

**Policy JCA: Student Conduct**

Status: DRAFT

Original Adopted Date: 01/05/2004 | Last Revised Date: 11/13/2023 | Last Reviewed Date: 11/13/2023

**Student Code of Conduct**

In implementing conduct and personal appearance regulations, it should be kept in mind that the primary responsibility for the conduct and personal appearance of a student rests with the student and the parents. Every effort should be made to impress upon the students and the parents that discipline and order can only be maintained in the school when the school is not used as a vehicle for disruptive influences. In carrying out school regulations, students, parents, teachers and the administrative staff should observe the following:

a. Fighting

b. Disorderly conduct

c. Harassment, intimidation or threats

d. Disruption of school operations, functions, purposes or activities

e. Disobedience

f. Disrespect

g. Insubordination

h. Insulting language

i. Insulting behavior

j. Obscene Language or Gestures

k. Vandalism

l. Malicious mischief

m. Theft or damage to Public or Private Property. Restitution shall be made within a reasonable period of time. If restitution is not made, students will not be allowed to attend school until complete restitution is made, the days missed will be unexcused, and work missed cannot be made up.

n. Unauthorized use of school property

o. Unauthorized entry of school premises

p. Loitering

q. Use of tobacco

r. Student attempting to sell or distribute an object or substance which has not been authorized for sale or distribution by the administration.

s. Public display of affection

t. Chewing gum on campus

Possession of:

a. Fireworks, explosives or incendiary materials

b. Knives, firearms, slingshots, or any item which would readily lend itself for the use as a weapon

c. Pornographic materials

d. Contraceptives

e. Stolen property

f. Tobacco

g. Cards or gambling paraphernalia

h. Noise making devices (this includes radios, tape players, and televisions)

i. Other disruptive materials

j. Other materials, possession of which is punishable by law

k. Chewing gum

l. All of the above will apply to students who are transported on a school bus

1. Administrators and teachers shall hold students to strict account for disorderly conduct or misconduct at any school, on the way to and from school, on the playgrounds during recess, at school meetings, programs, functions and activities, and upon school buses. The Superintendent or principal/school administrator of any school may suspend any pupil from school for good cause. Any suspension of a student for more than ten (10) days shall be forwarded to the Superintendent for review.
2. The superintendent or the principal/school administrator of a school shall have the power to suspend a pupil for any reason for which such pupil might be suspended, dismissed or expelled by the Board of Education, but such action of the superintendent or principal shall be subject to review by the District Discipline Appeal Committee. The following steps should be followed by the parents should they wish to appeal a decision made by the administrator: Step 1 -- Appeal to the District Discipline Appeal Committee Step 2 Appeal to the School Board.
3. Courts have ruled that teachers must maintain their effectiveness and respect in order to perform their duties as a teacher. The effectiveness and respect must be maintained on or off the school premises and during or after school hours. (ref. MS Code 37-11-21)
4. The School Safety Act of 2001 provides a procedure for disciplining students whose behavior, as determined by the principal or designated administrator of each school, seriously interferes with the school environment as defined by the Act. The Superintendent is authorized to develop and implement this procedure in the Jackson County School District. These provisions of the School Safety Act of 2001 are cumulative and in addition to existing district discipline procedures The superintendent or principals are authorized to institute appropriate disciplinary action including immediate suspension and/or recommendation for expulsion, if warranted, of any student for disorderly conduct or misconduct including but not limited to, the following:
5. Students will be recommended for expulsion for the remainder of the semester for the following offenses:
6.
  - a. Use of alcoholic beverages
  - b. Under the influence of alcoholic beverages
  - c. Use of illegal drugs
  - d. Under the influence of illegal drugs
  - e. Possession of illegal drugs
  - f. Possession of alcoholic beverages
  - g. Possession of drug paraphernalia
  - h. Indecent exposure
  - i. Public indecent displays or actions (including in cars parked in the vicinity of any school building or activity):

