

# Shelby County Board of Education

6022

Issued Date: 08/26/10

Revised: 06/11/13, 07/15/14, 06/30/15, 10/25/16, 01/30/18,  
06/30/20, 11/30/21, 10/25/22; 09/26/23

## STUDENT CONDUCT

### I. PURPOSE

To support positive student behavior and, when appropriate, apply reasoned discipline.

### II. SCOPE

This policy applies to student conduct and shall be in force for all school facilities, school property, school buses, and District/school-sponsored activities.

### III. DEFINITIONS

Adverse Childhood Experiences (ACEs) – chronic childhood trauma; stressful or traumatic events experienced by a minor child, including aspects of the child’s environment that can undermine their sense of safety, stability, and bonding

Discipline - the practice of teaching students to self-manage, become socially and self-aware, build positive relationships, and exhibit responsible decision-making

Expelled/Expulsion - removal from attendance at the student's regular school program for more than ten (10) consecutive days or more than fifteen (15) days in a month of school attendance, or removal from school attendance altogether. Multiple suspensions that occur consecutively shall constitute expulsion.

Multi-tiered System of Support – alignment of all available practices, programs, and interventions that work together to meet students’ needs both within an individual classroom and across the school building/District

Positive Behavioral Supports - a systematic approach using evidence-based practices to improve school environments, and to prevent and respond to problem behavior that:

- (a) is proactive and instructional, rather than reactive and punitive;
- (b) operates on an individual, group or classroom, and whole school level;

- (c) includes a system of continual data collection;
- (d) utilizes data-based decision-making;
- (e) applies research-validated positive behavioral interventions; and
- (f) improves academic and social outcomes for all students, including those with the most complex and intensive behavioral needs.

Progressive Discipline - gradual, sequential, and strategic responses (i.e., interventions, restorative practices) implemented to deter negative student behavior and reduce exclusionary consequences

Remand – placement in an alternative school as a result of a student receiving a long-term suspension for more than ten (10) consecutive days

Social and Emotional Learning - processes through which children and adults acquire and effectively apply the knowledge, attitudes, and skills necessary to understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships, and make responsible decisions

State-Mandated Zero Tolerance Offense - an offense committed by a student requiring the student by law to be expelled from school for at least one (1) calendar year (180 days) and can only be modified on a case-by-case basis by the Superintendent

Substantive/Credible Threat - represents a sustained intent to harm someone beyond the immediate incident and/or poses a continuing risk or danger to others. Characteristics that suggest a threat is substantive include one or more of the following with no clear evidence to the contrary:

- (a) plausible details, such as a specific victim, time, place, and method of assault;
- (b) a repeated threat over time or communicated to multiple persons;
- (c) a threat reported as a plan, or planning has taken place;
- (d) the student has accomplices, or has attempted to recruit accomplices;
- (e) the student has invited an audience of peers to watch the threatened event; and
- (f) physical evidence of intent to carry out the threat, such as a weapon or bomb materials.

Suspension - For the purpose of this policy suspension shall include:

- (a) In-School Suspension – removal from attendance in the regular classroom setting while providing the opportunity for a student to complete regular classroom assignments in an isolated environment;
- (b) Short-Term Suspension/Out-of-School Suspension – dismissal from attendance at school for not more than ten (10) consecutive days; and
- (c) Long-Term Suspension - a suspension for more than ten (10) consecutive days (11 to 180 days) in which the student is remanded to an alternative school.

*NOTE: Multiple suspensions shall not run consecutively, nor shall multiple suspensions be applied to avoid expulsion from school.*

Trauma Informed Discipline - interventions that use proactive and preventive approaches to address the underlying cause (i.e., trauma) or purpose of behavior and reinforce positive behaviors

#### **IV. POLICY STATEMENT**

- A. The District shall adhere to T.C.A §49-6-4101 et seq., T.C.A. §49-6-2801 et seq., and other applicable federal and state laws and guidance in order to (1) establish clear behavior expectations for students and staff and (2) provide guidance to positively respond and strengthen capacity to establish and maintain safe, healthy, and supportive school climates that reduce and prevent inappropriate and disruptive student behavior.

It is the expectation of the Board that administrators and teachers enforce this policy and the Student Code of Conduct to hold students accountable for their behavior.

The Superintendent (or designee) is authorized to develop processes and procedures related to student discipline, inclusive of the Student Code of Conduct.

- B. It is the intent of the Shelby County Board of Education to become a trauma-informed district by providing a multi-tiered system of support that nurtures the social, emotional, and behavioral needs of all students. As a strategy to address adverse childhood experiences (ACEs), the District shall adopt a trauma-informed discipline policy in accordance with T.C.A. §49-6-4109 and associated state guidance to implement disciplinary measures that:

1. Balance accountability with an understanding of traumatic behavior;
2. Teach school and classroom rules while reinforcing that violent or abusive behavior is not allowed at school;
3. Minimize disruptions to education with an emphasis on positive behavioral supports and behavioral intervention plans;
4. Create consistent rules and consequences; and
5. Model respectful, nonviolent relationships.

