

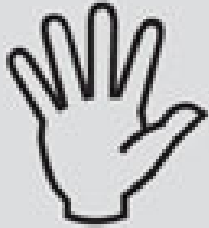
Disciplinary Actions for Code of Conduct Violations

**Board Work Session
9/28/23**

Agenda

- Review Discipline Committee's feedback for Group 4 and determine if adjustments are needed to Board Recommendations
- Come to consensus for Group 6 (Physical Aggression & Intimidation) and Group 7 (Other) Offenses
 - Review individual survey responses (see handout). Ask questions for clarification about offenses as needed. Remember that it's okay to change your mind.
 - Discuss survey results for each offense & level.
 - Come to Consensus (Fist to Five protocol).

Fist to Five Protocol



5 = LOVE IT!

4 = Good idea.

3 = Yeah, I can support it.

2 = I have reservations, let's discuss further.

1 = Opposed. Do not move forward.

Norms

1. Be present and engaged in the work.
2. Share openly.
3. Respect opinions/ideas that are different from yours.

Roles

Note Taker

-decisions made & items to revisit

Discipline Committee's Feedback

1. Review *Discipline Committee's feedback for Group 4*
2. Determine if adjustments are needed to Board Recommendations

Q16 - (12) Motor Vehicle Theft

Theft or attempted theft of any motor vehicle

LEVEL 1 - Not applicable

LEVEL 2 - Not applicable

Level 3 - Board Recommendation: Hearing with a recommendation of 1 full year

Discipline Committee's Feedback:

The committee was in agreement with the Board for golf carts/atvs but felt the recommendation should be more severe (Perm. Expulsion w/ TLC) if it is a truck/car/bus.

Q41 - (02) Arson

Unlawful and intentional damage or attempted damage to any real or personal property by fire or incendiary devices. NOTE: Possession of fireworks or incendiary devices must be reported as Possession of Unapproved Items. Use of such items should be reported as Arson.

LEVEL 1 - Not applicable

LEVEL 2- Attempt to commit arson or use of matches, lighters or incendiary devices at school; includes but not limited to the use of fireworks. Includes but is not limited to trash can fires without damage to school property.

Board Recommendation: Hearing with a recommendation of 1 semester

LEVEL 3- Intentional damage as a result of arson- related activity or the use of an incendiary device. Includes but not limited to setting fires to school property.

Board Recommendation: Hearing with a recommendation of 1 full year

Discipline Committee's Feedback:

Level 2: (no major damage) The committee had mixed feelings. Some agreed with 1 semester, but others felt it should be 1 full year.

Level 3: (significant damage) The committee had mixed feelings. Some agreed with 1 full year, but others felt it should be more than a year (safety, disruption to the learning environment).

Q17 - (13) Robbery

The taking of, or attempting to take anything of value that is owned by another person or organization under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear. Note: The key difference between robbery and larceny/theft is that the threat of physical harm or actual physical harm is involved in a robbery.

LEVEL 1 - Not applicable

LEVEL 2- Robbery without the use of a weapon. Taking something by force or threat of force.

Board Recommendation: Hearing with a recommendation of 1 year

LEVEL 3- The taking of, or attempting to take anything of value that is owned by another person or organization under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear. Note: The key difference between robbery and larceny/theft is that the threat of physical harm or actual physical harm is involved in a robbery.

Board Recommendation: Hearing with a recommendation of Permanent Expulsion WITH the option of attending TLC

Discipline Committee's Feedback:

Level 2: (no weapon involved) The committee had mixed feelings. Some agreed with 1 year, but others felt it was too harsh and that 1 semester was more appropriate. They felt that the wording of the code of conduct should be adjusted so that a 2nd offense instead of a 3rd offense is treated as level 3.

Level 3: (weapon involved) The committee had mixed feelings, but most agreed with Permanent Expulsion WITH the option of attending TLC. They also suggest that it be paired with appropriate weapons charge to determine if TLC is an option or not.

Q15 - (11) Larceny/Theft

The unlawful taking of property belonging to another person or entity (e.g., school) without threat, violence or bodily harm. Note: The key difference between larceny/theft and robbery is that the threat of physical harm or actual physical harm is involved in a robbery.