**Any student who brings a firearm to school shall be expelled from school or placed in the Alternative School for a period of not less than one calendar year.**

- o Student Search and Seizure -- Courts have ruled that teachers and school administrators are "in loco parentis" of students. This means that teachers and administrators are acting in place of parents during the school day and may do anything a parent would do to maintain discipline. In addition, school officials must protect all students from possible harm. Therefore, courts have ruled that school officials may conduct searches of students when there is reasonable suspicion that the student might possess items that might harm themselves, or other students (drugs or drug paraphernalia, alcohol, weapons, stolen

items, tobacco, or any other items that might cause harm to the student or other students). These court rulings were made in order to protect all students from possible harm. "Emerging First and Fourth Amendment Rights of the Student," 1 J. Law and Education 449, 451 (1972). "In re Donaldson" 269 Cal. App. 2nd 509, 75 Cal. Rptr. 220 (1969) "Mercer v. State" 450 S.W. 2nd 715 (1970).

- o A student who is recommended for expulsion will be suspended out of school a minimum of five (5) days or until a hearing is held before the District Discipline Appeal Committee. The parent has five (5) days in which to contact the superintendent's office to request a hearing before the District Discipline Appeal Committee.
- o Should the parent or guardian of the student be dissatisfied with the findings and recommendations of the District Discipline Appeal Committee, the parent or guardian may request in writing within five (5) days of receipt of notice of such findings, a hearing before the Board of Education.
- o Other disciplinary action may consist of corporal punishment under existing school policy, loss of privileges, lower grade in citizenship, denial of participation in school activities, probation, or a combination of one or more of such actions, including appropriate constructive assignments, depending on the seriousness and circumstances of the offense and the attitude of the student.

As a result of the violence and numerous shootings that have taken place nationally on school campuses, the Jackson County School District feels that it must take action to prevent an incident of this nature from occurring in our district. The following actions will be taken with students making threats to do bodily harm on a school campus or at a school function:

1. Students making threats, to other students, teachers, administrators, other school personnel or in the community that they would like to do bodily harm to someone on the school campus or at a school function will be reported to the sheriff's department. Students making these threats will be recommended to the school board for expulsion. Before the student returns to school, he/she will need to provide school officials with documentation that he/she has undergone counseling and/or psychological evaluation and that he/she poses no threat to students or school personnel.
2. Students who hear other students making threats to do bodily harm to students, teachers, administrators or other school personnel are encouraged to report this to a teacher or a school administrator. The names of students making such reports will be kept in confidence.
3. School personnel are aware of the unwritten code that you do not "tattle" on a fellow student, but feel that, when the lives of one or more students, teachers, administrators or other school personnel are threatened, this code does not apply. Students who withhold such information could face disciplinary action.

The term "minor" when used in any statute, shall include any person, male or female, under twenty-one years of age. MS Code Section 1-3-27

A student code of conduct, developed under the leadership of the school and district administration, and in cooperation with staff, will be made available and distributed to parents and students outlining student conduct expectations and possible disciplinary actions, including consequences for disorderly conduct. In addition, each school publishes a student/parent handbook detailing additional rules specific to that school and the established procedures for the school to meet the criteria set forth in the applicable board policies.

Students in violation of Board of Trustees (BOT) policy, administrative regulation and/or code of conduct provisions will be subject to discipline up to and including expulsion. Students may be denied participation in extracurricular activities. Titles and/or privileges available to or granted to students may also be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). A referral to law enforcement may also be made.

## SECONDARY SCHOOLS

The administration of the Jackson County School District (JCS D) is based on the theory that secondary students are young ladies and young gentlemen and, as such, should be capable of conducting themselves in accordance with

accepted standards of conduct. Every student is expected at all times to keep in mind that his/her conduct should not interfere with others, rather that it should be an example to others.

