

DISCIPLINE PROCEDURES (PROGRESSIVE DISCIPLINE) –POLICY JCDA

Revised on June 30, 2022

It is the policy of the Gainesville City Board of Education that each school within this school district shall develop and implement age-appropriate student codes of conduct designed to improve the student learning environment and which will comply with state law and State Board of Education Rule 160-4-8-.15. Each code of conduct shall include the following:

1. Standards for student behavior designed to create the expectation that students will behave themselves in such a way so as to facilitate a learning environment for themselves and other students. The standards should be designed also to encourage students to respect each other and school district employees, to motivate students to obey student behavior policies adopted by this board and to obey student behavior rules established at each school within this school district
2. Student support processes designed to consider, as appropriate in light of the severity of the behavioral problem, support services available at each school, the school system 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 by each school will be in proportion to the severity of the behavior of a particular student, 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.
5. All other specific requirements as set forth in any existing State Board of Education Rule or in Georgia law.

Each school shall involve parents in developing and updating student codes of conduct. Each code shall require disciplinary action for each infraction of the code. All student codes of conduct shall be submitted to the board for approval.

The student code of conduct shall be distributed to each student and the student's parents or guardians during the first week of school and upon enrollment of each new student. The parents shall be requested to sign an acknowledgment of the receipt of the code of conduct and return promptly the acknowledgment to the school. The student code of conduct shall be available in the school office and each classroom.

TEACHER REPORTING REQUIREMENT

It is the policy of the Board of Education that the superintendent shall fully support the authority of principals and teachers to remove a student from the classroom pursuant to Georgia law as cited in Section 20-2-738 and Section 20-2-751.5(d).

A teacher shall have the authority, consistent with board policy, to manage his or her classroom, discipline students, and refer a student to the principal or his designee to maintain discipline in the classroom. 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 teachers 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 his designee. The principal and teacher shall thereafter follow the procedures set forth in Georgia law, specifically O.C.G.A. § 20-2-737-738.

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

Major offenses including, but not limited to, drug and weapon offenses can lead to schools being named as an Unsafe School according to the provisions of State Board of Education Rule 160-4-8-.16 Unsafe School Choice Option.

PBIS and the Student Code of Conduct

Gainesville City School System utilizes a **progressive discipline** approach when dealing with student behaviors. The Positive Behavioral Intervention Support (PBIS) framework is implemented at all Gainesville City school buildings. Positive Behavioral Interventions and Supports (PBIS) is an evidence-based framework that helps schools design effective environments and supports that, when implemented with fidelity, increase teaching and learning opportunities for all students.

A student code of conduct is intended to teach students that there are consequences for violating behavior norms while under the supervision of educators. A student code of conduct, among other things, publishes a list of unacceptable student behaviors that interfere with the learning environment and the successful operation of the school day. A corresponding and progressive list of possible consequences is defined within a student code of conduct with the intent to promote a safe learning environment.

Major offenses including, but not limited to, drug and weapon offenses can lead to schools being named as an Unsafe School according to the provisions of State Board of Education Rule 160-4-8-.16 Unsafe School Choice Option.

Parents and police will be notified in every instance where the law is violated.

OFFENSES	CONSEQUENCES
<p>1. Absences and/or truancy-unexcused (O.C.G.A 20-2-690).</p> <p>Excused absences are defined as</p> <ol style="list-style-type: none"> 1) Illness 2) Death in immediate family 3) Religious Holiday 4) Instances in which attendance could be hazardous as determined by Gainesville City School System 5) Service as page in legislature 6) Court Order 7) Absence to vote in an election 8) Up to five (5) days excused absences per year to students where the parents are in the military and are being deployed or on leave. 	<p>1. Penalty may range from warning and/or conference with student/parent/guardian to one to three days in-school suspension.</p>
<p>2. Academic dishonesty/misrepresenting self or others</p>	<p>2. Penalty may range from the student receiving a zero on the assignment and warning or conference with student/parent/guardian to one to three days out-of-school suspension.</p>
<p>3. Assault on faculty or staff member - Threatening bodily harm to faculty or staff member. This includes threats that are verbal, written or implied.</p>	<p>3. Penalty may range from restriction from school programs and/or other activities to expulsion.</p>
<p>4. Bullying (OCGA 20-2-751.4)- An act which occurs on school property, on school vehicles, at designated school bus stops, or at school</p>	<p>4. Penalty may range from restriction from school programs and/or other activities to expulsion.</p>

