

Summary of Changes in CMS Code of Student Conduct

Effective with the 2014/15 School Year

The CMS Code of Student Conduct has been revised for the 2014-2015 school year. The revised publication will be available online and in limited print format. The goals of this year's revision are in keeping with Board policy and efforts across CMS to promote interventions rather than consequences when students violate behavior rules. As provided in Policy JKD, adopted by the Board in 2011, consequences for violating the Code of Student Conduct should be progressive in nature and administrators and teachers are encouraged to use a full range of discipline responses to student misconduct.

1. Section III -Disciplinary Responses (pp. 8-9)

- Adds new information from CMS Policy JKD, emphasizing the appropriate approach to student discipline:
 - Consequences for violating the Code of Student Conduct should be progressive in nature.
 - Administrators and teachers are encouraged to use a full range of discipline responses to student misconduct, such as parental involvement, conferences, isolation or time-out for short periods of time, behavior improvement agreements, instruction in conflict resolution and anger management, peer mediation, individual or small group sessions with the school counselor, academic intervention, in-school suspension (ISS), detention before and/after school or on Saturday, community service, exclusion from graduation ceremonies, exclusion from extra-curricular activities, suspension from bus privileges, and disciplinary placement in an alternative school.
 - The use of out-of-school suspension (OSS) should be reserved as a consequence for student conduct where other documented options either have not been effective or, in the opinion of the principal, will not serve to protect other students and staff at the school or will not preserve an orderly school environment.
 - Also according to Policy JKD: as principals decide what to recommend to the community superintendent as appropriate consequences for the most serious rule violations, they should base their recommendations "upon a review of the nature of the incident and the student's culpability in the incident, degree of danger presented by the student, intent, disciplinary and academic history, potential benefits to the student of alternatives to suspension, and other mitigating or aggravating factors.
 - The principal must also consider and make recommendation as to whether a reassignment to an alternative school program should be a condition of a suspension or a separate disciplinary option.

2. Tier I description: Potential Administrative Responses (p. 9)

- Adds to the list of potential administrative responses:
 - Restorative Justice/Restorative Practices,
 - Service Learning, and
 - Referral to Community Agency

3. Section IV – Code of Conduct(pp. 10 – 20)

- All rules have boxes inserted, either at the end of the rule or within the body of the rule, that define the minimum and maximum consequences for violations.
- NO YELLOW PAGES

- Many of the former Yellow Page rules (## 11 – 33) had exceptions that permitted responses from Tier I and II. The lower level responses have now been incorporated into each rule, where appropriate, so the exceptions are no longer necessary.
 - Many of the consequences also require referrals to Intervention Team (IT) or other interventions before an OSS may be imposed as a consequence.
4. The following rules have had changes in the Code of Student Conduct
- **Rule 1, Attendance**(p. 10)
 - **Rule 7, Insubordination**(p. 12)
 - **Rule 8, Bullying**(p. 12)
 - **Rule 26, Aggressive Physical/Verbal Action**(pp. 16 – 17)
 - **Rule 27, Sexual Behavior** (p. 17)
 - **Rule 28, Alcohol...Drugs** (pp. 17 – 18)
 - **Rule 30, Gang Activity** (p. 19)
 - **Rule 31, Firearms** (p. 20)
5. **Expulsion Procedures** (p. 23)
- Clarification added that the Jessica Lunsford Act applies to student sex offenders convicted of certain sex offenses. (These students are subject to expulsion by the Board.)
6. **Definitions** (p. 25)
- Definitions have been added for:
 - In School Suspension (ISS)
 - Restorative Justice
 - Restorative Practice
 - Service Learning
 - The last three are the new Tier I interventions added on page 9
7. **New Section VII: DPI Crime Definitions** (pp. 26 – 29)
- A new section with the definitions of reportable offenses (serious crimes) has been added to assist school staff in determining when student conduct must be reported as a Reportable Offense (RO) or Persistently Dangerous (PD) offense
8. **Generic Email Address on Disciplinary Reassignment appeal form**(p. 33)
- Student Discipline and Behavior Support (formerly Alternative Education) now has a generic email address for appeals of disciplinary reassignments: BOEdisciplineappeal@cms.k12.nc.us