

**Bath County Middle School****Bath County School District**

<b>COUNCIL POLICY TYPE</b> _____ By-Laws (Council Operations Policies)  <input checked="" type="checkbox"/> <b>Function (School Operational Policies)</b>	<b>Policy Number:</b> _____ 20 _____  <b>Date</b> <b>Adopted/Revised:</b> _____ 7/2/13 _____  <b>Chairperson Signature:</b> _____ <i>John Slone</i> _____
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**Policy Topic:**  
**CODE OF CONDUCT**

**BATH CO. MIDDLE SCHOOL CODE OF CONDUCT**

The Bath Co. School system believes that discipline is a School -Parent/Guardian-Community responsibility. This code of conduct is structured to ensure that each participant understands his/her responsibility in maintaining order and safety throughout the student population. The school system is responsible for providing and maintaining a school environment conducive to student learning. The Parent/Guardian and Community are responsible for supporting the school in the creation of a safe learning climate. The students are responsible for maintaining this learning environment by self-discipline. The code establishes guidelines, rules, and disciplinary procedures, which follow due process and protect each student's right to an education.

**Description**

The Bath County Middle School discipline code is a behavior/academic leveling system that encourages students to work for and/or keep their privileges. The system is divided into 6 levels with school rules, discipline measures, and privileges assigned to each (See charts on last page of section.) The rules and disciplinary measures are aligned with the Bath County Schools district-wide discipline code. Privileges are listed by level on the charts. Teams are encouraged to provide as many privileges as possible in order to maintain an incentive for positive behavior and good grades.

**Overview**

Each student begins the year at Level 5 and must work to maintain that level. Level 6 is reserved for students with Level 5 behavior plus honor roll status. Students may move to Level 6 at midterm when the first grade reports are issued. Thereafter, students who attain "honor roll" status at the midterm or end of a nine weeks grading period, will move up one level from their current level, level 6 being the highest. At any time, a student may fall from Level 5/6 status if their behavior does not remain at the appropriate level. [Example: A student on level 6 receives a discipline slip for accumulating 3 tardies to a class. The student drops to level 4.]

Teachers will report infractions to the administration. The principal or assistant principal will assign students to lower or higher levels within the system, if warranted. The first review in order to move students up a level will take place at the end of the first two weeks, provided the student has maintained appropriate behavior for the previous two-week period. Thereafter, a review will take place every two weeks (for behavior) and each grade report period (for academics).

The two-week count for leveling review for individual students will begin on the date of the infraction. For homework violations and lack of materials violations, the date of the third violation will begin the count; and, for tardiness to class, the date of the third tardy will begin the count.

Each teacher will keep records on students in their classes and report disciplinary infractions to the administration in writing. The administration will receive discipline slips from the teachers on a daily basis and will then report any changes in level to the teachers.

The teacher will refer major offenses and repetition of minor offenses to the assistant principal and/or principal. Levels will be adjusted by the principal/assistant principal for repetitive minor infractions and major infractions, such as fighting, skipping detention, and chronic tardiness to class.

BATH COUNTY MIDDLE SCHOOL DISCIPLINE CODE					
PRIVILEGES					
LEVEL 6 *	LEVEL 5	LEVEL 4	LEVEL 3	LEVEL 2	LEVEL 1
All Assemblies	All Assemblies	All Assemblies	Educational		
Dances	Dances	Dances	Assemblies with Team/Admin. Approval		
Field Trips	Field Trips	Field Trips			
Extracurricular Activities/Sports	Extracurricular Activities/Sports	Extracurricular Activities/Sports			
Lunch Privileges	Lunch Privileges	Breaks	Educational Field Trips with Team/ Admin. Approval		
Breaks	Breaks				
Other Team Privileges	Other Team Privileges		Breaks		
Recognition at Assemblies	Recognition at Assemblies				
Recognition in Newspaper	Hard Work Cafe				
Hard Work Cafe	Other Special Activity				
Other Special Activity					
* Denotes Level 6 for Honor Roll Students with Level 5 Behavior					