<p>related functions or activities, or by use of data or software that is accessed through a computer, computer system, computer network, or other electric technology of a local school system, that is:</p> <ol style="list-style-type: none"> 1. Any willful attempt or threat to inflict injury on another person, when accompanied by an apparent present ability to do so; 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: <ol style="list-style-type: none"> 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. <p>The term also applies to acts of cyberbullying which occur through the use of electronic communication, whether or not 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 students' or school personnel's person or property or has a high likelihood of succeeding in that purpose. Electronic communication includes, but is not limited to, any transfer of signs, signals, writings, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system.</p>	<p>Upon a finding that a student in grades 6-12 found by tribunal to have committed the offense of bullying for the third time in a school year, the student will be assigned to an alternative school.</p>
<p>5. Bus Misbehavior</p>	<p>5. Penalty may range from warning and/or conference with student/parent/guardian, suspension of bus riding</p>

	privileges (1-10 days) to expulsion). See Bus Conduct section above
<p>6. Computer Trespass</p> <p>Unauthorized use of a computer or computer network including deleting, obstructing, interrupting, altering, damaging, or in any way causing the malfunction of the computer network, program(s) or data as well as visiting inappropriate web sites.</p>	6. Penalty may range from warning and/or conference with student/parent/guardian to out-of-school suspension.
7. Disturbance – Classroom	7. Penalty may range from warning and/or conference with student/parent/guardian to one to three days out-of-school suspension.
<p>8. Disturbance</p> <p>School Acts which cause substantial disruption of learning opportunities and/or threatens the safety or well-being of other students which may include pulling fire alarms, inciting disturbances, threats, or actual violence during period of disruption.</p>	8. Penalty may range from student participation in conference with parent/guardian, teacher and/or administrator to expulsion.
9. Dress Code Violations	9. Penalty may range from warning and/or conference with student/parent/guardian to one-day in-school suspension.
<p>10a. Drug Sell/Transmission/Solicitation –</p> <p>No student shall sell/buy, attempt to sell/buy, intend to sell, transmit or distribute any legal or illegal drug in any form whatsoever, including, but not limited to, any narcotic drug, inhalant, hallucinogenic drug, amphetamine, barbiturate, cocaine, marijuana, other controlled substance, alcoholic beverage, anabolic steroid, intoxicant of any kind, vitamin, herbal supplement, any over-the-counter pill, medication or similar substance, or any substance represented to be or reasonably appearing to be any type of drug, including alcohol. This rule shall be in effect at school or on school property at any time, off school property at a school sponsored activity, function, or event, and en route to and from school.</p>	10a. Penalty may range from restriction from school programs and/or other activities to expulsion.
<p>10b. Drug Possession/Use/Under the Influence –</p> <p>No student shall possess, use or be under the influence of any legal or illegal drug in any form whatsoever including, but not limited to, any narcotic drug, inhalants, hallucinogenic drug, amphetamine, barbiturate, cocaine, marijuana, other controlled</p>	10b. Penalty may range from restriction from school programs and/or other activities to expulsion

