are mitigating or aggravating circumstances.*
- *Each individual school, depending on the availability of resources and programs, can implement other fair and reasonable consequences and/or interventions.*

A. Parent Contact/Conference (Required for each offense)	N. School Specific Consequence	AA. Bus- Verbal or written reprimand
B. Counseling	O. Loss of privileges	BB. Bus- 3 days bus school suspension
C. Confiscation (When Applicable)	P. In-School Suspension (1-2 days)	CC. Bus- 5-10 days bus school suspension
D. Restitution (When Applicable)	Q. In-School Suspension (3-5 days)	DD. Bus- Expulsion from School Bus for Remainder of School Year
E. Referral to Substance Abuse Case Manager	R. Additional Interventions	EE. Administrators Conference with student and/or parent
F. Referral to Social Worker/Guidance	S. Loss of Extra Curricular Activities	FF. Semester Bus Suspension
G. Attendance/Behavioral Contract	T. Out of School Suspension (1-2 days)	GG. Morning/Evening School (Student does not attend school during regular school hours) *Max number of days given at the school level is 10 days.
H. Parent Pick-up	U. Out of School Suspension (3-5 days)	HH. Expulsion/Suspension more than 10 days (Level One)
I. Detention	V. Out of School Suspension (6-10 days)	II. Loss of Electronic Device/Phone
J. Multiple Detentions (2-3)	W. Recommendation for Behavior Intervention Program	JJ. Child Protection Services (CPS) 423-697-6300/Department of Children's Services (DCS) 423-296-1234 Should be notified [Child Abuse Hotline: 877-237-0004]
K. Multiple Detentions (4-5)	X. Mandatory Recommendation for Expulsion (Any offense in which the principal or his/her designee deems a one year expulsion is appropriate)	KK. Loss of Driving/Parking Privileges on Campus
L. Saturday School/Extended Day- Before or after school programs. (Student is allowed to attend regular classes during the regular school day)	Y. Consultation with Law Enforcement	LL. Peer Mediation/Conflict Resolution
M. Community Service	Z. Alternative to Probationary Contract	