BATH COUNTY MIDDLE SCHOOL DISCIPLINE CODE					
DISCIPLINARY MEASURES					
LEVEL 6 *	LEVEL 5	LEVEL 4	LEVEL 3	LEVEL 2	LEVEL 1
		Warning	Warning	Warning	Warning
		Student Conference	Student Conference	Student Conference	Student Conference
		Parent Contact	Parent Contact	Parent Contact	Parent Contact
		Parent Conference	Parent Conference	Parent Conference	Parent Conference
		Detention (lunch, break, after school)	Detention (lunch, break, after school)	Detention (lunch, break, after school)	Detention (lunch, break, after school)
		Loss of Other Privileges	Loss of Other Privileges	Loss of Other Privileges	Loss of Other Privileges
			Time-Out or ISS	Time-Out or ISS (1-3 days)	Time-Out or ISS (3+ days)
			Bus Suspension	Intervention Services	Intervention Services
				Involvement of Law	Involvement of Law
				Enforcement/Court	Enforcement/Court
				Alternative Program	Alternative Program
				Bus Suspension	Bus Suspension
				Suspension	Suspension
				Expulsion	Expulsion
* Denotes Level 6 for Honor Roll Students with Level 5 Behavior					

## BATH COUNTY MIDDLE SCHOOL DISCIPLINE CODE

### PENALTIES FOR VIOLATION OF SCHOOL RULES

LEVEL 6	LEVEL 5	Drop 1 Level	Drop 2 Levels	Drop 3 Levels	Drop 4 Levels
Obey All School Rules	Obey All School Rules	Dress Code Violation	Excessive Tardiness	Defiance of Authority	Aggressive Behavior
Maintain Honor Role Status	(Full Privileges)	Tardy to Class (3)	Disorderly Conduct	Harassment/Bullying	Fighting
(Full Privileges)		Inappropriate use of	Cheating	Intimidation	Bomb Threat
		Electronic Devices	Plagiarism	Loitering	Burglary
		Minor Disruptions	Forgery	Menacing	Criminal Mischief
		Lack of Materials (3)	Gambling	Unlawful Assembly	Criminal Trespass
		Horseplay	Malicious Remarks	Skiping	Drug Related Offenses
		Disrespect	Harassment/Bullying	School Bus Offense	Extortion
		Homework Violations (3)	Disrespect	AUP Violation	False Fire Alarm
			Littering	Repeat Offenses L3	Physical Assault
			School Bus Offense		Weapons
			AUP Violation		Robbery
			Repeat Offenses L4		Tobacco Offenses
					Terrorist Threatening
					Alcohol Offenses
					Vandalism
					Arson
					Pornographic Materials
					School Bus Offense
					Repeat Offenses L2
* Denotes Level 6 for Honor Roll Students with Level 5 Behavior					

- If a student is placed in **ISS** (In School Suspension), after School Detention, or **SSS** (Saturday Supervised Studies), the student loses all extra-curricular and athlete privileges for that period of time. (This includes middle and high school activities that the student is involved in).
- When a student is suspended out of school, it is the parent's (or authorized person's) responsibility to pick up the student. It is the responsibility of the parent to ensure that someone pick up the student.
- Any student who has been suspended out of school will NOT be allowed to attend BCMS, or be on school property during the time of suspension, nor can the student attend any middle school activities. Violations will result in law enforcement being called.

### **Academic Dishonesty**

All students at Bath County Middle School are expected to follow the standards of acceptable academic honesty. Any breach of academic honesty will be dealt with in a serious manner. Academic dishonesty is defined as, but not limited to copying, cheating, turning in work other than a student's own, turning in work in someone else's handwriting, plagiarism, assisting in other students' academic dishonesty, or the knowledge of the above offenses without reporting it. Any student who is believed to be in breach of the standards of academic honesty, after an investigation, is subject to disciplinary action.

### **Aggression/Assault**

Any physical attack of one pupil or a group of pupils upon another pupil or others who do not wish to engage in the conflict will be considered assault. Any provocation (verbal or physical) may be considered a mitigation of the charge. A pupil who finds himself/herself the victim of aggression or an assault has a right to defend himself/herself against the attack and use such force in defense as may be deemed reasonable.

Any physical contact or threat of physical contact (threatening language, verbal abuse) toward any school employee (s), student, or parent within the intention of doing bodily harm by a student or a group of students will be dealt with accordingly.

### **Alcohol, Drugs, Synthetic, and/or "Look-Alike" Substances**

Alcohol and drugs are illegal and will not be tolerated. Also, any substance (such as glue, hairspray, etc.) that is used for purposes other than the intended use of that product will not be tolerated. Intent, use, possession, or state of being under the influence of alcohol, illegal drugs or substances represented or believed to be, by the student, to be a controlled substance or illegal drug is not permitted.