<p>substance, alcoholic beverage, anabolic steroids, intoxicant of any kind, vitamins, herbal supplements, over-the-counter pills, medications or similar substances, or any substance represented to be or reasonably appearing to be any type of drug, including alcohol. In addition, a student may not possess or use any drug-related paraphernalia. This rule shall be in effect at school or on school property at any time, off the school property at a school-sponsored activity, function, or event, and en route to and from school. Possession and use of over-the-counter medications or medications prescribed to the student by a doctor will not be considered a violation of this rule provided that all school and school district rules and procedures are followed.</p>	
<p>10c. Violations of the Medication Policy</p>	<p>10c. Penalty may range from restriction from school programs and/or other activities to expulsion.</p>
<p>11. Electronic communication devices</p> <p>Students may possess cell phones and other similar devices on school property as long as they adhere to the guidelines of Electronic Devices Use and Technology Resource Acceptable Use policies.</p>	<p>11. Penalty may range from administrative warning to out-of-school suspension. Devices will be confiscated when in violation of the guidelines.</p>
<p>12. Failure to accept administrative disciplinary action</p>	<p>12. Penalty may range from warning and/or conference with student to one to ten days out-of- school suspension.</p>
<p>13. Gambling on school property, at a school function or on property used by the school with permission of the owner.</p>	<p>13. Penalty may range from student participation in conference with parent/guardian, teacher and/or administrator to one to ten days out-of-school suspension.</p>
<p>14. Gang-related activity</p> <p>A gang member is a person who is part of an association of three or more people, associated for common purpose, which engages, individually or collectively, in illegal behavior. Gang-related activity includes, but is not limited to, communication of gang affiliation through hand sign flashing, wearing of clothing articles in a certain way or color scheme, jewelry, tattoos, gang signs, symbols or graffiti on personal items, vandalism of public or private property and acts of intimidation, threats, fighting or other forms of violence</p>	<p>14. Penalty may range from restriction from school programs and/or other activities to expulsion.</p>
<p>15. Harassment</p>	<p>15. Penalty may range from student participation in conference with parent/guardian, teacher and/or</p>

<p>Any act of harassment based upon race, color, religion, national origin, disability and gender (including sexual orientation and gender identity). This includes, but is not limited to, sexual harassment as used in connection with Title IX of the education amendments of 1972.</p>	<p>administrator to one to ten days out-of-school suspension.</p>
<p>16. Off Campus Misconduct and Criminal Law Violations</p> <p>Any off campus behavior of a student which 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. This includes any such conduct outside of school hours or away from school that shows disrespect to school personnel or which endangers the health, safety, morals, or well-being of other students, teachers, or employees within the school system (such as, theft or vandalism to property of a school employee).</p>	<p>16. Penalty may range from student participation in conference with parent/guardian, teacher and/or administrator to expulsion.</p>
<p>17a. Physical Violence (O.C.G.A. 20-2-751.6)- A student shall not commit an act of physical violence against a teacher, school bus driver, or other school official or employee either by</p> <p>1. Intentionally making physical contact of an insulting or provoking nature with the person of another, or</p> <p>2) Intentionally making physical contact that causes physical harm to another unless such physical contacts or physical harms were in defense of himself or herself.</p>	<p>17a. (1) Immediate suspension with disciplinary tribunal hearing. Possible recommendation for expulsion.</p> <p>17a. (2) Immediate suspension with disciplinary tribunal hearing. Possible recommendation for expulsion for the remainder of the student’s eligibility to attend public school.</p>
<p>17b. Violence</p> <p>A student shall not commit an act of physical violence against another student. Offenses include physical violence, i.e., assault, battery, hazing, and fighting.</p>	<p>17b. Penalty may range from short-term suspension to recommendation for a disciplinary tribunal hearing that may result in long-term suspension or expulsion.</p>
<p>18. Property</p> <p>Willful or malicious damage of and/or threats to destroy or damage school, public, private property which may include such actions as the use of or threat of bombs, explosive devices, setting fires, firecrackers, homemade bombs, and/or the deliberate and serious destruction or defacement of school property or property used by the school with the permission of the owner</p>	<p>18. Penalty may range from warning and/or conference with student/parent/guardian to up to three days in-school suspension to placement in alternative school.</p>

