

Fentress County Schools Code of Conduct

STATEMENT OF DEVELOPMENT AND ORIGIN:

The mission of the Fentress County School District, with a caring cohesive staff and welcoming atmosphere, is to provide students with the skills and attitudes to become confident productive citizens through a challenging and safe environment.

Purpose:

The teachers of the Fentress County School District will strive to provide opportunities for students to become socially responsible individuals and life-long learners through a safe, nurturing, and challenging learning environment and the school district will provide a safe and respectful environment centered around high morals and values conducive to producing literate, responsible, functional citizens of the community, state, nation, and world.

LEGISLATIVE INTENT:

TCA 49-6-4203 states the following:

- (a) It is the intent of the general assembly in enacting this part to secure a safe environment in which the education of the students of Tennessee may occur.
- (b) The general assembly recognizes the position of the schools in loco parentis and the responsibility this places on principals and teachers within each school to secure order and to protect students from harm while in their custody.
- (c) It is the intent of this part to extend further, rather than limit, the authority of principals and teachers to secure order and provide protection of students within each school.
- (d) The general assembly further recognizes that a rising level of violent activity and use of drugs is occurring in some public schools, especially in urban areas, and that these activities threaten the well being of all students in such schools.
- (e) Any other areas as designated by the general assembly.

LIST OF EXPECTED BEHAVIORS:

Students will:

- 1. Know and adhere to reasonable rules and regulations established by the Fentress County School System.
- 2. Respect the human dignity and worth of every other individual.
- 3. Refrain from libel, slanderous remarks, and obscenity in verbal and written expression.
- 4. Maintain the best possible level of academic achievement.
- 5. Be punctual and present in the regular school program.

6. Dress and groom in a manner that meets reasonable standards of health, cleanliness, modesty and safety.
7. Maintain and/or improve the school environment, preserve school and private property, and exercise care while using school facilities.
8. Refrain from behavior, which would lead to physical or emotional harm or disrupts the educational process.
9. Respect the authority of school administrators; teachers and other authorized personnel in maintaining discipline in the school and at school-sponsored activities.
10. Obey local, state and federal law.
11. Obey school rules.

ACTS IN VIOLATION OF LAWS AND SCHOOL POLICY:

ALL VIOLATIONS OF THE DISCIPLINE CODE OF FENTRESS COUNTY SCHOOLS WILL BE HANDLED AS EXPEDIENTLY AS THE OFFENSE PERMITS.

Offense	Levels				
	I	II	III	IV	V
1. Tardiness to class	X				
2. Dress Code Violation	X				
3. Public display of affection (touching in an inappropriate manner)	X				
4. Engaging in behavior that disrupts a class or school sponsored event	X				
5. Conduct which disrupts the peace or good order of the school, classroom, lunchroom, or assembly settings	X				
6. Violations of classroom & school rules	X				
7. Unauthorized presence on another school campus	X				
8. Open food or drink in school without permission	X				
9. Scuffling (horseplay, wrestling, pushing, clowning, etc.)	X				
10. Misuse of hall privileges (no hall pass, etc.)	X				
11. Wearing hats, caps, or other head gear inside building (dress code violations?)	X				
12. Being in an unauthorized area of school grounds or building, including another classroom, without permission	X				
13. Radios, toys, tape/cd players, iPods, baseball cards, or any other items that are disruptive to class	X				
14. Chewing gum	X				
15. Excessive talking	X				
16. Throwing objects in class that might cause injury	X				
17. Pencil popping, spit balls	X				
18. Calling names (this could fall under disrespect to classmates)	X				
19. Misuse of vending machines	X				
20. Failure to dress out for P.E. (grades 6-8) Second offense—more serious consequences	X				
21. Public grooming that interferes with instruction	X				
22. Refusal/failure to do assigned class work or homework	X				
23. Misuse/destruction of school property		X			
24. Dishonesty (cheating, forging signatures, notes, lying, etc.)		X			
25. Refusing to participate in required classroom activities		X			
26. Use or possession of any lighter or matches (any incendiary device)		X			
27. Unauthorized use of copiers, computers, school phones, or printers	X				
28. Leaving school grounds without signing out (or permission)-AWOL			X		
29. Participation in a school disruption		X			
30. Unauthorized possession or use of school keys		X			
31. Computer-use policy violation		X			
32. Inciting, advising, or counseling to engage in any of the acts herein		X			
33. Disrespect towards classmates		X			

