

STUDENT CONDUCT

Students in the Caldwell County School System are expected to behave in a manner that will reflect favorably on themselves and their schools during school hours and at any out of school activity. Such behavior will promote a safe, orderly learning environment for all students. It is the shared responsibility of the home and school to develop self discipline skills within students appropriate to their age. While the exercise of individual rights and liberties within schools is encouraged and protected, it is also recognized that those rights and liberties are muted by the needs of the system to provide a quality education to all.

Schools should develop activities that promote self-discipline, reward good conduct and develop understanding of the board's expectations for student behavior. Additionally, staff should be educated in techniques that support and enhance these efforts. Students are expected to:

- Support and participate in all school activities
- Be respectful, cooperative and honest with others
- Be informed regarding their rights and responsibilities
- Assist the school staff in operating a safe school
- Exhibit self-discipline and self-motivation

Any behavior that causes deterioration in the safety, moral or learning environment of the school, or infringes materially on the rights of others will not be tolerated and may subject the student to corrective measures. Such measures shall be determined on the basis of the facts presented in each instance of misconduct by appropriate school officials under the guidance of applicable board policies, statutes and school rules. The primary responsibility for classroom discipline rests with the teacher and incidents should be handled within the classroom whenever possible.

The consequences listed are intended to serve as guidelines for staff using reasonable discretion and appropriate due process for students who violate board policy or school regulations. Potential consequences include, but are not restricted to the following:

- Student warning
- Removal of privileges
- Parent notice
- Time out in office or classroom
- Referral to student support services
- After-school detention
- Parent conference
- Saturday detention
- Restitution
- In-school suspension
- Corporal punishment
- Out-of-school suspension
- Long-term suspension or expulsion

It is intended that these and any additional consequences be designed and administered to minimize the effect on student achievement. During the suspension, students will have an opportunity to make up missed work, but must recognize the negative effect of being absent from school when lessons are being taught and practiced. It is the responsibility of the student to make arrangements for immediate makeup of any missed work. Generally, such work must be made up within a time period equal to the length of the suspension. During school suspension, students should not be on any Caldwell County Schools campus, except by permission from the school principal.

It is further intended that staff use their professional judgment and discretion when administering this policy. Consequences should be given that fit the nature and severity of the offense, as well as the age of the students. The health and safety of the student body must be balanced with the right of the individual to an education. Out-of-school suspension will be used only when other reasonable consequences have failed or when policy mandates its use.

Corporal punishment may be used only under the following guidelines:

- Corporal punishment should be used only after other disciplinary alternatives have been tried without achieving the improved behavior, including dialogue with the parent.
- Corporal punishment must not be used in the presence of other students.
- Parents/students must be given prior notice of the types of misconduct that might result in corporal punishment.
- Only a teacher, principal or assistant principal may administer corporal punishment.
- Teachers may administer corporal punishment only in the presence of a school administrator.
- Administrators may administer corporal punishment only in the presence of certified staff.
- In the student's presence and before the punishment takes place the witness must be told the reason for the punishment.
- The child's parents must be notified in writing that corporal punishment has been administered. Such notice shall include the name of the witness, the offense, the time of day and the punishment administered.

Reasonable force may be used to control behavior or to remove a person from a scene when it becomes necessary (a) to quell a disturbance threatening injury to others; (b) to obtain possession of a weapon or other dangerous objects on the student's person or within his control; (c) for self-defense; or (d) for the protection of persons or property. Such reasonable use of force is not considered to be corporal punishment.

All school lockers are the property of the school system and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers. School authorities may conduct periodic general inspections of lockers for any reason, at any time, without notice, without student consent, and without a search warrant.

The use of cellular phones on school premises is guided by procedures contained in Parent-Student Handbooks. All students may have cell phones; however, they must be turned off while in the school building and classrooms during the instructional day except in extreme emergencies or with prior permission of the teacher/principal.

To promote good student discipline, as well as the safety and health of all students, drug-sniffing dogs may be used for locker and premises searches. School authorities may also use metal detectors for searches of students and their possessions utilizing standardized search techniques. Individual searches of students, student property, lockers assigned to students, and student cars may be conducted when reasonable suspicion exists to support the search.

