

Students	Section J:		
	Knox County Board of Education		
	Descriptor Term:	Descriptor Code:	Issued:
		J-191	7/95
Misbehaviors and Disciplinary Options	Reviewed:	Revised:	
	12/23	2/24	

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

8 In accordance with state law,¹ a teacher, principal, or school employee may use a “physical holding
9 restraint” defined as the use of body contact to restrict a student’s freedom of movement or normal access
10 to the student’s body, only in the following circumstances: holding of a student in order to calm or comfort
11 in the absence of an emergency; the minimum contact necessary to physically escort a student from one
12 area to another in the absence of an emergency; assisting a student in completing a task or response if the
13 student does not resist or if the resistance is of minimal intensity or duration; or blocking a student’s exit
14 or elopement through the physical placement of school personnel in front of the student.

16 When students are disruptive or act inappropriately, school staff and principals are expected to respond
17 logically, appropriately, and consistently to provide a safe orderly school environment for all students.
18 The Knox County Schools Discipline Guidelines describe five levels of behavior, increasing in
19 seriousness from a Level 1 Behavior to a Level 5 Behavior (see chart below). The KCS Student Support
20 Guidelines will be utilized in addressing discipline consequences. The use of Restorative Practices shall
21 be used to the greatest extent practicable in schools where the training has been completed.

23 The KCS Discipline Guidelines also include levels of possible responses to inappropriate behavior
24 (Response A through E). Each behavior is assigned to one or more of these levels of response. Principals
25 and school staff should use the levels suggested for each behavior. If a behavior is assigned to two or
26 more levels of response, the lowest level of intervention should generally be used first. Behaviors are
27 defined in the KCS Behavior Definitions Table attached to this policy.

28 When choosing a higher-level response within the range of possible responses, an administrator should
29 consider:

- 31 ▪ the student’s age, health, disability, decision-making ability and prior discipline history;
- 32 ▪ the student’s willingness to repair the harm;
- 33 ▪ the seriousness of the act;
- 34 ▪ the potential to cause harm or the harm caused, including any injuries caused;
- 35 ▪ the extent of actual disruption to the learning environment; and
- 36 ▪ whether the act was intentional, knowing, or reckless.

38 The administration will document in the discipline referral the reasons for using the selected response. In
39 each case, KCS administrators and staff will apply consequences to minimize the amount of instructional
40 time lost and provide a safe and orderly learning environment. It is the duty of school principals to
41 administer and implement the school behavior and discipline code.³ Principals and school faculty shall
42

use these guidelines for responses to behavior. Responses and interventions are at the discretion of the school principals. Suspension is required if the behavior is a Level 5, Zero Tolerance Offense.

Administrators may consider an extended suspension (suspension over 45 days) when a student’s behavior or culmination of behaviors pose an on-going safety concern to the school, staff, and/or students. Administrators must notify a KCS Regional Director prior to an extended suspension assignment.

Behaviors	Intervention Response	Suspension Out of School (under 10 days)	Extended Suspension Out of School (over 10 days)
Level 1 Behaviors	A	No	No
Dress Code Violation	A	No	No
Vehicle Violation	A	No	No
Tardy to School	A	No	No
Tardy to Class	A	No	No
Public Display of Affection (PDA)	A	No	No
Level 2 Behaviors			
Repeated violations of a pattern of Level 1, with evidence of implemented intervention (See mandatory interventions)	A,B	No	No
Class Cut	A,B	No	No
Profanity/Abusive Language in School	A,B	No	No
Unauthorized Area	A,B	No	No
Failure to Serve Detention	A,B	No	No
Inappropriate Physical Contact/Horseplay	A,B	No	No
Level 3 Behaviors			
Repeated violations of a pattern of Level 2 Behaviors, with evidence of implemented intervention (See mandatory interventions)	B,C,D	Yes	No
Cheating/Gambling	A,B,C	Yes	No
Obscene Material	A,B,C	Yes	No
Possession of Prescription or Non-Prescription Medication/CBD Oils	A,B,C	Yes	No
Trespassing on School Grounds	A,B,C	Yes	No
Falsify/Forgery of Records	A,B,C	Yes	No
Disruption of Class or School Environment	B,C	Yes	No
Non-Compliance with Staff Request	B,C	Yes	No
Profanity/Abusive Language to Staff	B,C	Yes	No
Theft of Property (Under \$1,000)	B,C	Yes	No
Bus Misconduct	B,C	Yes	No
Possession or Use of Tobacco Products (including electronic cigarettes/vaping devices and products/nicotine devices and products)	B,C	Yes	No
Leaving School Grounds without permission	B,C	Yes	No
Inappropriate Use of Electronic Device	B,C	Yes	No