LEVEL 1- The unlawful taking of property belonging to another person or entity that does not belong to the student with a value between \$25 and \$100. Includes but not limited to theft by taking, theft by receiving stolen property, and theft by deception. **Board Recommendation: No hearing**

LEVEL 2- The unlawful taking of property belonging to another person or entity that does not belong to the student with a value between \$100 and \$250. Includes but not limited to theft by taking, theft by receiving stolen property, and theft by deception. **Board Recommendation: Hearing with a recommendation of 1 semester**

LEVEL 3- The unlawful taking of property belonging to another person or entity that does not belong to the student with a value exceeding \$250. Level 3 may be used for students that violate the school policy on larceny/theft three or more times during the same school year. Includes but not limited to theft by taking, theft by receiving stolen property, and theft by deception. **Board Recommendation: Hearing with a recommendation of 1 full year**

Discipline Committee's Feedback:

Level 2: (\$100-\$250) The committee felt that 1 semester was too harsh and recommended no hearing, citing that TLC would be overloaded due to rising cost of goods (shoes, airpods, etc.)

Level 3: (\$250 or more) The committee had mixed feelings. Some felt that a recommendation of 1 full year for first-time offenders was too harsh (suggested 1 semester). Others felt that the board's recommendation of 1 full year was appropriate for repeat offenders.

We believe the level should be tied to the behavior instead of amount, but the state has the amounts listed in the code. For Level 2, should we consider only sending repeat offenders to a hearing and allowing schools to handle first-time offenders?

Q24 - (20) Vandalism

The willful and/or malicious destruction, damage, or defacement of public or private property without consent

LEVEL 1 - Not applicable

LEVEL 2- Participating in the minor destruction, damage or defacement of school property or private property without permission.

Board Recommendation: Hearing with a recommendation of 1 semester

LEVEL 3- Participation in the willful/malicious destruction, damage or defacement of school property or private property without permission; Level 3 may be used for students that violate the school policy on vandalism three or more times during the same school year.

Board Recommendation: Hearing with a recommendation of 1 full year

Discipline Committee's Feedback:

Level 2: (could be repaired) The committee felt that 1 semester was too harsh and recommended no hearing, citing that students who write on a desk or on the bathroom wall should be handled at the school level and should not be sent to a hearing.

Level 3: (must be replaced) The committee had mixed feelings. Some agreed with the recommendation of 1 full year while others felt that was too harsh and that 1 semester was more appropriate.

For Level 2, should we consider giving a choice of going to a hearing OR having school consequences and repairing damages?

Group 6 & Group 7

Come to consensus for Group 6 (Physical Aggression & Intimidation) and Group 7 (Other Offenses)

Physical Aggression & Intimidation

Q42 - (44) Violence Against a Teacher

Intentional physical attack against a teacher with intent to cause bodily harm resulting in severe injuries or any physical attack against a teacher. Violence against other school personnel should be reported as Battery (03) – Level 3.

LEVEL 1 - Not applicable

LEVEL 2 - Not applicable

Answer	Count
SHOULD NOT BE REFERRED TO HEARING	0
1 Semester Expulsion	0
2 Semesters Expulsion / Expulsion for a Minimum of 1 Full Calendar Year	2
Permanent Expulsion	0
Permanent Expulsion with NO Option to Attend TLC	6

Q7 - (03) Battery

Intentional touching or striking of another person to intentionally cause bodily harm.

Note: The key difference between battery and fighting is that **fighting involves mutual participation**.

	SHOULD NOT BE REFERRED TO HEARING	1 Semester Expulsion	Expulsion for 2 Semesters/ a Minimum of 1 Full Calendar Year	Permanent Expulsion	Permanent Expulsion with NO Option to Attend TLC
LEVEL 1- Intentional physical attack with the intent to cause bodily harm resulting in no bodily injuries . Includes but not limited to pushing, hitting, kicking, shoving, pinching, slapping, and other intentional physical confrontations.	2	3	2	1	0
LEVEL 2- Intentional physical attack with the intent to cause bodily harm resulting in mild or moderate bodily injuries . Includes but not limited to pushing, hitting, kicking, shoving, pinching, slapping, and other physical confrontations that result in mild or moderate injuries.	0	2	4	2	0
LEVEL 3- Intentional physical attack with the intent to cause bodily harm resulting in severe injuries or any physical attack on school personnel ; Level 3 may be used for students that violate the school policy on battery three or more times during the same school. Includes but not limited to choking, pushing, hitting, kicking, shoving, pinching, slapping, and other physical confrontations resulting in severe injuries; Includes any physical attack on school personnel; includes incidents serious enough to warrant calling the police or security.	0	0	4	3	1

Q12 - (08) Fighting

Mutual participation in a fight involving physical violence where there is no one main offender and intent to harm. Note: The key difference between fighting and battery is that **fighting involves mutual participation**.

