



Student Code of Conduct

2018-2019

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City Schools of Decatur

Student Discipline and Code of Conduct

Purpose

The City Schools of Decatur Code of Conduct is intended to assist parents, students, teachers and administrators in establishing a safe, positive and productive learning environment. Additionally, the Code of Conduct is intended to assist administrators, teachers and other school personnel who are responsible for administering consequences for disciplinary infractions to act appropriately, equitably and with authority. Each school within the City Schools of Decatur will follow practices reflected in the Code of Conduct, which is progressive in nature and includes student and parent due process procedures. *As a charter system, City Schools of Decatur has been granted a blanket waiver from Title 20; accordingly, references to Title 20 contained in this Code of Conduct are made applicable by adoption of the Title 20 references by the local board.*

Scope of the Code

This Code of Conduct shall apply to all students before, during and after school hours in any school building and on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or to and from school activities; off school property at any school-sponsored or school-approved activity, event, or function; or during any period of time when students are subject to the authority of school personnel; en route to and/or from school, or to or from a school activity, function or event; off school grounds at a bus stop, on a school bus, at a school activity, function, or event.

This code also shall apply to any behavior off school grounds when the behavior of a student could result in the student being criminally charged with a felony and which makes the student's continued presence at school a potential danger to persons or property at the school or which disrupts the educational process (O.C.G.A. §20-2-751.5c).

Student Expectations

Students are expected to demonstrate respect for self and others, demonstrate courtesy to others, behave in a responsible manner, attend class regularly, be prepared for class, take seriously the course of study, dress appropriately, cooperate with school officials, respect other's property, and avoid violation of the student code of conduct. Because students shall be expected to conduct themselves in a manner that is in the best interest of the school system, they shall obey appropriate state and federal statutes, city ordinances, school rules, and reasonable directions and commands from school authorities. Any student violating policies and rules pertaining to conduct shall be subject to disciplinary action, including interrogation, searches, suspension, and expulsion.

Authority of Teachers and Administrators

The decision to charge a student for violation of the Code of Conduct shall be made by the administrators of the school. Teachers, administrators and professional staff shall have the authority to take reasonable measures to maintain the good order of the school and will follow disciplinary practices, which are progressive in nature. Thus, the disciplinary consequences will be correlated to the seriousness of the offense, the student's age and grade level, the effect of the misconduct on the school environment, and statutory requirements, if applicable.

A teacher shall have the authority, consistent with board policy, to manage his/her classroom, discipline students, and refer a student to the principal or designee to maintain discipline in the classroom. Any teacher who has knowledge that a student has exhibited behavior that violates the student code of conduct and repeatedly or substantially interferes with the teacher's ability to communicate effectively with the students in his/her class or with classmates to learn shall file a report of such behavior with the principal or designee.

Each school principal shall fully support the authority of each teacher in his or her school to remove a student from the classroom. The principal and teacher shall thereafter follow the procedures set forth in Georgia law for removing a student from class (O.C.G.A. §20-2-738).

Student Support Process

The school system provides a variety of resources, which are available to every school in order to provide assistance and support to students as well as to help address behavior and academic problems of students. The school discipline process shall include appropriate consideration of support as indicated in the Code of Conduct to help students resolve such problems. Based on identified school-wide and individual student needs, prevention, intervention and follow-up programs are developed in each school by the administrative team using Response to Intervention.

Character Education

All schools will develop a framework for the teaching of character education. Using the framework, instructional staff members at each school shall provide opportunities for student growth in responsibility, independence, and leadership.

Parent, Student, and Staff Involvement

The board of education seeks to promote a positive environment in which there is an awareness, involvement in, and support for the overall school system discipline plan. Recognizing that open channels of communication are essential, the board invites parents, students, and staff to review this plan annually and to offer feedback to their principal. Each school shall be responsible for implementing this policy and its accompanying rules and communicating this information to

students, parents, and staff.

Progressive Discipline Levels

(O.C.G.A. §20-2-735(d))

The following progressive discipline framework is divided into three levels. Each level represents a progression of offenses and consequences. However, repeated offenses within the same level that have been addressed and documented may elevate the consequence to the next level. This system allows for the discretion of administrators to make an appropriate judgment based on occurrence and/or reoccurrence of offenses.

Level I Discipline

Level I discipline offenses are minor acts of misconduct that interfere with the good order of school. If appropriate teacher intervention is unsuccessful, students may be referred to an administrator. A reentry conference with the student, parent/guardian and the principal or designee is required in connection with any out of school suspensions, even if such a conference has previously occurred. Members of the student support team may also be included in the reentry conference, as necessary.

Consequences range from administrative conference to three days out of school suspension. Administrative conferences can include a variety of *strategies for managing behaviors* including logical consequences, time-out, reflection sheets, restorative practices, etc. as deemed appropriate by the principal and/or designee.

Level II Discipline

Level II discipline offenses are intermediate acts of misconduct that interfere with the good order of school. Students shall be referred to the principal or principal's administrative designee. Any misconduct that threatens the health, safety, or wellbeing of others may result in immediate suspension of the student, pending investigation of the allegations. An investigation of an alleged incident will generally be completed within three school days, during which time the student's suspension continues. Behavior support services may be initiated at the principal's or administrative designee's request. Consequences of a Level II disciplinary infraction may be reduced by the principal upon the successful completion of an appropriate program related to the nature of the offense. A re-entry conference with the student, parent/guardian, members of the student support team (as necessary), and the principal or designee is required in connection with all out of school suspensions, even if such a conference has previously occurred.

Consequences may range from three days of in school suspension, out of school suspension or any combination of in school and out of school suspension.

Level III Discipline

Level III discipline offenses are the most serious acts of misconduct. These offenses must be

reported immediately to the principal or principal’s administrative designee and may result in immediate suspension of the student, pending investigation of the allegations. Level III discipline violations may be considered so serious that they will require involvement of outside agencies and/or law enforcement, possibly resulting in criminal penalties. Behavior support services may be initiated at the principal’s or administrative request. Consequences of a Level III disciplinary infraction may be reduced by the principal or administrative designee upon the successful completion of an appropriate program related to the nature of the offense. A re-entry conference with the student, parent/guardian and the principal or designee is required in connection with all out of school suspensions and alternative school placements, even if such a conference has previously occurred. **Consequences for Level III disciplinary offenses may result in long term suspension (i.e., a suspension for more than ten days), alternative school, or expulsion. The allegations will be reviewed through a disciplinary tribunal process involving a hearing officer, tribunal or panel.**

Disciplinary Offenses

Rule 1: Alcohol - unlawful use or possession

The selling, distributing, possessing, using, buying, being impaired by, or under the influence of, alcohol or alcoholic beverages by any student on the campus, at school-sponsored events at or away from the campus, or on the school bus is prohibited.

Students believed to have violated this rule shall be reported by the teacher or other employee to the principal or principal’s administrative designee, and by the latter to the superintendent.

Administrators must report violations of this rule to the State of Georgia – State Code

- | | |
|---------------------------------------------------------------------------------|-----------|
| 01 1a. Possession of alcohol or alcoholic beverages | Level |
| 1b. Use of alcohol or alcoholic beverages | Level III |
| 1c. Being impaired by, or under the influence of alcohol or alcoholic beverages | Level |
| 1d. Selling/buying/distributing alcohol or alcoholic beverages | Level III |
- 1a - 1st offense only: Students who are found to be possessing alcohol or alcoholic beverages but who are not charged with any other major offense and who have not previously or contemporaneously been charged with another alcohol or drug offense will be suspended out of school for 10 days with the option of reducing the suspension if both the student and parents/guardians agree to attend and complete the requirements of an approved alcohol awareness program. The student and parents/guardians shall complete the alcohol awareness program no later than 45 days from the date of the offense. If requirements are not completed as agreed upon between the school, the , the student and the parents/guardians, then the remaining days of the out of school suspension will be resumed.

1b and 1c – 1st offense only: Students who are found to be using, impaired by or under the influence of alcohol or alcoholic beverages and who have not previously or contemporaneously been charged with another drug or alcohol offense will be suspended out of school with the option of

Rule 2: Tobacco

The school system maintains a smoke-free environment. A student may not solicit, possess or use any tobacco, tobacco product or related paraphernalia at school, on the way to or from school, or at a school function on or off campus.

Administrators must report violations to this rule to the State of Georgia – State Code

18 2a. Possession of tobacco, tobacco products	Level
2b. Use of tobacco, tobacco products	Level II
2c. Solicitation of tobacco, tobacco products	Level II
2d. Possession/use/solicitation of tobacco paraphernalia	Level I

Rule 3: Drugs

The selling, possessing, using, buying, soliciting, transmitting, or being impaired by or under the influence of, any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, intoxicant, any other illegal drug (including, but not limited to, cocaine, LSD, glue, and anabolic steroids) or controlled substance, drug paraphernalia or substance represented to be a drug by any student on the campus, at school-sponsored events at or away from the campus, or en route to or from school is prohibited.

The misuse of any medication (prescription or nonprescription) shall also be a violation of this rule, except that the self-administration of asthma/allergy medication or epinephrine in compliance with Georgia law and school rules is permitted.

Students believed to have violated this policy or the law shall be reported by the teacher or other employee to the principal or his designee, and by the latter to the superintendent, who if he or she believes an offense has been committed, should make an oral and written report to the appropriate police authorities and district attorney pursuant to O.C.G.A. § 20-2-1184.

Administrators must report violations to this rule to the State of Georgia – State Code 07

3a. Possession of marijuana (misdemeanor-less than 1 oz.)	Level III
3b. Possession of marijuana (felony-more than 1 oz.)	Level III
3c. Possession/use of any other prohibited drug	Level III
3d. Being impaired by, or under the influence of any drug	Level III
3e. Selling/buying/soliciting/transmitting any drug	Level III
3f. Possession/use/transmission of drug paraphernalia	Level II
3g. Misuse of Medication (Prescription)	Level III

3h. Misuse of Medication (Non-prescription)

Level II

3a – 1st offense only – Students who are found to be possessing, using, misusing, impaired by or under the influence of marijuana, who were not previously or contemporaneously charged with any other major offense or with another alcohol or drug offense will be suspended out of school and go before a disciplinary tribunal . However,

Rule 4: Weapons

Rule 4: Weapons The possession, use, handling, buying, selling, supplying, solicitation, threatening to use or transmitting of any weapon including, but not limited to, a firearm, dangerous weapon or hazardous object, or any other instrument capable of inflicting bodily injury as a weapon, or any replica or facsimile of a weapon or other instrumentality represented to be a weapon at school, in the school safety zone or at a school sponsored or school related event, is a violation of school board policy and the Code of Conduct.