- C. It is the expectation of the Board that the use of any disciplinary measure will be administered with equity, dignity, freedom from bias, and respect for all parties and in a manner to keep students within their regular academic program to the greatest extent practicable.

##### *Alternative Education Placement*

In accordance with State Board policy 2.302, placement in an alternative education setting should be reserved for infractions that significantly disrupt the educational process. Additionally, students in Pre-Kindergarten or Kindergarten shall not be assigned to an alternative education program. Any disciplinary action taken against a

student resulting in an expulsion and remand to an alternative school placement shall be in accordance with state law.

- D. When it is determined that a student has violated this policy, the Superintendent (designee) shall notify the student's parent(s)/guardian(s) and the criminal justice or juvenile delinquency system when required by law.
- E. Corporal punishment is not an approved disciplinary measure for Memphis-Shelby County Schools and is prohibited.

#### **IV. RESPONSIBILITY**

- A. The department responsible for attendance and discipline is responsible for implementing this policy and for providing District-wide professional development related to ACEs awareness and trauma-informed discipline practices.
- B. The department responsible for attendance and discipline is responsible for monitoring and reviewing behavioral consequences issued to students and for counseling with principals when consequences issued to students are not in compliance with SCS policy and/or state or federal law/regulations.
- C. The department responsible for mental health and threat assessment is responsible for conducting threat assessments in accordance with this policy and its accompanying rules and regulations; and for providing principals with guidance and documents to complete school-level threat assessment investigations.
- D. The department responsible for student services is responsible for monitoring and reviewing the School-wide Behavior Plan of each school and reporting student behavior and discipline data to schools and appropriate District-level administrators.
- E. Principals and/or their designees and teachers shall be responsible for adhering to and enforcing the rules of student conduct in accordance with provisions outlined in state law and District-established guidance (e.g., administrative rules and regulations; Student Code of Conduct).

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#### Legal References:

1. T.C.A. §49-6-28 et seq. (Teacher's Discipline Act)
2. T.C.A. §49-6-41 et seq. (School Discipline Act)
3. T.C.A. §49-6-4102 (Students Accountable for Conduct)
4. T.C.A. §39-17-1309; 18 U.S.C §921 (Carrying Weapons on School Property)
5. T.C.A. §49-2-203 (Powers and Duties)
6. T.C.A. §49-2-303 (School Principals)
7. T.C.A. §49-6-3103 (Factors in Determining Assignment)
8. T.C.A. §49-6-3401 (Suspension and/or Expulsion of Students)

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#### Cross References:

1. 6050 Conduct on School Buses
2. 6056 Alcohol and Drug Use
3. 6055 Alternative Schools
4. 6057 Physical Relocation of Students
5. 6053 Isolation or Restraint of Students Receiving IDEA Special Education Services
6. 6051 Interscholastic Athletics
7. 6004 Field Trips
8. 6027 Searches and Interrogations

9. T.C.A. §49-6-3402 (Alternative Schools)
10. T.C.A. §49-6-4001 (Student and Employee Safe Environment Act of 1996)
11. T.C.A. §49-6-4201 (School Security Act)
12. T.C.A. §49-6-3017 (Denial of Motor Vehicle License or Permit)
13. 20 U.S.C. § 1400 et seq. (Individuals with Disabilities Act)
14. 29 U.S.C. §794 (Section 504 of the Rehabilitation Act of 1973)
15. TRR/MS 0520-01-09-.05
16. 20 U.S. Code §7961 – (Gun-free Requirements)
17. US Code Section §921, Title 18 (Defines Firearm)
18. T.C.A. §39-14-301 (Arson)
19. T.C.A. §39-13-101, 102 (Assault)
20. T.C.A. §39-14-402 (Breaking and Entering/Burglary)
21. T.C.A. §49-6-4501 (Bullying, Harassment, and Intimidation)
22. T.C.A. §49-6-4202(2) (Drug)
23. T.C.A. §39-14-112 (Extortion)
24. T.C.A. §39-13-302, 303 (False Imprisonment)
25. T.C.A. §39-14-114 (Forgery)
26. T.C.A. §39-17-501 (Gambling)
27. T.C.A. §49-6-4215 (Gang)
28. T.C.A. §39-17-901 (Obscene Material)
29. T.C.A. §49-7-123; T.C.A. §49-2-120 (Participation in Non-Sanctioned Organizations/Hazing)
30. T.C.A. §55-10-205 (Reckless Driving)
31. T.C.A. §39-13-401, 402 (Robbery)
32. T.C.A. §39-13-505 (Sexual Harassment (Student to Student))
33. T.C.A. §39-14-103 (Theft)
34. T.C.A. §39-14-408 (Vandalism)
35. T.C.A. §49-6-4202(1) (Weapon/Dangerous Weapon)
36. T.C.A. §49-6-4009; T.C.A. 49-1-302(h) (School Attire)
37. T.C.A. §49-6-3009(e) (Progressive Truancy Plans)
38. T.C.A. §49-6-4002 (Discipline Policy; Code of Conduct)
39. T.C.A. §49-1-230 (ACEs Training)
40. Department of Education Trauma-Informed Discipline Practices Guidance Document, 2019
41. State Board Policy 2.302 (Alternative Education Programs)
42. T.C.A. §39-17-1503 (Prevention of