#### **Consequences:**

**1<sup>st</sup> Offense:** Three to Ten (3 -10) days out-of-school suspension. Students (parents) may be required to participate in a diversion program. A contract will be signed (See 09.423 AP.2) should parents and students be required to attend and complete this diversion program. **Parents/guardians must attend this program with the student.** During or at the end of the suspension he/she along with the parent/guardian must have a conference with the counselor, principal, and/or superintendent. If there is a suspicion or discovery of drugs, alcohol, or synthetics, law enforcement will be contacted.

**2<sup>nd</sup> Offense:** The student shall be suspended out of school and a recommendation for expulsion or alternative placement will follow.

- ***Drug Distribution and Trafficking***

The distribution of an alcoholic beverage, illegal drugs, or substance represented or believed to be a controlled illegal substance will not be tolerated.

#### **Consequences:**

Ten (10) days out-of-school suspension, possible court referral, and expulsion or alternative placement request shall be filed against the student. We have **"ZERO TOLERANCE" FOR DRUGS!**

- ***Drug Related Paraphernalia***

Possession of paraphernalia as related to the use of a controlled or illegal substance will not be tolerated.

#### **Consequences:**

**1<sup>st</sup> Offense:** Three to ten (3 -10) days out-of-school suspension. During or at the end of the suspension he/she along with parents/guardians must have a conference with the counselor, principal, and/or superintendent.

**2<sup>nd</sup> Offense:** Ten (10) days out of school and an expulsion or alternative placement will be requested.

### **Arson**

The starting of a fire within the school, on buses, or on school grounds, for any purpose that results in destruction or disruption will be considered an act of arson.

### **Bomb Threat**

Any effort made to falsely alert emergency services, or school, to the non-existence of a bomb.

### **Burglary**

A person is guilty of burglary when:

A. With the intent to commit a crime, he knowingly enters or remains unlawfully:

- In a dwelling
- In a building and when in effecting entry or while in the building or in the immediate flight thereof, he or another participant in the crime

- a) Is armed with explosives or deadly weapons;
- b) Causes physical injury to any person who is not a participant in the crime; or
- c) Uses or threatens the use of a dangerous instrument against any person who is not a participant in the crime.

B. With the intent to commit a crime, he knowingly enters or remains unlawfully in an uninhabited building.

### **Bus Disruptions**

Disruptive occurrences on bus for which a student is referred to the principal or assistant principal will result in level drops and consequences as outlined in the discipline level charts. Parents of students who are suspended from school transportation will be responsible for their child's transportation to school. Students who are absent during the bus suspension will be marked unexcused.

Repeated behavior infractions while riding a school bus may result in permanent suspension of transportation privileges. In cases where destruction of property has taken place, restitution may be applied.

### **Bullying/Harassment**

It is the intent of all BCMS staff to create and maintain a school environment where students feel safe.

Therefore, student acts of bullying and/or harassment witnessed by staff members or students (or reported to staff members) should be referred to the principal or assistant principal for investigation. Upon completion of an investigation the administration will take appropriate action.

Definition of bullying: repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted (email, Facebook, texting, etc.), or emotional abuse, or through attacks on the property of another person. It may include, but not be limited to, actions such as verbal taunts, name calling, and put-downs, including ethnically-based or gender-based verbal put-downs, and extortion of money or possessions.

Definition of harassment: words, conduct, or actions directed at an individual that annoy, threaten, or cause emotional distress.

Parents may report instances of harassment or bullying by contacting the school by phone or coming by the school and speaking with a teacher/administrator. Please refer to the district office for further information.

### **Classroom Disruptions**

Disruptions are any continuous minor problems (i.e. gum, failure to complete assignments, not following directions/ rules, etc.) Classroom disruptions should be handled in a progressive manner. For the first offense a student is issued a warning. On the second offense the teacher conferences with the student and a parent contact is made. On the third offense, a detention is issued and reported to the principal or assistant principal. Three (3) documented instances and INTERVENTIONS (warning, student conference/contract, parent contact, etc.) shall be noted. Only severe disruptive behavior should be sent to the office (with a completed discipline referral and a phone call to the office).

### **Classroom Tardies**

Classroom tardies will be documented by teachers until three (3) are accumulated. At that point a write up form will be completed and the form will be sent to the office. Classroom tardies will start new at the beginning of each nine weeks grading period.