Students may not possess ammunition, bullets, bbs, paint ball pellets, or CO2 (carbon dioxide) cartridges. These items are disruptive to the school and may pose a safety risk.

Any student who is determined to have brought a firearm or dangerous weapon to school, to the school safety zone, or to a school-sponsored or school-related function shall be expelled from school for a period of not less than one calendar year; provided, however, that a hearing officer (or other authority presiding over the case such as a tribunal, panel, administrator, or superintendent) or board of education shall have the authority to modify such expulsion requirement on a case-by case basis.

As used in this rule, the following terms shall have the definitions set forth below:

“Dangerous weapon” shall have the same meaning as set forth in O.C.G.A. § 16-11-121, as amended from time to time. (O.C.G.A. § 16-11-121-rocket launcher, bazooka, recoilless rifle, mortar, hand grenade or similar weapon designed to explode, and as amended)

“Firearm” means a handgun, rifle, shotgun, starter gun or other weapon which will or can be converted to expel a projectile by the action of an explosive or electrical charge.

“Fireworks” shall have the same meaning as set forth in O.C.G.A. § 25-10-1, as amended from time to time.

“Hazardous object” means any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade two or more inches, straight-edge razor, razor blades, spring stick, knuckles, whether made from metal, thermoplastic, wood, or other similar material, blackjack, any bat, club or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nunchuk, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any instrument of like kind, any nonlethal air gun (e.g. airsoft gun,

paint ball gun, bb gun), and any stun gun or Taser as defined in subsection (a) of O.C.G.A. § 16-11-106.

For purposes of this policy, “hazardous object” shall also mean any explosive, incendiary, or poison gas bomb, grenade, rocket, missile, mine or similar device, including fireworks as defined in O.C.G.A. § 25- 10-1, not including sparklers, which are non-explosive or contain negligible amounts of mixture. Such term shall not include any of these instruments used for classroom work authorized by the teacher.

“School Safety Zone” means in or on any real property or building owned by or leased to any school or postsecondary institution.

Students believed to have violated this rule or the law shall be reported by the teacher or other employee to the principal or his or her designee, and by the latter to the superintendents and then to the appropriate police authorities and district attorney pursuant to OCGA § 20-2-1184. Administrator must report violations of this rule to the State of Georgia-State Codes: Handguns-25, Rifles-26, Knife-22, other weapons-23.

All violations of this rule shall constitute Level III offenses except offenses involving a knife having a blade of less than two inches long; ammunition, bullets, bbs, paint ball pellets, or CO2 cartridges; or replicas or facsimiles of weapons or other instrumentalities represented to be a weapon, which shall constitute Level II offenses.

OFFENSES INVOLVING STAFF

Rule 5: Rude and/or Disrespectful Behavior to Teachers, Administrators or Other School Personnel (Including Substitute Teachers, Student Teachers and Aides)

Use of vulgar or profane language or gestures, negative comments, refusal or failure to follow oral or written directives or commands from authorized personnel and belligerent attitudes or actions, are all considered inappropriate student-to-adult behaviors.

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| 5a. | Rude and disrespectful behavior (including gestures or insults) | Level I |
| 5b. | Use of vulgar, profane, obscene or abusive language, including ethnic, racial, sexual, religious or disability-related slurs | Level II |

Administrators must report violations of Rule 5 to the State of Georgia – State Code 33

Rule 6: Assault – Including Threats of Violence or Gestures Directed at Teachers, Administrators or Other School Personnel.

This includes oral or written communications, creation of a document, or making a symbolic gesture or contact of a threatening, undermining, or provoking nature to or about a school employee or in the presence of a school employee. This includes, but is not limited to, the

development of a "hit list", "people to kill", "people to shoot", or a statement about bringing a weapon to school and injuring people.

The prohibited behaviors include, but are not limited to oral threat/verbal assault, written threat, any expression (oral, written, or gesture) which has the effect of undermining the authority of the school employee or distracting staff and/or students from the learning environment, including writings of a threatening or provoking nature or terroristic threats (threatening to commit any crime of violence or to burn or damage property with the purpose of terrorizing another or of causing the evacuation of a building).

- 6a. Individual Threat or intimidation Level II
- 6b. School-wide threat or intimidation Level III

Administrators must report violations of Rule 6 to the State of Georgia – State Code 17.

Rule 7: Battery or Physical Violence Against a Teacher, Administrator or Other School Personnel

Battery against a teacher, administrator or other school employee or official includes both direct and indirect contact with the person of another which is insulting, offensive, provoking or results in any bodily injury. The offense of physical violence against a teacher, administrator, other school official or employee occurs whenever a student intentionally makes physical contact of an insulting or provoking nature with the person of another, or intentionally makes physical contact which causes physical harm to another unless such physical contacts or physical harms were in defense of himself or herself, as provided in (O.C.G.A. §16-3-21). The prohibited behaviors include but are not limited to any actual or attempted behavior that could cause physical injury, unintentional behavior that caused physical injury to employee, or aggravated battery (maliciously causing bodily harm to another by depriving him or her of a member of his or her body, or by rendering a member of his or her body useless, or by seriously disfiguring his or her body or a member thereof).

- 7a. General violation Level II
- 7b. Violations involving direct, intentional conduct Level III

Administrators must report aggravated violations of Rule 7b to the State of Georgia – State Code 27.

Rule 8: Harassment (See also Board Policy JCAC below)

Behavior based on an employee's race, color, religion, sex, national origin, disability, age, marital status, sexual orientation, or gender identity that is unwelcome, unwanted, and/or uninvited by the recipient. In the case of harassment on the basis of sex, marital status, sexual orientation or gender identity, prohibited behavior can be verbal, non-verbal, and/or physical and includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual

nature. In all other cases of prohibited harassment (race, color, religion, national origin, disability or age), conduct in violation of this rule may also be verbal, non-verbal or physical.

- 8a. General violation Level II
- 8b. Physical or sexual harassment Level III

Rule 9: False Reporting

Falsifying, misrepresenting, omitting or erroneously reporting information, whether during school hours or after school hours regarding instances of alleged inappropriate behavior by a teacher, administrator, or other school employee toward a student.

- 9a. Issuing false reports on school staff
Level III Administrators must report violations of Rule 9 to the State of Georgia – State Code 33.

CONDUCT INVOLVING FELLOW STUDENTS

Rule 10: Rude and Disrespectful Behavior Toward Fellow Students

Name-calling, other gross and/or profane language or behavior are considered inappropriate student-to-student behaviors.

- 10a. Rude and disrespectful behavior (including gestures or insults) Level 1
- 10b. Use of vulgar, profane, obscene or abusive language, including ethnic, racial, sexual, religious or disability- related slurs Level II

Rule 11: Sexual Misconduct

A student shall not perform any act of indecent exposure, lewd exposure, gesture or lewd caress or indecent fondling/touching of the student's own body or the body of another person, or any act of sexual intercourse. A student shall not allow another student/person to commit a lewd or indecent act to the body of oneself. A student shall not use any inappropriate gestures that mimic or imply sexual acts or engage in any acts of "streaking" or "mooning" as those terms are commonly understood.

The prohibited behaviors include but are not limited to the following:

- A. Lewd (sexual) exposure (any act of) (This includes "streaking" and "mooning.");
- B. Obscene and/or indecent gestures or gestures that mimic or imply sexual intercourse;
- C. Sexting
- D. Possession of pornographic materials

- E. Lewd caress or indecent fondling/touching of the student's own body;
- F. Lewd caress or indecent fondling/touching of the body of another person;
- G. Sexual intercourse;
- H. Oral sex or any act of sodomy;
- I. Any other act of intimacy;
- J. Allowing another student/person to commit a lewd or indecent act to the body of oneself;
- K. Other Sexual Misconduct (Kissing, etc.)

11a.	General violation	Level I
11b.	Lewd behavior	Level II
11c.	Offenses involving touching of another (F, G, H, I & J)	Level III

Administrators must report violations of Rule 11b and 11c to the State of Georgia – State Code 14 or 16.

Rule 12: Assault of Student – Including the Use of Threats/ Intimidation

A verbal or other threat or attempt to physically harm someone that places that person in fear of physical harm, including threats of violence or gestures directed at other students. This includes oral or written communications, creation of a document, or making a symbolic gesture or contact of a threatening, undermining, or provoking nature to or about another student or in the presence of another student. This includes, but is not limited to, the development of a "hit list", "people to kill", "people to shoot", or a statement about bringing a weapon to school and injuring people.

The prohibited behaviors include, but are not limited to oral threat/verbal assault, written threat, any expression (oral, written, or gesture) which has the effect distracting students from the learning environment, including writings of a threatening or provoking nature or terroristic threats (threatening to commit any crime of violence or to burn or damage property with the purpose of terrorizing another or of causing the evacuation of a building).

12a.	Individual Threat or intimidation	Level II
12b.	School-wide violations	Level III

Administrators must report violations of Rule 12 to the State of Georgia – State Code 17.

Rule 13- Battery of Another Student (Including Fighting)

Actual and intentional (direct or indirect) touching or striking of another person against his or her will in an insulting, offensive or provoking manner, or intentionally causing bodily harm to an individual. In accordance with this Rule, a student shall not cause or attempt to cause physical injury or behave in such a way, as could reasonably cause bodily injury to any student/person. A student shall not engage in any behavior that threatens the safety or well- being of another person or has the likelihood of provoking a fight.

13a.	Violations with the intent toLevel harm resulting in no bodily injury	
13b.	Violations with the intent to harm resulting in mild or moderate bodily injury	Level II
13c.	Violations with the intent to harm resulting in severe bodily harm	Level III
13d.	Repeated violations (3 or more in a school year)	Level III

Administrators must report aggravated violations of Rule 13 to the State of Georgia – State Code 3 or Code 27.

Rule 14- Assault and/or Battery with an Object

An assault or battery made with a weapon or any object, which is likely to or actually does result in bodily harm to another individual whether at school, at any school event, or while the student is going to or from school.

14a. General violation Level III

Administrators must report violations of Rule 14 to the State of Georgia – State Code 3

Rule 15: Bullying

Bullying is prohibited. Bullying is defined as 1) any willful attempt or threat to inflict injury on another person, when accompanied by an apparent present ability to do so; or 2) any intentional display of force such as would give the victim reason to fear or expect immediate bodily harm; or 3) any intentional written, verbal, or physical act, which a reasonable person would perceive as being intended to threaten, harass, or intimidate, that:

- A. Causes another person substantial physical harm within the meaning of O.C.G.A. §16-5-23.1 or visible bodily harm as such term is defined in O.C.G.A. §16-5-23.1;
- B. Has the effect of substantially interfering with a student's education;
- C. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- D. Has the effect of substantially disrupting the orderly operation of the school.