Levels

Offense	I	II	III	IV	V
34. Use of skateboards, rollerblades, or heeies on school grounds		X			
35. Immoral or disruptive conduct including profane or vulgar language (including gestures, oral and/or written)			X		
36. Threatened violence against any person attending school, including verbal and/or written threats			X		
37. Disrespect towards principal, teacher, or staff member			X		
38. Insubordination (not following a directive from a school official)			X		
39. Sexual misconduct			X		
40. Fighting (both parties, unless one was attacked for no apparent reason)			X		
41. Smoking, use or possession of tobacco in any form (must appear in Court)				X	
42. Assault (physical)			X		
43. Stealing		X			
44. Motor Vehicle Violation			X		
45. Receipt, sale, possession or distribution of stolen property			X		
46. Gambling	X				
47. Possession, use or under the influence of alcohol at a school event				X	
48. Possession of drug paraphernalia				X	
49. Unauthorized and/or inappropriate use of the Internet Service			X		
50. Harassment (verbal, physical, sexual)				X	
51. Possession of weapons (guns, firearms, knives, etc.)					X
52. Assault/Battery on school personnel (including SRO's), verbal or					X
53. Possession of or being under the influence of illegal drugs as well as transfer of drugs.					X
54. Willful or dangerous acts (bomb threats, arson)					X
55. Having pornographic materials in possession			X		
56. Extortion			X		

**Alternative Discipline Options
All Elementary Schools**

	Level I	Level II	Level III	Level IV	Level V
1st Offense	Verbal Warning	Writing/corporal punishment/loss of privilege	1. ISS/Alternative School 2. Corporal Punishment 3. Suspension (3 days) 4. Detention	1. Alternative School 2. Court referral/Suspension	ZERO Tolerance 1 year expulsion
2nd Offense	Loss of break/extra assignment/Loss of privilege	Corporal punishment/writing/loss of privilege	1. ISS/court referral/Alternative School/Corporal punishment 2. Suspension (5 days)/Detention	1. Alternative School/court referral 2. Suspension	ZERO Tolerance 1 year expulsion
3rd Offense	1. Corporal punishment/writing/parent contact/loss of privilege 2. Detention	1. Alternative School (3 days max)/corporal punishment 2. Detention/ISS, if available	1. Alternative School/court referral 2. Suspension (10 days) 3. Corporal punishment 4. Detention	1. Suspension/court referral 2. Alternative School/Expulsion	ZERO Tolerance 1 year expulsion

***Parent contact by Principal or Asst. Principal is appropriate at any level.**

****Corporal Punishment may be used at the discretion of the principal or his/her designee. The Principal may use the Severe Clause in any step in severe cases.**

*****Definition of Severe Clause: *Principal may use any step in severe cases.***

******Level V offenses: Any violation will result in expulsion for one calendar year And be reported to local law enforcement authorities, except that the Director Of Schools may modify this expulsion on a case-by-case basis.**

Tennessee Law Concerning Suspension:

The administration of Fentress County Schools is authorized to carry out disciplinary and related procedures necessary for the successful operation of the school under Tennessee law concerning suspension and disciplinary action. Tennessee law allows student to be suspended for Good and Sufficient Cause upon satisfaction of due process. The following is the guidelines used for ISS and suspension:

ISS/Detention:

1. Students will be counted present at school, but will not attend regular classes.
2. ISS has a separate room in which students that are assigned will report to.
3. Teachers will send work to ISS/Detention room and students will complete.
4. Students will obey ISS/Detention rules and regulations.
5. Students will be assigned who violate Level 1, Level 2, and Level 3 misbehavior.
6. Principal will advise student of policy broken.
7. Principal will question student about their misconduct.

