

Descriptor Title:  <b>CODE OF DISCIPLINE K-12</b>	Descriptor Code:  JD	Adopted Date:  July, 2008
	Reviewed Date:	Revised Date:  July, 2013

## **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 Initiating or participating in any unacceptable physical contact
- 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: Teacher-Student-Administrator-Parent Conference (Home Suspension)

Maximum: Corporal Punishment, in-school suspension, 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
- \* 2 – 4 Possession and/or use of tobacco products (including smokeless tobacco)
- \* 2 – 5 Exhibiting any hostile physical actions
- \*\* 2 – 6 Unauthorized possession or use of personal electronic devices (An electronic device is defined as any device that a student is in possession of which electronically communicates, sends, receives, stores, reproduces or displays voice and/or text communication or data).

### Disciplinary Action

#### First Violation

Minimum: Administrator-Conference, ALC, home suspension, 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, home suspension, Teacher Support Team interventions, and a Functional Behavior Assessment, 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 possession or use of personal electronic devices:
  - 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 parent/guardian shall pay \$20, which represents the actual cost associated with the confiscation and storage of the device, subject to waiver for economic hardship. After the device is retained for 5 school days and payment of \$20 is received (subject to a waiver for economic hardship), the electronic device will be returned to the parent/guardian.

- 3rd Offense: School will take and keep device for 10 school days. After the device is retained for 10 school days, the parent/guardian shall pay \$40, which represents the actual cost associated with the confiscation and storage of the device, subject to a waiver for economic hardship; and the student will receive a one-day school suspension. After the device is retained for 10 school days and payment of \$40 is received (subject to a waiver for economic hardship), the electronic device will be returned to the parent/guardian.
- 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 parent/guardian shall pay \$60, which represents the actual cost associated with the confiscation and storage of the device, subject to a waiver for economic hardship. Additionally, the student can be subject to further disciplinary consequences at the discretion of the building principal.

The school is not responsible for any loss of or damage to an electronic device confiscated by the school and stored according to the discipline policy.

### **Level III**

- 3 – 1 Fighting
- 3 – 2 Gambling
- \*\* 3 – 3 Theft of personal and/or school property
- 3 – 4 Acts which threaten the safety and well being of student and/or staff
- 3 – 5 Extortion- use of intimidation, coercion or force
- \* 3 – 6 Cheating on tests or exams
- \*\* 3 – 7 Vandalism of personal and/or school property
- 3 – 8 Using profane, obscene, indecent, immoral, or offensive language and/or gestures, and/or possession of obscene, indecent, immoral or offensive materials

### Disciplinary 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 disciplinary hearing

\* The grade "0" will be assigned regardless of other punishment

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

### **Level IV**

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

4 – 2 Aggravated assault to a student

4 – 3 Assault on a school employee

4 – 4 Using profane, obscene, indecent, immoral, 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

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

\*\* 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: Possession, other than gun - 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 DCAC)

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

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

\*\*Maximum: expulsion

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.

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.**

### DISCIPLINARY HEARINGS

**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.**