The term applies to acts which occur on school property, on school vehicles, at designated school bus stops, or at school related functions or activities or by use of data or software that is accessed through a computer, computer system, computer network, or other electronic technology of a local school system. The term also applies to acts of cyberbullying which occur through the use of electronic communication, whether or not such electronic act originated on school property or with school equipment, if the electronic communication (1) is directed specifically at students or school personnel, (2) is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school, and (3) creates a reasonable fear of harm to the student's or school personnel's person or property or has a high likelihood of succeeding in that purpose.

Any student in grades six through 12 determined to have committed a third bullying offense in a school year will be placed in an alternative educational program.

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|------|--------------------------------------------------------------------------------|-----------|
| 15a. | General violations | Level II |
| 15b. | Violations that also substantially disrupt the orderly operation of the school | Level III |
| 15c. | Repeated violations (3 or more in a school year) | Level III |

Administrators must report violations of Rule 15 to the State of Georgia – State Code 29

Rule 16: Harassment

Behavior based on a student's race, color, religion, sex, national origin, disability, sexual orientation, or gender identity that is unwelcome, unwanted, and/or uninvited by the recipient. In the case of harassment on the basis of sex, sexual orientation or gender identity, prohibited behavior can verbal, non-verbal and/or physical and includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact (including sexual battery) of a sexual nature. In all other cases of prohibited harassment (race, color, religion, national origin or disability), conduct in violation of this rule may also be verbal, non-verbal or physical.

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| 16a. | General violation | Level II |
| 16b. | Violation involving sexual harassment | Level III |

Administrators must report violations of Rule 16b to the State of Georgia – State Code 15.

Repeated or multiple violations of this rule may result in increasingly severe disciplinary responses.

Rule 17- Hazing

Hazing is defined as subjecting a student to any activity which endangers or is likely to endanger

the physical health of a student or involves ridicule, harassment or bullying in connection with or as a condition or precondition of gaining acceptance, membership, office, or status in a school organization, as defined by §O.C.G.A. 16-5-61. Such subjection is considered hazing regardless of a student's willingness to participate in such activity.

17a. General violations Level II

17b. Violations that also substantially disrupt the orderly
Operation of the school Level III

17c. Repeated instances (3 or more in a school year) Level III

OFFENSES AGAINST GENERAL ORDER

Rule 18: Academic Dishonesty

Acts such as, but not limited to, looking at another person's paper during a testing situation, taking unauthorized notes to a testing situation, plagiarizing another's work, or engaging in or permitting any other unauthorized access of information during a test or other graded assignment are considered cheating and will not be tolerated.

18a. General violation Level I

18b. Plagiarism or cheating on a minor classroom assignment
or project Level

18c. Cheating on College Board, IB, and statewide assessments,
or major project Level III

Administrators must report violations of Rule 18 to the State of Georgia – State Code 32

Rule 19: Dress Code

The dress and grooming of students are significant factors in the successful operation of the educational program. Students are expected to use discretion in grooming in order to ensure a neat appearance at school or school events. The dress of students shall be appropriate for the activities of the school program in which they are participating. Students shall not wear attire, which advertises or refers to use or possession of tobacco, drugs, alcohol, or other illegal substances. They shall not wear attire, which includes profanity, ethnic, racial, sexual, religious slurs, or obscene language, actions or gestures.

19a. General violations Level I

19b. Repeated violations Level II

Administrators must report violations of Rule 19 to the State of Georgia – State Code 31

Rule 20: Electronic Communications Devices & Other Electronic Devices

The use of electronic communication devices (including, but not limited to, cell phones), musical devices or electronic by students may only be allowed at times when specifically instructed by teachers or administrators.

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| 20a. | General violation | Level I |
| 20b. | Repeated violations | Level II |

Rule 21: Forgery

Reproducing, counterfeiting, forging, or mutilating any school record including, but not limited to report cards, deficiency notices, excuses, and hall passes is prohibited.

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|------|-------------------|---------|
| 21a. | General violation | Level I |
|------|-------------------|---------|

Rule 22: Gambling at school or school events

Gambling in any form is prohibited at school or school events.

- | | | |
|------|-------------------|---------|
| 22a. | General violation | Level I |
|------|-------------------|---------|

Rule 23: Chronic Discipline Problem

Willful and persistent violation of the student code of conduct is considered to be a chronic discipline problem. Students who chronically disrupt or repeatedly violate other school rules even after remediation has been attempted, and a behavior contract has been implemented may also be charged with repeated violations of school rules or behavior.

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|------|--------------------|-----------|
| 23a. | General violation | Level II |
| 23b. | Repeated violation | Level III |

Rule 24: General Classroom/School Disruptions

No student shall cause or attempt to cause directly or indirectly disruption or interference with school by any means including but not limited to any of the following behaviors:

- Student behavior that is repetitive or substantially interferes with the teacher’s ability to teach and/or students’ ability to learn
- Urge, encourage, or counsel other students to violate any rules of the Student Code of Conduct.
- Failure to follow directions of staff

- | | | |
|------|-------------------|---------|
| 24a. | General violation | Level I |
|------|-------------------|---------|

Rule 25: Improper Conduct-Interruption and Interference with School

Acts which cause a disruption of the school environment and or threaten the safety or well being of other persons or property, which may include but not be limited to: sit-downs, walk-outs, rioting,

picketing, blocking normal pedestrian or vehicular traffic, inciting disturbances, threats, bomb threats, pranks, violence, distribution of unauthorized materials, possession of pornography (including in an electronic format), setting fires, igniting explosives, delaying or restricting educational activity or creating distracting noises. In addition, encouraging, counseling, advising or inciting other students to participate in any of the above (or any other act prohibited in this Code) is also prohibited.

25a.	General violation	Level II
25b.	Disruptions to the school/disorderly conduct	Level III
25c.	Moderate disturbance; three or more minor disturbances in same school year	Level II
25d.	Severe disruption; three or more moderate disturbances in same school year	Level III

Administrators must report violations to Rule 25 to the State of Georgia – State Code 06

Rule 26: Safety at School

While on school grounds no student shall engage in behavior that can potentially endanger themselves or others. These behaviors include but are not limited to the following:

- Not following directions of a City Schools of Decatur staff member
- Trespassing on areas of the school campus that have been designated as off limits to students

26a.	General violation	Level I
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Rule 27: Attendance Related

Failure to comply with compulsory attendance (O.C.G.A. §20-2-690.1). This offense also includes the following: tardy to class, tardy to school, AWOL from class, AWOL from school and unexcused absence from school.

27a.	Unexcused Tardies	Level I
27b.	AWOL from class	Level I
27c.	AWOL from school	Level I

Administrators must report violations to Rule 27 to the State of Georgia – State Code 30

Rule 29 : Violation of Internet Safety Policy, Acceptable Use Agreement or Bring Your own Learning Device Terms of Use

29a. General violation

29. Violations involving entry, access or alteration of

school or official teacher records Level III Administrators must report violations of

Rule 2 to the State of Georgia – State Code 05

Rule 30 : Gang Activity

A student shall not disrupt the good order of the school or the educational opportunity for any other student by holding him or herself out as a member of a criminal street gang as defined by O.C.G.A.

§ 16-15-3(2) by means of the student's mode of dress, jewelry or tattoos; means and method of communication including but not limited to the use of hand signs, vandalism and graffiti; the possession or publication of gang writings or symbols; or other acts of intimidation, threatening or violent behavior.

This rule also prohibits criminal gang-related activity as defined by (O.C.G.A. §16-15-3 and §16-15-4) including but not limited to:

Conduct or participation in a criminal street gang through criminal gang activity as defined by (O.C.G.A. §16-15-3 and §16-15-4);

Acquire or maintain, directly or indirectly, through criminal gang activity or proceeds derived there from any interest in or control of any real or personal property of any nature, including money;

Engage in, directly or indirectly, or conspire to engage in criminal gang activity while acting as an organizer, supervisor or other position of management with regard to a criminal street gang;

Cause, encourage, solicit, or coerce another to participate in a criminal street gang; Communicate, directly or indirectly, to another person any threat of injury or damage to the person or property of the other person or to any associate or relative of the other person with the intent to deter such person from assisting a member or associate of a criminal street gang to withdraw from such criminal street gang;

Communicate, directly or indirectly, to another person any threat of injury or damage to the person or property of the other person or to any associate or relative of the person with the intent to punish or retaliate against such person for having withdrawn from a criminal street gang;

While employed by or associated with a criminal street gang commit any offense enumerated in (O.C.G.A. §16-15-3) with knowledge that members of such criminal street gang have committed one or more of such offences; and

Commit any offense enumerated in (O.C.G.A. §16-15-3) with the intent to maintain or increase his or her status or position in a criminal street gang.

- a. Wearing or possession of gang related apparel;
conveying personal membership or affiliation with a gang. Level II 30b.
Gang-related solicitation, violence, threats, defacement of
property. Level III

Administrators must report violations of Rule 30 to the State of Georgia – State Code 35

Rule 31: Rude and Disrespectful Behavior Toward Other Persons Attending School Functions, Events or Activities.

Use of vulgar or profane language or gestures, negative comments (including ethnic, racial, sexual or religious slurs), refusal to follow directives or commands from authorized personnel, belligerent attitudes or actions and/or intentionally providing misinformation are considered inappropriate student-to-adult behaviors.

- 31a. General Violation Level II

- 31b. Severe behavior that disrupts the normal school function,
event, or activities. Level III

Administrators must report violations of Rule 31 to the State of Georgia – State Code 33

Rule 32: Off Campus Misconduct

Any off-campus behavior of a student, which could result in the student being criminally charged with a felony and which makes student’s continued presence at school a potential danger to persons or property at the school or which disrupts the educational process.

- 32a. General violation Level III

OFFENSES INVOLVING PROPERTY

Rule 33: Trespassing

Unauthorized presence (including loitering) on any school campus, event or activity is prohibited.

- 33a. General violation Level I

- 33b. Entering or remaining on a public school campus or
school board facility without authorization or
invitation

and with no lawful purpose for entry.

Level II

33c. Violation of this policy three or more times during the same school year.

Level III

Administrators must report violations of Rule 33b and 33c to the State of Georgia – State Code 19

Rule 34 : Theft involving Public or Private Property

Theft and/or attempted theft; extortion; or unauthorized possession, use, sale or distribution of unauthorized public or private property located on school premises, at a school function, on property used by the school, at any school event held away from school, or while the student is on his/her way from school is prohibited. This offense applies whether the property involved is school property, private property, personal property of school personnel, and/or other students or persons attending school functions, activities or events.

