



**PARENTAL/STUDENT  
NOTIFICATION FORM**

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

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



Dear Parents and Students:

The faculty and staff of Hamilton County Department of Education remain committed to providing the best possible education for all students. To achieve this goal, we must have a safe and secure learning environment where all of our students can excel. As Superintendent, it is my expectation that every classroom will be a place where students can learn without disruptions.

The Student Code of Acceptable Behavior and Discipline has been established to maintain a climate conducive to learning. The Hamilton County Board of Education supports measures that promote a safe environment where instruction can take place.

Please read this code, discuss it with your child, sign the attached Parental/Student Notification Form, and return it to your child's school. Additionally, students in grades 6-12 are also asked to read the code and sign the attached form before returning it to your school.

Let's have a great school year, and support our principals and teachers.

Thank you for your support.

Sincerely,

Kirk Kelly Ed. D.  
Superintendent

Rev. 7/16

The following are summary descriptions regarding the Code of Conduct, zero tolerance offenses, major and other offenses, and suspensions and appeals.

**CODE OF CONDUCT**

Hamilton County students are expected to behave in a way that does not interrupt the education of other students, or endanger other students or themselves. Violence, bullying, non-attendance or tardiness, substance abuse, protests, and other unacceptable behavior are not permitted.

The Code is designed to create a safe and secure environment on school campuses, school buses, and at school functions. The code's objective is to establish an environment which encourages student interaction and school pride. It will support and recognize positive behavior.

If evidence is found to reasonably indicate that the student (while attending school or traveling to or from school on a school bus) has been the victim of an applicable offense identified in TCA 40-38-111(g) or the attempt to commit an applicable offense as defined under TCA 39-12-101; the student has the right to attend another grade-appropriate public school in the district.

**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:

- 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 SRO.
- transmitting 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.

The following offenses may result in at least a calendar year suspension:

- possession of a knife or any device capable of inflicting injury to another individual.
- possessing, transferring or receiving drug paraphernalia, non-prescription drugs or "look-alike" drugs.

**MAJOR OFFENSES**

**(resulting in short-term suspension or possible expulsion)**

Alcoholic Beverages

Selling of alcoholic beverages.  
Incident will be reported to local law enforcement officials.  
*First offense – suspension of up to 85 days.*  
*Second offense – may result in expulsion.*

Possession and/or use of alcoholic beverages.  
Incident may not be reported to law officials.  
*First offense – suspension of at least 20 days.*  
*Second offense – suspension of 85 days or more.*  
*Third offense – expulsion.*

Arson

Setting fire to or burning, or initiating the burning of any school property.

Aggravated Assault

Physically attacking another person which results in bodily injury.

Fighting

Injuring or offensively touching another student during a fight.

Gang Activity

Gang-related activity at school or any school function.

Interference With Government Operations

Spreading false rumors of a bombing, fire or another emergency. This includes bomb threats.

Robbery

Taking another person's possessions or money by force or fear.

Sexual Offenses

Conduct of a sexual or indecent nature towards another person that is accompanied by actual physical force.

Threats

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.

Trespassing

Unlawfully entering a public school, grounds, or school bus.

Vandalism

Damaging or defacing any property belonging to the state, county, city, or to another person on school grounds or at a school function.

There are other state and federal violations that have not been listed. Violations of all laws will be reported to law enforcement officials when necessary. Appropriate discipline will be initiated by the school.

**OTHER OFFENSES**

**(resulting in short or long-term suspension)**

Bullying/Harassment/Cyber-Bullying/Hazing is a violation of HCDE 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 district policies, procedures, and agreements.

- Bullying is defined as unwanted, aggressive, repeated behavior that involves a power imbalance and places a student in reasonable fear and causes a hostile education environment.
- Harassment (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 a school.
- Cyber-Bullying 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.
- Hazing is any act intended to or reasonably be expected to 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.

Cellular Phones

Unauthorized use of a cellular phone while on school property, including buses, or at a school-sponsored event, without the permission of the school principal or his/her designee.

Stealing

Taking another person's property without their permission or knowledge.

## MISCONDUCT

(resulting in discipline at the discretion of the principal)

### Attendance

Skipping school or leaving school without permission or tardiness. Parents and guardians are responsible for their students' attendance. There are penalties for parents and guardians who break this law.

