

Descriptor Title:  <b>CODE OF DISCIPLINE K-12</b>	Descriptor Code:  JD	Adopted Date:  July, 2008
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## DESOTO COUNTY SCHOOLS CODE OF DISCIPLINE

### FORWARD

The Uniform Discipline Code has been developed in consultation with students, parents, teachers, and administrators so they will know and understand that firm, fair and consistent discipline policies are to be maintained in all DeSoto County public schools. Use of this Code is intended to ensure a stable learning environment in an atmosphere which encourages academic excellence. It is expected that staff members, students and parents will work together to support and enforce the code regulations with equity and consistency for all students.

**A copy of this Code shall be distributed to each student and the parents, legal guardian or custodian of each such student shall sign a statement verifying that they have been given notice of the Code.**

### INTRODUCTION

The uniform Discipline Code of the DeSoto County Schools provides a uniform standard of conduct for all public school students. It describes inappropriate student behavior, ensures equal treatment for misconduct, and presets specific actions for remediating prohibited behaviors. The Code is based on the premise that rules must be enforced fairly, firmly and consistently and in a fashion equitable and just, while complying with state mandates and regulations. It recognizes that as students progress in school and advance in age and maturity, they will assume greater responsibility for their actions. It is also recognized that differences in age and maturity require different types of disciplinary action.

In this Code, discipline is defined as the implementation of and adherence to behavioral rules and regulations which will ensure an educational environment free of mental and physical hazards to students, teachers and staff. Such an environment is conducive to the practice of good citizenship and encourages learning. The enforcement of the Code will help ensure a safe and orderly school climate for students and staff alike.

Specific provisions of the Code include:

1. A parent, guardian or custodian of a compulsory school age child enrolled in the DeSoto County Schools shall be responsible financially for his or her minor child's destructive acts against school property or persons.
2. A parent, guardian or custodian of a compulsory school age child enrolled in the DeSoto County Schools may be requested to appear at school by the school attendance officer or the principal, for a conference regarding the destructive acts of their child, or for any other discipline conference regarding the acts of the child.
3. Any parent, guardian or custodian of a compulsory school age child enrolled in the DeSoto County Schools who refuses or willfully fails to attend such discipline conference specified in paragraph (2) of this section may be summoned by proper notification by the superintendent of schools or the school attendance officer and be required to attend such discipline conference.
4. A parent, guardian or custodian of a compulsory school age child enrolled in the DeSoto County Schools shall be responsible for any criminal fines brought against such student for unlawful activity occurring on school grounds or buses.
5. Any parent, guardian or custodian of a compulsory school age child who
  - a. fails to attend a discipline conference to which such parent, guardian or custodian has been summoned under the provisions of this section, or
  - b. refuses or willfully fails to perform any other duties imposed upon him or her under the law shall be guilty of a misdemeanor and, upon conviction shall be fined not to exceed an amount provided by law.
6. The DeSoto County Schools shall be entitled to recover damages in an amount not to exceed an amount as provided by law, plus necessary court costs, from the parents of any minor (7-17) who maliciously and willfully damages or destroys property belonging to this school district. However, this section shall not apply to parents whose parental control of such child has been removed by court order or decree.
7. As an alternative to suspension, a student may remain in school by having the parent, guardian or custodian, with the consent of the student's teacher or teachers, attend class with the student for a period of time specifically agreed upon by the teacher and school principal. If the parent, guardian or custodian does not agree to attend class with the student or fails to attend class with the student, the student shall be suspended in accordance with this Code.

**CODE OF DISCIPLINE  
GRADES K-12**

**Student Conduct:**

Acts of Misconduct

These acts of misconduct include those student behaviors which disrupt the orderly educational process in the classroom or on the school grounds including the following:

**Level I**

- 1 – 1 Tardiness
- 1 – 2 Running and/or making excessive noise in the hall or building
- 1 – 3 Inappropriate personal contact including but not limited to pushing and shoving, inappropriate gestures and public displays of affection, recklessness, or any inappropriate contact which does not result in physical harm, or any additional contact which the principal determines to be in this level.
- 1 – 4 In unauthorized area without pass (halls, etc.)
- 1 – 5 Dress code violation
- \* 1 – 6 Displaying any behavior which is disruptive to the orderly process of education

Disciplinary Action

First Violation

Minimum: Teacher-Student Conference

Maximum: Teacher-Student-Parent Conference

Repeated or Flagrant Violation

Minimum: Mandatory Student -Parent-Administrator Conference (Home Suspension)

Maximum: Corporal Punishment, ALC, detention, and/or school suspension

- \* Students, who after having a student-teacher conference, a teacher-student-parent conference, home suspension, Teacher Support Team interventions, continue displaying behavior which is disruptive to the orderly process of education, can be suspended from school, pending a disciplinary hearing.