Youth Access to Tobacco, Smoking  
Hemp, and Vapor Products Act)

43. T.C.A. §49-6-4107 (Reasonable Force)
44. T.C.A. §49-6-4109 (Trauma-informed  
Discipline Policy)
45. T.C.A. § 39-16-517 (Mass Violence)
46. T.C.A. § 39-17-402 – 415; § 39-17-454; §  
53-10-101 (Drugs/Controlled  
Substances/Legend)

*Policy Revision History – Adopted 02/24/77, Revised 07/28/83, Revised 09/29/94, Revised 12/05/96, Revised 09/25/97,  
Revised 08/31/00, Revised 06/26/03*

# **STUDENT CONDUCT**

Administrative Rules and Regulations

**Revised: 06/30/15, 01/30/18, 05/28/19,  
06/30/20, 11/30/21, 10/25/22, 02/28/23,  
09/26/23**

The goal of student discipline is to support students to behave in ways that contribute to academic achievement and school success, and to support a school environment where students and staff feel safe. In all instances, school discipline should be reasonable, timely, fair, age and developmentally appropriate, logically connected to the particular behavior, relationally based, and should match the severity of the student's misbehavior.

The District expects that the implementation of positive support measures will successfully manage and/or correct most behavior; however, there may be times that inappropriate behaviors occur that require a more serious consequence. To hold students accountable for their conduct, administrators and teachers will follow District-established guidance (e.g., Code of Conduct) and provisions set forth in state law<sup>1,2</sup> when incidents arise that disrupt the learning environment and/or threaten the safety of students and staff. The District will respond in a manner that will minimize the impact of the incident, repair harm, and address the underlying need behind the behavior. Discipline will be administered with equity, dignity, freedom from bias, and respect for all parties. As practicable, the use of consequences that remove the student from class or school should be minimized. Out-of-school suspensions should only be used as a last resort.

## **Threat Assessments**

The department responsible for mental health promotes the safety of Memphis-Shelby County Schools by conducting threat assessments with students whose behaviors are indicative of *substantive/credible threats* of violence.

The purpose of this assessment is to evaluate the circumstances surrounding a student's infraction to determine whether there is evidence of a continued threat and to identify general violence risk factors. Recommendations intended to promote safety and academic success will be offered to the school(s), the student(s), and the student's parent/guardian(s).

When a student makes a threat to harm others or is in possession of a dangerous weapon, the *MSCS Threat Screening Guidelines* and accompanying *Quick-Reference* provided by the department responsible for mental health are to be used by the principal/vice or assistant principal or designee, security/SRO, and support staff (as appropriate) in completing the school-based investigation. When, based on the school's investigation, a student's threat is identified as *substantive/credible* and other safety measures have been implemented, schools should contact the department responsible for threat assessment to make a referral (Also see Section C under Exclusionary Measures below). Any student who brings a firearm or weapon to a school shall be referred to the criminal justice or

juvenile delinquency system (e.g., Juvenile Court) as required by federal law (20 U.S. Code §7961).

### **SCHOOL-WIDE BEHAVIOR PLANS**

Each school shall strive to promote and support appropriate student behavior by implementing programs that integrate school and District-wide behavior intervention strategies with all aspects of a school's support services. To this end, each school shall develop a School-wide Behavior Plan that is consistent with applicable laws, and District policies and guidance. At a minimum, the School-wide Behavior Plan shall outline the school's operating procedures for utilizing various prevention and intervention strategies and utilizing progressive discipline within the school.

### **POSITIVE DISCIPLINE MEASURES**

Trauma-informed disciplinary and intervention action should:

1. be proactive and preventive to address the underlying cause or purpose of a student's behavior (e.g., trauma, social, emotional, or behavioral health needs);
2. reinforce positive behaviors;
3. promote a student's social and personal competencies while holding them accountable without compromising school safety, respect, and dignity;
4. employ multi-tiered supports prior to taking exclusionary measures that remove or exclude a student from his or her traditional educational setting (e.g., in/out of school suspension); and
5. avoid re-traumatizing students by eliminating the use of potentially traumatic or shaming disciplinary practices.

Several social-emotional and trauma-informed strategies may be employed to support acceptable student behavior such as positive behavior supports, restorative practices, mental health supports, progressive discipline strategies, and behavior intervention plans. Strategies may also include teacher/parent or guardian/administrator conference, confiscation of items, loss of privileges, before/after school detention/Saturday school, or suspension from the bus.

With the exception of privileges restricted by the principal, suspension from the bus and confiscation of items, schools shall not impose multiple disciplinary measures on a student for a single offense or violation of the Student Code of Conduct. The principal may restrict activities for students who accumulate a certain number of suspensions. Activities that may be restricted by the principal and the actions that may place students on restriction shall be communicated to the student and parent/guardian by the principal.