<p>19. Sexual improprieties</p> <p>Inappropriate bodily contact Commission of an act of sexual contact or indecent exposure, or inappropriate public displays of affection.</p>	<p>19. Penalty may range from warning and/or conference with student/parent/guardian to expulsion.</p>
<p>20. Student Incivility</p> <p>a. Profanity -Use of vulgar or obscene words, gestures, or other actions, which disrupt school system operations or show disrespect to school personnel during and after school hours.</p> <p>b. Repeated violations/misbehavior</p> <p>c. False Reporting and Statements - Students are prohibited against falsifying, misrepresenting, omitting or erroneously reporting information regarding instances of alleged inappropriate behavior by a teacher, administrator, or other school employee.</p>	<p>20. Penalty may range from restriction from school programs and/or other activities to expulsion.</p> <p>a. Penalty may range from warning and/or conference with student/parent guardian to up to three days in-school suspension.</p> <p>b. Penalty may range from warning and/or conference with student/parent guardian to a recommendation to a tribunal hearing.</p> <p>c. Penalty may range from a warning, suspension, or a recommendation for a disciplinary tribunal hearing, which may result in long-term suspension or expulsion.</p>
<p>21. Tardiness – Chronic</p>	<p>21. Penalty may range from warning and/or conference with student/ parent/guardian to one-day in-school suspension.</p>
<p>22. Theft/Larceny</p> <p>Unlawful taking, carrying, leading, or riding away of property of another person.</p>	<p>22. Penalty may range from student participation in conference with parent/guardian, teacher and/or administrator to one to ten days out-of-school suspension</p>
<p>23. Threats or intimidation of another student(s), written, verbal or implied, but not involving actual physical contact.</p>	<p>23. Penalty may range from student participation in conference with parent/guardian, teacher and/or administrator to one to ten days out-of-school suspension.</p>
<p>24. Tobacco and/or paraphernalia</p> <p>Possession or use: Includes smoking tobacco, chewing tobacco or snuff, e-cigarettes, hookahs, and other similar item</p>	<p>24. Penalty may range from student participation in conference with parent/guardian, teacher and/or administrator to one to ten days out-of-school suspension.</p>

<p>25. Vandalism and misuse of equipment</p> <p>Destruction, or defacement of public or private property located on school premises or at a school function or on property used by the school with the permission of the owner, or inciting, advising or counseling of others to engage in prohibited acts such as marking, defacing or destroying school property</p>	<p>25. Penalty may range from warning and/or conference with student/parent/guardian to one to ten days out-of-school suspension.</p>
<p>26. Weapons/Hazardous Objects</p> <p>A student shall not supply, possess, handle, use or transmit a dangerous instrument, weapon, or any object which can be reasonably considered a weapon on school property, on his/her way to and from school, or at any school function or activity, or at any school-related activity or event away from school.</p> <p>1. Weapon means and includes any handgun, firearm, rifle, shotgun or similar weapon; any explosive compound or incendiary device; or, any other dangerous weapon as defined in O.C.G.A. § 16-11-121, including a rocket launcher, bazooka, recoilless rifle, mortar, or hand grenade.</p> <p>2. Hazardous objects ,include any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, 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 charka, nun chuck, 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, and any stun gun or taser. Such term shall not include any of these instruments used for classroom work authorized by the teacher.</p>	<p>26. Students who possess any weapon described in #1 in violation of this policy will be subject to a minimum of a one calendar year expulsion.</p> <p>The Superintendent shall have the authority either before or after the student is referred for a tribunal hearing to reduce the mandated one year expulsion under circumstances where the one year expulsion appears excessive to the superintendent.</p> <p>The tribunal shall also have the authority to modify such expulsion requirement on a case-by-case basis in determining the appropriate punishment.</p> <p>Finally, in any tribunal decision appealed to the board of education, the board may reduce the mandated punishment but shall consider whether the superintendent and/or tribunal considered a reduction and any rationale in denying such a reduction.</p> <p>Students who possess other weapons or hazardous objects as described in # 2 will be subject to discipline that may range from restriction from school programs and/or other activities to expulsion.</p>