### **Criminal Mischief/Trespassing**

A person is guilty of criminal mischief or trespassing when:

Having neither the right to do so, nor reasonable grounds to believe that he/she had such right; he/she intentionally or wantonly defaces, damages, or destroys any school property, or personal property, or tampers with school property or the property of another, so as to knowingly endanger the person or property. The possession or use of any noxious substance in the building, vehicle, any stink bomb, device, or irritant is not permitted.

### **Defiance of Authority**

Defiance of authority is any act or behavior in which the student willfully defies the lawful authority or reasonable direction of school personnel.

### **Disorderly Conduct**

Disorderly conduct shall include inappropriate language (written, verbal, or nonverbal), pornography (including visiting inappropriate Internet websites), obscene behavior and/or behavior, which is destructive or disruptive to the educational process for the school.

**Electronic Devices**

Because electronic devices are part of today's culture, Bath County Middle School embraces the use of handheld devices for instructional purposes at the teacher's/administrator's discretion and under teacher/administrator supervision. Students who use their own electronic devices must adhere to the district's acceptable use policy. Otherwise, the use of electronic devices by students during the school day is prohibited (including hallways, restrooms, and transitions). If students become ill or in case of emergency, students should report to the nurse/office, rather than making phone calls or texts on their cell phones. Bath County Middle School is not responsible for lost or stolen devices. Please refer to the district policy for further information about the use of electronic devices. Students are advised not to bring other electronic devices to school (iPods, MP3 players, games, etc); however, if they do, it is at their own risk of confiscation, theft, or damage.

**Extortion**

The solicitation of money or something of value, from another student, regardless of the amount, in return for protection, or in connection with a threat to inflict harm defines extortion.

**Fighting/Inciting**

Fighting is the willful engagement/participation in physical contact, between two or more students, with the purpose of inflicting harm. Inciting is urging, arranging, or provoking others to fight. These offenses will justify the following:

**Consequences:**

Student will be dismissed from school one to three (1-5) days unexcused. If parents can't be contacted, the student will be placed in an alternative setting for the remainder of the day. Student may also be referred to school counselor for anger management. Parents will be notified, possible court referral, and law enforcement may be called.

**Forgery**

The act of falsely using the name of another person, or falsifying documents or correspondence (absences, excuses, bus notes, report cards) from or to the school.

**Gambling**

Students should not participate in games of chance for the express purpose of exchanging money. (Cards, betting, flipping, etc.)

**Horseplay**

Horseplay consists of rowdy or rough play that results in disruptions on school grounds. Refer to no touch policy.

**Homework Violations/Lack of Materials**

Three homework/lack of materials violations = one detention/level drop. Teachers will send a note home when students fail to turn in their homework or come to class without required materials. Copies of these notes home will be kept by the teacher. When a student accumulates three homework/lack of materials violations he/she will receive a detention slip and appropriate leveling action will take place. Homework/lack of material violations will start new at the beginning of each nine weeks grading period.

**Leaving School Grounds Without Permission**

Students are not permitted to leave the school premises without permission (skipping, no sign out, etc.)

**No Touch Policy**

Bath County Middle School has a no touch policy that states that at no time shall a student place his/her hands or feet on another student while on school property or at a function that is supported by the school system.

**Public Display of Affection (PDA)**

PDA includes, but is not limited to, kissing, holding hands, etc. and is not permitted. Refer to the no touch policy.

### **Sexual Harassment**

Sexual harassment is deliberate or repeated verbal comments, gestures, or physical contact of a sexual nature, which is unwelcome to the recipient. It may include:

- A. Unwelcome and deliberate touching, leaning over, cornering or pinching
- B. Unwelcome letters or materials of a sexual nature
- C. Unwelcome pressure for dates
- D. Unwelcome sexual teasing, jokes, remarks or questions
- E. Exhibiting materials of a sexual nature, such as posters, pictures, signs, or text messages.

If someone indicates that a certain behavior is unwelcome, that behavior must cease. If it is unclear to a student whether certain of his or her actions might be perceived as sexual harassment, the student needs to refrain from doing them. Uncertainty is no excuse for conduct, which undermines the educational environment. If any student feels that he or she is being sexually harassed, advise the offending person that the conduct is unwelcome and request that it stop. If the harassment persists, the complaint should be taken to a teacher or the designated person (counselor or principal) to handle sexual harassment allegations.

### **Sexual Misconduct**

Sexual misconduct is when a person(s) engages in any act of sexual activity within the school, school buses, or on school grounds. Refer to the no touch policy.

### **Skiping Class**

Students are not permitted to skip or miss a class or classes.