. General violation

Level II

. Level three may be used for students who violate this

provision more than three times in a school year and/or

violation resulting in property loss exceeding \$250.

Level III

Administrators must report violations of arson to the State of Georgia – State Code 11.

Rule 35: Vandalism/Damage involving Public or Private Property

The willful and/or malicious destruction, damage, defacement of public or private property, real or personal, located on school premises, at a school function, on property used by the school, at any school event held away from school is prohibited. This offense applies whether the property involved is school property, private property, personal property of school personnel, and/or other students or persons attending school functions, activities or events.

. Minor damage or defacement of property

Level II

Malicious destruction or damage to property; three or more

offenses in the same school year

Level III

Administrators must report violations of vandalism to the State of Georgia – State Code 20.

Punishment for violation of this rule may include restitution as determined appropriate by the administrator, tribunal or hearing officer.

Rule 36: Breaking & Entering – Burglary

Unlawful entry into a building or other structure with the intent to commit a crime. This applies to

school buildings, other structures, vehicles, or activities related to a school function.

36a. Any incident involving breaking and entering/burglary Level III

Administrators must report violations of Rule 35 to the State of Georgia – State Code 4.

School Bus Transportation

Student behavior, while riding a school bus, is expected to be the same as while in the classroom. Good student behavior is also required on the way to and from, and at the bus stop as well as on the bus. Student behavior on a school bus requires students, parents, bus drivers, staff, and school administrators to work together. The Transportation Plan is designed to protect the safety of students while riding on a school bus. A disciplined bus is a safe bus. Violation of any school bus state law, school bus board policy, or school bus safety rule can result in loss of school bus transportation for a student.

Authority of School Bus Driver

A school bus driver shall have the authority, consistent with board policy, to manage his/her school bus and refer a student to the principal or designee to maintain discipline on the school bus or bus stop. Any school bus driver who has knowledge that student has exhibited behavior which violates the student code of conduct and repeatedly or substantially interferes with the school bus driver's ability to transport students safely and communicate effectively with the students on his/her school bus or bus stop shall file a report (T-Plan) of such behavior with the principal or designee.

Bus Misconduct

All bus misconduct will be coded as one or more of the aforementioned offenses.

The Transportation Plan

All students will be advised of the school bus safety rules and assigned a seat by the school bus driver. The driver will use the following steps to manage disorderly student behavior on the bus:

(1) speak privately to the student, (2) contact parent, (3) then issue bus disciplinary referral for the student to an appropriate administrator and provide the school administrator with the original and complete documentation of the previous steps.

School Bus Safety Rules

1. Students will follow the direction of the driver at all times.
2. Students should be at the bus stop five minutes before the bus arrives, waiting in a safe place clear of traffic and 12 feet away from the road at their assigned stop.
3. Students will wait in an orderly line and avoid playing at the bus stop and at school.
4. Students will cross the roadway in front of the bus after the bus has stopped, they have

- looked at the driver for a hand signal, and they have looked in both directions for traffic, left, right, left (O.C.G.A. §40-6-165).
5. Students will signal the driver with a waving motion if something is dropped and wait for the driver to give a signal before picking up object.
 6. Students will go directly to an available or assigned seat when entering the bus. Keep aisles and exits clear.
 7. Students will remain properly seated, back against the back of the seat, bottom against bottom of the seat, and hands to themselves.
 8. Students will not eat, drink, chew gum, or bring animals (dead or alive), tobacco, glass items, nuisance items, alcohol, drugs, weapons, lighters, or prohibited electronic devices on a school bus. No mirrors, lasers, flash cameras, or any other lights or reflective devices may be used to interfere with the school bus driver's operation of the school bus. Electronic devices such as, but not limited to, cellular phones, pagers, audible radios, tapes or compact discs without headphones, or any other device that might interfere with the school bus communications equipment or the school bus driver's operation of the bus are prohibited (O.C.G.A. §20-2-751.5).
 9. Students may only carry items that will fit in their laps. Clothing items that can get caught in the handrail or door are not permitted, including items, which hang from book bags or clothing.
 10. Students will refrain from using loud voices, profanity, and/or obscene gestures, and will respect the rights and safety of others.
 11. Students will not extend head, arms, or objects from the bus windows or doors.
 12. Students will remain totally silent at railroad crossings (O.C.G.A. §40-6-142). Students will also be on their best behavior during any real or practice emergency situations.
 13. Students will remain seated until time to get off the bus.
 14. Students must provide a written note, signed by a parent/guardian and school administrator or designee giving permission to ride a different bus or get on or off the bus at a different bus stop. A written note is good for up to five days.
 15. Students that do not ride for more than five consecutive days can be removed from the route.
 16. Students will help keep their bus clean and in good, safe condition.
 17. Bullying is prohibited (O.C.G.A. §20-2-751.4)
 18. Students should not vandalize the inside or outside of any school bus.

Transfer Location Procedures

The rules listed below should be observed by all drivers, parents, administrators, and students to ensure that students are delivered to and from school safely and on time.

1. Students are not allowed to unload or load a school bus without permission from a school official or police.
2. Drivers should remain at their buses and are responsible for the general supervision of students. If an emergency requires a driver to leave his/her bus, a school official or another driver should be asked to watch the students whenever possible.
3. During the exchange period, each driver should stand at the bus door in a position to observe students disembarking, those in the transfer area, and those boarding the bus. No students should be allowed outside the transfer area.
4. Once the exchange is completed, each driver should check the area for students and staff who remain outside. Buses should not be moved until all students are loaded and every door is closed.
5. If a bus is delayed or has mechanical problems, an alternate plan will be implemented. Drivers may be asked to transport students to schools or bus stops that are not a part of their regular route, and all drivers/ staff are expected to cooperate with the emergency plan.
6. A bus cannot stop for late students after the doors of the buses are closed. Parents are not allowed to remove students from a bus at the transfer point or drop off students at the transfer point.
7. A school official will be on duty to supervise the activity at the transfer point.

On the School Bus

Any inappropriate behavior on a school bus - walking around, talking back to the bus driver, causing conflicts with other passengers, eating or drinking, playing loud music, disobeying direct instructions from the driver, or behaving in any fashion deemed hazardous to passengers by the driver - is prohibited.

Students shall be prohibited from acts of physical violence as defined by O.C.G.A. §20-2-751.6, bullying as defined by subsection (a) of O.C.G.A. §20-3-751.4, physical assault or battery of other persons on the school bus, verbal assault of other persons on the school bus, disrespectful conduct toward the school bus driver or other persons on the school bus, and other unruly behavior. Physical violence means (1) intentionally making physical contact of an insulting or provoking nature with the person of another or (2) intentionally making physical contact which causes physical harm to another unless such physical contacts or physical harms were in defense of himself or herself, as provided in O.C.G.A. §16-3-21.

Students shall be prohibited from using any electronic devices during the operation of a school bus,

including but not limited to cell phones, pagers, audible radios, tape or compact disc players without headphones, or any other electronic device in a manner that might interfere with the school bus communications equipment or the school bus driver's operation of the school bus. Students shall be prohibited from using mirrors, lasers, flash cameras, or any other lights or reflective devices in a manner that might interfere with the school bus driver's operation of the school bus.

If a student is found to have engaged in physical acts of violence as defined by O.C.G.A. §20-2-751.6, the student shall be subject to the penalties set forth in such code section (described later in rule). If a student is found to have engaged in bullying as defined by subsection (a) of O.C.G.A. §20-3-751.4 or in physical assault or battery of another person on the school bus, a meeting of the parent/guardian of the student and appropriate school system personnel shall be held to form a school bus behavior contract for the student. Such contract shall provide for progressive age-appropriate discipline, penalties, and restrictions for student misconduct on the bus. Contract provisions may include but shall not be limited to assigned seating, ongoing parental involvement, and suspension from riding the bus (These provisions regarding use of the behavior contract are not to be construed to limit the instances that may require use of a student bus behavior contract).

The board shall appoint a hearing officer, tribunal or panel to hold a disciplinary hearing pursuant to O.C.G.A. §20-2-754 regarding an alleged act of physical violence against a teacher, school bus driver, or other school official or employee. Any student alleged to have committed an act of physical violence shall be suspended pending the hearing by the hearing officer, tribunal or panel. The decision of the disciplinary hearing officer, tribunal or panel may be appealed to the Local Board pursuant to O.C.G.A. §20-2-754. The local board may follow the recommendations of the hearing officer, tribunal or panel or impose penalties not recommended by the hearing officer, tribunal or panel.

A student found by a hearing officer, tribunal or panel to have committed an act of physical violence as defined in O.C.G.A. §20-2-751.6(a)(2) against a teacher, school bus driver, school official, or school employee shall be expelled from the school system. The expulsion shall be for the remainder of the student's eligibility to attend public school pursuant to O.C.G.A. §20-2-150. The local board at its discretion may permit the student to attend an alternative education program, if available, for the period of the student's expulsion. If the student who commits an act of physical violence is in kindergarten through grade eight, then the board at its discretion and on the recommendation of the hearing officer, tribunal or panel may permit such a student to re enroll in the regular public school program for grades nine through twelve. If the local board does not have an alternative education program available for students in kindergarten through grade six, the board at its discretion may permit a student in kindergarten through grade six who has committed an act of physical violence as defined in paragraph (2) of subsection (a) of O.C.G.A. §20-2-751.6 to re enroll in the public school system.

Any student who is found by a hearing officer, tribunal or panel to have committed an act of

physical violence against a teacher, school bus driver, school official, or school employee as defined in paragraph (2) of subsection (a) of O.C.G.A. §20-2-751.6 shall be referred to juvenile court with a request for a petition alleging delinquent behavior.

Any student who is found by a hearing officer, tribunal or panel to have committed an act of physical violence as defined in paragraph (1) of subsection (a) of O.C.G.A. §20-2-751.6 against a teacher, school bus driver, school official, or school employee may be disciplined by expulsion, long-term suspension, or short-term suspension.

Consequence may result in conference, suspension or loss of transportation privileges.

Positive Behavioral Supports

School level teams review discipline data for all students. Students are identified for further data collection on the antecedents and consequences of specific behaviors through the Response to Intervention (RTI) process.

Pupil Support Services staff members are available to each school and include health services, social worker, counselors, psychologists, and behavior specialist. These staff members assist in developing and implementing individual and school-wide programs.