	Behaviors	Intervention Response	Suspension Out of School (under 10 days)	Extended Suspension Out of School (over 10 days)
5	Level 3 Behaviors (continued)			
6	Tamper-Fire Alarm	B,C,D	Yes	No
7	Possession or Use of Fireworks, Lighters, and other flammable items	B,C,D	Yes	No
8	Vandalism/Damage of Property	B,C,D	Yes	No
9	Threat Class 1	B,C,D	Yes	No
10	Fighting	C,D,E	Yes	Yes
11	Bullying	C,D,E	Yes	Yes
12	Cyberbullying	C,D,E	Yes	Yes
13	Harassment	C,D,E	Yes	Yes
14	Sexual Harassment	C,D,E	Yes	Yes
15	Possession of Drug Paraphernalia	C,D,E	Yes	Yes
16	Possession, Use or Distribution of Vape Devices or Products (Non-THC)	C,D,E	Yes	Yes
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18	Level 4 Behaviors			
19	Repeated violations of a pattern of Level 3 Behaviors, with evidence of implemented intervention (See mandatory interventions)	D,E	Yes	Yes
20	Theft of Property (over \$1,000)	D,E	Yes	Yes
21	Breaking/Entering	D,E	Yes	Yes
22	Gang Activity	D,E	Yes	Yes
23	Threat Class 2	D,E	Yes	Yes
24	Under the Influence	D,E	Yes	Yes
25	Possession, Use or Distribution of Alcohol	D,E	Yes	Yes
26	Sexual Misconduct	D,E	Yes	Yes
27				
28	Level 5 Behaviors			
29	Repeated violations of a pattern of Level 4 Behaviors, with evidence of implemented intervention (See mandatory interventions)	D,E	Yes	Yes
30	Assault of Staff	D,E	Yes	Yes
31	Assault of Student	D,E	Yes	Yes
32	Aggravated Assault of Student	D,E	Yes	Yes
33	Sexual Battery (Assault)	D,E	Yes	Yes
34	Possession of Weapon other than Firearm (A lesser disciplinary response may be used following school-based investigation)	E	Yes	Yes
35	Bomb Threat	E	Yes	Yes
36	Felony Behavior	E	Yes	Yes
37	Possession, Use or Distribution of Illegal Drugs/ANY substance containing THC	E	No	(ZT) Yes*
38	Aggravated Assault and Battery of Teachers or Staff	E	No	(ZT) Yes *
39	Possession of Explosive or Incendiary Device	E	No	(ZT) Yes*

Level 5 Behaviors (continued)			
Possession of Handgun, Rifle or Shotgun	E	No	(ZT) Yes*
Threat of Mass Violence on School Property or at a School-Related Event or Function	E	No	(ZT) Yes*

Intervention Response Guidelines

When choosing a higher-level response within the range of possible responses, an administrator should consider the student’s age, health, disability, decision-making ability, prior discipline history, willingness to repair the harm, serious of the act, potential to cause harm or the harm caused, the extent of actual disruption to the learning environment, and whether the act was intentional.

Intervention Response A

- Student tells his/her side of the story and the parent/legal guardian is notified.
- Teacher or designated staff has a restorative conversation with the student.
- Teacher or designated staff determines whether to involve additional school support staff.
- One or more classroom management strategies or intervention supports are initiated. Student’s individual needs and abilities should be considered when choosing interventions.