## **A. Confiscation of Items and/or Loss of Privileges**

### Confiscation of Items

“Confiscated items” include any personal communication device including but not limited to cellular phones, prohibited electronic devices, and any other item prohibited by the District. Unless the District extends the return time of confiscated items because the item or its contents may be evidence of violation of law or policy, the parent/guardian may pick up the item at a time and location designated by the principal at the close of the next school day following the day that the parent/guardian received notification of confiscation or earlier at the principal’s discretion. Thereafter, the parent/guardian may pick up the device by appointment. The District does not take responsibility for confiscated items and will not compensate the owner for any lost, stolen, or damaged confiscated items while in the custody of the District.

### Loss of Privileges

Students may lose privileges including, but not limited to, the following:

1. Loss of classroom privileges
2. Loss of parking privileges
3. Loss of extracurricular/athletic or other school-wide privileges
4. Privileges Restricted by the Principal

## **B. Before/After School Detention/Saturday School**

Students may be detained before or after the school day or required to attend Saturday school as a means of disciplinary action. The following guidelines shall be followed:

1. The student will be given at least one (1) full day of notice before detention/Saturday school.
2. Parents/guardians will be informed before detention/Saturday school takes place.
3. Students will be under supervision of certified staff members.
4. Detention will not exceed 45 minutes after the official closing of the school day but may be administered several days in succession.
5. Teachers must have the approval of the principal before issuing detention or requiring a student to attend Saturday school.
6. Students riding school buses will be provided an alternative to detention, or, in collaboration with the parents/guardians, assigned a later detention date.
7. Students with religious exemptions to Saturday school shall be provided with an alternative disciplinary option.

## **C. Suspension from the School/MATA Bus**

Except where prohibited by law, students who engage in bus-related misconduct may be suspended from riding the school or MATA bus to and from school. Decisions involving temporary/permanent removal from school bus or MATA bus ridership will be made by

the principal and as deemed necessary, in collaboration with MATA. In such cases, the student would typically continue his/her school assignment but would have to find another means of transportation. Truancy laws would still be in effect. Additional disciplinary actions may also apply when bus-related misconduct involves a violation of the Student Code of Conduct.

The District shall comply with applicable state and/or federal laws/regulations regarding the suspension of a student receiving special education services from school/Mata bus transportation.

### **IN-SCHOOL SUSPENSION**

The in-school suspension program includes a behavior management component that teaches students skills to improve their behavior and make good choices while allowing students the opportunity to complete their regular classroom assignments in an isolated environment. The principal, including vice/assistant principal, has sole discretion to issue in-school suspensions.

### **EXCLUSIONARY DISCIPLINE MEASURES**

The Board recognizes the impact exclusionary discipline practices have on student success. As practicable, exclusionary measures should be used minimally: (1) to sustain a safe and orderly educational environment, and (2) after positive support and intervention measures have been implemented without a change in the behavior. The department responsible for attendance and discipline shall communicate expectations for implementation and documentation of support measures. In cases of severe, continuous, and/or extreme behaviors, out-of-school suspension, expulsion, and remand may be warranted.

#### **A. Out-of-School Suspension**

Out-of-school suspensions vary in length from one (1) to ten (10) days. It is not the intent of the system to remove students from the school society for minor violations. Therefore, suspension from school should be used with caution and only in appropriate cases. The principal, including vice/assistant principal, has sole discretion to issue out-of-school suspensions from one (1) to ten (10) days.

1. A behavioral intervention plan shall be developed for students who accumulate more than five days of suspension during the school year.
2. Multiple suspensions shall not run consecutively; nor shall multiple suspensions be applied to avoid expulsion from school.

Reasonable effort shall be made to contact the parent/guardian immediately regarding any suspension. If contact with the parent/guardian cannot be made, the student will remain at school until dismissal time except in cases of police arrest or an emergency,

such as when the student's continued presence poses a danger to persons or property in the school or an ongoing threat of disrupting the academic process.

Students on suspension must not be permitted to set foot on school property, attend class, or participate in school-sponsored activities while under suspension, unless otherwise allowed by law and/or Board policy (see §TCA 49-6-3401(d) and Board Policy 6055 Alternative Schools) or when scheduled with the school administration to take exams.

**B. Expulsion (Long-term Suspension)**

Expulsions vary in length from eleven (11) to 180 days. (Any single suspension in excess of ten (10) consecutive days or multiple suspensions totaling fifteen (15) days in one month is an expulsion.) The principal may issue expulsions subject to student legal due process rights regarding appeals of expulsions (suspension of more than ten (10) days) and in accordance with the District-wide Student Code of Conduct. The Superintendent may modify a state-mandated 180-day expulsion on a case-by-case basis. Students/parents or guardians may choose to appeal an expulsion.

**Pre-K through Second Grade Students**

Prior to issuing an expulsion to a student in Pre-Kindergarten through second grade, the school administrator should consult with the department responsible for attendance and discipline with evidence of specific multi-tiered support that has been implemented and documented to address the behavior(s).