Response to Intervention (RtI) teams are active in each school and offer consultation and assistance to staff and parents in developing behavioral support and interventions for individual students who continue to exhibit difficulties. The RTI team will define specific behavior to monitor and conduct functional behavior assessments in order to develop behavior intervention plans (BIP) for students.

Special Education and Gifted Services are available to students who meet eligibility criteria through the Exceptional Student Services Programs.

School based support programs may include counseling groups, student mediation training, peer mentoring, adult mentoring, anger management, conflict resolution activities, truancy/substance abuse/drop-out prevention activities, and crisis intervention.

Students with Disabilities

School system rules and disciplinary consequences that apply to students without disabilities also apply to students with disabilities, including those who are being served under an Individualized Education Plan (IEP) or a 504 Plan. However, application of these rules of conduct and disciplinary consequences for students with disabilities is governed by the provisions of the Individuals with Disabilities Education Act (IDEA, rev. 2004); Section 504 of the Rehabilitation Act; applicable court decisions; state board rules, and local school board policies and procedures. These laws and policies provide procedural protection for students with disabilities to ensure that they continue to receive a free and appropriate public education while ensuring that school

systems can maintain a safe and positive learning environment for all students and staff. The Code of Conduct applies unless the IEP provides that it does not apply.

Behavior Intervention Plan

A student with disabilities whose conduct is problematic may have a Behavior Intervention Plan (BIP) that identifies and addresses specific problem behaviors and describes the interventions planned to address these behaviors in the classroom. The plan also describes the antecedent strategies, alternative behaviors, and possible consequences for unacceptable behaviors. If the BIP is part of an IEP or a 504 Plan, it will be developed at an IEP meeting or an SST/504 meeting and must be agreed upon by the team. A BIP may provide that a student with a disability be subject to the same consequences as a student without a disability.

Suspension/Alternative Placement

If a student with a disability violates the City Schools of Decatur Code of Conduct, the student can be removed from the class or school for up to a 10-day period (to the extent that this consequence would be applied to students without disabilities). Removal from the class or school for up to a 10-day period during a school year does not constitute a change in placement for a student with an IEP.

IDEA does not prohibit a school district from reporting a crime committed by a student with a disability to appropriate authorities.

In School Suspension (ISS)

ISS counts toward the 10 day period when students with disabilities do not have access to the general curriculum and to progress toward the goals in the IEP in ISS. If students with disabilities have access to the general curriculum and progress toward IEP goals in ISS, it does not count toward the 10 day period that constitutes a change in placement.

Disciplinary Actions beyond 10 Days

When a student is removed for more than 10 school days the IEP team must determine appropriate services that allow the student to continue to participate in general education curriculum and progress toward meeting the goals outlined in the student's IEP. Parents must be notified immediately of disciplinary actions beyond 10 days and provided with procedural safeguards.

Manifestation Determination Review

A Manifestation Determination Review considers whether or not there is a relationship between the student's disability and the behavior subject to the disciplinary action. A manifestation determination review must be held when a student with a disability engages in a behavior that could result in suspension or placement in an alternate educational program for more than 10 days total during a school year. Suspension(s) and/or alternative placement(s) totaling more than 10 days in a school year constitute a change of placement; consequently, due process procedures apply. This meeting must be held as soon as possible, but no later than 10 days after a

determination has been made that a change of placement may occur.

Manifestation Review Team

The manifestation review is to be conducted by the IEP team and other qualified personnel. If the team determines that the behavior of the student with a disability was not a manifestation of the student's disability, the relevant disciplinary procedure applicable to students without disabilities may be applied. If the conduct is found to be related to and/or caused by the disability, the committee must review the IEP goals, FBA (if appropriate), BIP, and the placement considerations, and make a determination whether or not changes need to be made to the IEP.

Manifestation Determination

If the student behavior is not determined to be a manifestation of the student's disability, the same disciplinary actions can be imposed on the student with a disability as those imposed on any student. If these actions include expulsion, the IEP team must determine how the student will continue to receive educational services that allow the student to continue to participate in the general education curriculum and progress toward meeting the goals in the IEP. If the behavior is determined to be a manifestation of the student's disability, the IEP team determines the appropriate disciplinary actions.

Parents may challenge manifestation determination or any decision regarding placement with a right to have an expedited due process hearing. Parents can initiate the appeal process by checking the appropriate box on the manifestation form.

Alternative Educational Setting

The school is permitted to remove a student with a disability to an alternative educational setting for up to 45 days for behaviors involving weapons, drugs, or serious bodily injury even if the behavior is a manifestation of the disability. The alternative educational setting should be determined by the IEP team and selected in order to provide services and modifications that will enable the student to continue to participate in the general curriculum, to meet the goals in the IEP, and to address the student's problem behavior.

Students with disabilities may be assigned to a system wide in-school suspension program (ISS). However, a special education teacher certified in the student's primary disability area should provide service for the student during the ISS period.

Behavior Support Programs

Pupil Support Services staff members are available to each school and include health services, social worker, counselors, psychologists, and behavior specialist. These staff members assist in developing and implementing individual and school-wide programs.

Response to Intervention (RtI) teams are active in each school and offer consultation and assistance to staff and parents in developing behavioral support and interventions for individual students who continue to exhibit difficulties.

Special Education and Gifted Services are available to students who meet eligibility criteria through the Exceptional Student Services Programs.

School based support programs may include counseling groups, student mediation training, peer mentoring, adult mentoring, anger management, conflict resolution activities, truancy/substance abuse/drop-out prevention activities, and crisis intervention.

Glossary

Disciplinary Offenses

AWOL – unauthorized absence from class, school, activity, or event.

Aggravating Circumstances – the facts and circumstances surrounding the particular incident, and/or the student’s behavioral history.

Arson – intentionally starting or attempting to start any fire or combustion.

Assault – a verbal or other threat or an attempt to physically harm someone that reasonably places that person in fear of physical harm.

Battery – Actual and intentional (direct or indirect) touching or striking of another person against his or her will in an insulting, offensive or provoking manner; or, intentionally causing bodily harm to an individual.

Bomb/Explosive – any device containing combustible materials and a fuse.

Bullying – Any willful attempt or threat to inflict injury on person, when accompanied by an apparent present ability to do so; or any intentional display of force such as would give the victim reason to fear or expect immediate bodily harm, or any intentional written, verbal, or physical act, which a reasonable person would perceive as being intended to threaten, harass, or intimidate, that:

(A) Causes another person substantial physical harm within the meaning of Code Section 16-5-23.1 or visible bodily harm as such term is defined in Code Section 16-5-23.1; (B) Has the effect of substantially interfering with a student's education; (C) Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or (D) Has the effect of substantially disrupting the orderly operation of the school.

Burglary – unauthorized entry into a school district building with the intent of committing an unauthorized act or theft therein when the building or location within the building is closed to the students [See also Theft].

Chronic Disciplinary Problem – a student who exhibits a pattern of behavior which interferes with the learning process of other students and which is likely to reoccur. Students who

chronically

disrupt or repeatedly violate other school rules may be referred to a Disciplinary Hearing (O.C.G.A. §20-2-764).

Chronic Lack of Supplies – repeatedly reporting to class without necessary materials such as books, physical education attire, supplies, etc.

Disobedience/Insubordination – failure of a student to comply with a reasonable direction or instruction by staff.

Disorderly Conduct – behaving in a violent or otherwise inappropriate manner that disrupts the educational process, activity, or event.

Disrespect – responding in a rude and impertinent manner to staff.

Disruption – behaving in a manner, which interferes with educational activities or school-related activities.

Drug– Any illegal drug or controlled substance including, but not limited to, marijuana, amphetamines, barbiturate, narcotics, depressants, hallucinogenic, intoxicants, inhalants or other stimulant drugs. For purposes of this rule, the term drug also includes a prescription or non-prescription drug used outside the authorization of a prescription or the school’s medication policy, or any substance represented or believed to be a drug, regardless of its actual content. See also Board Policy JCDAC.

Drug Paraphernalia – Drug paraphernalia includes, but is not limited to, water pipes, rolling papers, clips or any other items related to illegal or unauthorized drug use.

Electronic Communication Devices – possession or use of electronic communication or entertainment devices by students at school or school events.

Extortion – use of threats or intimidation to demand money or something of value from another (no weapon).

False Alarm – reporting a fire, bomb, or other threat to public or school safety to school or other officials or setting off a fire alarm without a reasonable belief that a fire exists.

Fighting – serious mutual physical contact such as pushing, shoving, hitting, kicking, hair pulling, or hitting with or without an object, with or without injury. This offense includes posturing or threatening to engage in any of the above.

Gambling – playing any game of skill or chance for money or anything of value.

Harassment - Behavior based on a student's race, color, religion, sex, national origin, disability, age, marital status, sexual orientation, or gender identity that is unwelcome, unwanted, and/or uninvited by the recipient. It can be verbal, non-verbal, and/or physical and includes, without limitation, unwelcome sexual advances, requests for sexual favors, and other verbal or physical

contact of a sexual nature.

Inappropriate Dress – dressing in a manner that disrupts the teaching and learning of others or in violation of the school’s dress code.

Inappropriate Personal Property – possession of personal property that is prohibited by the school rules, such as food, beverages, and electronic equipment.

Loitering/Trespassing – entering any school property or school facility without proper authority (includes student entry during a period of suspension or expulsion), or the refusal to leave when directed to do so by school personnel.

Possession - A person is deemed to be in possession when the item in question is found on the person while at school or at any school event, on or off campus; while the individual is en route to or from school; or if the item is found in the individual's locker, back pack, vehicle, or with his/her other personal belongings. Please note that the concept of possession includes circumstances where a person has knowledge of an item plus the ability to control the item.

Profanity/Vulgarity – writings, speech, gestures or materials that convey an offensive, pornographic, obscene, or sexually suggestive message.

Public Display of Affection – physical demonstration of affection for another person while in view of others, including kissing, hugging, holding hands, etc.

Robbery – taking property from a person by force or violence or threat of aggression.

Sexual Assault/Offenses – intentional sexual contact in a harmful or offensive manner. **Tardiness** – failure to be in assigned place at the assigned time without a valid excuse.

Theft/Larceny – unlawful taking and carrying away of property belonging to another person with the intent to deprive the lawful owner of its use [See Burglary].

Threats/Intimidation – the use or threatened use of force or violence to coerce or intimidate.

Tobacco products – includes tobacco, tobacco products including but not limited to dip, snuff, cigars, etc., as well as paraphernalia including, but not limited to, lighters, matches & rolling papers.

Truancy – staying out of school without permission or valid excuse.

Vandalism/Graffiti – willful or malicious destruction, defacement or marking of public or private personal or real property before, during or after school hours.

