

LEBANON SPECIAL SCHOOL DISTRICT - DISCIPLINE CODE

WHAT THE SCHOOLS EXPECT OF STUDENTS

Students are expected to:

- Respect the rights and dignity of each member of the school community (student, employee of the Board of Education, or any other person lawfully present on school grounds or in attendance at school-related activities)
- Help maintain a positive learning environment and to ensure that his or her own actions do not interfere with the ability of any student to learn and to achieve
- Ensure that their own conduct does not endanger the safety and health of themselves or of any other member of the school community
- Ensure that their behavior complies with the laws of the United States, laws of the State of Tennessee, and county and municipal statutes
- Comply with rules of the school and to be in their assigned location throughout the day
- Refrain from inciting, advising, or counseling others to engage in conduct which violates the rights of any member of the school community, interferes with the ability of any student to learn and to achieve, endangers the health and safety of any member of the school community, violates the laws to which they are subject, or which does not comply with rules of the school.

Student behavioral policies apply at all times on school grounds, off school grounds, at any school activity or event, or while students are being transported to and from school or school-related activities.

WHAT THE LAW SAYS ABOUT SCHOOL DISCIPLINE

Tennessee law lists twelve major violations, which cause disciplinary actions to be taken against a student. It also gives the administrator the authority to discipline students for other good and sufficient reasons, which violate school board policies or reasonable school rules.

Tennessee and Federal law lists major violations, which must carry a zero tolerance policy. These violations will result in an expulsion from the student's current educational setting for a minimum of one calendar year.

MAJOR VIOLATIONS AND MISCONDUCT

Subject to Zero Tolerance Policy

The superintendent shall have the authority to modify this suspension requirement on a case-by-case basis.

Zero-tolerance acts are as follows:

- (1) Students who bring or unlawfully possess a drug or a dangerous weapon onto a school bus, onto school property or to any school event or activity.
- (2) Any student who while on a school bus, on school property or while attending any school event or activity:
 - (a) unlawfully possesses a drug or dangerous weapon
 - (b) commits battery on a teacher, or other employee of the school
 - (c) assault on another student including sexual assault

MAJOR VIOLATIONS AND MISCONDUCT

Subject to Disciplinary Action

Profane or obscene language directed against another person, Disrespect towards any school employee including bus driver, Fighting, Assault and battery against another student or threatening another student with bodily harm, Extortion (threatening harm to get money or property, or to force another to act against his or her will), Bomb threats (and other similar threats), Inciting other students to disorder or violations of rules, Harassment towards any student or school employee including sexual harassment, Robbery by force, Stealing, Misuse or destruction of school property, including buses, Arson (willful and malicious burning of school property), Activating fire extinguishers or alarms, Disruptive behavior in classroom, other parts of school, on school bus, or school-sponsored functions, Refusing to comply with lawful directions or order from school board employee, Using tobacco in school, Gambling, Truancy, Excessive tardiness, Inappropriate display of affection, or Inappropriate dress, particularly the wearing of gang or hate group clothing, Other reasonable rules (established by the principals and teachers) of which students are given prior notice, As other laws regarding discipline are enacted by the legislature, they will be incorporated in Lebanon Special School District's regulations and policies.

POSSIBLE DISCIPLINARY ACTION

Moderate Corrective Measures

Initial disciplinary actions may include in-school counseling, parent contact and conference, or work assignment before or after school. Subsequent offenses may result in probation, detention (at appropriate time), or in-school suspension.

When positive efforts have not succeeded in correcting negative behavior of a student, other corrective measures are authorized, including corporal punishment, suspension, and exclusion.

Corporal Punishment

Corporal punishment may be administered by the principal, assistant or associate principal, or by professional employee, according to provisions of the Lebanon Special School District Board Policy.

Corporal punishment is administered:

- only after more positive actions have been taken...privately in the presence of a witness
- in a manner which is not degrading or embarrassing to the student being disciplined
- humanely, with reasonable restraint, and never in anger...so that no part of the head or face is struck

Parental objection, medical statement, or statement by a psychological examiner indicating the possibility of risk to a student's well-being may be filed with the school at any time within a given school year. The objection will be honored.

