KCS Discipline Policies
The behavior code addresses the language used by students, respect for all school employees, fighting, threats, weapons on school property or at school functions, damage to the property of person or others, misuse or destruction of school property, drug or alcohol abuse, the sale or distribution of drugs or alcohol, student conduct on school property, conduct in classes and on school buses. A teacher, principal, school employee or school bus driver may use reasonable force in in compliance with Tennessee law to enforce discipline and protect students.¹,²

In accordance with TCA § 49-10-1305, a teacher, principal, school employee may: use a physical holding restraint for a brief holding of a student in order to calm or comfort; the minimum contact necessary to physically escort a student from one area to another; assist student in completing a task or response if the student does not resist, or resistance is minimal in intensity or duration; or may hold a student for a brief time in order to prevent any impulsive behavior that threatens the student's immediate safety or to prevent bodily harm or death to another person.

The following levels of misbehavior and disciplinary options designed to protect all members of the educational community in the exercise of their rights and duties.

**MISBEHAVIORS: LEVEL I**

Minor misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school or school buses, but which can usually be handled by an individual staff member.

Examples (not an exclusive listing):
- Classroom disturbances
- Classroom tardiness
- Cheating and lying
- Abusive language
- Non-defi ant failure to do assignments or carry out directions

**Disciplinary Procedures:**
- Immediate intervention by the staff member.
- Determine what offense was committed and its severity.
- Determine offender and that he/she understands the nature of the offense.
- Employ appropriate disciplinary options.
- Record of the offense and disciplinary action maintained by staff member.
- Referral to school level discipline committee, if appropriate.
- Referral to principal's office.

**Disciplinary Options:**
- Verbal reprimand
Acts directly against persons or property but whose consequences do not seriously endanger the health or safety of others in the school.

Examples (not an exclusive listing):
- Continuation of unmodified Level I and II behaviors
- Fighting (simple)
- Vandalism (minor)
- Stealing
- Threats to others
- Harassment and/or bullying

Disciplinary Procedures:
- Student is referred to principal for appropriate disciplinary action.
- Principal meets with student and teacher.
- Principal hears accusation by accusing party and permits offender the opportunity of explaining conduct.
- Principal takes appropriate disciplinary action.
- Principal may refer incident to Director of Schools or designee and make recommendations for consequences.
- If student's program is to be changed, adequate notice shall be given to the student and his parents of the charges against him, his right to appear at a hearing and to be represented by a person of his choosing.
- Any change in school assignment is appealable to the Board.
- Record of offense and disciplinary action maintained by principal or Director of Schools.

Disciplinary Options:
- In-school suspension or PAC
- Detention
- Restitution from loss, damage or stolen property
- Out-of-school suspension not to exceed ten (10) days
- Social adjustment or behavior modification activities
- Long term out-of-school suspension
- Parent notification (refer JCCC-1)

MISBEHAVIORS: LEVEL IV

Acts which result in violence to another's person or property or which pose a threat to the safety of others in the school. These acts are so serious that they usually require administrative actions which result in the immediate removal of the student from the school, the intervention of law enforcement authorities and action by the Board.

Examples (not an exclusive listing):
- Unmodified Level I, II and III behaviors
- Extortion
- Bomb threat
- Possession/use/transfer of dangerous weapons
- Assault/battery
- Vandalism
- Theft/possession/sale of stolen property
Students may be detained before or after the school day as a means of disciplinary action.

The following guidelines shall be followed:

1. The student must be given at least one (1) day of written notice before detention;
2. Parents must be informed before detention takes place;
3. Students serving detention must be under the supervision of approved staff members;
4. Detention shall not exceed one (1) hour 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 detaining a student.
REASONS FOR SUSPENSION

Any principal, assistant principal, or administrative assistant may suspend any student from attendance at school or any school-related activity on or off campus (out-of-school suspension) or from attendance at a specific class or classes, or from riding a school bus, without suspending such student from attendance at school (in-school suspension), for good and sufficient reasons including, but not limited to:

1. Violation of attendance policy or truancy;

2. Immoral or disreputable conduct, including vulgar or profane language;

3. Violence or threatened violence against the person of any personnel attending or assigned to any school;

4. Fighting;

5. Damaging/defacing school property;

6. Possession or use of alcoholic beverage at school sponsored activities;

7. Possession or use of alcoholic beverage on school property;

8. Possession or use of illegal substances or any derivative or residue thereof, any drug paraphernalia other than that medically prescribed; or barbital or legend drugs;

9. Theft, extortion, or gambling;

10. Possession or use of tobacco products;

11. Possession or use of a firearm (including but not limited to: any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; firearm silencer or muffler; incendiary; ammunition; or explosive device) on school property;

12. Possession of a dangerous weapon (including but not limited to any dangerous instrument or substance which is capable of inflicting injury on any person);

13. Failure to provide documentation of immunization;

14. Any other conduct prejudicial to good order or discipline in any school; or
parent or guardian, the student or any person holding a teaching license who is employed by the
school system if requested by the student.

8. The appeal from this decision shall be to a disciplinary hearing authority appointed by the Board.
The hearing shall be held no later than ten (10) days after the beginning of the suspension. The
notice of the time and place of this hearing shall be given in writing to the parent or guardian and
student by the disciplinary hearing authority.

9. After the hearing, the disciplinary hearing authority may:
   a. Order removal of the suspension unconditionally;
   b. Order removal of the suspension upon such terms and conditions as it deems reasonable;
   c. Assign the student to an alternative program;
   d. Assign the student to a night school; or
   e. Suspend the student for a specified period of time.

10. A written record of the proceedings, including a summary of the facts and the reasons supporting
    the decision, shall be made by the disciplinary hearing authority. The student or principal may
    within five (5) days of the decision request review by the Director of Schools.

11. After a review of the record, the Director of Schools may similarly take any action that is within
    the purview of the disciplinary hearing authority as stated in paragraph nine above. The student or
    principal may within five (5) days of the decision request review by the Board of Education.

12. After a review of the record, the Board may affirm the decision of the Director of Schools, modify
    the decision to a lesser penalty, or grant a hearing before the Board.

13. After the hearing, the Board may affirm the decision of the Director of Schools or modify the
decision in any manner, including imposing a more severe penalty than that of the hearing
authority.

14. If the suspension occurs during the last ten (10) days of any term or semester, the student shall be
permitted to take such final examinations or submit such required work as necessary to complete
the course of instruction for that semester, subject to conditions prescribed by the administrator.

Grades 6-12

Students shall be allowed to complete all missed work within a specified time to be determined by the
administrator at the time of readmission.

DISCIPLINE OF DISABLED STUDENTS

1. School personnel may order a removal to the extent that the removal would be applied to students
without disabilities under IDEA or Section 504/ADA, the removal of a student with a disability
from the student's current educational placement for not more than ten (10) consecutive school
days for any violation of school rules and additional removals of not more than ten (10)
4. TCA 49-6-501
5. TCA 49-6-4201 - 49-6-4203; 39-17-1309.
6. 18 U.S.C.A. 921
7. TCA 49-6-5001; TCA 49-6-5002.
10. TCA 49-6-3402
In order to ensure a safe and secure learning environment free of drugs, violence and dangerous weapons, any student who engages in the following behaviors shall be removed from the base school for a period of not less than one (1) calendar year. The Director of Schools has the authority to modify this suspension requirement on a case-by-case basis.

Zero tolerance acts are as follows:

1. Any student who while on a school bus, on school property or while attending any school event or activity:
   (a) unlawfully possesses a legend drug or any other controlled substance; or
   (b) knowingly possesses a firearm as defined in 18 U.S.C. § 9212; or
   (c) commits aggravated assault on a teacher, a School Resource Officer (SRO), an officer of the law assigned to patrol a Knox County School property or other employee of the school system.

It is the Board's intent that the Director of Schools exercise his power to modify to ensure that no student shall be out of school for more than two semesters for a zero tolerance offense.

The Director of Schools shall consider each zero tolerance case for placement in the alternative school program.

Legal Reference:
1. TCA 49-6-3401(g)
2. 18 U.S.C. § 921
The Board shall establish a Disciplinary Hearing Authority (DHA) to conduct hearings for students who have been suspended for five (5) or more school days. The DHA shall consist of at least one (1) licensed employee of the Board of Education but no more than the number of members of the Board.