Intervention Response B

- Student tells his/her side of the story and has the opportunity to write a statement.
- Administrator communicates with parent/legal guardian and determines whether to involve additional school staff.
- Documentation of prior interventions is reviewed with the parent/legal guardian.
- One or more additional interventions are initiated or revised as appropriate. New interventions should be considered if previous interventions have been unsuccessful.
- If necessary, administrators may assign an alternate learning location within the school for up to two (2) days.
- If response has been escalated as a result of a repeated pattern of Level 1 Behaviors, administrators could refer a student to the Whole Child Support Team as an intervention in Response B.

Intervention Response C

- Student tells his/her side of the story and has the opportunity to write a statement.
- Administrator communicates with parent/legal guardian and determines whether to involve additional school staff.
- Documentation of prior interventions is reviewed with the parent/legal guardian.
- One or more additional interventions are initiated or revised as appropriate. New interventions should be considered if previous interventions have been unsuccessful.
- If necessary, administrators may assign an alternate learning location within the school for up to three (3) days OR one (1) to four (4) days of out of school suspension.
- A restorative conference should be considered upon re-entry depending on the nature and level of harm caused by the behavior.
- If response has been escalated as a result of a repeated pattern of Level 2 Behaviors, administrators could refer a student to the Whole Child Support Team as an intervention in Response C.

Intervention Response D

- Student tells his/her side of the story and has the opportunity to write a statement.

- Administrator communicates with parent/legal guardian and determines whether to involve additional school staff.
- Documentation of prior interventions is reviewed with the parent/legal guardian.
- One or more additional interventions are initiated or revised as appropriate. New interventions should be considered if previous interventions have been unsuccessful.
- If necessary, administrators may assign five (5) to ten (10) days of out of school suspension.
- A restorative conference is required upon re-entry to school.
- Any out of school suspension over four (4) days requires a disciplinary hearing.

Intervention Response E

- Student tells his/her side of the story and has the opportunity to write a statement.
- Administrator communicates with parent/legal guardian and determines whether to involve additional school staff.
- Documentation of prior interventions is reviewed with the parent/legal guardian.
- One or more additional interventions are initiated or revised as appropriate. New interventions should be considered if previous interventions have been unsuccessful.
- If necessary, administrators may assign eleven (11) to forty-five (45) days of out of school suspension.
- A restorative conference is required upon re-entry to school.
- Any out of school suspension over four (4) days requires a disciplinary hearing.

NOTE:

- All interventions are to be documented.
- All out of school suspensions over five (5) days must be referred to School Support Teams prior to a disciplinary hearing.
- Students with patterns of suspension could be referred to the School Support Teams as well.

ADDITIONAL GUIDELINES

1. A student shall not be suspended solely because charges are pending against him/her in juvenile or other court;
2. A student may be suspended for off campus criminal behavior that results in a 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 persons or property or disrupts the education process;⁴
3. A principal shall not impose successive short term suspensions that cumulatively exceed ten (10) days for the same offense;
4. A teacher or other school official shall not reduce or authorize the reduction of a student's grade solely on the basis of discipline problems except in deportment or citizenship;^{4,5}
5. A student shall not be denied the passing of a course or grade promotion solely on the basis of absences except as provided by Board policy;
6. A student shall not be denied the passing of a course or grade promotion solely on the basis of failure to:
 - a. pay any activity fee;
 - b. pay a library or other school fine;
 - c. make restitution for lost or damaged school property
7. Any student who is expelled may request modification pursuant to J-191 from the Director of Schools.⁴

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8. If a student is determined, via a fair and thorough investigation made by the principal or the principal’s appointed representative, to have acted in self-defense under a reasonable belief that the student, or another to whom the student was coming to the defense of, may have been facing the threat of imminent danger of death or serious bodily injury, which the student honestly believed to be real at that time, then, at the principal’s recommendation, the student may not face any disciplinary action.⁴

Legal References:

- 1. T.C.A. § 49-10-1303 through § 49-10-1305.
- 2. T.C.A. § 49-6-4107.
- 2. T.C.A. § 49-6-4106.
- 3.3. T.C.A. § 49-6-3401.
- 4. T.C.A. § 49-6-3402.

KCS Behavior Definitions Table is attached and included in this policy.