Verbal Abuse – purposefully disturbing or threatening by words or actions with the intent to pester or torment another person.

Weapon – unless otherwise defined in a specific provision of this code of conduct, an article or implement that can cause bodily harm, including firearms, guns, knives, razors, clubs, and nunchaku, or any other object intended to be used to inflict bodily harm, including (but not limited to) those as identified as such in Board Policy JCDAE below.

Descriptions of Disciplinary Consequences

Alternative School – a school that provides an educational placement for academic instruction and behavior support away from a student’s local school. Placement at an alternative school may occur following a serious disciplinary offence or repeated offences by a student and is one possible outcome of a disciplinary hearing. The student may not return to the local school or participate in any extra-curricular activities while attending an alternative school.

Bus Suspension – suspension from the bus by the local school administrator for a specified period of time.

Behavior Intervention Plan (BIP) – a plan developed to address specific target behaviors. This plan utilizes information from a functional assessment of behavior to outline behavioral interventions that address the function of the behavior.

Conference – a meeting attended by a teacher and/or administrator and a student and/or parent or guardian.

Closed Campus – indicates that a student cannot leave campus during school hours.

Deficiency Notice – a notice sent to parent/guardian by teacher/administrator about student behavior or actions in need of attention.

Detention – required work/study session outside of regular school hours. The student must make arrangements for transportation.

Expulsion – a student is removed from all school property and activities for a specified period of time by action of the school board or its designated tribunal or hearing officer with permanent expulsion as an option.

Functional Behavioral Assessment (FBA): An assessment that includes defining specific behaviors, collecting data on the antecedents and consequences of those behaviors to hypothesize the function of the behavior. An FBA occurs prior to developing behavioral intervention plan (BIP). The FBA guides the development of a BIP.

Hearing – a formal proceeding held to review charges against a student due to serious or chronic misbehaviors. A hearing may be conducted by a tribunal, a hearing officer, or the board of education. Resulting action can be long-term suspension, alternative school placement, or expulsion.

Hearing Officer – an official who conducts a disciplinary hearing for a student charged with a serious offence or repeated offences. A hearing officer must be trained and impartial, with no prior knowledge of the discipline offense or event.

Make Up Work Missed During a Suspension – suspended students are required to make up all work missed during a period of suspension. Work must be completed within an agreed on time determined by the students’ teachers and administrators. All work not made up within this time period will be assigned a grade of zero. Work missed because a student does not return to school on the date allowed by the suspension may not be made up.

Manifestation Determination Review – a meeting to consider whether or not there is a relationship between a student’s known disability and an offense subject to disciplinary action that may involve a hearing or an alternate placement for more than 10 days. This additional protection applies to students with an IEP, a 504 Plan, or a student with a disability known to the school before the behavior incident. The review is conducted by the IEP committee, the 504 committee, or a group of teachers and administrators who are knowledgeable about the student in question.

Parent Conference – a meeting between parent/guardian and teacher/administrator.

Probation – a trial period during which a student who violated school rules is subject to further disciplinary action should additional violations occur. Probation may be imposed by the local school administrator, the board of education, or a tribunal, or a hearing officer. Violation of probation is prohibited.

Restitution – a requirement that a student replaces or pays for damaged or missing school property or personal items.

Suspension/In-School – suspension in an area in the school, isolated from all regular school activities and students; assignments furnished and graded by the student's teachers; student supervised by an in-school suspension teacher; both short-term and long-term suspensions can be assigned to ISS; long-term suspension in ISS can be assigned by an administrator, tribunal, or hearing officer; a student may return to regular classes following ISS if a satisfactory conference is held with administrator, parent/guardian, and student.

Suspension/Out of School (Short-Term) – student may not return to school, any school campus, or any school event for a specific number of days; may not exceed ten school days; student may return to school following the short term suspension provided a satisfactory conference is held with the administrator, parent/guardian, and student; report filed in permanent record.

Suspension/Long-Term – student may not return to school, to any school campus, or to any school event for a period of more than ten days; any suspension of more than ten days must be by action of designated tribunal or hearing officer; A conference with administrator, parent/guardian, and student required before student can return to school.

Board Policies

Policy JCAB: Interrogations and Searches (Amended 8/06)

The principal of each school in the school system, or his/her authorized representative, possesses

the authority to conduct reasonable interrogations of students in order to investigate and to punish student misconduct.

Nugent v. Shepherd, 318 F. Supp. 314 (1970).

Searches

The school system endeavors to provide a safe and secure environment for all students. Toward that end, the board of education authorizes reasonable searches of students by authorized school officials. A search of a student shall be justified “when there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.” *New Jersey v. T.L.O.*, 469 U.S. 325 (1985). The following non-exhaustive list shall serve as examples only of those circumstances that may constitute reasonable grounds for suspecting that a search will turn up evidence:

A school official or other employee observes a student to be in possession of drugs, illegal or stolen property, or other prohibited items.

A school official or other employee observes a student acting strangely or in such an unusual manner as to suggest the likelihood of the possession of drugs, illegal or stolen property, or other prohibited items.

A reliable source reports to school officials any of the circumstances mentioned above.

Searches shall be conducted in a manner that ensures that students are not arbitrarily stripped of personal privacy. Searches of a student’s person shall be made in private with a witness present.

The principal of each school in the school system, or his/her authorized representative, possesses the authority to conduct an inspection or search of students' school lockers, desks, automobiles that

are located on school grounds or articles carried upon their persons. Such a search shall be based on a reasonable suspicion of the presence of illegal, stolen or other prohibited items. Examples of prohibited items shall include, but are not limited to, firearms, water gun, drugs, alcohol, tobacco, handgun, knives, razor, other dangerous weapons, or any other articles prohibited on school premises by law or school policy.

Principals of each school where lockers or desks are issued to students shall ensure that, at the time lockers or desks are made available to students, it is clearly specified in writing that lockers and desks are subject to inspection and search by school officials. Each school shall maintain duplicate keys or records of all locker combinations and avoid any practices, which lead students to believe that lockers or desks are under their exclusive control.

In the event a search of a student's person, his/her personal possessions, or his/her locker or desk reveals that the student has violated or is violating the law or is concealing material whose possession is prohibited by federal, state, or local law, local law enforcement authorities shall be notified in order to take appropriate action.

Policy JCAC: Harassment (Amended 1/07)

The board of education prohibits sexual, racial and other harassment of all employees and students at all times and during all occasions while at school, in the workplace, or at any school event or activity. Any act of harassment of students or employees by other students or employees based on race, color, religion, sex, national origin, disability, age, marital status, sexual orientation, or gender identity shall result in prompt and appropriate discipline, including but not limited to termination of offending employees or suspension or expulsion of students guilty of harassment.

Harassment includes, but is not necessarily limited to, conduct or speech which entails unwelcome sexual advances, requests for sexual favors, taunts, threats, comments of a vulgar or demeaning nature, or demands which are intimidating or create a hostile environment for a student or employee, as well as physical contact. There may be other speech or conduct that employees or students experience as illegal harassment that should be reported also; harassment can take many forms and it is not possible to itemize every aspect of the harassment forbidden by this policy. The superintendent shall designate equity coordinators to handle inquiries and/or complaints related to this policy.

If a student or employee believes he or she is being subjected to harassment forbidden by this policy, the student or employee should promptly report the offense to the appropriate coordinator designated by the superintendent. If a student or employee reports such harassment to a counselor, principal or other school system employee other than the designated coordinator, that employee shall be responsible for notifying the appropriate coordinator immediately. It will be the duty of the coordinator to interview the complainant and determine the acts, which the complainant believes constitute harassment as well as the name or names of the perpetrators and any other relevant facts that will assist in investigating such acts. The coordinator shall investigate the complaint thoroughly by interviewing any individuals who may have knowledge of the allegations or may assist in resolving the complaint. The coordinator may involve other appropriate persons in the investigation, as the coordinator may deem necessary. The coordinator shall report the substance of the investigation, conclusions reached and recommendations for corrective action and discipline to the following persons:

1. If both the perpetrator and victim are students, to the principal of the school and the parents of the students;
2. If the victim is a student and the perpetrator an employee, to the parents of the student, the principal where the student is enrolled, the supervisor of the employee and the personnel director of the school district;
3. If the victim and perpetrator are employees, to the supervisor of the perpetrator and the personnel director of the school system.

The coordinator, to the extent it is reasonably possible, shall protect the confidentiality of students

and employees as well, although the discovery of the truth and the elimination of unlawful harassment shall be the overriding considerations. All records generated by the investigation shall be considered as student records protected by FERPA or as part of the personnel records of the employees dealing with performance of the employees.

The coordinator shall report to the complainant and complainant's parents, if complainant is a student, at the conclusion of the investigation the conclusions reached and the recommendations of the coordinator. If the complainant is not satisfied with the manner in which the matter has been resolved, the complainant may appeal to the superintendent, who shall review all circumstances surrounding the allegations, conduct such further investigations as the superintendent believes appropriate and take such additional action or make recommendations as the superintendent determines is warranted. The superintendent shall inform the complainant and his/her parents, if complainant is a student, of the superintendent's determination and, if dissatisfied, the complainant may request the board to review further the substance of the complaint. The board will conduct a review or convene such hearings as the board believes the circumstances warrant and will resolve the matter appropriately.

No reprisal shall occur as a result of reporting unlawful harassment under this policy, and any attempt to retaliate against a complainant shall be disciplined as is appropriate.

It is the duty of all employees to promptly report harassment forbidden by this policy to the appropriate coordinator. It is also the duty of all supervisors of personnel to instruct their subordinates as to the content of this policy and through appropriate staff development to enlighten employees as to the varied forms or expression of illegal harassment. The principals of all schools in this district shall ensure that students and parents are informed through student handbooks, if appropriate, and verbally that harassment is strictly forbidden, how it is to be reported, and the consequences for violating this policy.

Policy JCDAC: Student Drug Use (Adopted 8/06)

The board of education is concerned with the well-being of all students in the school system and considers the illegal use of alcohol or dangerous drugs to be wrong and harmful for any student. Such substances shall include, but not be limited to, cocaine, marijuana, LSD, glue, alcohol, barbiturates, and anabolic steroids.

No student shall possess, use, distribute, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, other controlled substance, or any alcoholic beverage. No student shall possess, use, or distribute drug paraphernalia or counterfeit drugs or possess, use, distribute, or be under the influence of chemicals or products that may result in a state of exhilaration or euphoria or otherwise alter mood or behavior.

This policy shall apply to all students before, during and after school hours in any school building and on any school premises; in any school-owned vehicle or in any other school-approved vehicle

used to transport students to and from school or to and from school activities; off school property at any school-sponsored or school-approved activity, event, or function; or during any period of time when students are subject to the authority of school personnel.