The notice of the time and place of the hearing shall be given in writing to the student/parent and principal by the Disciplinary Hearing Authority. The hearing must be held, a decision must be rendered, and notification of the decision must be provided to the parents and/or student and the principal no later than ten (10) days after the beginning of the suspension. Notification of the decision shall include a statement of the right of either party within five (5) days after receiving the decision to request a review by the Board.

The DHA may take the following disciplinary actions:

1. Order removal of the suspension unconditionally;
2. Order removal of the suspension upon such terms and conditions as it deems reasonable;
3. Assign the student to alternative program;
4. Assign the student to a night school; or
5. Suspend the student for a specified period of time.

If a review of the hearing is requested by either the student or principal, the Board shall review the record and shall:

1. Affirm the decision of the hearing authority; or
2. Modify the decision to a lesser penalty; or
3. Grant a hearing before the Board.

If the Board chooses to grant a hearing, it may:

1. Affirm the decision of the hearing authority; or
2. Modify the decision in any manner; or
3. Impose a more severe penalty than that of the hearing authority.

Legal Reference:
1. TCA 49-6-3401.
The Board shall operate an alternative school program for students in grades 6-12 who have been suspended or expelled from regular school programs.¹ Except students who are eligible for special education, such change in a student's program shall be determined by the disciplinary hearing authority in accordance with the suspension policy of the Board and based upon recommendations from a team composed of the principal, the school guidance counselor and the student, with or without the parents being present. Students attending the Night Alternative School Program at their home (base) school or attending an alternative school program located other than at their home (base) school shall provide their own transportation.²

Teachers in alternative schools shall be certified by the state³ and shall be selected on the basis of interest and ability to work in alternative situations.

Student-teacher ratios shall be small enough to allow for adequate instruction but shall be determined by the age, behavior and academic achievement of students in the program.

Sufficient textbooks, equipment and supplies shall be provided by the home school.

Alternative school programs shall be operated in accordance with the rules of the State Board of Education and instruction shall proceed as nearly as practicable in accordance with the instructional programs at the student's home school.³ All course work completed and credits earned in the alternative school shall be transferred to and recorded in the student’s home school.² Credit earned and progress made shall be granted as if the work were performed in the home school. No student may graduate based solely on attendance in alternative schools.¹

The student shall be subject to all rules of the school and violations of such rules may result in the student's removal from the school for the duration of the original intended suspension or expulsion.³¹ Violation of school rules shall not constitute grounds for extension of time spent in the alternative school. The final decision on such removal shall be made by the chief administrator of the alternative school.

Students found to be eligible for special education in related circumstances shall be placed and served in accordance with the law and rules relating to special education.

Legal Reference:

1. TCA 49-6-3402
3. TN Admin Rules and Regs 0520-1-2-.09(2)
I. Students who have been suspended from their regular school program for longer than ten (10) consecutive school days shall be offered alternative school services unless the principal determines that the student poses a threat to the safety of the school community. If a principal determines that a student poses a threat to the safety of the school community, the student can appeal that determination to the Superintendent.

II. Students expelled pursuant to zero tolerance, shall be considered for alternative school placement. The Director of Schools shall review the records of each individual student who has been expelled pursuant to Zero Tolerance to determine whether it is appropriate to offer alternative school services. The Director of Schools' decision shall be based on the summary of records from the principal's hearing, the alternative education services review, and such additional evidence as the Superintendent may deem appropriate.

It is the intent of the Board that the Director of Schools will offer alternative school services to students expelled pursuant to Zero Tolerance unless they have engaged in behaviors that pose a threat to the safety of the school community. The Director of Schools may at his discretion offer alternative school services to students who engage in the following behaviors:

1. Possession of a firearm while on Knox County Schools property, on a school bus or at any Knox County School sponsored activity;

2. Sale or distribution of legend drugs or controlled substances to other students while on Knox County Schools property, on a school bus or at any Knox County School sponsored activity;

3. Uses a weapon to threaten or inflict bodily harm on another student, or any Knox County School's employee, SRO or Knox County Sheriff's Department deputy assigned to patrol a Knox County Schools property;

4. Commits a battery on a Knox County School's employee, SRO or Knox County Sheriff's Department deputy assigned to patrol a Knox County Schools property while on Knox County Schools property, on a school bus or at any Knox County School sponsored activity.