MISCONDUCT AND CONSEQUENCES

1. **Disruptive Behavior**

Students shall not engage in conduct that is disruptive of any school activity, function or process, or is dangerous to the health, welfare or safety of themselves or others.

Consequences

For initial and repeat violations the administrator shall have discretion.

2. **Profane or Abusive Language**

Students shall not use profane, obscene, or abusive language/gestures. Inviting to fight, communicating a threat or verbally intimidating, extorting, blackmailing or substantially invading the rights of others, etc., shall be considered to be abusive.

Consequences

For initial and repeat violations the administrator shall have discretion.

3. **Dishonesty: Lying, Cheating, Plagiarism, etc.**

It is imperative that students conduct themselves with utmost integrity. Lying, cheating, plagiarism and other dishonest activities will not be tolerated.

Consequences

For initial and repeat violations the teacher/administrator shall have discretion.

4. **Fighting**

A student shall not fight with fellow students or others.

Consequences

As a general rule, the penalty is out-of-school suspension from 1-10 days or long-term suspension if warranted. When appropriate, the incident will be reported to law enforcement authorities for their action.

5. **Stealing or Damage to Property**

Students shall not steal or damage school property or the property of others. School property includes textbooks, buildings, equipment, grounds, furnishings, buses, etc.

Consequences

For initial and repeat violations the administrator shall have discretion, including restitution.

6. **Possession/Use of Tobacco or Tobacco Products**

The Caldwell County Board of Education believes that the use of tobacco or tobacco products is injurious to health; therefore, students shall not possess or use tobacco/tobacco products while on school property or during school-sponsored events.

Consequences

For initial and repeat violations, the administrator shall have discretion. Habitual abuse of this provision may result in a recommendation for long-term suspension.

School officials should encourage students to participate in tobacco cessation classes available in the community.

7. **Drug and Alcohol Use - (See Policy 3310: Alcohol and Drug Abuse)**

8. **Sexual Misconduct and Harassment**

Conduct of a sexual nature, whether verbal or physical, is prohibited in the school setting. Sexual harassment is defined as unwelcome conduct of a sexual nature. Sexual misconduct is any other conduct of a sexual nature that is not considered harassment.

Consequences

Sexual misconduct and sexual harassment may result in a 1-10 day out-of-school suspension or other consequences at the discretion of the administrator.

9. **Possession/Use of Weapon**

No student shall possess or use any weapon, substance or instrument, which may cause bodily harm or is used against another while on school property or at school events.

Consequences

In all cases, law enforcement authorities and parents shall be notified immediately. Possession of weapons and use of objects as weapons may result in up to a 10-day suspension from school and a recommendation to the Superintendent for long-term suspension of 365 days. Upon being suspended by the Superintendent, the letter of suspension will be placed in the cumulative record of the student, to be removed upon written request after the student graduates or has two years of good behavior.

10. **False Fire Alarms and Bomb Threats**

False fire alarms ~~and bomb threats~~ expose others to unnecessary danger and anxiety. Because these actions violate state statutes they are strictly prohibited.

Consequences

All incidents shall be reported to law enforcement agencies and the fire marshal for their investigation and action.

A mandatory, ten day out-of-school suspension will be administered for ~~conveying a bomb threat or~~ sounding a fire alarm without justifiable cause, as determined by the principal.

11. **Disrespect to or Assault/Battery on Staff**

The school's staff is assigned the difficult responsibility of maintaining order and providing an instructional environment that promotes learning. Their ability to perform these tasks shall not be diminished by disrespectful acts, intentional disobedience or assault.

Consequences

The administrator shall have discretion in cases of disrespect or refusal to obey reasonable directions; however intentional, severe or habitual acts shall be subject to out-of-school suspension.

Intentional assault/battery may result in a ten day out-of-school suspension and possible recommendation for long-term suspension or expulsion. When warranted, the employee will be assisted in filing charges against the student.

12. Fireworks or Explosives

Fireworks and explosives by their design are dangerous to all. Their possession or use on school properties or at school events is prohibited.

Consequences

Possession shall be punished at the administrator's discretion.