**Threat Assessment Associated with Expulsion**

1. When the student's infraction involves:
  - (a) a credible/substantive threat of harm;
  - (b) possession of a dangerous weapon (firearm, knife, taser, explosive, etc.);
  - (c) assault resulting in bodily injury to staff/student(s); or
  - (d) off-campus felony with a firearm,

the principal/assistant principal or designee shall:

- (i) consult with appropriate District staff responsible for the Individuals with Disabilities Education Act (IDEA) including SPED and 504, to determine whether a student has an *identified or suspected* need for services under IDEA and hold a manifestation determination meeting if necessary; and
- (ii) immediately refer the student for threat assessment to determine the student's level of risk and guide safety planning, not assignment or disciplinary actions. The department responsible for threat assessment shall provide the names of students referred for threat assessment to all applicable departments necessary to provide services for the student upon assignment (i.e., attendance and discipline, safety and security, alternative schools, etc.)

2. A threat assessment advisement period must be completed by the department responsible for mental health. If extenuating circumstances exist preventing completion of a threat assessment within ten (10) business days of the suspension (e.g., failure of parental/guardian/family participation in the threat assessment, incarceration of student, etc.), the student committing a non-zero tolerance offense will be remanded to an alternative school in compliance with T.C.A. §49-6-3402. Any placement decision made by the department responsible for alternative school must comply with IDEA and ADA requirements, and other applicable federal and state laws.

The department responsible for alternative school shall implement an interim safety plan pending completion of the threat assessment. The interim safety plan will be developed in collaboration with, as deemed necessary, a District administrative committee involving departments responsible for attendance and discipline, coordinated school health, threat assessment, 504 implementation, special education services, safety and security, and legal services. Remand to an alternative school shall not preclude any District requirement for conducting a threat assessment. Threat assessment findings and recommendations may be utilized in drafting a final safety plan for the student.

3. Students expelled as a result of a zero-tolerance offense will be informed by the office responsible for alternative schools that the placement decision is being taken under advisement. Exemptions from the advisement period shall be governed by applicable federal and state law, (e.g., IDEA).

### **C. Motor Vehicle or Permit License Revocation**

In accordance with state law, any student fifteen (15) years of age or older who withdraws from school shall be reported to the Department of Safety by the Superintendent (designee) or the attendance teacher. When the withdrawal from school is due to circumstances beyond the control of the student, no notice should be sent to the Department of Safety.

The Principal (or designee), with the assistance of the attendance teacher and any other staff or school personnel, shall be the sole judge of whether withdrawal is due to circumstances beyond the control of the student.

Suspension, expulsion, or confinement in a correctional institution shall not constitute a circumstance beyond the control of a student.

### **REPORTING PROCEDURES**

Mandatory reportable criminal offenses shall be reported in accordance with applicable state law and Board policy (see 7005 Mandatory Reporting Procedures for Criminal Offenses). The principal shall consult with the department responsible for security when determining whether local law enforcement should be contacted regarding any violation

of the Student Code of Conduct that does not require mandatory reporting to law enforcement or other agency. Any student or their parent/guardian who believes the student is experiencing discrimination or sexual harassment shall immediately report such circumstances to a teacher, counselor, or principal, or to the Title IX Coordinator for the District. If the report is made to a teacher or counselor, s/he must notify the principal immediately. The principal shall immediately contact the Title IX Coordinator for the District.

Title IX Coordinator  
160 S. Hollywood  
Memphis, TN 38112  
(901) 416-5417  
[TitleIX@scsk12.org](mailto:TitleIX@scsk12.org)

### **SPECIAL EDUCATION CONSIDERATIONS**

Students who also qualify for special education services determined to have violated this policy may be suspended, expelled, or remanded or otherwise disciplined only in accordance with applicable federal and state laws and policies. For zero tolerance offenses, remand of a student who qualifies for special education services must be based on recommendation of the IEP team consistent with IDEA; and the student must have a manifestation meeting prior to remand or exclusion from school for over ten (10) days.

Unless a disciplinary infraction is the direct result of a child's disability, the child will be disciplined in the same manner as a nondisabled child. The District, parent/guardian, and relevant members of the IEP team shall review all relevant information to determine:

1. if the conduct was a direct result of the District's failure to implement the IEP; and/or
2. if the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability.

Serious safety issues involving weapons, drugs, or inflicting bodily injury upon another person while at school, on school premises, or at a school function will result in removal for up to 45 school days. In cases of expulsions (suspensions longer than ten (10) days), the child must continue to receive educational services.

Regular education students may invoke rights under applicable federal and state laws under certain conditions, including if the parent/guardian has expressed concern in writing to supervisory or administrative personnel of the District, or the child's teacher, that the child is in need of special education and related services.

The school district must also contact the Education Specialist at the Department of Children's Services if a foster child (with or without an identified disability) has

allegedly committed an offense that may result in a suspension of ten (10) or more days or has had a petition filed against him/her by the school or school system.