Approved as to Legal Form
By Knox County Law Director 1/3/2024
/Gary T. Dupler/Deputy Law Director

KNOX COUNTY SCHOOLS BEHAVIOR DEFINITIONS		
Code	Behavior	Definition
35	Aggravated Assault and Battery of Teacher or Staff	Intentionally or knowingly causing serious bodily injury or the use of weapon to any KCS employee and/or SRO.
36	Aggravated Assault of Student	Intentionally, knowingly, or recklessly committing an unprovoked physical attack on another student that causes injuries requiring medical attention beyond general first aid. Could also include two or more students intentionally causing or attempting to cause physical injury to another. Also includes the use of any weapon.
32	Assault of Staff	An intentional or reckless act that causes or has the potential to cause physical harm to a teacher or school staff on school grounds or at a school-sponsored activity.
33	Assault of Student	Intentionally, knowingly, or recklessly committing an unprovoked physical attack on another student. Minor physical contact, such as pushing or shoving, does not constitute assault. A child may not receive the same disciplinary consequence for their involvement in an altercation, if the school administrator determines that they acted in self-defense to protect themselves from physical harm. (TCA 49-6-3401) Response E may only be used if the attack was premeditated and if the student committing the act presents an ongoing safety risk to others. When Response E is used, evidence of premeditation and safety risk must be listed in the discipline referral.
27	Bomb Threat	Intentionally making a false report of potential harm from a bomb, dynamite, explosive or arson-causing device.
74	Breaking/Entering	Breaking in or onto any district property that includes any unauthorized entry into school property with or without destruction to the property. Includes breaking into student or staff property.
29	Bullying	Bullying is defined as unwanted, aggressive behavior that involves power imbalance. The behavior is repeated over time. The imbalance of power involves the use of physical strength, access to embarrassing information, or popularity to control or harm others. If bullying is repeated over time and persists after documented administrative intervention, expulsion may result.
51	Bus Misconduct	Engaging in conduct or behavior, which interferes with the orderly, safe, and timely transportation of students.

Code	Behavior	Definition
72	Cheating	Copying from another's test paper; using material during a test which is not authorized by the person giving the test; collaborating with another student during the test without authorization; knowingly using, buying, selling, stealing, transporting, or soliciting, in whole or part, the contents of an unadministered test; substituting for another student or permitting another student to substitute for one's self to take a test; bribing another person to obtain a test that is to be administered; or securing copies of the test or answers to the test in advance of the test. Cheating includes: Plagiarizing (appropriating another's work and using it as one's own for credit without the required citation and attribution, e.g., copying written work from the Internet, or any other source). Student may still be assigned classroom disciplinary action in addition to typical behavior intervention.
59	Class Cut	Failing to attend a scheduled class or activity without authorization.
97	Cyberbullying	Cyberbullying is bullying that takes place using electronic technology. Electronic technology includes devices and equipment such as cell phones, computers, and tablets, as well as communication tools including social media sites, text messages, chat, and websites. Examples may include mean text messages or emails, rumor sent by email or posted on social network sites, and embarrassing pictures, videos, websites, or fake profiles.
60	Disruption of Class or School Environment	Intentionally disrupting the school environment to the extent the learning of other students or the normal functioning of the school is impaired. The discipline referral should include evidence demonstrating learning or the normal functioning of the school was significantly impaired.
68	Dress Code Violation	Wearing clothing that does not comply with the school's standard school attire policy or requirements for appropriate dress.
80	Failure to Serve Detention	Failure to follow through with an agreed upon detention.
71	Falsify/Forgery of Records	Falsifying or altering school records, including, but not limited to, written, electronic or digital school records. Writing and using the signature or initials of another person for an unauthorized purpose.
87	Felony Behavior	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 persons or property or disrupts the educational process. - See more at: http://codes.findlaw.com/tn/title-49-education/tn-code-sect-49-6-3401.html#sthash.PRRGW8uY.dpuf
30	Fighting	Mutual participation in an incident involving physical violence.