## Level II

- \* 2 – 1 Leaving the school grounds without permission
- \* 2 – 2 Skipping class
- \* 2 – 3 Insubordination- refusal to follow written or verbal school rules after receiving specific directions from a person in authority including, but not limited to breaking school or classroom rules, failure to respond to staff request, refusal to complete assigned task, or exhibiting disrespect towards adults
- \* 2 – 4 Possession and/or use of a tobacco product or substances used as smoking material, including electronic cigarettes (e-cigarettes), vapes, vaporizers, or any alternative nicotine product
- \* 2 – 5 Exhibiting any hostile physical or verbal actions
- \* 2 – 6 Bullying (as defined in Board Policy JDDA)
- \*\* 2 – 7 Unauthorized use of personal electronic devices (as defined in Board Policy IJBA).
- \*\*\*2 – 8 Cheating on tests or exams

### Disciplinary Action

#### First Violation

Minimum: Administrator-Conference, ALC, mandatory student-parent-administrator conference, corporal punishment

Maximum: School suspension (one to three days)

#### Repeated or Flagrant Violation

Minimum: School suspension (three days)

Maximum: School suspension (three days) and/or ALC for up to ten (10) days and/or Teacher Support Team interventions

- \* Students who, after having a student-teacher conference, a teacher-student-parent conference, a mandatory student-parent-administrator conference, and Teacher Support Team interventions, continue displaying behavior which is disruptive to the orderly process of education, can be suspended from school, pending a disciplinary hearing.
- \*\* Additional disciplinary action for unauthorized use of personal electronic devices (as defined in Board Policy IJBA):

- 1st Offense: First offense will result in confiscation of the device and parental contact. The electronic device will be returned at the end of the school day to the student or his/her parent/guardian as determined by the building principal.
- 2nd Offense: School will take and keep device for 5 school days. After the device is retained for 5 school days, the electronic device will be returned to the student or his/her parent/guardian as determined by the building principal.
- 3rd Offense: School will take and keep device for 10 school days. After the device is retained for 10 school days, the electronic device will be returned to the student or his/her parent/guardian as determined by the building principal.
- 4<sup>th</sup> Offense: School will take and keep device for 20 school days. After the device is retained for 20 school days, the electronic device will be to the student or his/her parent/guardian as determined by the building principal.

\*\*\* The grade “0” will be assigned regardless of other punishment.

### **Level III**

- 3 – 1 Fighting
- 3 – 2 Gambling
- \* 3 – 3 Theft or possession of stolen property
- 3 – 4 Acts which threaten the safety and well-being of students and/or staff: engaging in any behavior (by word or act) that encourages, incites, or instigates threatening or aggressive acts which can create the risk of harm to another person.
- 3 – 5 Extortion- use of intimidation, coercion or force
- \* 3 – 6 Vandalism of personal and/or school property
- 3 – 7 Using profane, obscene, indecent, immoral, or offensive language and/or gestures, and/or possession of obscene, indecent, immoral or offensive materials
- 3 – 8 Inappropriate sexual conduct, including unwelcomed sexual contact, indecent exposure, or transferring sexually suggestive images through personal electronic devices

### Action

#### First Violation

Minimum: School suspension from one to three days, ALC, corporal punishment

Maximum: School suspension (three days), report to authorities when applicable

Repeated or Flagrant Violation

Minimum: School suspension (three days), ALC (ten days), and/or Levels 3-4 and 3-8  
Teacher Support Team interventions

Maximum: School suspension (three days) and possible assignment to DeSoto County  
Alternative Center pending the results of a disciplinary hearing.

- \* For theft or vandalism restitution shall be made regardless of other punishment

**Level IV**

\*4 – 1 Possession, use or under the influence of alcohol, synthetic drugs, counterfeit drugs,  
illegal drugs, narcotics, controlled substance(s) or paraphernalia.

4 – 2 Assault on a student. Assault is defined as purposely or recklessly causing or attempting to  
cause bodily injury (including pain or discomfort) to another.

4 – 3 Assault on a school employee. Assault is defined as purposely or recklessly causing  
or attempting to cause bodily injury (including pain or discomfort) to another.

4 – 4 Using profane, obscene, indecent, immoral, threatening or offensive language  
and/or gestures directly to a staff member

Any student in violation of the above shall be suspended by the principal for three days and  
ordered to appear for a disciplinary hearing before a District Hearing Officer.

