

Fayetteville Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Code of Conduct	Descriptor Code: 6.300	Issued Date: 10/01/18
		Rescinds: 6.300	Issued: 09/04/12

The Board delegates to the Director of Schools the responsibility of developing specific codes of conduct which are appropriate for each level of school. The development of each code shall involve principals and faculty members of each level and shall be consistent with the relevant policies as adopted by the Board.¹

The following levels of misbehavior and disciplinary procedures and options are standards designed to protect all members of the educational community in the exercise of their rights and duties and to maintain a safe learning environment where orderly learning is possible and encouraged.² These misbehaviors apply to student conduct on school buses, on school property, and while students are on school sponsored outings.

MISBEHAVIORS: LEVEL I

This level includes minor misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school but which can usually be handled by an individual staff member.

Examples (not an exclusive listing)

- Classroom disturbances
- Classroom tardiness
- Cheating and lying
- Abusive language
- Non-defiant failure to do assignments or carry out directions
- Wearing, while on the grounds of a public school during the regular school day, clothing that exposes underwear or body parts in an indecent manner that disrupts the learning environment³
- Victimization of any student (Harassment (Sexual, Racial, Ethnic, Religious), Bullying, Cyber-bullying, and/or Hazing)

Disciplinary Procedures

- Staff member intervenes immediately.
- Staff member determines what offense was committed and its severity.
- Staff member determines who committed the offense and if he/she understands the nature of the offense.
- Staff member employs appropriate disciplinary options.
- The record of the offense and disciplinary action shall be maintained by the staff member.

Disciplinary Options

- Verbal reprimand
- Special assignment
- Restricting activities
- Assigning work details
- Counseling
- Withdrawal of privileges
- Issuance of demerits
- Strict supervised study
- Detention
- Corporal punishment
- In-school suspension

MISBEHAVIORS: LEVEL II

This level includes misbehavior whose frequency or seriousness tends to disrupt the learning climate of the school. These misbehaviors do not represent a direct threat to the health and safety of others but have educational consequences serious enough to require corrective action on the part of administrative personnel.

Examples (not an exclusive listing)

- Continuation of unmodified Level I behaviors
- School or class tardiness
- Using forged notes or excuses
- Disruptive classroom behavior

Disciplinary Procedures

- The student is referred to the principal for appropriate disciplinary action.
- The principal meets with the student and teacher.
- The principal hears the accusation made by the teacher and allows the student the opportunity to explain his/her conduct.
- The principal takes appropriate disciplinary action and notifies the teacher of the action.
- The record of offense and disciplinary action shall be maintained by the principal.

Disciplinary Options

- Teacher/schedule change
- Modified probation
- Behavior modification
- Social probation
- Peer counseling
- Referral to outside agency
- In-school suspension

- Transfer
- Detention
- Suspension from school-sponsored activities or from riding school bus
- Corporal punishment
- Out-of-school suspension (not to exceed ten (10) days)

MISBEHAVIORS: LEVEL III

This level includes acts directly against persons or property but whose consequences do not seriously endanger the health or safety of others in the school.

Examples (not an exclusive listing)

- Continuation of unmodified Level I and II behaviors
- Fighting
- Vandalism (minor)
- Use, possession, sale, distribution, and/or being under the influence of tobacco, drugs, drug paraphernalia, and/or alcohol
- Stealing
- Threats to others
- Victimization of any student (Harassment (Sexual, Racial, Ethnic, Religious), Bullying, Cyber-bullying, and/or Hazing)

Disciplinary Procedures

- The student is referred to the principal for appropriate disciplinary action.
- The principal meets with the student and teacher.
- The principal hears the accusation and allows the student the opportunity to explain his/her conduct.
- The principal takes appropriate disciplinary action.
- The principal may refer incident to the Director of Schools and make recommendations for consequences.
- If the student's program is to be changed, adequate notice shall be given to the student and his/her parent(s)/guardian(s) of the charges against him, his/her right to appear at a hearing, and his/her right to be represented by a person of his/her choosing.
- Any change in school assignment is appealable to the Board.
- The record of offense and disciplinary action shall be maintained by the principal.

Disciplinary Options

- In-school suspension
- Detention
- Corporal punishment
- Restitution from loss, damage, or stolen property
- Out-of-school suspension not to exceed ten (10) days
- Social adjustment classes

- Transfer
- Expulsion

MISBEHAVIORS: LEVEL IV

This level of misbehavior includes acts which result in violence to another's person or property or which pose a threat to the safety of others in the school. These acts are so serious that they usually require administrative actions which result in the immediate removal of the student from the school, the intervention of law enforcement authorities, and/or action by the Board.

If a student's action poses a threat to the safety of others in the school, a teacher, principal, school employee, or school bus driver may use reasonable force when necessary to prevent bodily harm or death to another person.

Examples (not an exclusive listing)

- Continuation of unmodified Level I, II, and III behaviors
- Death threat (hit list)
- Extortion
- Bomb threat
- Possession/use/transfer of dangerous weapons*
- Assault that results in bodily injury upon any teacher, principal, administrator, any other employee of the school, or a school resource officer*
- Aggravated assault*
- Vandalism
- Theft/possession/sale of stolen property
- Arson
- Possession of unauthorized substances (i.e. any controlled substance, controlled substance analogue, or legend drug)*
- Use/transfer of unauthorized substances
- Victimization of any student (Harassment (Sexual, Racial, Ethnic, Religious), Bullying, Cyber-bullying, and/or Hazing)
- Electronic threat to cause bodily injury or death to another student or school employee*

Disciplinary Procedures

- The principal confers with appropriate staff members and with the student.
- The principal hears the accusations and allows the student the opportunity to explain his/her conduct.
- The parent(s)/guardian(s) are notified.
- Law enforcement officials are contacted.
- The incident is reported, and recommendations are made to the Director of Schools.
- Complete and accurate reports are submitted to the Director of Schools.
- The student is given a hearing before the disciplinary hearing authority.

1 *Disciplinary Options*

- 2 • Expulsion
- 3 • Alternative schools
- 4 • Other hearing authority or Board action which results in appropriate placement

5 * Zero tolerance offenses

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Legal References

1. TCA 49-6-4005; Public Acts of 2018, Chapter No. 958
2. TCA 49-6-4002 to 4005; 20 USCA § 7114, 7118
3. TCA 49-6-4009

Cross References

Traffic and Parking Controls 3.403
Procedural Due Process 6.302
Student Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation 6.304
Bus Safety and Conduct 6.308
Zero Tolerance Offenses 6.309
Dress Code 6.310
Detention 6.315
Suspension/Expulsion/Remand 6.316
Safe Relocation of Students 6.4081