A student in violation of this policy may be subject to disciplinary sanctions consistent with local, state, and federal law, up to and including expulsion by the board of education and referral for prosecution. A disciplinary sanction may include the completion of an appropriate drug or alcohol abuse assistance or rehabilitation program at the expense of the student or parent/guardian.

This policy shall not apply to the proper possession and use of prescription medication or to the legal possession of any of the above-listed substances in connection with an approved school project.

A copy of this policy shall be made available to each student and his/her parent/guardian, and compliance with the policy is mandatory for every student enrolled in the school system. Information concerning drug and alcohol counseling rehabilitation programs shall be available.

Policy JCDAE: Weapons (Amended 7/14)

The presence of weapons, including but not limited to dangerous weapons, firearms and hazardous objects, on school property is detrimental to the welfare and safety of students and school personnel and may constitute a violation of Georgia law. All City Schools of Decatur school safety zones are designated as Weapon-Free and Violence-Free School Safety Zones. Weapons (including dangerous weapons, firearms and hazardous objects as defined below) are prohibited in schools, school safety zones and at school-sponsored or school-related functions except as specifically provided in this policy.

A. DEFINITIONS

Unless otherwise expressly stated, for purposes of this policy, the following terms shall have the definitions set forth in this section.

“Dangerous weapon” shall have the same meaning as set forth in O.C.G.A. § 16-11-121, as amended from time to time. (O.C.G.A. § 16-11-121-rocket launcher, bazooka, recoilless rifle, mortar, hand grenade or similar weapon designed to explode, and as amended)

“Firearm” means a handgun, rifle, shotgun, starter gun or other weapon which will or can be converted to expel a projectile by the action of an explosive or electrical charge.

“Fireworks” shall have the same meaning as set forth in O.C.G.A. § 25-10-1, as amended from time to time.

“Hazardous object” means any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade two or more inches, straight-edge razor, razor blades, spring stick, knuckles, whether made from metal, thermoplastic, wood, or other similar material, blackjack, any bat, club or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nunchuk,

nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any instrument of like kind, any non lethal air gun (e.g. airsoft gun, paintball gun, bb gun), and any stun gun or Taser as defined in subsection (a) of O.C.G.A. § 16-11-106.

For purposes of this policy, “hazardous object” shall also mean any explosive, incendiary, or poison gas bomb, grenade, rocket, missile, mine or similar device, including fireworks as defined in O.C.G.A. § 25- 10-1, not including sparklers, which are non-explosive or contain negligible amounts of mixture. Such term shall not include any of these instruments used for classroom work authorized by the teacher.

“School Safety Zone” means in or on any real property or building owned by or leased to any school or postsecondary institution.

B. FIREARM OR DANGEROUS WEAPON; SUSPENSION

Any student who is determined to have brought a firearm or a dangerous weapon to school, into the school safety zone, or to a school-sponsored or school-related function shall be expelled from school for a period of not less than one calendar year; provided, however that a hearing officer (or other authority presiding over the case such as a tribunal, panel administrator, or superintendent) or board of education shall have the authority to modify such expulsion requirement on a case-by-case basis. The school district may in any event provide educational services to such expelled student in an alternative school setting separate from the regular school setting, where so ordered or permitted by the hearing officer or board of education.

C. HAZARDOUS OBJECT; SUSPENSION

Any student who is determined to have brought a hazardous object to school, into the school safety zone or a school-sponsored or school-related function shall be suspended from school and referred to a hearing officer for a hearing. The school district may in any event provide educational services to an expelled student in an alternative school setting separate from the regular school setting, where so ordered or permitted by the hearing officer or board of education.

D. STUDENTS WITH DISABILITIES

(1) For purposes of this section only, “weapon” has the same meaning as the term “dangerous weapon” as set forth in 18 U.S.C. § 930(g), as may be amended from time to time.

(2) 45-Day Interim Placement. Except as provided in subparagraph D (3) below, any student with a disability cognizable under the Individuals with Disabilities Education Act (“IDEA”), 20 USC § 1400 *et seq.*, who is determined to have brought a weapon to school, into the school safety zone, or to a school-sponsored or school related function may be placed in an interim alternative educational setting for not more than 45 days without a manifestation determination, as determined by appropriate school personnel. If a parent or guardian requests a due process hearing

under IDEA, the student shall nevertheless remain in the alternative educational setting above referred to until the pendency of the expedited proceeding conducted in connection therewith (up to 45 days), unless the parents and duly authorized system representative agree otherwise.

(3) Students Whose Disability is Unrelated to the Misbehavior. Any student with a disability under IDEA whose behavior is unrelated to the disability shall be subject to the one-year expulsion requirement of this policy the same as a student without such disability, except to the extent that such expulsion is inconsistent with federal or state laws, rules, regulations or guidance requiring that services continue to be provided to the student with a disability.

E. REPORTING

Students believed to have violated this policy or the law shall be reported by the teacher or other employee to the principal or his or her designee, and by the latter to the superintendent and then to the appropriate police authority and district attorney.

F. POSSESSION OF WEAPONS BY NON-STUDENT AS WELL AS STUDENTS

Except as expressly provided by O.C.G.A. § 16-11-127.1 or other applicable Georgia law, possession of a firearm, machine gun, explosive compound other than fireworks, and/or dangerous weapon in or on the school safety zone, by any person, including student and non-students is a crime. O.C.G.A. § 16-11-127.1., and school officials having knowledge of violations of this law shall report same to appropriate law enforcement officials.

G. SETTING PENALTIES

In setting penalties for violations of any provision of this policy, the hearing officer and/or board of education shall consider whether there are aggravating or mitigating circumstances and the prior record of the student.

H. POSTING

It shall be the duty of principals and other administrators in charge of school facilities to see that notice of this policy, in abbreviated form, is posted in all school buildings under their jurisdiction and may post signs designating the school safety zone as a “Weapon-Free and Violence-Free School Safety Zone.”

Policy JCEB: Student Hearing Procedure (Amended 2/13)

The board of education adopts the following rules, policies, and procedures to govern the establishment of disciplinary hearing officers, or tribunals for imposition of suspension, expulsion, or appeals involving student discipline.

I. Definitions

A. "Expulsion" means expulsion of a student from a public school beyond the current semester.

B. "Long-term suspension" means the suspension of a student from a public school

for more than ten school days but not beyond the current school semester.

C. "Short-term suspension" means the suspension of a student from a public school for not more than ten school days.

II. The superintendent shall convene a hearing before a hearing officer, or tribunal in the following cases:

A. Where a student has committed an alleged assault or battery upon a teacher, other school official, or employee;

B. Where a student has committed an alleged assault or battery upon another student and the school principal determines that expulsion or long term suspension may be appropriate punishment;

C. Where a student has intentionally caused substantial damage while on school premises of personal property belonging to a teacher, other school official, employee, or student and the school principal determines that expulsion or long term suspension may be appropriate punishment;

D. In any other discipline matter where a principal recommends a suspension or expulsion longer than 10 days or where a principal or superintendent determines there is a need for a disciplinary tribunal or hearing procedures to be implemented.

Any professional, certified employee is eligible to serve as a member of hearing tribunals. When the principal of a school refers a student to the superintendent for a hearing described above in paragraph IIA, the superintendent or his/her designee shall either appoint an impartial hearing officer or shall appoint three professional certified employees to serve as the hearing tribunal. The selection of employees to serve on tribunals shall be in accordance with rules and regulations to be promulgated by the superintendent and his/her staff.

Whenever a principal refers a student discipline matter to the superintendent, the superintendent or designee shall send a letter by certified mail to the student and his/her parent(s)/guardian(s) containing a statement of the matters asserted and charges against the student, including names of any witnesses who may be called to testify at the hearing, a statement setting forth the right of the student to present evidence, cross-examine witnesses and be represented by legal counsel.

The school principal shall be responsible for presenting evidence in support of the charges against the student, except in those cases where an attorney is representing the school system. All parties shall be afforded an opportunity to present and respond to evidence and to examine and cross-examine witnesses on any and all issues. The hearing officer or tribunal shall have made a verbatim electronic or written record of the hearing. This record shall be available to all parties but the cost of transcribing such record shall be borne by the party requesting the transcript.

The hearing officer or tribunal shall render a decision finding whether the student committed the offense and, if so, the appropriate punishment. The decision of the hearing officer or tribunal shall be based solely on the evidence received at the hearing, including any evidence presented by either party relevant to the appropriate punishment to be imposed. The hearing officer or tribunal shall render a decision in writing within ten days of the close of the record and shall furnish a copy of the decision to the student, his/her parents or legal guardians, the principal and the Superintendent. The decision of the hearing officer or tribunal shall be final and shall constitute the decision of the board of education unless either party should appeal the decision to the board of education.

Any party may appeal the decision of the hearing officer or tribunal to the board of education by filing with the superintendent a written notice of appeal within twenty days from the date the decision is rendered. The written notice of appeal must be transmitted via hand delivery or certified mail return receipt requested to the superintendent's office. Electronic mail or any other electronic method of communication, including, but not limited to, facsimile is not an acceptable means of transmitting a notice of appeal to the superintendent's office. Such notice of appeal shall set forth the decision of the hearing officer or tribunal and the basis of the appeal (i.e., the grounds the appealing party asserts as error to be reviewed). Any decision of the hearing officer or tribunal not appealed in this manner shall be final. The superintendent may in his/her discretion suspend the disciplinary action imposed by the hearing tribunal pending the outcome of the appeal.

The board of education shall review the entire record of the hearing before the hearing officer or tribunal, the decision of the hearing officer or tribunal and the notice of appeal and shall render its decision in writing within ten days, excluding weekends and legal holiday provided for in

O.C.G.A. 1-4-1, from the date it receives the notice of appeal. The decision of the board of education shall be based solely on the record before the hearing officer or tribunal and the board shall not consider any other evidence in ruling on the appeal. The Board may take any action it determines appropriate. The decision of the board of education shall be final.

Policy JD: Student Conduct/Discipline (Amended 8/06)

Student Expectations

On school property and at school-sponsored functions beyond school premises, students are expected to demonstrate respect for self and others, demonstrate courtesy to others, behave in a responsible manner, attend class regularly, be prepared for class, take seriously the course of study, dress appropriately, cooperate with school officials, respect other's property, and avoid violation of the student code of conduct. Because students shall be expected to conduct themselves in a manner that is in the best interest of the school system, they shall obey appropriate state and federal statutes, city ordinances, school rules, and reasonable directions and commands from school authorities.

