

# Van Buren County Board of Education

Monitoring: <b>Review: Annually, in March</b>	Descriptor Term: <b>Discipline Procedures</b>	Descriptor Code: <b>6.313</b>	Issued Date: <b>12/15/16</b>
		Rescinds: <b>6.313</b>	Issued: <b>12/13/01</b>

1 The following levels of misbehavior and disciplinary procedures and options are designed to protect all  
2 members of the educational community in the exercise of their rights and duties.<sup>1</sup>

## 3 **MISBEHAVIORS: Level I**

4 Minor misbehavior on the part of the student which impedes orderly classroom procedures or interferes  
5 with the orderly operation of the school, but which can usually be handled by an individual staff  
6 member.

7 *Examples (not an exclusive listing):*

- 8 • Classroom disturbances
- 9 • Classroom tardiness
- 10 • Cheating and lying
- 11 • Abusive language
- 12 • Non-defiant failure to do assignments or carry out directions
- 13 • Wearing while on the grounds of a public school during the regular school day, clothing  
14 that exposes underwear or body parts in an indecent manner that disrupts the learning  
15 environment<sup>2</sup>
- 16 • Harassment (Sexual, Racial, Ethnic, Religious)

17 *Disciplinary Procedures:*

- 18 • Immediate intervention by the staff member.
- 19 • Determine what offense was committed and its severity.
- 20 • Determine offender and that he/she understands the nature of the offense.
- 21 • Employ appropriate disciplinary options.
- 22 • Record of the offense and disciplinary action maintained by staff member.

23 *Disciplinary Options:*

- 24 • Verbal reprimand
- 25 • Special Assignment
- 26 • Restricting activities
- 27 • Assigning work details
- 28 • Counseling
- 29 • Withdrawal of privileges
- 30 • Issuance of demerits which might affect citizenship or department grades

- 1 • Strict supervised study
- 2 • Detention
- 3 • Corporal punishment
- 4 • In-school suspension

## 5 **MISBEHAVIORS: Level II**

6 Misbehavior whose *frequency* or *seriousness* tends to disrupt the learning climate of the school.  
7 Included in this level are misbehaviors which do not represent a direct threat to the health and safety of  
8 others but whose educational consequences are serious enough to require corrective action on the part  
9 of administrative personnel.

10 *Examples* (not an exclusive listing):

- 11 • Continuation of unmodified Level I behaviors
- 12 • School or class tardiness
- 13 • School or class truancy
- 14 • Using forged notes or excuses
- 15 • Disruptive classroom behavior

16 *Disciplinary Procedures:*

- 17 • Student is referred to principal for appropriate disciplinary action.
- 18 • Principal meets with student and teacher.
- 19 • Principal hears accusation made by teacher, permits student the opportunity of  
20 explaining his/her conduct, denying it or explaining any mitigating circumstances.
- 21 • Principal takes appropriate disciplinary action and notifies teacher of action.
- 22 • Record of offense and disciplinary action maintained by principal.

23 *Disciplinary Options:*

- 24 • Teacher/schedule change
- 25 • Modified probation
- 26 • Behavior modification
- 27 • Social probation
- 28 • Peer counseling
- 29 • Referral to outside agency
- 30 • In-school suspension
- 31 • Transfer
- 32 • Detention
- 33 • Suspension from school-sponsored activities or from riding school bus
- 34 • Corporal punishment
- 35 • Restricting school related honors student is otherwise due
- 36 • Out-of-school suspension (not to exceed ten (10) days).

**1 MISBEHAVIORS: Level III**

2 Acts directly against persons or property but whose consequences do not seriously endanger the health  
3 or safety of others in the school.

4 *Examples (not an exclusive listing):*

- 5 • Continuation of unmodified Level I and II behaviors
- 6 • Fighting (simple)
- 7 • Vandalism (minor)
- 8 • Use, possession, sale, and/or distribution of tobacco, drugs, and/or alcohol
- 9 • Stealing
- 10 • Threats to others
- 11 • Harassment (Sexual, Racial, Ethnic, Religious)

12 *Disciplinary Procedures:*

- 13 • Student is referred to principal for appropriate disciplinary action.
- 14 • Principal meets with student and teacher.
- 15 • Principal hears accusation by accusing party and permits offender the opportunity of  
16 explaining conduct.
- 17 • Principal takes appropriate disciplinary action.
- 18 • Principal may refer incident to director of schools and make recommendations for  
19 consequences.
- 20 • If student's program is to be changed, adequate notice shall be given to the student and  
21 his/her parents of the charges against him, his/her right to appear at a hearing and to be  
22 represented by a person of his/her choosing.
- 23 • Any change in school assignment is appealable to the Board.
- 24 • Record of offense and disciplinary action maintained by principal or director of schools.

25 *Disciplinary Options:*

- 26 • In-school suspension
- 27 • Detention
- 28 • Corporal punishment
- 29 • Restitution from loss, damage or stolen property
- 30 • Out-of-school suspension not to exceed ten (10) days
- 31 • Social adjustment classes
- 32 • Transfer
- 33 • Expulsion

**34 MISBEHAVIORS: Level IV**

35 Acts which result in violence to another's person or property or which pose a threat to the safety of  
36 others in the school. These acts are so serious that they usually require administrative actions which

1 result in the immediate removal of the student from the school, the intervention of law enforcement  
2 authorities and/or action by the Board.

3 *Examples (not an exclusive listing):*

- 4 • Unmodified Level I, II and III behaviors
- 5 • Death threat (hit list)
- 6 • Extortion
- 7 • Bomb threat
- 8 • Possession/use/transfer of dangerous weapons \*
- 9 • Assault/Battery \*
- 10 • Vandalism
- 11 • Theft/possession/sale of stolen property
- 12 • Arson/Possession of unauthorized substances \*
- 13 • Use/transfer of unauthorized substances
- 14 • Harassment (Sexual, Racial, Ethnic, Religious)

15 *Disciplinary Procedures:*

- 16 • Principal confers with appropriate staff members and with the student.
- 17 • Principal hears accusations and permits offender opportunity to explain conduct.
- 18 • Parents are notified.
- 19 • Law enforcement officials are contacted.
- 20 • Incident is reported and recommendations made to the director of schools.
- 21 • Complete and accurate reports are submitted to the director of schools.
- 22 • Student is given hearing before disciplinary hearing authority.

23 *Disciplinary Options*

- 24 • Expulsion
- 25 • Alternative schools
- 26 • Other hearing authority or Board action which results in appropriate placement

27 \* Expulsion/Remand for a period of not less than one (1) calendar year subject to modification  
28 by the director of schools on a case-by-case basis.

29 **ADDITIONAL GUIDELINES:**

- 30 • A student shall not be suspended solely because charges are pending against him/her in  
31 juvenile or other court.
- 32 • A principal shall not impose successive short term suspensions that cumulatively  
33 exceed ten (10) days for the same offense.<sup>3</sup>
- 34 • A teacher or other school official shall not reduce or authorize the reduction of a  
35 student's grade because of discipline problems except in deportment or citizenship.
- 36 • A student shall not be denied the passing of a course or grade promotion solely on the  
37 basis of absences except as provided by board policy.

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- A student shall not be denied the passing of a course or grade promotion solely on the basis of failure to:
    - pay any activity fee;
    - pay a library or other school fine; or
    - make restitution for lost or damaged school property.

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#### Legal References

1. TCA 49-6-4002 to 4005
2. TCA 49-6-4009
3. TCA 49-6-3007(h)(3)