Suspension (Less than 10 days):

1. Parents notified as soon as possible.
2. Director of Schools notified as soon as possible.
3. Students and parents informed of the reason and length of the suspension.
4. Parent must return with student when suspension is over for a conference with Principal.
5. Suspensions of more than 5 days will have an improvement plan developed addressing the cause of the problem.

Suspension (More than 10 days):

1. Written notice given to parents with reason.
2. Written notice given to student.

Disciplinary Options for Level V Offenses:

Any violation will result in expulsion for 1 calendar year and be reported to local law enforcement authorities, except that the Director of Schools may modify this expulsion on a case-by-case basis.

Student Discipline Hearing Authority Procedure:

Purpose:

The purpose of this procedure is to settle fairly, at the lowest possible administrative level, an appeal a parent has with the discipline decision made by Fentress County Schools. **Appeals will only be allowed for expulsions.**

Definition:

An appeal is a complaint filed by a parent or guardian, student, or any person holding a teaching license who is employed by the Fentress County

Schools if requested by the student. All appeals must be filed, orally or in writing, by the close of business on the day of notification. Principal/Designee will determine student placement during appeal process.

Procedure:

1. (Informal Procedure). The student, parents or guardian, or a person holding a teaching license may first discuss the problem with the Principal. At this meeting, the aggrieved party may appear alone or be accompanied by their son/daughter, parents, guardian or the person holding a teaching license. The Principal may appear alone or with another person. This meeting shall occur on the day that the discipline matter occurs. If the student, parent or guardian, or person holding a teaching license still wishes to proceed after this meeting, go to step 2.
2. The appeal of this decision shall be to the Disciplinary Hearing Authority appointed by the Director of Schools and shall consist of at least 4 professionals of which 3 will be required to conduct a hearing.
3. The hearing shall be held no later than ten (10) school days after the beginning of the appeal. The Disciplinary Hearing Authority shall give written notice of the time and place of the hearing to the parent or guardian, the student and the Principal who orders the expulsion. Notice shall also be given to the local education agency employee who requests a hearing on behalf of a student that has been given an expulsion.
4. After hearing the Disciplinary Hearing Authority may affirm the decision of the Principal, order removal of the expulsion/punishment unconditionally upon such terms and conditions as it deems reasonable, it may also assign the student to an alternative program.
5. When the Disciplinary Hearing Authority determines the decision, a written record of the proceedings, including a summary of the facts and the reasons supporting the decision, shall be filed with the Director of Schools.

Due Process Provision:

The Director of Instruction will meet with all those involved in an incident. He/she will hear the accusations made against a student, the accused will be afforded an opportunity to explain his or her conduct, denying it or explaining any mitigating circumstances. The Supervisor of Instruction will take appropriate action.

Zero Tolerance:

Acts, which are a violation of the Zero Tolerance Policy as required y state law.

1. Possession of Firearms
2. Battery on school personnel and school resource officer(s).
3. Possession of or being under the influence of illegal drugs.

Any violation will result in expulsion for 1 calendar year and be reported to local law enforcement authorities, except that the Director of Schools may modify this expulsion on a case-by-case basis.

Corporal Punishment:

Should corporal punishment be necessary, it will be administered by the Principal, witnessed by at least one other professional staff member or will be administered by a teacher witnessed by a least one other professional staff member.

Searches:

Student, lockers, containers, visitors, vehicles and packages are subject to search by the Principal or his/her designee. The only requirement is that a reasonable cause be determined for the search.

Special Education:

Students that are in special education will be disciplined according to Federal and State Statutes.

Authority: TCA 49-6-3007-3012, 49-6-4101-4104, 49-6-4201-4210, 49-6-4215-4216, 49-6-3401, and 49-6-4402-4404.

