

Georgia Cyber Academy Governing Board

Student Discipline and Code of Conduct Policy

Adopted On: April 24, 2019 Last Reviewed On: April 24, 2019 Last Updated On: March 22, 2022

The Board of GCA adopts the following policy, effective on the date of adoption by the Board.

The Georgia Cyber Academy (GCA) Governing Board adopts this Student Discipline and Code of Conduct Policy to establish and implement an age-appropriate student code of conduct designed to create and sustain a learning environment that facilitates all students' efforts to learn. Student Discipline also will be addressed, consistent with this policy, in a student code of conduct included in the District Handbook. This Policy, and the Student Code of Conduct, will comply with state law and State Board of Education Rules and will include the following:

1. Standards for student behavior designed to create the expectation that all students will behave in such a manner as to facilitate a learning environment for all students. The standards will encourage students to respect each other, school faculty/ staff, and any persons attending school functions, and to motivate students to obey student behavior policies adopted by this Board and to obey student behavior rules established at each school.
2. Student support processes designed to consider, as appropriate, considering the severity of the behavioral problem, support services available at each school, the district and other public entities or community organizations which may assist students to address behavioral problems.
3. Progressive discipline processes designed to create the expectation that the degree of discipline imposed will be in proportion to the severity of the behavior leading to the discipline and will consider the previous discipline history of the student and other relevant factors, while ensuring that each student receives the due process mandated by federal and state law.
4. Parental involvement processes designed to enable parents, guardians, teachers and school administrators to work together to improve and enhance student behavior and academic performance. The process should enable parents, guardians and school employees to communicate freely their concerns about student behaviors which detract from the learning environment.

The code of conduct will require disciplinary action for infractions of the code and will include the disciplinary process required by Georgia statute and a hearing officer that meets the training requirements included in O.C.G.A. § 20-2-759 and State Board of Education (SBOE) rule 160-4-8-.15.

The student code of conduct will be distributed to each student at the beginning of the school year and upon enrollment of each new student. The parents/guardians will be requested to sign an acknowledgment of the receipt of the code of conduct and promptly return the acknowledgment to the school.

Teacher Reporting Information

A teacher is required, consistent with Board policy and applicable law, to manage his or her online classroom, including disciplining students and referring students to the principal or designee to maintain discipline in the online classroom.

Any teacher who has knowledge that a student has exhibited behavior which violates the student code of conduct sufficient to substantially interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of such student's classmates to learn will file a report of such behavior with the principal or designee.

The principal and teacher should thereafter follow the procedures set forth in the Student Discipline Code of Conduct procedure and as set forth in Georgia law, specifically O.C.G.A. 20-2-737-738.

Student behavior which violates state or federal laws as specified in O.C.G.A. 20-2-1184 will result in a report being filed with the police and district attorney.

The Superintendent and/or designee shall develop procedures and guidelines as necessary for implementation of this policy and law.

Reporting Inappropriate Behaviors

O.C.G.A. § 20-2-751.7(a) - The Professional Standards Commission shall establish a state mandated process for students to follow in reporting instances of alleged inappropriate behavior by a teacher, administrator, or other school employee toward a student which shall not prohibit the ability of a student to report the incident to law enforcement authorities. Each local school system shall be required to implement and follow such state mandated process and shall include the mandated process in student handbooks and in employee handbooks or policies.

Student Reporting of Alleged Sexually Inappropriate Behavior

(a) Any student (*or parent or friend of a student*) who has been the victim of an act of sexual abuse or sexual misconduct by a teacher, administrator or other school system employee is urged to make an oral report of the act to any teacher, counselor or administrator at his/her school.

(b) Any teacher, counselor or administrator receiving a report of sexual abuse or sexual misconduct of a student by a teacher, administrator or other employee shall make an oral report of the incident immediately by telephone or otherwise to the school principal or principal's designee, and shall submit a written report of the incident to the school principal or principal's designee within 24 hours. *If the principal is the person accused of the sexual abuse or sexual misconduct, the oral and written reports should be made to the superintendent or the superintendent's designee.*

(c) Any school principal or principal's designee receiving a report of sexual abuse as defined in O.C.G.A. 19-7-5 shall make an oral report immediately, but in no case later than 24 hours from the time there is reasonable cause to believe a child has been abused. The report should be made by telephone and followed by a written report in writing, if requested, to a child welfare agency providing protective services, as designated by the Department of Human Resources, or, in the absence of such agency, to an appropriate police authority or district attorney.

Reports of acts of sexual misconduct against a student by a teacher, administrator or other employee not covered by O.C.G.A. 19-7-5 or 20-2-1184 shall be investigated immediately by school or system personnel. If the investigation of the allegation of sexual misconduct indicates a reasonable cause to believe that the report of sexual misconduct is valid, the school principal or principal's designee shall make an immediate written report to the superintendent and the Professional Standards Commission Ethics Division.

"Sexual abuse" means a person's employing, using, persuading, inducing, enticing, or coercing any minor who is not that person's spouse to engage in any sexual act as defined in O.C.G.A. 19-7-5

Pursuant to O.C.G.A. § 19-7-5, if a student has allegedly been abused a report of such allegation will be made immediately.

Any report of behavior contemplated in O.C.G.A. § 20-2-1184 will be made to superintendent or his/ her designee.

Discipline Related to Students with Disabilities

This Policy is intended to uphold and comport with specific statutory and regulatory requirements regarding discipline meted out to students with disabilities. This Policy is subject to federal and state law and regulations governing discipline of students with disabilities.