Exploding or attempting to explode these devices shall generally result in a 1-10 day out-of-school suspension, but based on the circumstances may require long term suspension or expulsion.

13. Gambling

Students shall not gamble or participate in related games of chance involving payoffs of any kind.

Consequences

For initial and repeat violations the administrator shall have discretion.

14. Inappropriate Dress

Students enrolled in the Caldwell County Schools are expected to dress appropriately at all times. A student's appearance, mode of dress, or condition of personal hygiene shall not distract or disrupt the learning environment or constitute a threat to the safety, health, or well being of students and staff.

No clothing, jewelry, or accessories with letters, initials, symbols or wording that is obscene, threatening, offensive, inflammatory, distracting, disruptive, or detrimental to the instructional process is allowed. The display of alcoholic beverages, drugs, tobacco products, violent acts or hatred is also prohibited.

Consequences

Students will be asked to replace or cover the offensive clothing, jewelry or accessory.

Students who refuse will be isolated from other students, parents will be contacted and disciplinary action will be taken at the discretion of the administrator.

15. Bus Misconduct

Bus riders are expected to ride the bus assigned by the principal, take their seats promptly, and remain seated throughout the trip and refrain from conduct that would distract the driver or endanger anyone. Student conduct at bus stops also falls under the jurisdiction of the school. All school rules will be applied on the bus or at the bus stops, as they would be at school.

Consequences

For initial and repeat violations, the administrator shall have discretion, which may include the suspension of riding privileges.

16. Leaving Campus

Once students officially arrive at school it is expected that they will remain until the end of the day or until they have been officially excused by the administration upon request by the parents. Parents expect students to remain at school unless they are aware students are leaving.

Consequences

For initial and repeat violations, the administrator shall have discretion. (See also the "Transportation Safety" policy.)

17. Acts With Intent to Create Terror

Students shall not disrupt or intend to disrupt school or a school-sponsored activity by engaging in the following activities:

- Make a false report of a device, substance, or material at school or at a school-sponsored activity designed to cause harmful or life-threatening illness or injury to another;
- Perpetrate a hoax by concealing, placing, displaying, or disseminating a device, machine, instrument, artifact, letter, package, material or substance to cause a person to reasonably believe it is capable of causing harmful or life-threatening illness or injury to another;
- Threaten to commit an act of terrorism likely to cause serious injury or death;
- Make a false report of an act of terror;
- Conspire to commit any of these acts.

Consequences

The principal or designee shall suspend for 10 days and recommend to the Superintendent a suspension for 365 days or expulsion. If the student is suspended for 365 days, the letter of suspension will be placed in the student's cumulative record. Such notice may be removed upon written request after two years of good conduct or the student graduates.

18. Bullying

Students have the right to learn in a safe environment and not be intimidated or harassed. School bullying undermines the academic mission of a school, jeopardizes the safety of a school, and hostile and dangerous acts of harassment and abuse can victimize students. Bullying will not be tolerated in any school, at any time. Caldwell County Schools will not allow or tolerate retaliation in any form against any individual that reports a valid complaint of bullying or is a corroborating witness. It is the duty of all teachers, including student teachers, substitute teachers, teacher assistants, and all school staff to maintain good order and discipline in their respective schools, report and intervene in all acts of bullying and provide other information about related behaviors, school safety and discipline problems. It is the expectation that all administrators will properly discipline offenders.

Bullying Defined:

Bullying is an act of violence defined as harassing behavior in which someone is perceived to be more powerful (the bully) than another (the victim) and subjects someone to abusive treatment that may be physical, verbal, and/or emotional in nature. These actions are deliberate. They may take place just once, but more often they are repetitive. Types of bullying behavior include:

Bullying Defined: (cont'd)

Direct Acts (both physical and verbal) – Physical attacks of any type and/or threats of physical attacks include, but are not limited to: any unwanted physical touching, contact, or assault (punching, poking, pinching, shoving, hitting, choking, biting, spitting, cornering, threatening play), deliberate impeding or blocking of movements, or any intimidating blocking of movements, or any intimidating interference with normal work or movement, sexual harassment whether physical or verbal. Verbal assaults include, but are not limited to: threatening words spoken to another, name-calling, insulting, taunting, teasing, hurtful slurs, etc.

