

# Codes of Conduct Policy Q & A



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## What is a code of conduct?

A code of conduct is a set of principles, expectations, and/or rules that are given to students and parents to make sure that the expectations that the school has for behavior are clearly communicated to them. Schools are responsible for creating safe and structured learning environments that will promote the school's goals for student learning. Codes of conduct can clarify an organization's mission and values. They also indicate how the adults will provide and enforce behavioral expectations.

*"Student codes of conduct are designed to serve both the classroom and the individual. They outline students' rights, ensuring that no student will be penalized or singled out based on anything but a violation of established rules. They also outline students' responsibilities, thus letting individual students know that they need to meet certain standards for their own sake and that of the entire class."*  
(See: <http://education.findlaw.com/student-conduct-and-discipline/student-codes-of-conduct-background.html#sthash.7u1nYgLH.dpuf>).

School administration and teachers should use codes of conduct to guide them in how they should respond to daily situations related to discipline and student affairs. A code is meant to complement the school's standards, policies, and rules, but not substitute for them.

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## What things are included in a school code of conduct?

A school's Code of Conduct may include a wide variety of topics conveying policies to students and parents. They also usually include and reference policies for schools, which are required by state law regulations or state accreditation requirements. As a result codes are in a wide variety of formats.

*“A typical school code of conduct begins with an outline of rights and responsibilities for both the students and the faculty. It then lists different infractions (often categorized at different levels of severity) and prescribes appropriate disciplinary measures. It should also explain the student's right to appeal any disciplinary action.”* (See more at: <http://education.findlaw.com/student-conduct-and-discipline/student-codes-of-conduct-background.html#sthash.7u1nYgLH.dpuf>)

School Administrators and Boards regularly update their codes of conduct to reflect new or changing policies. As a result these are not static documents, but rather reflect the expectations for conduct, the types of behavior problems occurring in schools, as well as the consequences for inappropriate behavior.

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### **What are the differences between a criminal code and school disciplinary rules?**

In *Busch v. Omaha Public Schools* the Nebraska Supreme Court reiterated that the U.S. Supreme Court has stated:

*“given the school’s need to be able to impose disciplinary sanctions for a wide range of unanticipated conduct disruptive of the educational process, the school disciplinary rules need not be as detailed as a criminal code which imposes criminal sanctions.”* (Bethel, 1986, p. 686).

This means every single act that a student could possibly commit does not have to be specifically accounted for in a code of conduct. Nevertheless, it is important to try to identify as clearly as possible the types of behavior that are not acceptable. As a result, codes of conduct often include lists of inappropriate behaviors; even though behavior not specifically on the list may be sanctioned. Doing so is also an effort to make for consistency in application of the code of conduct across schools in a district, and across classrooms in a school.

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### **How and when is a school district’s code of conduct distributed?**

The rules and standards that “form the basis for discipline” must be distributed to each student and their parent at the beginning of each school year and they must be posted in conspicuous places in the schools (Neb. Rev. Stat. §79-262(3), 2008). There is not a requirement that a student and his or her parent must sign a form acknowledging that they received these rules, but schools may do so to provide proof the student had notice of the rules.

Most often district codes of conduct are mailed to all parents and/or sent home to all parents via the students – usually annually. They may also be posted on the school district or individual school websites. Sometimes they are included in a larger “Handbook” which may include other information about the school year such as calendars, and other policies. The distributions of these documents are important in that this is the mechanism of informing parents (and students when appropriate) about the rules and policies of the district.

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**References:**

Busch ex rel. Knave v. Omaha Public School District. 261 Neb. 484. (2001).

[http://leagle.com/decision/20011295623NW2d672\\_11280.xml/BUSCH EX REL. v. OMAHA PUBLIC SCH. DIST.](http://leagle.com/decision/20011295623NW2d672_11280.xml/BUSCH_EX_REL.v.OMAHA_PUBLIC_SCH.DIST.)

Bethel School Dist. No. 403 v. Fraser. 478 U.S. 675. 106 S.Ct. 3159. (1986).

<http://supreme.justia.com/cases/federal/us/478/675/case.html>

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