### Disrespect To Teachers/Administrators

### Failure To Serve Detention Or Attend Saturday School

### Forging An Official Note To/From School

### Improper Conduct

### Improper Dress, Cleanliness and Grooming

Dress or grooming that is or could be disruptive of others' education shall not be permitted. Hats or other types of headwear are not permitted without the principal's approval. Students are expected to follow the dress or uniform code of the school.

### Indecent Language

### Littering On Campus

### Off-Campus Conduct

A student may be suspended for conduct away from school, if the conduct could disrupt the education process at his/her school.

### Tobacco Possession/Use (including electronic cigarettes and unregulated nicotine products)

Incident will result in a citation by the school principal/resource officer.

## CORPORAL PUNISHMENT

Corporal punishment is defined as physical discipline. Corporal punishment must be approved as policy for the school by the principal, and students must be notified what misconduct could result in this type of discipline. It is not intended to be used as a first method of discipline, but after several other methods have been used to modify a student's behavior. Corporal punishment must be witnessed by a second school official or teacher. A parent can then request a written explanation of the reasons for the punishment and the name of the witness.

## 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 action.

## LOCKER USE

The school has the authority and control over 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.

## 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 pay 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. A principal may prohibit a student from driving a vehicle on school property for a specific period of time for violation(s) of any school regulations. Vehicles parked on school property are subject to search. Parking fees will not be refunded at any time. The school system is not liable for any loss or damage.

## SCHOOL BUS TRANSPORTATION

By law, school bus transportation is a privilege and not a right. A student shall be prevented from using school 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.

## SUSPENSION PROCEDURES

### Short-Term Suspension Of Ten Days Or Less

The student will be informed of the reason for suspension prior to serving the suspension. If the student denies the charge, he/she will be given an informal hearing where an explanation of the evidence is given and the student is afforded an opportunity to respond. If a student's presence in the school is posing any danger to other students or school officials, or a continual interruption of student education, the student will be removed from the school immediately. In this case, the notice, information hearing, and parent notification will follow as soon as possible. The matter may be referred to local law enforcement officials.

When a student is suspended, the principal will notify the parent or guardian and the Superintendent of the suspension, cause and condition for readmission within 24 hours.

If the suspension is more than five days, the principal will develop a behavior modification plan which will be reviewed by the Superintendent upon request.

A short-term suspension of ten days or less cannot be appealed beyond the school level.

### Long-Term Suspension and Expulsion

School administrators will notify the parent or guardian and the Superintendent of a student suspension of more than ten days, the cause and conditions for readmission within 24 hours. The administrator will give written notice to the parent or guardian of the suspension and their rights to appeal. The notice will be sent by mail or be hand delivered.

The administrator will develop a behavior modification plan for the student, which will be reviewed by the Superintendent upon request.

## APPEALS PROCEDURE

(for long-term suspension or expulsion)

Appeals will be filed with the administrator who suspended the student, orally or in writing, within five calendar days of the notice.

The first level of appeals for a non-zero tolerance offense is to a committee of three school administrators. The hearing will be held not later than ten school days after the first day of the suspension. A school representative and the parent/student will be allowed to present the case to the committee regarding the suspension. Either party may have an attorney present as a silent witness.

The committee may:

1. decide in favor of the school administrator
2. override the suspension
3. assign the student to an alternative program
4. suspend the student for a specified length of time

The decision may be appealed to the second level, which is the Superintendent or his/her designee, orally or in writing within five calendar days. The Superintendent or his/her designee has the right to any of the same four options as the appeals committee. The first level appeal for a zero-tolerance offense is the Superintendent or his designee.

The decision may be appealed to the third level, which is the Board of Education. The Superintendent must be notified in writing within five calendar days. The Board may act upon a review of the record or may conduct a hearing.

Only the Superintendent can modify a suspension for a zero-tolerance offense.

**NOTE:** This code 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 the 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.

Marsha Drake is the Title VI and Title IX coordinator for Hamilton County Schools. Mrs. Drake may be reached by calling (423) 209-8654.



## HAMILTON COUNTY SCHOOLS



# CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