	SHOULD NOT BE REFERRED TO HEARING	1 Semester Expulsion	Expulsion for 2 Semesters / a Minimum of 1 Full Calendar Year	Permanent Expulsion	Permanent Expulsion with NO Option to Attend TLC
LEVEL 1- A physical confrontation between two or more students with the intent to harm resulting in no bodily injuries .	1	7	0	0	0
LEVEL 2- A physical confrontation between two or more students with the intent to harm resulting in mild or moderate bodily injuries . Mild or moderate injuries; may include but is not limited to scratches, bloody noses, bruises, black eyes, and other marks on the body.	1	1	6	0	0
LEVEL 3- Physical confrontation between two or more students with intent to harm resulting in severe bodily injuries . Level 3 may be used for students that violate the school policy on fighting three or more times during the same school year. Repeated physical confrontations resulting in severe injuries that require medical attention.	0	0	5	3	0

Q21 - (17) Threat/ Intimidation/ Terroristic Threat

Any threat through written or verbal language or act which creates a fear of harm and/or conveys a serious expression of intent to harm or violence without displaying a weapon and without subjecting the victim to actual physical attack

LEVEL 1 - Not applicable

	SHOULD NOT BE REFERRED TO HEARING	1 Semester Expulsion	Expulsion for 2 Semesters/ a Minimum of 1 Full Calendar Year	Permanent Expulsion	Permanent Expulsion with NO Option to Attend TLC
LEVEL 2- Physical, verbal or electronic threat which creates fear of harm without displaying a weapon or subjecting victims to physical attack. Physical, verbal or electronic threats.	0	4	2	2	0
LEVEL 3- Terroristic threat. School-wide physical, verbal or electronic threat which creates fear of harm without displaying a weapon or subjecting victims to physical attack; Includes but not limited to bomb threats or unauthorized pulling of the fire alarm.	0	0	4	3	1

Current Practice (L2 – no hearing)

L2a: individual threat or intimidation

L2b: individual threat or intimidation that is specific and displays serious intent to harm

Q33 - (29) Bullying

A **pattern of behavior**, which may include written, verbal, physical acts, or through a computer, computer system, computer network, or other electronic technology occurring on school property, on school vehicles, at designated school bus stops, or at school related functions that is so **severe, persistent, or pervasive** so as to have the effect of substantially interfering with a student's education, threatening the educational environment, or causing substantial physical harm or visibly bodily harm.

	SHOULD NOT BE REFERRED TO HEARING	1 Semester Expulsion	Expulsion for 2 Semesters/ a Minimum of 1 Full Calendar Year	Permanent Expulsion	Permanent Expulsion with NO Option to Attend TLC
LEVEL 1- First Offense of bullying as defined in Georgia Code Section 20-2-751.4. Includes but is not limited to a pattern of unwanted teasing, threats, name-calling, intimidation, harassment, humiliation, hazing, physical attacks, extortion, social exclusion, coercion, spreading of rumors or falsehoods, gossip, stalking, or using any type of electronic means to harass or intimidate.	2	3	3	0	0
LEVEL 2- Second incident of bullying. See Level 1 description.	1	1	5	1	0
LEVEL 3- Repeated acts, as defined in Georgia Code Section 20-2-751.4, occurring on school property or school possession that is a willful attempt or threat to inflict injury, or apparent means to do so, any display of force that puts victim at fear of harm, any written, verbal or physical act that threatens, harasses, or intimidates; causes another person physical harm; interferes with a student's education; so severe and pervasive intimidated or threatens educational environment. Includes but is not limited to a pattern of unwanted teasing, threats, name-calling, intimidation, harassment, humiliation, hazing, physical attacks, extortion, social exclusion, coercion, spreading of rumors or falsehoods, gossip, stalking, or the use of electronic equipment on school property or using school equipment to harass or intimidate.	0	0	3	4	1

Other

Q37 - (33) Other - Student Incivility

Insubordination or disrespect to staff members or other students; includes but is not limited to refusal to follow school staff member instructions, use of vulgar or inappropriate language, and misrepresentation of the truth

	SHOULD NOT BE REFERRED TO HEARING	1 Semester Expulsion	Expulsion for 2 Semesters/ a Minimum of 1 Full Calendar Year	Permanent Expulsion	Permanent Expulsion with NO Option to Attend TLC
LEVEL 1- Failure to comply with instructions or the inadvertent use of inappropriate language. May include but is not limited to general disrespect for school staff or students; profanity; failure to follow instructions.	6	1	1	0	0
LEVEL 2- Blatant insubordination or the use of inappropriate language directed towards school staff or peers; intentional misrepresentation of the truth. Profanity or obscene language directed towards school staff; issuing false reports on other students; insubordination.	2	4	1	1	0
LEVEL 3- Blatant and repeated insubordination or intentional misrepresentation of the truth; Level 3 should be used for students who display a pattern of violating the school policy related to student incivility. Issuing false reports on school staff; Level 3 may be used for students that violate the school policy on student incivility three or more times during the same school year.	0	2	4	1	1

