

*DeKalb County School District
Code of Student Conduct*

2022-2023



**ELEMENTARY
MIDDLE
HIGH**

The DeKalb County School District provides translation of DeKalb County School District Code of Student Conduct, courtesy of the English Learners Department. Request for a translated hard copy may be made to the school principal or an electronic version is available at www.dekalbschoolsga.org/student-support-intervention/student-relations.

The English language version is considered the most accurate.

In the event of a disagreement or discrepancy between the translation and the original English version of this handbook or any notice or disclaimer therein, the original English version will prevail.

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2022-2023 Parent/Guardian Signature Page

*Please return this page within five (5) days to your school.
To sign electronically, go to Infinite Campus at
<https://campus.dekalb.k12.ga.us/campus/portal/parents/dekalb.jsp>.*

Parent/Guardian Acknowledgement of Receipt

Please read and review the *DCSD Code of Student Conduct* with your child and emphasize your child's role in helping to maintain a safe and orderly school learning environment. Also, this handbook includes important information related to student records, the Family Educational Rights and Privacy Act (FERPA), information about how to report concerns such as bullying and harassment, rights of students with disabilities, and other rights and responsibilities. Please sign below to acknowledge that you and your child received this handbook. **Then, cut along the dotted line and return to your child's school as soon as possible.** Thank you for your support.

Student Summer School/Program Responsibilities

I affirm that I understand I am responsible for adhering to all rules, regulations, procedures, policies, state, local and federal laws found in the *2022-2023 DCSD Code of Student Conduct* during the 2022-2023 school year and all summer programs following the 2022-2023 school year. I further understand that I am immediately subject to the Levels of Consequences listed in the *2022-2023 DCSD Code of Student Conduct* if I am found in violation of any infraction during the 2022-2023 school year and all 2023 DeKalb County School District summer school/programs.

Consent for Student to Participate in Surveys

Each year the Georgia Department of Education conducts surveys of 3rd through 12th grade students. The topics surveyed include drugs, violence, mental health issues, driving habits, exercise, and diet. The surveys are anonymous, and no personal identification is required. The surveys allow the School District to support and evaluate needs-driven programming for students. Participation in the surveys is optional. Refer to the Protection of Pupil Rights Amendment section on page 66 for more information. This survey is separate and distinct from the District Safety Audit, which ALL students will be asked to complete.

Parents of students less than 18 years of age:

_____ I do not consent to my child participating in the Georgia Department of Education Georgia Student Health Survey.

_____ I consent to my child participating in the Georgia Department of Education Georgia Student Health Survey.

DeKalb County School District Safe School Pledge for Students

As a student, my individual choices and actions, when multiplied by those of other students throughout the DeKalb County School District will make a difference. By honoring this pledge, I can do my part to make our schools safe and successful.

I believe that I can be a good student. I believe I can show good character. I believe that when I work hard, I will succeed, so I will work hard each day to do my best. I can learn. I will learn. To help keep my school safe, I pledge to adhere to guidelines established within the *DCSD Code of Student Conduct*. I understand that a violation of serious school rules may result in a ten (10) day suspension followed by a District due process hearing. This process may result in additional consequences that may include my expulsion from school, or my being assigned to an alternative school/program.

Compulsory Education

I affirm and understand the consequences and penalties for failing to comply with laws of the state of Georgia regarding Compulsory Education, Student Attendance Protocol, and Attendance/Discipline. Please see pages 40-41 for more information.

Please sign, date, and return to your child's Homeroom Teacher within five (5) days to your school.

Student Name (Please Print) _____ Student Signature _____ Date _____

Parent Name (Please Print) _____ Parent Signature _____ Date _____

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Amharic

የ DeKalb ካውንቲ ት/ቤት ዲስትሪክት የ DeKalb አለማቀፋዊ አቀባበል ማእከል የትህትን መገለጫ በማድረግ የ

የተማሪ ሥነ ምግባር ደንብ ~ የተማሪ መብቶች እና ኃላፊነቶች እና የባህሪ እድገት መመሪያ መጽሐፍ ትርጉም ይሰጣል። የተተረጎመ የወረቀት ቅጽ ለማግኘት ጥያቄ ለት / ቤቱ ርዕሰ-መምህር ሊቀርብ ይችላል ወይም የኤሌክትሮኒክስ ሥራት በ www.dekalbschoolsga.org/student-support-intervention/studentrelations ይገኛል። የእንግሊዝኛ ቋንቋ እትሙ በጣም ትክክለኛ እንደሆነ ይቆጠራል እና ልዩነት ሲኖር ያሸንፋል።

Arabic

توفر مقاطعة ديكالب ترجمة مدونة سلوك الطلاب ~ حقوق مسجلات الطلاب كتيب تطوير الشخصية ، بإذن من مركز الترحيب الدولي ديكالب. يمكن طلب نسخة مطبوعة مطبوعة لمدير المدرسة أو تتوفر نسخة إلكترونية على www.dekalbschoolsga.org/student-support-intervention/student-relations. يعتبر إصدار اللغة الإنجليزية الأكثر دقة.