Suspension

Suspension of a student is denial of admittance to school grounds or activities until agreement is reached in conference with the parent, at which time permission is given for re-admittance. The principal or his/her designee is authorized to suspend a student from attending school or any school-sponsored activity, and also to suspend a student from riding a school bus.

Suspensions may be given for the following reasons:

- To impress upon the student the consequences of negative behavior, and to involve the parent in helping to change such behavior.
- To allow a period for reflection by the student, to protect safety and well being of the student or others with whom he or she is in contact.
- To permit a student to remain at home until psychological and/or medical examination can be arranged to assist educational planning in the best interest of the student.

Exclusion

Exclusion of a student is denial of enrollment in any school of the school system for a period not to exceed one (1) school year, except in violation of the Gun-Free Schools Act in which the student is subject to a period of not less than one (1) year.

The Board of Education may exclude a student on the recommendation of the school principal and superintendent.

After consulting school staff members, parents and other persons who can offer advice about appropriate plans for the student, the principal may complete a recommendation for exclusion and forward it to the superintendent. The parent(s) or guardian(s) will be notified of the action, and have an opportunity to reply if they wish.

SEARCHES

49-6-4204 Search of Lockers: School lockers and desks, which have been assigned to a student, are and remain school property. School officials may inspect them at any time. The search may be in the student's presence or in the presence of other members of the faculty. (Acts 1981, ch. 368,2.)

49-6-4206 Search of Persons: In an emergency situation where a student has used or displayed a dangerous weapon or drug, the principal may conduct a search as is necessary under the circumstances, including search of the student's person, to locate and recover such dangerous weapon or drug before any student can be harmed. (Acts 1981, ch. 368,2.)

49-6-4206 Search of Containers: In other situations, a student's pockets, purses, or other container may be required to be emptied if a search of a locker or other area used for storage by the student has disclosed the presence of a dangerous weapon or drugs. If it seems probable to a principal, from the results of a locker search or from information received from a teacher, staff member, or other student, that a particular student has a dangerous weapon or drug concealed on his person, he shall be subject to physical search. (Acts 1981, ch. 368,2.)

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SEARCHES (continued)

49-6-4206 Search of Vehicles: If, as an accommodation to students' parking spaces or facilities are provided for students' use or parking by students is allowed on school property, than as a condition to such parking privilege, vehicles owned, operated, or used by such students and parked on school property shall be subject to search for dangerous weapons or drugs if the student is otherwise found to be in possession of a dangerous weapon or drug through a search authorized under this part and there is reasonable cause to believe that dangerous weapons or drugs may be in a vehicle owned or operated by that student, or in which that student is carried as a passenger, and such vehicle is located on school property. (Acts 1981, ch. 368.2.)

49-6-4209 Report of probable cause by principal to law enforcement officer. It shall be the duty of the principal of a school who has probable cause to believe, either as a result of a search or other wise, that any student is committing or has committed any violation of 39-4901, or 52,1498-52-1448 upon the school ground or within any school building or structure under his supervision to report such probable cause to the appropriate law enforcement officer. (Acts 1981, ch. 368.2.)

HOW PARENTS CAN HELP WITH DISCIPLINE

Parents take an interest in all aspects of the student's life in school or away from school. Each parent is responsible for the student's behavior in school, and is asked to work cooperatively with the school staff to maintain good relationships. Parents are asked to help in the following ways:

- To take initiative in learning school rules for good behavior and to help the school in making clear to the student the behavior expected of the student
- To communicate with school personnel to be sure the student is adjusting to school regulations and maintaining acceptable behavior
- To take every opportunity to visit the school, to talk with school personnel, and to get first-hand information concerning the student's progress in each area of his or her school life
- To respond promptly to the school's request for parent/staff conferences, and to examine all details of any problem or situation in which the student is concerned
- To exchange telephone numbers with the staff members for quick assistance with problems or questions
- To assist the school in deciding and reinforcing suggested remedies to identified problems.