III. A student who is suspended or expelled from Knox County Schools who is not offered Alternative School may appeal the denial of services. The appeal must be filed in writing with the Director of Schools within five (5) days after receipt of the notice and may be filed by the parent/guardian, the student or any person designated by the student.

Legal Reference

1. T.C.A. § 49-6-4216 (b) (1)
KCS Discipline Procedures
Reference Policy Handbook:

1) MISBEHAVIORS: LEVELS I, II, III, IV (Policy Handbook - JCC)
   a) examples are NOT an exclusive listing
   b) under Disciplinary Procedures: (add to the same line as follows: Disciplinary Procedures are, but not limited to:)
   c) under Disciplinary Procedures it is to be understood that listing is not in sequential order
   d) omit (simple) from Fighting
   e) add the word Assault under Fighting

2) Additional Guidelines

   1. A student MAY (shall not) be suspended (solely) because charges are pending against him/her in juvenile or other court (reference #12 TCA 49-6-3401, 07/01/95)
      a. student to be admitted (felony charge discovered); principal may follow with suspension/expulsion in reference to TCA 49-6-3401

3) Refer to JCCC-1 Student Suspensions for process

4) Zero Tolerance – refer to JCCC-2

Principal responsible for implementation.

Knox County Schools, An Administrator's Guide to Discipline Under 504 and IDEA. Supplementary Student Services Department.

Knox County Schools, Discipline Procedures Manual.
### Procedures Handbook

#### Students

<table>
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<tr>
<th>Student Suscriptions</th>
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A student may be suspended by the principal, principal-teacher or an assistant principal from school attendance, from attendance at any school related event (on or off-campus), from attendance at a specific class or classes (in-school suspension) or from riding a school bus for good and sufficient reasons.

1. Unless the student's continued presence in the school, class or school-related activity presents an immediate danger to the student or other persons or property, no principal shall suspend any student until that student has been advised of the nature of his misconduct, questioned about it, and allowed to give an explanation.

2. Upon suspension of any student (in-school suspension in excess of one (1) day), the principal shall make an immediate attempt to contact the parent or guardian to inform them of the suspension. The student shall not be sent home before the end of the school day unless the parent or guardian has been contacted.

3. If the initial hearing results in suspension of four (4) days or fewer, the decision of the principal for a short-term suspension shall be final and is not appealable above the school level. However, the parent may request a review of the suspension record for procedural correctness.

4. The principal shall notify the parent or guardian and Superintendent or designee in writing:
   - a. Of the suspension and the cause for it; and
   - b. A request for a meeting with the parent or guardian, student and principal, to be held as soon as possible, but no later than five (5) days following the out of school suspension.

5. Immediately following the scheduled meeting, whether or not attended by the parent or guardian or student, the principal shall determine the length of the suspension and set conditions for readmission. If the principal determines the suspension is long term, the principal shall develop and implement a plan for correcting the behavior when the student returns to school.

6. If at the time of the suspension the principal determines that an offense has been committed which, in the judgment of the principal, would justify a suspension for more than five (5) days, he may suspend the student unconditionally for a specified period of time or upon such terms and conditions as are deemed reasonable.

7. The principal shall immediately give written or oral notice to the parent or guardian and the student of the right to appeal the decision to suspend for more than five (5) days. All appeals must be filed, orally or in writing, within five (5) days after receipt of the notice and may be filed by the parent or guardian, the student or any person holding a teaching license who is employed by the school system if requested by the student.
2) Step back and examine every case (let common sense and what is considered reasonable judgment prevail)

3) Be CONSISTENT in HOW you apply the rules

4) Due Process ALWAYS takes place / Make a distinction between the Investigator and the Hearing Officer in every case.