Bengali

DeKalb County School District DeKalb International Welcome Center-এর সৌজন্যে শিক্ষার্থীর আচরণ শিশি- শিক্ষার্থীর অধিকারও কর্তিতে এবং চশরত্র উন্নয়য় পুস্তিকার অযুিাদ প্রদায কত্রনো। স্কুনের অিন্ক্ষর কান্ে অযূশদর মুশির ংক্ষরনংর অযুত্রাি করুয অর্থা এখান্য ইন্েঙ্কুশযক ংক্ষরণ পায: www.dekalbschoolsga.org/student-support-intervention/student-relations। ইংত্রস্তজ ভাষার ংক্ষরণটিন্ক িন্চন্য শযভভতে শি ান্ি শিন্িচযা করা িয় এবং সকাযও অশমে সদখা শদন্ে ইংত্রস্তজ ভাষার ংক্ষরণটিন্কই প্রািাযে সদযা িয়।

Burmese

DeKalb International Welcome Center (DeKalb အျပည့်ရျပည့်ဝိုဆိုရာ ဖတဆေခေခ သကဆိမိဆိမ; စုတတ) ၏ ဝေက ဝ်းဝ်းရျဖုဝို DeKalb ဝေကာဝိုတတ ဝေက တိုဝ် ရဆိုဝိုညွ ဝေက တိုဝ်ဝိုတတ် က ဝိုဝို ဝိုတည်ဝ် မှတ်မ တတ် ~ ဝေက တိုဝ်ဝိုတတ် အ ဂြိုဝိုအိုဝ်းရ်မ တတ် ဝိုဝို ဝိုဝို တာ နှိုဝ်းရ်မ တတ်၊ ဝိုဝို ဝိုဝို ဝေက တိုဝ်ဝိုတတ် အက ဝိုဝိုစိုကို တဆိတ်တကေကာ ဝိုဝ်မြန္းဆိုရာ လကြိုဝ်းစအိပ အကြကို ဘိတ်တပပနိုဆိမက;ဆိ ဝေ တကေဝိုဝိုပပိုညွ။ စအိပတဆ်အ် ဝေက တိုဝ်အိပ ဝိုဝ် ဝေ တာဝ်ဝိုဆိုရးဆိုပိုညွ။ ဝိုဝိုမဆိဟိတု အလတက ဝိုဝေရာနစိုတတ်ရ ဝိုဝ်အ် www.dekalbschoolsga.org/studentsupport-intervention/student-relationsကြို ရရ ဆးဆိုပိုပိုညွ။ အဂလဆေဘုတိတ်တပပနို ဝိုဝ်းရ် ဝိုဝ်ဝိုတ ဝိုဝ်ရ ဝိုဝ်အ် မ နက္ခတ္တက မအးရူ ဆိတ်အိုဖစု မတ ဝိုဝေဆိုပိုပိုတတ်၊ ဝို တတ်နတ် ကွ တတ်ရ ဆ လြိုဝို ဝို ဝိုညိုတ လးမှတ်ဆိအတညျဖစပလဆေမဝိုမညွ။

Chinese

DeKalb 县校区提供 《学生行为规范 ~ 学生的权利和责任以及品德发展手册》 的译本， 由 DeKalb International Welcome Center 提供。可向校长索取译本复印件， 或从此处获取电子版： www.dekalbschoolsga.org/student-support-intervention/student-relations。 英文版本视作最准确版本， 有差异时将 以英文版本为准。

French

Le District scolaire du Comté de DeKalb fournit la traduction du Code de conduite de l'élève ~ Droits et responsabilité des élèves et Manuel de Développement du caractère, gracieusement offert par le DeKalb International Welcome Center. Il est possible de demander des exemplaires papier au principal de l'école ou une version électronique est disponible à www.dekalbschoolsga.org/student-supportintervention/student-relations. La version en langue anglaise sera considérée comme la plus précise et prévaudra en cas de disparité.