HARASSMENT OF STUDENTS

Harassment activity toward any student by an employee or another student will not be tolerated including sexual harassment! Sexual harassment is defined as conduct, advances, gestures or words of a sexual nature which:

1. Unreasonably interferes with the student's work or educational opportunities; or
2. Creates an intimidating, hostile or offensive learning environment; or

3. Implies that submission to such conduct is made an explicit or implicit term of receiving grades or credit; or

4. Implies that submission to or rejection of such conduct will be used as a basis for determining the student's grades and/or participation in a student activity.

Victims of sexual harassment shall report these conditions to the appropriate school official. Confidentiality will be maintained and no reprisals or retaliation will occur as a result of good faith reporting of charges of sexual harassment.

In determining whether alleged conduct constitutes harassment, including sexual harassment, all of the circumstances, including the nature of the conduct and the context in which the alleged conduct occurred, will be investigated. The Office of the Superintendent, Title IX Director (Randall Hutto, 615-449-6060), shall be responsible for investigating all complaints of sexual harassment. If satisfactory resolution of the complaint is not reached, the student may appeal the matter to the superintendent, and ultimately to the Board of Education.

Director of Title IX & VI,
701 Coles Ferry Pike
Lebanon, TN 37087
615-449-6060

DISCRIMINATION IS AGAINST THE LAW!

The Tennessee Department of Education is responsible for ensuring that the children of Tennessee have the opportunity to receive an education and enhance their intellectual abilities.

The Civil Rights Act of 1964 was passed to ensure that all persons of the United States receive equal rights, opportunities, and treatment regardless of race, color, or national origin. Title VI of this Act creates the right to be free of discrimination in any program that is financed by federal funds in whole or in part.

Title VI prohibits any public school system or school from:

- preventing a person from enrolling in a school, class, or extracurricular school activity based on race, color, or national origin.
- arbitrarily placing a student in a school or class with the intent of separating the student from the general population of students because of the student's race, color, or national origin.
- setting higher standards or requirements as a prerequisite before allowing minorities to enroll in a school, class, or activity.
- unequally applying disciplinary action based on a student's race, color, or national origin.
- failing to provide the necessary language assistance to allow limited English proficient students the same opportunity to learn as English proficient students.
- administering tests or other evaluative measures which by design or by grading so not allow minority students the same opportunity to present a true measure of their abilities.
- providing advice or guidance to minority students with the intent to direct minority students away from schools,

classes, or educational activities based on their race, color, or national origin.

- providing facilities and/or instructional and related services to minority students, which are inferior to those, provided to non-minority students.

The Lebanon Special School District complies with this act and will ensure that our students and employees have a discrimination free environment in which to work or be educated. Any complaints may be addressed to Randall Hutto, Title VI Director, 701 Coles Ferry Pike, Lebanon, TN 37087, 615-449-6060.

GRIEVANCE PROCEDURE TO COMPLY WITH TITLE IX SECTION OF THE FEDERAL EDUCATION AMENDMENT OF 1972

The Lebanon Special School District Board of Education is making every effort to comply with implementing Title VI, Title IX and Section 504 prohibiting discrimination on the basis of race, color, national origin, sex or handicap. The following procedure is established by which a student, or the parent or legal guardian action on behalf of a student, may seek relief from an alleged wrong due to discrimination.

For students, or parents or guardian of students, the steps of appeal for a solution are:

1. Any professional employee, immediate supervising teacher, homeroom teacher, counselor, or Student Resource Officer
2. The school principal
3. The Title VI & IX Director,
Director of Title VI & IX
701 Coles Ferry Pike
Lebanon, TN 37087
(615) 449-6060
4. The Grievance Review Board
5. The Board of Education

The Grievance Review Board (GRB) will be made up of three members; two people from the community and one professional person within the system. An alternate will be selected for the professional person in case he is involved in the alleged wrong. The findings of the GRB will be reported to the School Board.

Every effort will be made to resolve the problem without proceeding through all the steps, preferably at the first step.