Disciplinary Action

\* Minimum: Assignment to the DeSoto County Alternative Center and a report will be made  
to the appropriate law enforcement authorities

Maximum: Expulsion

- \* Students below grade 6 may be given other punishment.

**Level V**

\* 5 – 1 Weapon(s) possession or use

### Disciplinary Action

Minimum: Possession other than gun will result in assignment to the DeSoto County Alternative Center and a report will be made to the appropriate law enforcement authorities

Maximum: Possession of a fire arm/gun or use of other weapon will result in expulsion from school for a period of not less than one year (under certain circumstances expulsion can be from the student's assigned school to the DeSoto County Alternative Center)

For students below grade 6, the hearing officer may recommend other punishment if the behavior does not require expulsion and the student is likely to benefit from remediation

\*\* 5 – 2 Sale or distribution, or conspiring to sell counterfeit drugs, synthetic drugs, illegal drugs/alcohol, narcotics or controlled substance(s)

### Disciplinary Action

Minimum: Assignment to the DeSoto County Alternative Center and a report will be made to the appropriate law enforcement authorities

Maximum: Expulsion

For students below grade 6, the hearing officer may recommend other punishment if the behavior does not require expulsion and the student is likely to benefit from remediation

\*\* 5 – 3 Students are prohibited from wearing, displaying, or possessing in any manner on school property or at school-sponsored events clothing, apparel, accessories, drawings, or messages associated with any gang or social club that is associated with criminal activity, as defined by law enforcement agencies.

### Disciplinary Action

Minimum: Mandatory student/parent/resource officer/administrator meeting to investigate situation and determine proper discipline consequence

Repeated: Assignment to the DeSoto County Alternative Center

Maximum: Expulsion for repeated violations and/or gang activity that includes but is not limited to:

- Acts which disrupt the process of orderly education
- Recruitment with use of intimidation
- Tagging or marking
- Assault
- Battery

For students below grade 6, the hearing officer may recommend other punishment if the behavior does not require expulsion and the student is likely to benefit from remediation.

In addition to these penalties, provisions of the Mississippi Criminal Code are applicable to illegal behavior. Principals are required to report illegal activities to the police. Students committing any crime or involved with any criminal behavior are subject to arrest by local law enforcement.

The DeSoto County Board of Education permits individual schools to adopt additional regulations governing actions not covered by Conduct Code. However, such additional regulations may neither substitute for nor negate any of the provisions, in spirit or intent of the Conduct Code, and **must be approved in writing by the School Superintendent.**

### **DUE PROCESS**

In cases where the imposition of punishment is for a suspension of three (3) days or less, the student will be orally informed of the charges lodged against him. The student shall have a right to respond and refute these charges. There may be a delay between the time that “notice” is given and the time of the parent/student right to respond. A parent will be notified of the suspension by telephone, if possible, and in writing. The student’s parent/guardian has a right to discuss this matter further and have the charge and punishment explained by the administration along with all other rights provided by board policy.

### **DISCIPLINARY HEARING**

When a student appears before a disciplinary hearing, the student will be subject to additional punishment up to and including suspension of more than three (3) days, assignment to an alternative educational setting for more than ten (10) days, or an expulsion from school.

**F**or additional information on due process and disciplinary hearings, please refer to Board Policy JDAAA – Disciplinary Procedures.

### **ALTERNATIVE PLACEMENT PROCEDURES**



After a student is referred for consideration of placement at DeSoto County Alternative Center (DCAC), the District Review Board and Transition Team will determine appropriate placement for the student. Once a student is accepted into DCAC, the District Review Board and Transition Team will develop an Individualized Instruction Plan (IIP) for each student. The plan will follow the program and class schedule of the home school. DCAC follows the frameworks that are established by the state of Mississippi for the subject matter to be taught in each course. Certified personnel will send a daily feedback sheet home that requires a parent signature for all students attending DCAC.

An Individualized Education Plan (IEP) committee meets to determine every change of placement for our special education students. Students with special education rulings follow their IEP while at DCAC.

Parents are notified of the recommendation for placement at DCAC during the disciplinary hearing. The home school will contact the parent once acceptance is granted by the District Review Board. All parents and students will meet with a DCAC administrator to discuss the DCAC program and requirements. The minimum time that is required to complete DCAC is 30 school days, but the stay can be longer if the student does not progress properly.

The District Review Board consists of school-level administrators, district-level administrators, and counselors as determined by the Director of Pupil Services.