5) Discipline of Disabled Students: Refer to Guide to Discipline under 504 and IDEA for process and direction
A student who commits a zero tolerance violation is subject to expulsion from school for a period of not less than one calendar year except that the Superintendent may modify the expulsion on a case by case basis. TCA 49-6-3401(g)

1. Unless the student’s continued presence in the school, class or school-related activity presents an immediate danger to the student or other persons or property, no principal shall suspend any student until that student has been advised of the nature of his misconduct, questioned about it, and allowed to give an explanation.

2. Upon suspension of any student, including suspension until a hearing to which parent(s) is invited to attend may be scheduled, the principal shall make an immediate attempt to contact the parent or guardian to inform them of the suspension. The student shall not be sent home before the end of the school day unless the parent or guardian has been contacted.

3. If the initial hearing results in suspension of four (4) days or fewer pending the discipline hearing and subsequent recommendation for expulsion, the decision of the principal for a short-term suspension shall be final and is not appealable above the school level. However, the parent may request a review of the suspension record for procedural correctness.

4. The principal shall notify the parent or guardian and Superintendent in writing:
   a. Of the suspension, the cause for it, and the possibility of a recommendation for expulsion under zero tolerance; and
   b. A request for a meeting with the parent or guardian, student and principal, to be held as soon as possible, but no later than five (5) days following the out of school suspension.

5. At the scheduled meeting, whether or not attended by the parent/guardian or the student, the principal shall state that the suspension will continue until the principal's recommendation for expulsion under zero tolerance may be acted upon.

6. The principal shall immediately give oral and written notice to the parent or guardian and the student of the right to request an appeal as to the guilt or innocence of the student and shall inform them that:
   a. The Superintendent may, on a case-by-case basis, modify the length of the expulsion; and
   b. All cases will be reviewed for possible modification.
   c. All cases will be reviewed to determine whether the student shall be removed from school attendance at the location where the violation occurred or removed from school attendance altogether.
KCS Discipline Guidelines
## School Administrator Discipline Guidelines