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## **STUDENT CONDUCT – Student Code of Conduct**

### **(Offenses and Penalties by Category)**

It is expected that all students behave in a manner that supports a safe and orderly learning environment. If behavior is disruptive to or threatens the safety of the school community, consequences shall be issued using the Memphis-Shelby County Schools Code of Conduct. Except for Category A State-Mandated Zero Tolerance Offenses, trauma-informed practices shall be implemented as practicable before issuing exclusionary consequences.

The infractions of school discipline in the Memphis-Shelby County Schools listed below are grouped into categories according to the seriousness of the offense. This list is not intended to be exclusive or all inclusive. For infractions not specifically listed below, school principals shall assign discipline in accordance with the category that appears to be comparable to the offenses specifically listed in the category. (For assistance determining the appropriate category for an offense, schools should contact the District office responsible for student discipline.)

### ***Category A – State-Mandated Zero Tolerance Offenses***

Notwithstanding another law to the contrary, a student has committed a zero-tolerance offense if the student:

1. Commits aggravated assault as defined in § 39-13-102 or commits an assault resulting in bodily injury (as defined in 39-13-101) upon any teacher, principal, administrator, school resource officer, or any other District employee
2. Is in unlawful possession of any drug, including any controlled substance, as defined in §§ 39-17-402 – 39-17-415, controlled substance analogue, as defined by § 39-17-454, or legend drug, as defined by § 53-10-101, on school property or at a school-sponsored activity
3. Brings to school or is in unauthorized possession of a firearm on school property or at a school sponsored activity, as defined in 18 U.S.C. § 921
4. Threatens mass violence on school property or at a school related activity pursuant to § 39-16-517.

### **Penalty for *Category A* Offenses:**

- Expulsion/Suspension for 180 days

Notification will be made to law enforcement authorities. Any modification of this penalty can only be made by the Superintendent.

### ***Category B***

1. Possession of a knife or any potentially lethal weapon, Taser, or explosive on school property or at a school-sponsored activity
2. Being under the influence of and/or evidence of drinking or possession of alcoholic beverages in school or at a school sponsored activity
3. Off campus criminal behavior that results in the student being legally charged with an offense that would be classified as a felony if the student was charged as an adult or if adjudicated delinquent for an offense that would be classified as a felony if the student was an adult, or if the students was convicted of a felony, and the student's continued presence in school poses a danger to person or property or disrupts the educational process
4. Gang activities - Activity that is threatening and/or intimidating, harassing in nature or recruiting; gang notebooks with gang pledges, codes and symbols that are used in communication such as threats and warnings and recruiting; gang related fights, and all types of violent acts; gang graffiti especially drawn on school property (bathrooms, lockers and hall walls); electronic devices such as cell phones with recognized gang text, with gang symbols, signs and language that is threatening and or intimidating
5. Being under the influence of illegal substance (without possession) or legend drugs, intentional misuse or excessive consumption/distribution of over-the-counter drugs with the intent to intoxicate and/or evidence of use or possession of drug paraphernalia, substances for huffing, any substance under guise of it being a controlled substance or prescription drug, and/or medical preparations without proper medical authorization
6. Possession, use or distribution of counterfeit money on school property or at any school sponsored activity
7. Assault upon any teacher, principal, administrator, school resource officer, or any other school employee
8. Continuous and/or severe Category C Offenses

### **Penalty for *Category B* Offenses:**

After implementation of restorative practices:

- \*Out-of-School Suspension
- Expulsion (11-180 day)

When appropriate, notification will be made to law enforcement authorities. Modification of this penalty can be made by the Superintendent or the Disciplinary Hearing Authority.

### ***Category C***

1. Threatening bodily harm to school personnel, including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to a school employee and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention
2. False accusations against school personnel
3. Making a threat, including a false report, to use a bomb, dynamite, any other deadly explosive or destructive device, including chemical weapons, on school property or at a school-sponsored event
4. Smoking/use and/or the possession of tobacco or smoking hemp products, or electronic/vapor type products (e.g., e-cigarettes), or unauthorized consumption/distribution of non-prescription drugs by students while (1) in school or on school properties, (2) under school's jurisdiction during school hours, or (3) participating in a school-sponsored event
5. Gang activities - any gang related activity not specified in Category B
6. One (1) or more students initiating a physical attack on an individual student on school property or at a school-sponsored activity
7. Malicious destruction of or damage to school property, including electronic media, or the property of any person attending or assigned to the school
8. Stealing or misappropriation of school or personal property (regardless of intent to return)
9. Immoral or disreputable conduct
10. Continuous and/or severe Category D Offenses

#### **Penalty for *Category C* Offenses:**

- In-School Suspension
- Out-of School Suspension (after implementation of restorative practices)

When appropriate, notification will be made to law enforcement authorities.