The primary emphasis of the schools is to provide the best quality education for the boys and girls of the district. The school system feels strongly that a basic prerequisite for any successful instructional program is that a clear understanding of the operation is based upon the policies and resulting rules. Therefore, it is imperative that policies and resulting rules be understood and followed without exception.

## ELEMENTARY SCHOOLS

Helping children to develop self-discipline and to conduct themselves in an acceptable manner is a major behavioral objective of the school as well as of the home. Parents may assume that a student's behavior is satisfactory or better unless they are notified differently. In most cases it is believed that a call will suffice -- if not, the parents may be asked to come to the school for a conference in order to affect an acceptable solution to the problem.

The school will expect and demand nothing less than good conduct on the part of students. It is believed that the above described procedure will be effective in achieving a desirable learning atmosphere and in guiding students toward assuming a greater degree of responsibility for their behavior. It should be fully understood that any student whose conduct interferes with the learning of others will be removed from the classroom and dealt with accordingly.

## GENERAL RULES OF STUDENT CONDUCT

1. Students are expected to conduct themselves in all school activities in such a manner that will promote development rather than inhibit it.
2. A teaching situation which is conducive to learning must be maintained. Therefore, any student whose actions make it impossible for the teacher to devote full attention to the class will be disciplined, including but not limited to being sent to the principal's office. The principal and/or their designee will review the case and try to resolve the problem. A student who has been sent from class repeatedly will be suspended from school.
3. Any student who starts a disturbance or who participates in one will be suspended from school immediately and will be able to re-enter only after satisfactory assurance has been given in writing to the principal by the student and by his/her parents or guardians that there will not be a recurrence of this sort of behavior.
4. Corridor courtesy requires that students walk in an orderly manner on the right side of the corridor.
5. Profanity, cheating, stealing, and gambling can never be accepted by the schools of this system. Such offenses can result in suspension or expulsion.
6. Radios and/or other sound reproducers shall be forbidden on campus unless specifically requested by the teacher in charge.
7. All schools in the JCSD are smoke-free and tobacco free zones. Smoking, vaping and any use of tobacco are prohibited on property owned or used by the school, whether during school, after school or at school-related events. Students caught smoking, vaping or using other forms of tobacco will face discipline consequences.
8. A student is strictly prohibited by law from possessing a weapon, as identified in Policy JCDAE, while on school property, going to school, going from school or during school-related activities. Any student violating this rule shall be subject to immediate suspension and recommendation of expulsion by the principal, his/her designee or the Superintendent and subject to all other penalties and requirements provided by law and JCSD policies.
9. A student is strictly prohibited by law from possessing, using, being under the influence or selling any controlled substance, including drugs and alcohol as identified in JCSD policy, while on school property, going to school, going from school or during school-related activities. JCSD does not allow the use of medical

cannabis while on JCSD property. Any student violating this rule shall be subject to immediate suspension, placement at the Alternative School or expulsion by the principal, his/her designee or the superintendent and subject to all other penalties and requirements provided by law and JCSD Policies.

10. A student who commits an unlawful or violent act shall be subject to immediate suspension, placement at the Alternative School or expulsion and subject to all other penalties and requirements provided by law and JCSD policies.
11. A student who carries or otherwise has in his/her possession a firearm on campus, in violation of Policy JCBH, shall be subject to immediate suspension and recommendation of expulsion for a minimum of one calendar year by the principal, his/her designee or the superintendent and subject to all other penalties and requirements provided by law and JCSD policies.
12. A student, upon his/her second suspension for a disciplinary reason, will be informed that any further suspensions may result in a recommendation for placement in the Alternative School or expulsion.
13. Student behavior that harasses, threatens or bullies other students or school personnel will not be tolerated. The JCSD shall treat hazing, as defined in MS Code 97-3-105; and bullying, as defined in MS Code 37-7-301 as serious offenses subject to criminal prosecution.