Hindi

DeKalb काउंटी स्कू ल डिस्ट्रिक्ट, DeKalb इंटरनेशनल वेलकम सेंटर के सौजन्य से छात्र आचार संडिता ~ छात्र अधिकारव डजम्मेदारी और चररत्र डवकास पुस्टिका का अनुवाद प्रदान करता ि स्कू ल प्रिनाचार्य को अनुवादत िािय कॉपी के डलए अनुरोि डकर्ा जा सकता िअन्यथा www.dekalbschoolsga.org/student-support-intervention/studentrelationsपर इलेक्टिॉडनक संस्करण उपलब्ध ि अंग्रेज़ी संस्करण को सबसे सटीक माना जाता िऔर डकसी प्रकार असंगडत की स्ट्थथडत में र्ि प्रबल िोगा।

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DEKALB COUNTY SCHOOL DISTRICT CODE OF STUDENT CONDUCT

POLICY STATEMENT

The DeKalb County Board of Education is committed to providing the best possible education for children who attend its schools. This commitment requires not only rigorous courses, highly qualified teachers, and well-equipped facilities, but also a safe, positive environment for our students, staff, parents, stakeholders, and community partners. The Board of Education expects all students to adhere to strict standards of acceptable behavior to foster learning.

The *DCSD Code of Student Conduct* identifies the rules of student behavior applicable to all DeKalb students, the discipline approach used to promote and enhance positive behaviors, and the procedures for imposing discipline consequences on students who violate these rules. When discipline must be administered, the *DCSD Code of Student Conduct* ensures that it is fair and serves the best interests of all students in the School District.

In general, discipline is designed to promote positive behavior and to correct a student's misconduct and encourages the student to be a responsible citizen of the school community. DCSD understand that students' misconduct is influenced by many factors, including trauma, mental health, disabilities, discrimination, and chronic stress. Responses to misconduct and the resulting supports will address the root cause of misconduct to the extent possible. The *DCSD Code of Student Conduct* is focused on behavioral expectations, rights, and responsibilities, and is not an exhaustive overview of positive responses and supports.

Disciplinary actions in response to unacceptable behavior will be administered based on the discretion of the handling administrator in proportion but not limited to the severity of the unacceptable behavior, its impact on the school environment, the student's age, developmental disabilities, grade level, the context and apparent intentionality, the student's previous discipline history, substantial injuries, and other relevant factors. The Board prefers to reassign disruptive students whose behavior cannot be corrected within the home school setting to alternative educational settings rather than suspend or expel such students from school, as authorized by Georgia law.

In considering the nature or severity of the behavioral situation, the disciplinary process may include student support services provided by the District and other public entities or community organizations to provide services to help maximize the academic potential along with the social and emotional well-being of students through the practices of effective consultations, comprehensive evaluations, and the development of prevention and intervention strategies.

Parental notification and parental involvement are essential to any effort to modify a student's inappropriate behavior. The *DCSD Code of Student Conduct* will only be effective if parents and guardians, teachers, and school administrators work together to improve student behavior and enhance academic performance. Parents, educators, and community members are urged to communicate concerns about student behavior or the student discipline process to the school principal or the [Department of Student Relations](#).

The *DCSD Code of Student Conduct* is authorized pursuant to Board Policy JCD.

PURPOSE

The *DCSD Code of Student Conduct* is intended to inform students in grades K-12 of the types of behaviors that are acceptable versus unacceptable. It is impossible to write a Code that addresses every conceivable variation of permitted and prohibited behavior. Consequently, students should understand they may be disciplined for any misconduct that disrupts the orderly mission of the school, that endangers safety or that is otherwise determined by school administration to be unsuitable to maintain a safe, positive, and supportive learning environment, whether or not it is specifically listed in the *DCSD Code of Student Conduct*.

Individual schools and classroom teachers may impose campus or classroom rules in addition to those found in this *DCSD Code of Student Conduct* that are geared toward improving safety, well-being, and academic progress. These rules may be explained by the teacher, posted in classrooms, or distributed to students, and may or may not constitute violations of the *DCSD Code of Student Conduct*. The determination of whether a student has violated the *DCSD Code of Student Conduct* will be based solely on a preponderance of the evidence. In other words, is it more likely than not, based on the evidence, that the student violated the rule?

LEARNING AND COMPLIANCE

All students, regardless of age or grade level, are required to know the contents of the *DCSD Code of Student Conduct* and abide by it and any other rules of conduct imposed by the school district and/or the school they attend, to the extent possible based on their overall developmental level. Teachers are required to conduct a more thorough review of the *DCSD Code of Student Conduct* with younger students in grades K-3, Exceptional Education, and English Speakers of Other Languages (ESOL) to ensure their understanding. The *DCSD Code of Student Conduct* is distributed to all schools and centers. Prior to the distribution of the *DCSD Code of Student Conduct*, it is reviewed with the faculty and staff before school begins and students arrive to ensure their understanding.