Code	Behavior	Definition
41	Gambling	Gambling is the wagering of something of value on an event with an uncertain outcome with the intent of winning something of value. Gambling thus requires three elements to be present: consideration, risk, and a prize.
86	Gang Activity	Possessing or displaying symbols or paraphernalia of a gang or of a violent and disruptive group. Participating in the recruitment or initiation of students into a gang or a violent and disruptive group.
65	Harassment	Harassment is any unwelcome conduct that is severe, pervasive or persistent and creates a hostile environment that interferes with or limits a student's ability to participate in or benefit from services, activities, or opportunities offered by a school. Harassment meets one or more of the following criteria: is an act directed at one or more students that is received as harmful or embarrassing; is directed at one or more students; substantially interferes with educational opportunities, benefits, or programs of one or more students; substantially affects the ability of a student to participate in or benefit from the school district's educational programs or activities by placing the student in reasonable fear of physical harm or by causing emotional distress; is based on a student's actual or perceived distinguishing characteristic, or is based on an association with another person who has or is perceived to have any distinguishing characteristics; is repeated over time – is severe, persistent, and pervasive; causes mental duress, or psychological trauma to the victim.
83	Improper Use of Electronic Device	Improper use of cell phone, Internet, or other electronic devices – Using personal technology, electronic devices, or the internet, except when used for educational purposes with the permission of the classroom teacher or school administrator, or in violation of school rules.
93	Inappropriate Physical Contact/Horseplay	Engaging in minor physical contact with another student, such as pushing, bumping or horseplay.
85	Leaving School Grounds without Permission	Leaving school grounds without the permission of school officials.
61	Non-Compliance with Staff Request	Refusing to follow staff directives or comply with assigned disciplinary responses.
77	Obscene Material	Any material found that depraves or disrupts the educational process of the school. (on paper or electronically).
96	Possession of Drug Paraphernalia	Possessing any material used to produce or consume illegal drugs. Drug paraphernalia includes, but is not limited to bongs, roach clips, miniature spoons and pipes used to consume illegal drugs.

Code	Behavior	Definition
20	Possession of Explosive or Incendiary Device	Possession of any destructive device, which includes any explosive, incendiary device, or poison gas, including bombs, grenades, rockets, missiles, mines, and similar devices. Fireworks are not considered an explosive.
18	Possession of Handgun, Rifle or Shotgun	Possession of a firearm or bringing a firearm to school. This includes, but is not limited to, handguns, rifles and shotguns. As required by state and federal law, any student who brings a weapon to school will be referred to law enforcement.
21	Possession of Non-Lethal Firearm	Possessing a non-lethal firearm, weapon replica, BB gun, airgun, air soft gun, pellet gun, cap gun, or toy gun. Response E may only be utilized if possession of the non-lethal firearm or replica causes actual risk of harm to students. The specific nature of the risk must be documented in the discipline referral.
16	Possession of Prescription or Non-Prescription Medication, including CBD oils NOT containing THC	Possession of prescription or non-prescription medication which has not been registered with school. Includes medications that can be purchased over the counter. Includes possession of prescription medication that is registered to the student.
22	Possession of Weapon other than Firearm	<p>Possessing, transmitting, or using a weapon, including:</p> <ul style="list-style-type: none"> -A knife, razor blade, box cutter, or other similar instrument utilizing a razor blade -Ammunition, chains, nun-chucks, brass knuckles, or Billy clubs -An electric weapon or device, such as a Taser -Capsicum (Pepper spray) -Weapons similar to those listed above capable of causing serious bodily injury -Any weapons found on school grounds or at school functions will be confiscated and turned over to the appropriate authorities.
70	Possession or Use of Fireworks	Possessing or use of fireworks (firecrackers, bottle rockets, smoke bombs or other similar devices)
50	Possession or Use of Tobacco Products (including Electronic Cigarettes/vaping devices and products/nicotine devices and products)	Possessing or using any tobacco products, including but not limited to, cigarettes, cigars, vapor or e-cigarettes, any products designed for vaping, any nicotine products or chewing tobacco.
17	Possession, Use or Distribution of Illegal or Prescription Drugs, including CBD oils or substances containing THC	Unlawful possession, use, or distribution of drugs, including any controlled substance, controlled substance analog, or legend drug (prescription drug). Prohibited drugs include, but are not limited to, ketamine, bath salts, and salvia. Distribution of drugs is defined as the intentional exchange of any prohibited drug with or without monetary exchange. A referral to the school social worker will be made for any student found in violation of this code.