### Level I Offenses
- Classroom and school level consequences set by school.

### Level II Offenses
- Classroom and school level consequences set by school.
- Cannot exceed 10 days OSS

<table>
<thead>
<tr>
<th>Infraction (Code)</th>
<th>Level II</th>
<th>Level III</th>
<th>Level IV</th>
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</thead>
<tbody>
<tr>
<td>Drugs (S17)</td>
<td></td>
<td></td>
<td><strong>Zero Tolerance (OSS)</strong> (Not less than a calendar year.)</td>
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<tr>
<td>Synthetic Drugs (S17)</td>
<td></td>
<td></td>
<td><strong>Zero Tolerance (OSS)</strong> (Not less than a calendar year.)</td>
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<tr>
<td><strong>Unauthorized Substances</strong></td>
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<tr>
<td>Over the counter Medications (S24) (Examples: Tylenol, aspirin, cough medicine, diet pills, bath salts, and etc)</td>
<td></td>
<td></td>
<td>Confiscate and depending on circumstances ISS-30 days OSS</td>
</tr>
<tr>
<td>Drug Paraphernalia (S24)</td>
<td></td>
<td></td>
<td>30 - 90 days OSS*</td>
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<tr>
<td>Under the Influence (S24)</td>
<td></td>
<td></td>
<td>40 - 90 days OSS*</td>
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<tr>
<td>Own Prescription Drugs (S24)</td>
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<tr>
<td>(A prescribed medication for the student with a prescription bottle written for the student.) Possession</td>
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<td></td>
<td>Confiscate and depending on circumstances ISS-30 days OSS</td>
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<tr>
<td>Distribution (Giving or sharing with other students.)</td>
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<td></td>
<td>Zero Tolerance (not less than a calendar year) (S17)</td>
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<tr>
<td>Offense</td>
<td>Punishment</td>
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<td>------------------------------------------------------------------------</td>
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<tr>
<td>Hand Gun (S18) Rifle/Shotgun (S19)</td>
<td>Zero Tolerance (OSS) (Not less than a calendar year.)</td>
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<tr>
<td>Aggravated Assault of Staff (S35)</td>
<td>Zero Tolerance – not less than a calendar year</td>
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<tr>
<td>Physical Assault of Staff (S32)</td>
<td>90-179 days OSS</td>
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<tr>
<td>Assault/Battery (S33) (Student to student.)</td>
<td>90 days OSS*</td>
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<tr>
<td>Dangerous Weapons (knives, brass knuckles, spikes, box cutters, etc.) (S22)</td>
<td>Confiscation – 30 days OSS</td>
<td></td>
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<tr>
<td>Possession Possession with Intent</td>
<td>90-179 days OSS* (could be recommendation for Expulsion, depending on circumstances.)</td>
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<tr>
<td>Alcohol (S23) Possession Distribution and /or consumption</td>
<td>30 days OSS</td>
<td></td>
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<tr>
<td>Inappropriate Sexual Activity (S24)</td>
<td>1st offense 45 days OSS</td>
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<tr>
<td>Pornography (S24) Possession Distribution</td>
<td>2nd offense or either of the above 46 -90 days OSS*</td>
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<td></td>
<td>30-90 days OSS*</td>
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<td>4 - 30 days OSS*</td>
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<td>4 - 45 days OSS*</td>
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<tr>
<td>Offense</td>
<td>Sanctions</td>
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<td>---------------------------------------------</td>
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<tr>
<td>Arson (S24)</td>
<td>45-179 days OSS</td>
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<tr>
<td>Bomb Threat (S27)</td>
<td>45-179 days OSS</td>
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<tr>
<td>(Class C Felony)</td>
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<tr>
<td>Pyrotechnics (S20)</td>
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<tr>
<td>Possession</td>
<td>30 days OSS*</td>
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<tr>
<td>Igniting</td>
<td>45-90 days OSS*</td>
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<tr>
<td>Fire Alarm (S24)</td>
<td>1st time 15 days OSS</td>
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<td>2nd time 45 days OSS</td>
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<td>3rd time 90 days OSS</td>
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<tr>
<td>Stealing (S25)</td>
<td>ISS - 10 days OSS, Restitution</td>
<td></td>
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<tr>
<td>Theft of School Property (S25)</td>
<td>30-179 days OSS</td>
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<td>($100 or more in value.)</td>
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<tr>
<td>Fighting (Middle School) (S30)</td>
<td>1st fight 4 days OSS</td>
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<td>2nd fight 10 days OSS</td>
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<td>3rd fight 30 days OSS*</td>
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<tr>
<td>Fighting (High School) (S30)</td>
<td>1st fight 10 days OSS</td>
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<td></td>
<td>2nd fight 20 days OSS</td>
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<td></td>
<td>3rd fight 45 days OSS*</td>
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<tr>
<td>Harassment/Bullying (S29) (Social Media)</td>
<td>2 - 4 days OSS</td>
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<td></td>
<td>5 - 10 days OSS</td>
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<td></td>
<td>30 days OSS*</td>
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<tr>
<td>Threatening others (S28) (Social Media)</td>
<td>4 days OSS</td>
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<td>10 days OSS</td>
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<td></td>
<td>30 days OSS*</td>
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<td></td>
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<tr>
<td>Vandalism (minor damage) (S26)</td>
<td>ISS - 30 days OSS/Restitution</td>
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<td>(Examples: writing on desk, walls, textbooks, breaking a chair/desk, etc.)</td>
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<tr>
<td>Offense</td>
<td>Duration</td>
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<tr>
<td>Vandalism (major damage) (S26) (Examples: painting walls, breaking windows, defacing athletic fields, etc.)</td>
<td>30-179 days OSS Restitution (could be recommendation for Expulsion, depending on circumstances.)</td>
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<tr>
<td>Tobacco Products (S55) Electronic Cigarettes (S55)</td>
<td>2-4 days OSS</td>
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<tr>
<td>Continuation of Level I &amp; II Offenses (S24)</td>
<td>15-45 days OSS with documentation</td>
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</tbody>
</table>

*The guidelines are guided instructions with ranges that may be enforced. The recommendations are the maximum, and can be shortened at the building level based on the circumstances.

*Any suspension EXCEEDING the recommendation must be accompanied with a written explanation, or the Screening Committee may reduce the decision.

*Suspensions may be shortened or lengthened, within reason, based on the end of the term, circumstances, and/or a student's discipline history.

*Remember these are GUIDELINES; we need our discipline to remain consistent from school to school and at the building levels.