The *DCSD Code of Student Conduct* is distributed and taught to students during the first week of school. **A signed Parent/Guardian Signature Page found on page 1 is required from each student and parent/guardian.** A parent or legal guardian that does not acknowledge receipt of the student code of conduct shall not be absolved of any responsibility with respect to the information contained in the student code of conduct. A district-wide **mandatory** test on the *DCSD Code of Student Conduct* is administered to students within the first two weeks of school. This test may be administered during the traditional school day or electronically during virtual instruction. Student test scores are recorded. Class meetings are held during the first three weeks of school to discuss discipline and the application of discipline procedures.

Students who enter the School District during the school year will receive the *DCSD Code of Student Conduct* and will be tested on its contents.

Students sent to in-school suspension for the first time are retaught and retested on the *DCSD Code of Student Conduct*. As with the initial teaching, teachers are required to conduct a more thorough review of the *DCSD Code of Student Conduct* with younger students in grades K-3, Exceptional Education, and English Speakers of Other Languages (ESOL) to ensure their understanding.

Students are urged to ask faculty or staff members for clarification of any part of the *DCSD Code of Student Conduct* they do not understand.

EQUAL EDUCATIONAL OPPORTUNITIES

The DeKalb County School District provides equal educational opportunities for all students, regardless of their race, color, religion, national origin, gender, disability, age, sexual orientation, and gender identity. No student shall be subjected to discrimination or harassment because of the student's race, color, religion, national origin, gender, disability, age, sexual orientation, and gender identity in any of the District's educational programs, activities, or practices, including implementation of this *DCSD Code of Student Conduct*. The School District maintains a complaint procedure that affords students a prompt, fair, and orderly means of resolving complaints of discrimination.

DISCIPLINARY JURISDICTION OVER STUDENT CONDUCT

The DeKalb County School District has discipline authority over its students whenever the interests of the School District are involved. Therefore, the *DCSD Code of Student Conduct* applies at the following times and places:

- On school grounds at any time;
- Off school grounds at a school bus stop or at a school activity, function, or event;
- While the student is on a school bus or School District-sponsored transportation;
- While the student is participating in virtual instruction;
- When either the alleged perpetrator or the alleged victim is en route from school, to home, en route from a school activity, function, or event.
- When utilizing district technology resources, including but not limited to equipment, networks, virtual platforms, and software;
- Off school grounds while the student is participating in or attending school-sponsored or school-related activities, such as field trips, conferences, or athletic events, or is otherwise subject to the jurisdiction of school authorities;
- Off school grounds while attending a school-sponsored or school-related activity of another school system in Georgia;
- Off school grounds when the behavior of the 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. § 20-2-751.5(c)); or is in violation of state cyberbullying definition (O.C.G.A. § 20-2-751.4);
- Off school grounds when a student leaves school without permission of a school official (Absent Without Leave).

INVESTIGATION OF MISCONDUCT

Minor misconduct is often correctable with immediate feedback from the teacher or other personnel. When a more severe violation of school rules is reported or suspected, the principal or designee will determine whether an investigation is warranted and, if so, will instruct appropriate personnel to conduct an investigation. The investigation should be timely and include interviews with the alleged perpetrator(s), victim(s), identified witnesses, teacher(s), staff members, and others who might have relevant information. Written statements should be obtained from all individuals who are interviewed. Video surveillance, if available, should be reviewed and secured.

If administrators believe a request for a due process hearing will be made, the administrator should attempt to preserve video surveillance of any misconduct. Any other physical and documentary evidence should be collected and preserved. School counselors, school social workers, school police, and other support staff should be utilized for their expertise as determined by the circumstances of the matter. At an appropriate time during or after the investigation, the parent or guardian will be notified. However, if the incident involves an injury or similar situation, appropriate medical attention should be provided, and the parent or guardian should be notified immediately. Furthermore, if the incident involves a threat to safety or intervention of law enforcement is otherwise determined to be appropriate, appropriate authorities shall be contacted and the school investigation will proceed to the extent possible while avoiding interference with any law enforcement investigation or detention.