Code	Behavior	Definition
23	Possession, Use, or Distribution of Alcohol	Possessing, using, or being under the influence of alcoholic beverages or substances that have the potential to intoxicate. A referral to the school social worker will be made for any student found in violation of this code.
64	Profanity/Abusive Language	Using profane, inappropriate, or indecent language, such as cursing on school grounds or at school-sponsored activities.
63	Profanity/Abusive Language to Staff	Directing profane or indecent language toward a teacher, staff member or administrator.
82	Public Display of Affection	PDA includes, but is not limited to, physical or verbal conduct or communication of a sexual nature and sexual behavior between parties on school grounds or school-sponsored events.
	Repeated Violations of a pattern of Level 1 Behaviors, with evidence of implemented intervention (See mandatory interventions)	A repeated pattern of Type 1 behavior that continues after documentation of prior interventions. Two or more incidents of a Type 1 behavior may constitute a pattern. The discipline referral must include documentation of interventions implemented.
	Repeated Violations of a pattern of Level 2 Behaviors, with evidence of implemented intervention	A repeated pattern of Type 2 behaviors that continues after documentation of prior interventions. Two or more incidents of a Type 2 behavior may constitute a pattern. The discipline referral must include documentation of interventions implemented
	Repeated Violations of a pattern of Level 3 Behaviors, with evidence of implemented intervention	A repeated pattern of Type 3 behaviors that continues after documentation of prior interventions. Two or more incidents of a Type 3 behavior may constitute a pattern. The discipline referral must include documentation of interventions implemented.
	Repeated Violations of a pattern of Level 4 Behaviors, with evidence of implemented intervention	A repeated pattern of Type 4 behaviors that continues after documentation of prior interventions. Two or more incidents of a Type 4 behavior may constitute a pattern. The discipline referral must include documentation of interventions implemented.
34	Sexual Battery (Assault)	Unwanted sexual contact 1) with the use of force or coercion 2) against a person's will or 3) when the victim is unable to give consent.
31	Sexual Harassment	Engaging in unwelcome sexual advances, requests for sexual favors, or other physical or verbal conduct or communication of a sexual nature. Sexual harassment includes gender-based harassment that creates an intimidating, hostile or offensive educational or work environment.
94	Sexual Misconduct	Sexual Misconduct is a consensual sexual act on school grounds or at school related activities.
73	Tamper-Fire Alarm	The deployment of the school fire alarm system in the absence of an emergency.

Code	Behavior	Definition
55	Tardy to Class	Arriving late to class.
54	Tardy to School	Arriving late to school.
89	Theft of Property (Over \$1000)	Taking the property of another individual or of the school without permission, with the intent of depriving the owner of the property. The value of the property is over \$1000.
88	Theft of Property (Under \$1000)	Taking the property of another individual or of the school without permission, with the intent of depriving the owner of the property. The value of the property taken is under \$1000.
91	Threat: Class 1	A verbal, written, electronic, or gestured threat to cause harm to students or school staff. The threat must be one that would cause a person to reasonably fear bodily injury.
92	Threat: Class 2	A verbal, written, or electronic threat to cause harm to students or staff in which evidence exists that a student has a specific, credible plan to cause harm to staff or students. The threat must be one that would cause a person to reasonably fear bodily injury.
67	Trespassing on School Grounds	Entering or remaining on school property without authorization or when suspended.
57	Unauthorized Area	Being present in areas of the school without authorization.
15	Under the Influence	A student is under the influence when they have participated in taking a substance known to prohibit one's performance or behavior, prior to being either on campus or any school function or activity.
26	Vandalism/Damage of Property	Willfully destroying or defacing school or personal property.
66	Vehicle Violation	Operating any motorized or self-propelled vehicle on school grounds in a manner that is a threat to health and/or safety, or a disruption to the educational process. Failure to display required school parking pass or parking in an unauthorized area.