Threats:

Threats are verbal communication of intent to do harm on another person or property. The faculty, staff and administration of the Fentress County School system will take all threats seriously. Whenever statements of this nature are made, we believe them. We do not consider this to be a joking matter.

SEXUAL HARASSMENT (NON-DISCRIMINATORY POLICY):

Definitions:

Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964 and it is against the policies of the Fentress County School system and the Department of Education for any student or employee, male or female, to sexually harass another employee or student by:

1. Making unwelcome sexual advances or request for sexual favors or other verbal or physical conduct of a sexual nature as a condition of employment, or continued employment, or
2. Making submission to or rejections of such conduct the basis for administrative decisions affecting employment or
3. Creating an intimidating, hostile or offensive working environment or educational environment by such conduct.

GREVIANCE PROCEDURES:

1. Any student or employee who believes that he/she has been the victim of harassment or sexual harassment should report the alleged act to the Principal or Assistant Principal.
2. If a complaint involves one of the above people, the student or employee should report the alleged incident to the Supervisor of Instruction.
3. All complaints will be handled in a timely and confidential manner. In no event will information concerning a complaint be released to third parties or will anyone involved be permitted to discuss the subject outside the investigation. The purpose of this provision is to protect the confidentiality of the student or employee who files a complaint, to encourage the reporting of any incidents of sexual harassment and to protect the reputation of any student or employee wrongfully charged with sexual harassment.
4. Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witness. Students and employees shall be protected from coercion, intimidation, retaliation, interference or discrimination for filing a complaint or assisting in an investigation.
5. If the investigation reveals that the complaint is valid, prompt attention and disciplinary action designed to stop the harassment immediately and to prevent its recurrence shall be taken. The form of disciplinary action shall be considered the offense; such action may include, but is not limited to verbal or written reprimand, suspension, demotion, or termination.

FAMILY RIGHTS AND PRIVACY ACT (FERPA):

The Family Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible student”) certain rights with respect to student’s education records. They are:

- (1) The right to inspect and review the student’s education record within 45 days of the day that the Fentress County School System receives a request for access.
- (2) Parents or eligible students may ask the Fentress County School System to amend a record that they believe is inaccurate or misleading. They should write the Director of Schools and clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.
- (3) If the Fentress County School System decides not to amend the record as requested by the parent or eligible student, the Fentress County School System will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- (4) The right to consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent.
- (5) One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the Fentress County School System as an administrator, supervisor, instructor, or support staff member (serving on the school board; a person or company with whom the Fentress County School System has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
- (6) A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility.
- (7) Upon request, the district discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the students of the records requested unless it states in its annual notification that it intends to forward records on request.]
- (8) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Fentress County School System to comply with the requirements of FERPA. The office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue SW.
Washington, DC 20202-4605

Evidence that code has been adopted:

Code was adopted April 7th, 2008

Statement regarding posting:

Code will be posted as required by TCA 49-6-4017.

Proof of dissemination-written/or taught during classes:

The Code of Conduct will be given to parents at parent/teacher conference and the code will be explained to students as soon as possible after approval.

Cell Phone Policy

The Fentress County Elementary schools' Cell Phone Policy is as follows:

-Cell phones are not permitted at school due to the disruption to the learning environment. If a student has a need for after school phone use, he or she must check the phone into the office or to his or her teacher upon arrival at school and the phone will be returned to the student upon dismissal of the school day.

Violation of the Cell Phone Policy

1st offense: The phone will be confiscated until parent or guardian comes to school to retrieve the phone.

2nd offense: The phone will be confiscated for 3 days and the parent or guardian will be required to come to school to pick up the phone.

3rd offense: The phone will be confiscated for 5 days with the addition of Corporal punishment or 3 days of Alternative School being given to the student and the parent or guardian will be required to come to school to pick up the phone.

4th offense: The phone will be confiscated and given to the Juvenile Judge and the student petitioned to court.