The determination of whether a student has violated the *DCSD Code of Student Conduct* will be made based solely on a preponderance of the evidence. In other words, is it more likely to be true than not true, based on the evidence, that the student did violate the rule? For short term suspensions (10 days of suspension or less) there is no formal appeal process. If the parents/guardians or student disagree with the decision, they may petition to the school principal. If they disagree with the principal's decision, they may petition in writing to the regional superintendent. Please refer to the Discipline Due Process flowchart in the *DCSD Code of Student Conduct* for a summary of the District's discipline process. If a referral for District due process hearing is made, the student will be provided with the opportunity to participate in a disciplinary hearing and appeals process, as described herein.

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REFUSAL TO FOLLOW INSTRUCTIONS OF ADMINISTRATORS/FACULTY/STAFF	40
REPEATED VIOLATIONS	46-47
RIOTING or CHAOS	42
ROBBERY	34-35
RUDE/DISRESPECTFUL BEHAVIOR	40
SENDING INAPPROPRIATE MESSAGES/PICTURES/VIDEOS (SEXTING)	28-29, 38-39
SEXUAL HARASSMENT/COMMENTS/FAVORS	48-49
SHOVING/PUSHING	36
SIMPLE BATTERY	36
SKIPPING CLASS/LEAVING THE SCHOOL CAMPUS WITHOUT AUTHORIZATION	41-42
SPITTING ON OTHERS	43
TAKING PICTURES/VIDEOS AT SCHOOL	28-29, 38
TERRORISTIC THREATS (Threats to the School)	42
THEFT /STEALING (Actual or Attempted)	34-35
THREATS OR INTIMIDATION (Staff or Student)	35, 37-40

THROWING OBJECTS	50
TOBACCO (Cigarettes, Cigars, Chewing Tobacco, e- Cigarettes, Snuff, Tobacco, Vaping Products)	28
TRESPASSING	48
UNSAFE ACTION	50
USE/UNDER THE INFLUENCE OF DRUGS	33
VANDALISM	34
VERBAL CONFRONTATION/PROVOCATION/ALTERCATION	35-36
WEAPONS	29-31

DEKALB COUNTY SCHOOL DISTRICT

2022-2023 CHARACTER TRAITS

“The function of education is to teach one to think intensively and to think critically. Intelligence plus character that is the goal of true education.” –Martin Luther King, Jr.

Character Education is the deliberate effort to help people understand, care about, and act upon core ethical values. An intentional and comprehensive character education initiative provides a lens through which every aspect of school becomes an opportunity for character development.

Benefits of Character Education:

- Promotes character development through the exploration of ethical issues across the curriculum
- Develops a positive and moral climate by engaging the participation of students, teachers and staff, parents, and communities
- Teaches how to solve conflicts fairly, creating safer schools that are free of intimidation, fear, and violence, and are more conducive to learning*

Character traits are essential for students to prepare for greatness! These traits should be modeled and maintained by adults and students.

Respect, Responsibility & Caring

Modeling cornerstones of good character

Respect

Showing high regard for self, others, and property

Responsibility

Being accountable for your own behavior

Honesty

Being truthful in word and action

Caring

Showing concern for the well-being of others

Justice and Fairness

Demonstrating impartial, unbiased, and equitable treatment for all

Citizenship

Being an informed, responsible, and caring participant in your community

Courage

Doing the right thing in the face of difficulty and following your conscience instead of the crowd

Perseverance

Staying on task and not giving up. Demonstrating commitment, pride, and positive attitude in completing tasks

Hope

Believing you will be successful

**Character Education Informational Handbook & Guide, DPI
<https://files.nc.gov/dpi/documents/charactereducation/handbook/content2.pdf>*

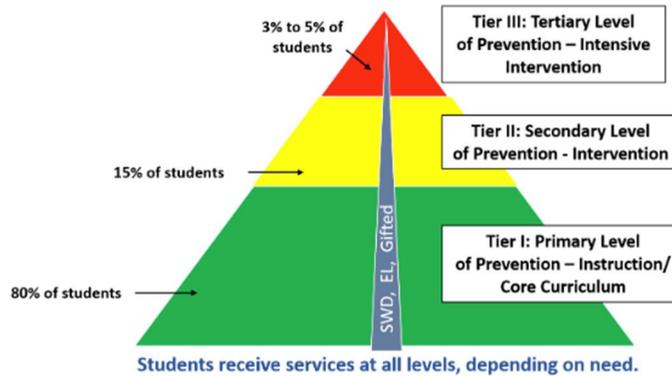
Character Traits Found in the *DCSD Code of Student Conduct*

This handbook supports the belief that appropriate behaviors and positive character must be modeled and maintained by all staff and students to have safe and orderly schools. Rules for expected student behavior should be taught and aligned with the following character traits.