The JCSD's administrators may also take disciplinary action against a student for off-campus conduct occurring at any time that would have a detrimental impact on school discipline, the educational environment, or the welfare of the students and/or staff including but not limited to bullying, cyber-bullying, defamation, intimidation or other threatening behavior.

"Cyber-bullying" includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or website postings, including blogs through JCSD's network and the internet, whether accessed on campus or off campus, during or after schools hours. In the situation that cyber-bullying originated from a non-school device, but brought to the attention of school officials, any disciplinary actions shall be based on whether the conduct is determined to be disruptive of the educational environment or detrimental to the students and staff of the school. Administration may, in its discretion, contact law enforcement or other appropriate authorities.

14. Student-to-student sexual harassment will not be tolerated. Complaints of student-to-student sexual harassment will be handled in accordance with Policy JB, Students Complaints of Sexual Discrimination/Harassment - Title IX.
15. Any student in any school who possesses any controlled substance in violation of the Uniform Controlled Substance Law, a knife, handgun, other firearm or any other instrument considered to be dangerous and capable of causing bodily harm or who commits a violent act on educational property as defined in MS Code Section 97-37-17, shall be subject to automatic expulsion or placement at the Alternative School for up to a calendar year by the Superintendent or principal of the school in which the student is enrolled; provided, however, that the Superintendent is authorized to modify the period of time for such expulsion on a case by case basis. Such expulsion shall take effect immediately subject to the constitutional rights of due process, which shall include the student's right to appeal to the District Discipline Appeal Committee.

#### ARTIFICIAL INTELLIGENCE (AI)

Students are expected to use all technology responsibly and ethically. Obtaining assistance from Artificial Intelligence (AI) tools for the purpose of plagiarism is strictly prohibited. Any attempt to obtain assistance from AI tools for the purpose of plagiarism will be subject to discipline up to and including academic penalty, suspension, or expulsion.

#### SEXUAL MISCONDUCT PROHIBITED

If any person eighteen (18) years or older who is employed by any public school district or private school in this state

is accused of fondling or having any type of sexual involvement with any child under the age of eighteen (18) years who is enrolled in such school, the principal of such school and the superintendent of such school district shall timely notify the district attorney with jurisdiction where the school is located of such accusation, the Mississippi Department of Education (MDE) and the Department of Human Services (DHS), provided that such accusation is reported to the principal and to the school superintendent and that there is a reasonable basis to believe that such accusation is true.

Any superintendent, or his/her designee, who fails to make a report required by this section shall be subject to the penalties provided in Section 37-11-35. Any superintendent, principal, teacher or other school personnel participating in the making of a required report pursuant to this section or participating in any judicial proceeding resulting therefrom shall be presumed to be acting in good faith. Any person reporting in good faith shall be immune from any civil liability that might otherwise be incurred or imposed. (MS Code Section 97-5-24)

Further, JCSD prohibits sexual harassment of or by any student. This policy applies to conduct during and relating to school and school-sponsored activities. Sexual harassment is inappropriate behavior and offensive. Any student who engages in the sexual harassment of anyone in the school setting may be subject to disciplinary action up to and including expulsion.

#### HARASSMENT PROHIBITED

JCSD affirms student protection provided under Title VII, and therefore "shall not tolerate verbal or physical conduct by any student, male or female, which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment." Such offenses can result in suspension or expulsion.

#### SPECIAL EDUCATION STUDENTS

Special education students are responsible for adhering to the same rules of conduct as non-disabled students. All special education students are entitled to a free, appropriate public education, even those who have been suspended or expelled. Whenever a special education student is removed for disciplinary reasons from his/her current education setting and placed in an interim alternative setting, the setting must be one which enables the student to continue to participate in the general curriculum, to continue to receive services and modifications designed to address the student's behavior. The Director of Special Education or his/her designee should be contacted immediately when a special education student commits a violation of the rules of conduct which may result in the removal from the classroom by alternative placement or expulsion. All procedural safeguards described in IDEA shall be followed whenever a special education student is disciplined.

---