Indirect Acts (emotional and/or passive-aggressive behaviors) include, but are not limited to: deliberately excluding, rejecting, isolating, ranking, or rating an individual, hateful looks, mean gestures, nasty notes or graffiti, starting and/or spreading hurtful rumors about someone, manipulating peer relationships, forcing someone to relinquish money and/or food, demanding servitude, stealing/taking things, deliberately setting up someone to get him/her in trouble, destruction of property (i.e. gym locker, clothing, books, book bags, etc.)

Cyber bullying involves the use of information and communication technologies such as email, cell phone and pager text messages, instant messaging, the publishing of defamatory personal websites, defamatory online personal polling websites, etc., to support conscious, willful, deliberate, repeated and hostile behavior by one or more people to harm others. These behaviors include, but are not limited to: sending or posting cruel or harmful messages or images about an individual or group, threats, sexual remarks, pejorative labels (i.e., hate speech), and harassment. While the district respects the rights of freedom of expression under the First Amendment, students may be disciplined for web site postings that materially and substantially disrupt the educational process or that contain threats which endanger the health, safety, and well-being of others, including district personnel or staff members.

Consequences

For elementary students, consequences will range from an initial warning/in-school disciplinary action up to five days out-of-school suspension; middle school consequences will range from in-school disciplinary action up to five days out-of-school suspension. Repeat violations may result in long-term suspension; high school consequences will range from in-school disciplinary action up to ten days out-of-school suspension. Repeat violations may result in long-term suspension. When appropriate, bullying incidents will be reported to law enforcement authorities for their action.

19. Gang and Gang Related Activities:

Caldwell County Schools does not support or condone gang membership or gang activity. The Superintendent/designee shall regularly consult with law enforcement officials to identify gang-related items, symbols and behaviors, and provide each principal with this information. The principal shall notify students of the items, symbols and behaviors prohibited by this policy. No student shall commit any act that furthers gangs or gang-related activities. A gang is any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts and having a common name or common identifying sign, colors, or symbols.

Conduct prohibited by this policy includes:

- Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs or other items which may be evidence of membership or affiliation in any gang;
- Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.) to convey membership or affiliation in a gang;
- Tagging or otherwise defacing school or personal property with gang or gang-related symbols or slogans;
- Requiring payment of protection, insurance, or otherwise intimidating or threatening any person related to gang activity;
- Inciting other students to intimidate or to act with physical violence upon any other person related to gang activity;
- Soliciting others for gang membership;
- Committing any other illegal act or other violation of school district policies that relates to gang activity.

Consequences

Before being suspended for a first offense of wearing gang-related attire (when not involved in any other kind of gang-related activity or behavior), a student may receive a warning and be allowed to immediately change or remove the attire if the school administration determines that the student did not intend the attire to show gang affiliation. If gang-related activity is associated with another act of misconduct, evidence of gang activity shall be considered an aggravating factor in determining disciplinary action. For any student who is determined to be a member of a gang, as that term is defined above, violation of this policy may result in stronger disciplinary action, including a disciplinary hearing that may impose alternative placement, long-term suspension or other disciplinary action. In determining such status, the school system may consider relevant information from agencies outside of the school, including the identification of the student by law enforcement as a Validated Gang Member.

20. Cell Phones

Students who have cell phones on school premises must keep them turned OFF and out of sight during the school day (from arrival at school until the dismissal bell). Students may only use cell phones for emergencies with PRIOR permission of an administrator or teacher.

Consequences

First Offense – Cell phone will be confiscated with the parent required to come to school for a conference and return of the phone. Additional offenses may result in in-school or out-of-school suspensions. Use of a cell phone for illegal or immoral purposes or for cheating on exams will result in an out-of-school suspension and possible long-term suspension or expulsion.

Adopted: August 14, 1995

Revised: January 13, 1997

Revised: June 12, 2000

Revised: November 11, 2002

Revised: April 4, 2004

Revised: June 11, 2007

Revised: November 18, 2007

Revised: December 1, 2008