CHARACTER TRAIT	VIOLATIONS
Respect/Responsibility/Caring	Violation #1: Tobacco
Respect/Responsibility/Caring	Violation #2: Electronic Communication Devices
Responsibility/Caring/Citizenship	Violations #3a, 3b: Weapons
Respect/Responsibility/Caring	Violations #4a, 4b: Intentional Physical Violence
Responsibility	Violations #5a, 5b, 5c Drugs/Alcohol
Honesty/Respect	Violations #6a, 6b, 6c: Property
Respect/Responsibility/Caring	Violations #7a, 7b, 7c, 7d, 7e, 7f, 7g: Bullying/Harassment/Hazing/Fighting/Assault/Battery
Respect/Responsibility/Caring	Violations #8a, 8b: Refusal to Follow Instructions
Responsibility/Courage/Perseverance	Violation #9: Unlawful Absence/Truancy
Responsibility/Courage/Perseverance	Violation #10: Skipping Class
Respect/Responsibility/Caring	Violation #11: Classroom Disturbance
Respect/Responsibility/Citizenship	Violation #12: School Disturbance
Responsibility/Respect/Citizenship	Violation #13: Profanity/Vulgarity/Obscenity
Responsibility/Respect/Courage	Violation #14: Failure to Accept Disciplinary Action
Responsibility/Respect/Courage	Violation #15: Chronic Tardiness
Responsibility/Respect/Caring	Violation #16: Bus Misconduct
Responsibility/Respect/Citizenship	Violation #17: Conduct Outside of School Hours
Responsibility	Violation #18: Gambling
Responsibility/Respect/Hope	Violation #19a: Repeated Violations
Responsibility/Respect/Courage	Violation #19b: Violation of Probation
Responsibility/Citizenship	Violation #20: Parking and Traffic Violations
Respect/Responsibility/Courage	Violation #21: Loitering/Trespassing
Honesty/Respect	Violation #22: Providing False Information
Responsibility/Respect/Caring	Violation #23: Inappropriate Sexual Behavior
Responsibility	Violation #24: Identification Card Violation
Responsibility/Respect/Citizenship	Violation #25: Student Dress Code Violation
Responsibility/Respect/Citizenship	Violation #26: Unsafe Action

Multi-Tiered Systems of Support and Response to Intervention: What happens if a student needs help with learning and behavior?

Essential Component: Multi-Level Prevention System



General Education Multi-Tiered Systems of Support (MTSS), Tiers 1-3

Introduction

Students sometimes need help with learning or behavior, beyond what is routinely offered by a teacher in a general education classroom. In Georgia, General Education includes system with three levels of academic and social-emotional-behavioral supports for students who may struggle with learning or behavior. Tier 1 describes the many ways that teachers support students' learning and development and includes core educational practices to support standards-based instruction. Tier 2 is the next level that is used if Tier 1 is not sufficient and provides moderate intensity support to address how to help students develop and grow in specific skills. Tier 3 is used when Tier 2 is not sufficient and provides intensive support organized through Student Support Team (SST) process, focusing on helping students with specific skills. SST is a Federal and State initiative that is defined in Georgia Board Rule 160-4-2-.32. Tier 2 or Tier 3 supports are provided in addition to Tier 1 core instruction and supports.

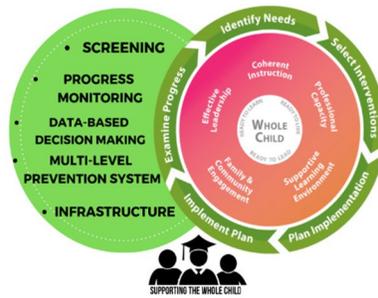
Being enrolled in Tier 2-3 does not mean a student has a disability or is receiving special or exceptional education. These tiers provide prevention and intervention in a general education setting and are not the only way to support students' learning and behavior. In addition to General Education MTSS supports, Georgia schools also provide specialized educational services through education programs. Delivery models include Special Education, Gifted Programming, and/or English Language Learners Services. Those services are offered to students who meet the criteria for eligibility for each program. If eligible, students may receive support for learning or behavior through an Individual Education Plan (IEP) or 504 accommodation plan (see pages 85-88 for more information). Students who meet eligibility criteria may be supported by a 504 accommodation plan and MTSS Tier 2 and/or Tier 3 supports simultaneously. Section 504 accommodations are provided to ensure students can access school facilities, curriculum, instruction, and assessments while MTSS teaches academic and/or behavioral skills to help the student be more successful. Some students may benefit from both.