### ***Category D***

1. Open or continued defiant attitude or willful disobedience toward a member of school staff
2. Vulgar, profane, immoral/disreputable or rude remarks or non-verbal action to staff member or fellow student
3. Physical or verbal intimidation or threats to other students, including hazing
4. Threatening bodily harm to another student, including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to a student and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention



5. Fighting in or on school property unless, in accordance with state law, the principal recommends no disciplinary action for a student who is deemed to have acted in self-defense or defense of another
6. Possession of mace or disabling sprays
7. Inappropriate use of electronic media, including, but not limited to, all calls (land line, cellular or computer generated), instant messaging, text messaging, video/audio recording devices, iPods, MP3s or any type of electronic music or entertainment device, and cameras and camera phones
8. Sexual, racial, ethnic, or religious harassment/discrimination
9. Bullying/cyberbullying, intimidation, and harassment
10. Refusal to produce an object identified by metal detectors
11. Inciting, advising or counseling of others to engage in any acts in Categories A, B, or C using any means to send or receive spoken or written messages, including, but not limited to, notes, letters, texts, online or in-person group chats or conferencing, electronic messaging, audio messaging, video messaging, social media posts/streams, or other similar forms of communication
12. Continuous and/or severe Category E Offenses\*

**Penalty for Category D Offenses**

- Parent/Guardian-Principal Conference
- Before/After School Detention/Saturday School
- In-School Suspension
- Out-of-School Suspension (after implementation of restorative practices)

***Category E***

1. Habitual and/or excessive tardiness
2. Class cutting\*
3. Intentional disturbance of class, cafeteria, or school activities
4. Leaving school grounds without permission
5. Being in an unauthorized area without permission
6. Tampering with grades or report cards; Cheating; Plagiarism
7. Possession of lighters or matches
8. Possession of and access to beepers, cellular phones, or other electronic communication devices during school hours without permission of the principal or in violation to District/school policy
9. Inciting, advising or counseling others to engage in any acts in Category D using any means to send or receive spoken or written messages, including, but not limited to, notes, letters, texts, online or in-person group chats or conferencing, electronic messaging, audio messaging, video messaging, social media posts/streams, or other similar forms of communication
10. Dress code violation, including wearing, while on school grounds during the regular school day, clothing that exposes underwear or body parts in an indecent manner that disrupts the learning environment

**Penalty for *Category E* Offenses:**

- Implementation of Restorative Practices
- Parent/Guardian-Principal Conference
- Before/After School Detention/Saturday School
- In-School Suspension

\* In-school or out-of-school suspension must not be used for unexcused absences from class or school. Additionally, out-of-school suspension should not be used to address tardies/early dismissals or other violations when related to class or school attendance.

Note: A teacher, principal, school employee, or school bus driver may use reasonable force in compliance with state law (T.C.A. §49-6-4107; T.C.A. §49-6-2802).

# STUDENT CODE OF CONDUCT

Trauma-informed practices shall be implemented as practicable before issuing exclusionary consequences. Exception: Category A – State-Mandated Zero Tolerance Offenses. This list is not intended to be exclusive or all inclusive. For infractions not specifically listed below, school principals shall assign discipline in accordance with the category that appears to be comparable to the offenses specifically listed in the category.

(For assistance determining the appropriate category for an offense, schools should contact the District office responsible for student discipline.)

<i>Category A – State-Mandated Zero Tolerance Offenses</i>	<b>**Parent – Principal Conference</b>	<b>Detention Saturday School</b>	<b>ISS</b>	<b>OSS</b>	<b>11 to 180</b>	<b>Required 180</b>
Aggravated assault or an assault resulting in bodily injury upon any teacher, principal, administrator, school resource officer, or any other employee						•
Unlawful possession of any drug, controlled substance, controlled substance analogue, or legend drug on school property or at a school-sponsored activity						•
Brings to school or is in unauthorized possession of a firearm on school property or at a school sponsored activity						•
Threatens mass violence on school property or at a school related activity						•
<i>NOTE: For Category A Offenses, will be made to law enforcement authorities. Any modification of this penalty can only be made by the Superintendent.</i>						
<i>Category B</i>	<b>**Parent – Principal Conference</b>	<b>Detention Saturday School</b>	<b>ISS</b>	<b>OSS</b>	<b>11 to 180</b>	<b>Required 180</b>
Possession of a knife or any potentially lethal weapon, Taser, or explosive on school property or at a school-sponsored activity				•	•	
Being under the influence of and/or evidence of drinking or possession of alcoholic beverages in school or at a school sponsored activity				•	•	
Off campus criminal behavior that results in the student being legally charged with an offense that would be classified as a felony if the student was charged as an adult or if adjudicated delinquent for an offense that would be classified as a felony if the student was an adult, or if the student was convicted of a felony, and the student’s continued presence in school poses a danger to person or property or disrupts the educational process				•	•	
Gang activities - Activity that is threatening and/or intimidating, harassing in nature or recruiting; gang notebooks with gang pledges, codes and symbols that are used in communication such as threats and warnings and recruiting; gang related fights, and all types of violent acts; gang graffiti especially drawn on school property (bathrooms, lockers and hall walls); electronic devices such as cell phones with recognized gang text, with gang symbols, signs and language that is threatening and or intimidating				•	•	
Being under the influence of illegal substance (without possession) or legend drugs, intentional misuse or excessive consumption/distribution of over-the-counter drugs with the intent to intoxicate and/or evidence of use or possession of drug paraphernalia, substances for huffing, any substance under guise of it being a controlled substance or prescription drug, and/or medical preparations without proper medical authorization				•	•	
Possession, use or distribution of counterfeit money on school property or at any school sponsored activity.				•	•	
Assault and/or battery upon any teacher, principal, administrator, school resource officer, or any other school employee				•	•	

