

# Oneida Special 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>01/04/18</b>
		Rescinds: <b>6.313</b>	Issued: <b>03/02/17</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 • In-school suspension

#### 4 **MISBEHAVIORS: Level II**

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

9 *Examples* (not an exclusive listing):

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

15 *Disciplinary Procedures:*

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

22 *Disciplinary Options:*

- 23 • Teacher/schedule change
- 24 • Modified probation
- 25 • Behavior modification
- 26 • Social probation
- 27 • Peer counseling
- 28 • Referral to outside agency
- 29 • In-school suspension
- 30 • Detention
- 31 • Suspension from school-sponsored activities or from riding school bus
- 32 • Restricting school related honors student is otherwise due
- 33 • 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 • Restitution from loss, damage or stolen property
- 29 • Out-of-school suspension not to exceed ten (10) days
- 30 • Expulsion

**31 MISBEHAVIORS: Level IV**

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

36 *Examples (not an exclusive listing):*

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

12 *Disciplinary Procedures:*

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

20 *Disciplinary Options*

- 21 • Expulsion
- 22 • Alternative schools
- 23 • Other hearing authority or Board action which results in appropriate placement

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

26 **ADDITIONAL GUIDELINES:**

- 27 • A student shall not be suspended solely because charges are pending against him/her in  
28 juvenile or other court.
- 29 • A principal shall not impose successive short term suspensions that cumulatively  
30 exceed ten (10) days for the same offense.<sup>3</sup>
- 31 • A teacher or other school official shall not reduce or authorize the reduction of a  
32 student's grade because of discipline problems except in deportment or citizenship.
- 33 • A student shall not be denied the passing of a course or grade promotion solely on the  
34 basis of absences except as provided by board policy.
- 35 • A student shall not be denied the passing of a course or grade promotion solely on the  
36 basis of failure to:
  - 37 ○ pay any activity fee;
  - 38 ○ pay a library or other school fine; or
  - 39 ○ 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)