DeKalb County School District (DCSD) MTSS

MTSS is a required element of the continuous school improvement process. MTSS involves alignment of appropriate assessment with purposeful instruction for all students. The DCSD MTSS framework supports both academic and behavioral development, teaching to mastery, maximizing the growth of every learner, and continuous school improvement. The processes within MTSS are not extra or additional duties, but rather they represent how we teach diverse learners to maximize the growth and development of each pupil. A key element within the MTSS is ongoing data monitoring for student response to intervention (RTI) to inform intentional decision-making for instructional planning and supports.

Interventions are types of instruction targeted to meet the academic and/or behavioral learning needs of a student. Interventions are in addition to the general classroom instruction. These added learning tools are well researched and evidence-based to deliver specific instructional strategies and techniques. The intensity of intervention supports increase at each tier of the MTSS framework. The framework is intended to be fluid. As students make progress, they may move to less intense supports on lower tiers or return to Tier 1 Core Instruction. There are several types of instructional activities and strategies available to layer the learning techniques and tools used to improve a student's learning.

Essential Components of the MTSS Framework



The key components in Georgia’s MTSS-RTI process include:

1. The three-tiered delivery model gives learning support that is matched to the student’s need.
2. Evidence-based instruction is the core of a teacher’s classroom lesson plan.
3. Evidence-based interventions that increase or decrease in intensity if the results of the progress monitoring show a change is needed.
4. The use of a variety of ongoing assessment (test) data determines which students need supports to meet academic and/or behavior expectations.
5. Delivery of resources for learning interventions are based on student assessment data and classroom observation.

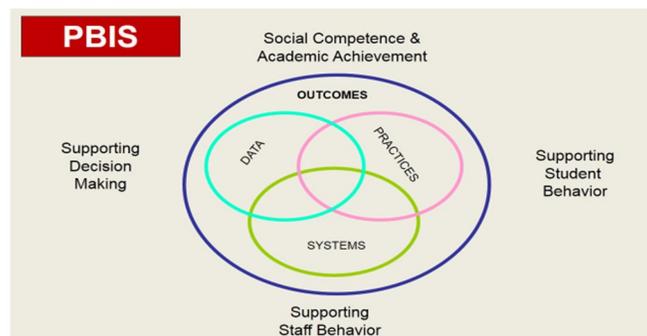
Parents: You can help with the MTSS-RTI process by actively participating in your child’s education and being a partner in the success of the teaching and learning in school. You can also read the Georgia Standards of Excellence for your child’s grade or course by going to the parent page of www.GeorgiaStandards.org, ask for ways you can help at home to improve your child’s school performance, review and ask questions about your child’s progress on assessments during parent conferences, become knowledgeable about the classroom intervention process in your school or district, and if your child is being supported with an intervention, request progress updates so you know if the intervention is working.

POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS (PBIS)

Positive Behavioral Interventions and Supports (PBIS) is an evidence-based, data-driven framework proven to reduce disciplinary incidents, increase a school's sense of safety and support improved academic outcomes. DeKalb County Schools uses the framework to guide the overall approach to discipline, however, the evidence-based application of the framework requires training teachers and staff and developing specific implementation strategies. The implementation of PBIS in DeKalb County Schools is in progress. Currently, more than 44 DeKalb County Schools, as well as 1,400 Georgia Schools and 27,000 schools nationwide are implementing PBIS and saving countless instructional hours otherwise lost to discipline. The premise of PBIS is that continual teaching, combined with acknowledgement or feedback of positive student behavior will reduce unnecessary discipline and promote a climate of greater productivity, safety, and learning. PBIS schools apply a multi-tiered approach to prevention, using disciplinary data and principles of behavior analysis to develop school-wide, targeted, and individualized interventions and supports to improve school climate for all students. (OSEP Technical Assistance Center on Positive Behavior Interventions & Supports, 2009)

Behavioral support is provided for ALL students school-wide. This system of support offers all students social skills instruction, positive and proactive discipline, social behavior expectations, active supervision and monitoring, positive acknowledgement, fair and corrective discipline, and parent training and collaboration. Parents report that their main school concern is the safety of their child (Neilsen Gatti, Stansberry-Brusnahan, & Nelson, 2007). Challenging behaviors in schools that range from disruptive classroom behaviors to physical violence are safety concerns and they represent barriers to teaching and learning. Educators and parents both share this concern. Rather than relying on a mixed bag of short-term solutions for individual students and situations, schools should focus on proactive ways to define, teach, and sustain appropriate student behaviors across all school settings including the classroom, lunchroom, restrooms, and playground. The primary goal of PBIS is to help schools design effective environments that will increase teaching and learning for all students. (Georgia Department of Education, GaPBIS)

The ten critical elements of School-Wide, Tier 1 PBIS include the PBIS Team and principal, clear expectations and rules, teaching behavior, data entry and analysis, acknowledgment (feedback), effective discipline process, faculty commitment, implementation, classroom, and evaluation.