### **Tampering with Emergency Equipment**

The act of tampering with emergency equipment so as to falsely alert emergency services or school to a non-existent emergency; and/or to tamper with other emergency equipment (i.e. fire extinguisher, dialing 911) will lead to the following consequences.

### **Terroristic Threatening**

Terroristic threatening is when a person:

- A. Threatens to commit any crime likely to result in death or serious physical injury to another pupil, or likely to result in substantial property damage to another pupil or school personnel; or
- B. Intentionally makes false statements for the purpose of causing the evacuation of a building, place of assembly, or facility of public transportation.

### **Theft**

Taking the property of others (teachers, staff, pupils, visitors, etc.) without their consent; possession of stolen property; possession without the owner's permission; selling of school property.

### **Tardies**

Three tardies = one detention/level drop. Students are considered tardy if they are not physically in the classroom when the bell rings (this is a minimum definition). When a student accumulates three tardies, a discipline slip will be issued to the student and reported to the principal or

### **Technology Acceptable Use Policy**

Students and their parents should read the acceptable use policy very carefully. Students who are in violation of this policy will risk losing access to the Internet and/or other technology at school. Severe violations of the acceptable use policy (i.e. gambling, pornography, etc.) will result in disciplinary action beyond loss of privileges.

### **Tobacco**

The possession or use of any tobacco products on school grounds or a school vehicle of transportation is prohibited. The student will drop 4 levels (refer to the Discipline Level Charts). Other alternatives may include:

- counseling
- parent conference
- intervention program
- suspensions, random searches, notification of law enforcement

### **Unauthorized Area**

Being in an unauthorized area (i.e., teacher's lounge, teacher's preparation room, maintenance/custodial areas, mechanical rooms, parking lot, etc.) without legitimate reason or permission is prohibited.

### **Vandalism**

Students damaging school property in any way will be required to clean the equipment or to pay for damages. The law specifically states that parents and students are responsible for material loaned to a student.

### **Weapons (Use and/or Possession)**

#### **"Zero Tolerance" for Weapons**

Students should not have or use any weapon (i.e., guns, knives, brass knuckles, etc.) while on school property. Pocketknives are considered weapons.

#### **Consequences:**

Ten (10) days out of school suspension, court referral, and a request for expulsion. THE LAW ENFORCEMENT WILL BE CALLED ANYTIME REGARDING ANY INCIDENT DEEMED NECESSARY.

## **CORPORAL PUNISHMENT**

### **MAY BE USED IF DEEMED NECESSARY BY THE ADMINISTRATION**

The following is the Bath County Board of Education's policy on corporal punishment:

Due to a necessity to authorize methods of discipline under certain circumstances, the Bath County Board of Education has established corporal punishment as a means of discipline by administrators at the school level in order to give the student an alternative to punishment, which would deprive him/her of attendance in school.

**Definition** – Corporal punishment is defined as, and limited to, punishment administered with an appropriate instrument (a paddle) to the buttocks of a student a maximum of five (5) times. When such corporal punishment is administered to a student, it shall be administered in a reasonable manner, taking into consideration the age, size, emotional condition and health of the student.

**Who Can Administer?** Corporal punishment, as defined herein, shall be administered by the Principal or Assistant Principal only. Such corporal punishment shall be administered in the presence of another member of certified staff.

#### **Application:**

- A. Corporal punishment may be administered to a student in lieu of giving him/her short-term suspension or alternative classroom placement for violation of school regulations (any level I, II or III behavior as described in the District student discipline code handbook).
- B. Prior to administering corporal punishment the Principal / Assistant Principal shall advise the student of the particular misconduct of which he/she is accused as well as the basis for such accusation. The student shall be given an opportunity to explain his/her version of the facts prior to the implementation of corporal punishment.
- C. Official witnesses shall be informed beforehand and again in the student's presence of the reason(s) for the use of corporal punishment.
- D. Corporal punishment shall not be administered in the presence of other students.
- E. A record of each incident of corporal punishment shall be kept which shall include the name of the student, date, details of the behavior violation, name of the person administering punishment, and the witnesses thereto.
- F. The Principal/Assistant Principal shall notify the parents/guardians of the student of the behavior violation and punishment. This notification may be verbal (via phone) or written (copy of the discipline referral).

**Distribution of Policy:** A copy of this resolution and policy shall be distributed to parents and students and shall become a part of the District discipline policy handbook and each school's discipline policy handbook.