Continuous and/or severe Category C Offenses				•	•	
<i>When appropriate, for Category B Offenses notification will be made to law enforcement authorities. Modification of this penalty can be made by the Superintendent or the Disciplinary Hearing Authority.</i>						
<i>Category C</i>	<b>**Parent – Principal Conference</b>	<b>Detention Saturday School</b>	<b>ISS</b>	<b>OSS</b>	<b>11 to 180</b>	<b>Required 180</b>
Threatening bodily harm to school personnel, including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to a school employee and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention			•	•		
False accusations against school personnel			•	•		
Making a threat, including a false report, to use a bomb, dynamite, any other deadly explosive or destructive device, including chemical weapons, on school property or at a school-sponsored event			•	•		
Smoking/use and/or the possession of tobacco or smoking hemp products, or electronic/vapor type products (e.g., e-cigarettes), or unauthorized consumption/distribution of non-prescription drugs by students while (1) in school or on school properties, (2) under school's jurisdiction during school hours, or (3) participating in a school-sponsored event			•	•		
Gang activities - any gang related activity not specified in Category B			•	•		
One (1) or more students initiating a physical attack on an individual student on school property or at a school-sponsored activity			•	•		
Malicious destruction of or damage to school property, including electronic media, or the property of any person attending or assigned to the school			•	•		
Stealing or misappropriation of school or personal property (regardless of intent to return)			•	•		
Immoral or disreputable conduct			•	•		
Continuous and/or severe Category D Offenses			•	•		
<i>When appropriate, for Category C Offenses notification will be made to law enforcement authorities.</i>						
<i>Category D</i>	<b>**Parent – Principal Conference</b>	<b>Detention Saturday School</b>	<b>ISS</b>	<b>OSS</b>	<b>11 to 180</b>	<b>Required 180</b>
Open or continued defiant attitude or willful disobedience toward a member of school staff	•	•	•	•		
Vulgar, profane, immoral/disreputable or rude remarks or non-verbal action to staff member or fellow student	•	•	•	•		
Physical or verbal intimidation or threats to other students, including hazing	•	•	•	•		
Threatening bodily harm to another student, including transmitting by an electronic device any communication containing a credible threat to cause bodily injury or death to a student and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention	•	•	•	•		

Fighting in or on school property unless, in accordance with state law, the principal recommends no disciplinary action for a student who is deemed to have acted in self-defense or defense of another	•	•	•	•		
Possession of mace or disabling sprays	•	•	•	•		
Inappropriate use of electronic media, including, but not limited to, all calls (land line, cellular or computer generated), instant messaging, text messaging, video/audio recording devices, iPods, MP3s or any type of electronic music or entertainment device, and cameras and camera phones	•	•	•	•		
Sexual, racial, ethnic, or religious harassment/discrimination	•	•	•	•		
Bullying/cyberbullying, intimidation, and harassment	•	•	•	•		
Refusal to produce an object identified by metal detectors	•	•	•	•		
Inciting, advising or counseling of others to engage in any acts in Categories A, B or C using any means to send or receive spoken or written messages, including, but not limited to, notes, letters, texts, online or in-person group chats or conferencing, electronic messaging, audio messaging, video messaging, social media posts/streams, or other similar forms of communication	•	•	•	•		
Continuous and/or severe Category E Offenses*	•	•	•	•		
<i>Category E</i>	<b>**Parent – Principal Conference</b>	<b>Detention Saturday School</b>	<b>ISS</b>	<b>OSS</b>	<b>11 to 180</b>	<b>Required 180</b>
Habitual and/or excessive tardiness	•	•				
Class cutting*	•	•				
Intentional disturbance of class, cafeteria, or school activities	•	•	•			
Leaving school grounds without permission	•	•	•			
Being in an unauthorized area without permission	•	•	•			
Tampering with grades or report cards; Cheating; Plagiarism	•	•	•			
Possession of lighters or matches	•	•	•			
Possession of and access to beepers, cellular phones, or other electronic communication devices during school hours without permission of the principal or in violation to District/school policy	•	•	•			
Inciting, advising or counseling others to engage in any acts in Category D using any means to send or receive spoken or written messages, including, but not limited to, notes, letters, texts, online or in-person group chats or conferencing, electronic messaging, audio	•	•	•			

messaging, video messaging, social media posts/streams, or other similar forms of communication						
Dress code violation, including wearing, while on school grounds during the regular school day, clothing that exposes underwear or body parts in an indecent manner that disrupts the learning environment	•	•	•			

\*Note: In-school or out-of-school suspension must not be used for unexcused absences from class or school. Additionally, out-of-school suspension should not be used to address tardies/early dismissals or other violations when related to class or school attendance.

\*\*Parent/Guardian