Q10 - (06) Disorderly Conduct

Any act that substantially disrupts the orderly conduct of a school function, substantially disrupts the orderly learning environment, or poses a threat to the health, safety, and/or welfare of students, staff or others. (Includes disruptive behaviors on school buses)

	SHOULD NOT BE REFERRED TO HEARING	1 Semester Expulsion	Expulsion for 2 Semesters/ a Minimum of 1 Full Calendar Year	Permanent Expulsion	Permanent Expulsion with NO Option to Attend TLC
LEVEL 1- Creating or contributing to a moderate disturbance that substantially disrupts the normal operation of the school environment but doesn't pose a threat to the health or safety of others. Includes but not limited to general bus misbehavior, spitting on property or persons, encouraging disruptive behavior.	6	2	0	0	0
LEVEL 2- Creating or contributing to a severe disturbance that substantially disrupts the normal operation of the school environment but doesn't pose a threat to the health or safety of others ; may represent a repeat action. Includes but not limited to general bus misbehavior, spitting on property or persons, encouraging disruptive behavior.	2	3	3	0	0
LEVEL 3- Creating or contributing to a severe disturbance that substantially disrupts the school environment or poses a threat to the health and safety of others . Level 3 may be used for students that violate the school policy on disorderly conduct three or more times during the same school year. Includes but not limited to disruptive behavior on school bus, misbehavior during a fire drill or other safety exercise.	0	1	6	1	0

Q40 - (36) Repeated Offenses

Collection of offenses **not previously assigned a state reportable action** that occurs on a single or across multiple school days that leads to a state reportable disciplinary action.

	SHOULD NOT BE REFERRED TO HEARING	1 Semester Expulsion	Expulsion for 2 Semesters/ a Minimum of 1 Full Calendar Year	Permanent Expulsion	Permanent Expulsion with NO Option to Attend TLC
LEVEL 1- Collection of minor incidents	4	3	1	0	0
LEVEL 2- Collection of moderate incidents	0	3	5	0	0
LEVEL 3- Collection of severe incidents	0	0	4	3	1

Q39 - (35) Gang-Related

Any group of three or more students with a common name or common identifying signs, symbols, tattoos, graffiti, or attire which engage in criminal gang activity (O.C.G.A. § 16-15-3)

LEVEL 1 - Not applicable

	SHOULD NOT BE REFERRE D TO HEARING	1 Semester Expulsion	Expulsion for 2 Semesters/ a Minimum of 1 Full Calendar Year	Permanent Expulsion	Permanent Expulsion with NO Option to Attend TLC
LEVEL 2- Wearing or possessing gang-related apparel; communicating either verbally or non-verbally to convey membership or affiliation with a gang. Possession or wearing of gang-related clothing, jewelry, emblems, badges, symbols, signs, or using colors to convey gang membership or affiliation; gestures, handshakes, slogans, drawings, etc. to convey gang membership or affiliation; committing any other illegal act or other violation of school policies in connection with gang-related activity.	1	4	1	1	1
LEVEL 3- The solicitation of others for gang-membership, the defacing of school or personal property with gang-related symbols or slogans, threatening or intimidating on behalf of a gang, the requirement or payment for protection or insurance through a gang. Level 3 should be used for students who display a pattern of violating the school policy. Soliciting students for gang membership; tagging or defacing school or personal property with symbols or slogans intended to convey or promote membership or affiliation in any gang; requiring payment for protection, insurance, otherwise intimidating or threatening any person related to gang activity; inciting other students to intimidate or to act with physical violence upon any other person related to gang activity.	0	0	5	1	2

Q31 - (27) Serious Bodily Injury

The term “serious bodily injury” means bodily injury that involves a substantial risk of death, protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

LEVEL 1 - Not applicable

LEVEL 2 - Not applicable

Answer	Count
SHOULD NOT BE REFERRED TO HEARING	0
1 Semester Expulsion	0
Expulsion for 2 Semesters/ a Minimum of 1 Full Calendar Year	0
Permanent Expulsion	2
Permanent Expulsion with NO Option to Attend TLC	6

Wrap Up

- Any additional questions or concerns from today's session?
- Anything weighing heavy on your heart that you want to share with the group?

Next Steps

10/3/23 – Discipline Committee Meeting

- Discuss board's decisions for Groups 5-7 and compile questions/feedback

10/26/23 – Board Work Session

- Discuss Committee's feedback for Groups 5-7
- Revisit other offenses if needed
- Determine if changes are needed to Code of Conduct and effective date

11/30/23 – Board Work Session

- Review continuum of all consequences for offenses referred to a hearing
- Discuss permanent expulsion for middle school students
- Discuss length of consequences for repeat offenders (prior TLC placements)
- Discuss communication plan (consequences document, admin guidance document)