Authority of Teachers and Principals

Teachers and principals shall have the authority to take reasonable measures to maintain proper control and discipline among students placed under their supervision. The superintendent shall be responsible for the development and implementation of rules and regulations consistent with this policy.

A teacher shall have the authority, consistent with board policy, to manage his/her classroom, discipline students, and refer a student to the principal or designee to maintain discipline in the classroom. Each school principal shall fully support the authority of each teacher in his or her school to remove a student from the classroom. Any student violating policies and rules pertaining to conduct shall be subject to disciplinary action, including interrogation, searches, suspension, and expulsion.

Any teacher who has knowledge that a student has exhibited behavior which violates the student code of conduct and repeatedly or substantially interferes with the teacher's ability to communicate effectively with the students in his/her class or with the ability of such student's classmates to learn shall file a report of such behavior with the principal or designee. The principal and teacher shall thereafter follow the procedures set forth in Georgia law for removing a student from class.

All disciplinary action shall be handled according to school system policies and rules. In cases of disruptive, disorderly, or dangerous conduct not covered by policy or administrative rules, the principal may undertake corrective measures which he/she believes to be in the best interest of the student and the school provided any such action does not violate school board policy or procedures. It is preferable to reassign disruptive students to alternative educational settings rather than to suspend or expel such students from school. Any student and parent/guardian shall have the right to appeal the application of policies and administrative decisions relating to the student.

Student Support Process

The school system provides a variety of resources, which are available to every school to help address behavioral and academic problems of students.

The school discipline process shall include appropriate consideration of support processes as indicated in the code of conduct to help students resolve such problems. Students who exhibit chronically disruptive or inappropriate behavior shall be referred to the local school student support team (SST).

Character Education

A framework for the teaching of character education shall be developed at all grade levels. Using the framework, instructional staff members at each school shall provide opportunities for student growth in responsibility, independence, and leadership.

Parent, Student, and Staff Involvement

The board of education seeks to promote a positive environment in which there is an awareness, involvement in, and support for the overall school system discipline plan. The General Assembly encourages parents and guardians to inform their children of the consequences, including potential criminal penalties, of under aged sexual conduct and crimes for which a minor can be tried as an adult. Recognizing that open channels of communication are essential, the board invites parents, students, and staff to review this plan annually and to offer feedback to their principal. Each school shall be responsible for implementing this policy and its accompanying rules and communicating this information to students, parents, and staff.

Policy JDA: Corporal Punishment (Adopted 10/93)

The school board prohibits corporal punishment under any circumstances in the operation of the school system.

Attendance/Truancy Protocol

Attendance is an essential component to a student's academic success. When students are absent or arrive late, they lose important opportunities to learn. Excessive tardies and absences can prevent children from succeeding academically and socially.

Purpose

The purpose of the attendance/truancy protocol is to increase academic achievement and reduce truancy among students in the school system in compliance with the mandates of (O.C.G.A. § 20-2-690-2). Schools will keep a daily record of each student's presence, absence, tardiness, and early departure. An absence, tardy, or early departure will be entered as "excused" or "unexcused" along with the stated reason. A copy of the appropriate documentation will remain on file at the school for verification, if needed, for at least two years. Parents must provide written documentation including hand written notes or email or appropriate medical documentation (i.e. doctor's excuse, dental excuse, discharge papers, etc.) for all absences from school within 3 school days of the student's return to school. If no written documentation or appropriate medical documentation (i.e. doctor's excuse, dental excuse, discharge papers, etc.) is received, then these absences, tardies, early departures will remain unexcused and appropriate attendance procedures will be followed.

Parent and Student Notification

A. City School of Decatur will provide each student as well as his/her parent, guardian or other person who has control or charge of the student, with a written copy of the City Schools of Decatur Attendance Protocol and a written summary of the possible consequences and penalties for non-compliance at the beginning of each school year (O.C.G.A. § 20-2-690.1 (c)).

B. By September 1 of each school year or within 30 school days of a student's

enrollment in the City Schools of Decatur, both parent/guardian and student, age ten or older, must sign a statement indicating receipt of the code of conduct which includes the attendance/truancy policy and protocol (O.C.G.A. § 20-2-690.1). If a signed copy is not returned within thirty (30) days, schools will send a copy of the written statement of possible consequences via certified mail, return receipt requested, or First-Class mail to the parent. O.C.G.A. § 20-2-690.1 (c). Attendance Protocol for Schools

C. The principal of each school will be responsible for ensuring that attendance is taken in a timely manner and that accurate records are kept. Attendance will be taken daily in every class period (elementary attendance will be taken once daily). All attendance will be maintained daily by the principal's designee. Principal's designee will notify parents/guardian if a student is absent for the school day. Absences due to out-of-school suspensions or expulsions shall not count as unexcused day for purpose of determining student truancy (State Board Rule 160-5-1.10). The principal/designee may require medical documentation (i.e. doctor's excuse, dental excuse, discharge papers, etc.) after receiving 10 emails or hand written notes from parent for student illness.

Definitions:

A. **Truant:** A student is subject to the compulsory attendance laws when during the year he/she has more than ten days of unexcused absences. School days missed as a result of an out-of school suspension shall not count as unexcused days for the purpose of determining student truancy.

B. **Excused Absences:** Absences for the following reasons are excused upon presentation of documentation from parent(s) in accordance with the City Schools of Decatur published attendance policy:

1. Personal illness of the student or when attendance in school would endanger the health of the student or the health of others when, upon the student's return to school, a parent note is presented within three (3) school days of the student's return to school or appropriate medical documentation (i.e. doctor's excuse, dental excuse, discharge papers, etc.). See O.C.G.A. § 20-2-693(Serious illness or death in student's immediate family necessitating the absence. In case of serious illness in a student's immediate family, the student is required to present appropriate medical documentation regarding family member within three school days of the students return to school. See O.C.G.A. § 20-2-262.2(b).
2. Court order by a government agency mandating the student's absence from school, including pre-induction physical examination for service in the armed forces.
3. Observation of religious holidays necessitates absence from school.

4. Conditions rendering attendance impossible or potentially dangerous to the student's health or safety as determined by the local school system.
5. An absence not to exceed one day for registering to vote or to vote in public election.
6. Students are counted present at school when they are serving as pages of the Georgia General Assembly. Visiting with a parent or legal guardian prior to overseas deployment to a combat zone or combat support posting or during leave from such deployment member of the armed forces of the United States or National Guard (maximum of five school days a year. See O.C.G.A. § 2-20-692.1(b).

C. **Unexcused Absences** include:

1. Student is absent from school for no acceptable reason (unlawful).
 - a. Parental Neglect
 - b. Illegal Employment
 - c. Truancy
2. Failure to attend school, with or without the knowledge of the parent or guardian, for reasons other than those specifically outlined as excused absences.
3. School days missed as a result of an out of school suspension shall not be counted as unexcused for the purpose of determining truancy or compulsory attendance.
4. Any undocumented absence that would otherwise be excused with the proper documentation.

D. **Attendance Committee:** A school level team lead by the principal/ principal designee to address student absenteeism. The committee at minimum shall consist of a principal or assistant principal, attendance secretary/designee, and school counselor. The committee is responsible for review of attendance data and attendance interventions as outlined in the attendance protocol.

Reporting /Investigating Absences –

The school shall make two (2) reasonable attempts (including, but not limited to, phone calls to the parent or guardian, letters to the parent or guardian, either through U.S. mail or sent home with the student, and home visits) to notify the parent, guardian or other person who has charge or control of the student of the student's absences.

After three unexcused absences:

1. The principal/designee shall send written notice of student absences to parent/guardian.

After five unexcused absences:

1. The principal/designee shall send written notice of student absences to parent/guardian and notifying parent/guardian of the possible consequences and penalties for truancy.
2. A member(s) of the attendance committee may contact the parent/guardian to complete an attendance contract.
3. If unable to communicate with parent/guardian regarding the student's attendance; the school shall send correspondence regarding student's attendance certified mail, return receipt requested or First-Class mail. The school shall retain signed copies of the notice and return receipts for the time period specified in State and Federal law as it applies to school attendance records. See O.C.G.A 20-2-690.1 (c).

After Ten Absences:

1. Unexcused absences:
 - a. The Student Attendance Committee will determine appropriate school level interventions to support students with ten or more unexcused absences.
 - b. The Student Attendance Committee may make a referral to the school social worker.
 - c. The district's school social worker may file a petition with the Dekalb County Juvenile Court (6-12) or Solicitor General's Office (K-5) for violation of the Georgia Compulsory School Attendance Law.
2. Excused absences:
 - a. The Student Attendance Committee will determine appropriate school level interventions to support students with ten or more excused absences.
 - b. After 10 or more excused absences in a school year, the parent may be required to provide a doctor's excuse for subsequent absences.
 - c. The Student Attendance Committee will determine if a student with 10 or more excused absences is required to provide doctor's excuse for subsequent absences.
 - d. The notification letter to parent/guardian requiring a doctor's excuse for subsequent absences will be sent by the principal or principal's designee.

Tardy Protocol:

Attendance is an essential component to a student's academic success. When students are absent or **arrive late**, they lose important opportunities to learn. **Excessive tardies** and absences can prevent children from succeeding academically and socially.

Tardy: A student is tardy when he/she arrives to school after the beginning of the official school day or is not in the assigned class at the beginning of the class period.

Excused: Late arrival to school or class which is a result of reasons defined herein as excused

absences or as a result of events physically out of one's control such as inclement weather, health related emergencies, doctor's appointments, compliances with court order, etc.

Unexcused: Arriving late to school or class with or without the knowledge of parent/guardian, as a result of events within one's control, such as oversleeping, parent errands, etc., unless it is an excused tardy.

Early Checkouts: Leaving school prior to the end of the instructional day time or the end of the school day by a parent or legal guardian. Parents and legal guardians are encouraged to schedule all appointments following dismissal if at all feasible. Early checkouts must follow the individual schools checkout procedures.

1. To be considered "in attendance" on a school day for truancy purposes, a student must be present for at least one half of the school day, excluding the lunch period.
2. A parent or legal guardian must bring appropriate documentation (i.e. doctor's excuse, dental excuse, discharge papers, etc.) showing the necessity of an early checkout in accordance with the City Schools of Decatur published attendance policy.

Tardies /Early Check-Out: (Tardies are considered part of the Code of Conduct)

Consequences for Tardies Unexcused Tardies/Early Checkouts

- A. Each school will develop school-level guidance for reducing tardiness and early checkouts in conjunction with their school attendance committee. A progressive system should be incorporated in each school whereby appropriate consequences increase based on the number of tardies and early checkouts.