(Georgia Department of Education, GaPBIS)

RESTORATIVE PRACTICES

In conjunction with a PBIS framework, DeKalb County School District is utilizing innovative tools aimed at improving climate and culture when the school community is affected by a student violating the rules of the DCSD *Code of Student Conduct* called Restorative Practices. The goal of restorative practices is to develop community and to manage conflict and tensions by repairing harm and building relationships rather than simply punishing the wrongdoer.

The use of restorative practices helps to:

- reduce crime, violence, and bullying,
- improve human behavior,
- strengthen civil society,
- provide effective leadership,
- restore relationships, and
- repair harm.



Information sourced via *The American Federation of Teachers*.
<http://www.aft.org/ae/winter2015-2016/resources>

Restorative practice promotes dialogue between those who have been hurt and those who have inflicted the harm. This allows the victim and wrongdoer to have an opportunity to discuss how they have been affected by the violation and to decide what should be done to repair the harm and relationship. This is a victim-sensitive tool that encourages victims to take an active role in addressing the violation. Wrongdoers are encouraged to take responsibility for their actions, to repair the harm they have done by apologizing, returning stolen property, community service, or restitution. This may allow for the greatest victim contentment and wrongdoer accountability. Restorative practice is not suitable for instances of bullying, harassment, hazing, or discrimination.

A restorative conference is carefully planned to ensure that those who have been victimized and those who have done wrong are properly prepared and that any further harm from confrontation is prevented. During the restorative conference, the victims, wrongdoers, both parties' family and friends, staff, and other community members volunteer to participate in a structured, scripted meeting to address the violation, consequences, and restitution. The conference facilitator arranges the meeting, reads a script, and keeps the conference focused, but intentionally does not actively participate in structuring the outcome of the conference. The goal of the conference is for the participants to arrive at a jointly acceptable agreement that addresses the harm caused by the wrongdoer and necessary reparations.

Wachtel, Ted. <http://www.iirp.edu/what-is-restorative-practices.php>. *International Institute for Restorative Practices*. Retrieved 11 July 2012.

BEHAVIORAL STRATEGIES, DISCIPLINARY OPTIONS, AND CONSEQUENCES

Progressive discipline is designed to teach and reinforce good conduct, correct a student’s misconduct, and encourage the student to be a responsible citizen of the school community. Progressive discipline should promote positive student behavior while establishing clear and fair consequences for unacceptable behavior; and state what is unacceptable. Disciplinary actions are administered in proportion to the severity of the unacceptable behavior, its impact on the school environment, the student’s age and grade level, the context and apparent intentionality, the student’s previous discipline history, and other relevant factors. All due process procedures required by federal and state law will be followed through the progressive discipline process.

The school discipline process should include appropriate consideration of support processes to help students resolve such problems. These resources may include, but are not limited to, Student Support Team, positive behavioral supports, counseling with school counselor, school social worker involvement, school resource officer reports, behavior, attendance and academic contracts or plans, peer mediation, and prevention programs. The offenses have a range of seven (7) levels of unacceptable behaviors. Each offense provides interventions as well as a range of consequences including suspension and expulsion if the level permits.

Each violation in the *DCSD Code of Student Conduct* is followed by a box similar to the one below. The minimum and maximum consequences for each violation are indicated. ***Multi-tiered Systems of Support (MTSS) must be conducted prior to expelling or suspending a student in kindergarten through third grade for 5 or more consecutive or cumulative days; unless student possessed a weapon, drugs or other dangerous instrument or the student's behavior endangers the safety of other students or school personnel. Exceptional Education Student procedures must apply. (O.C.G.A. § 20-2-740)*** In addition to discipline, behaviors may also be reported to law enforcement at the District’s discretion and as required by law, including O.C.G.A. § 20-2-1184 and 19-7-5. Major offenses including, but not limited to, drugs and weapon offenses, can lead to schools being named as an Unsafe School according to the provisions of State Board Rule 160-4-8-.16.

LEVEL 1	<p>Teacher selected strategies should be used for minor acts of student behavior that is not suitable for the context. Level 1 behaviors include behaviors that may be permissible in some contexts (e.g. playing with toys) but are not appropriate for the current context. Teachers will ensure that students understand when such behaviors are not appropriate and will provide positive feedback and reinforcement before addressing recurring behaviors as possible misconduct. Teachers should keep a written record of the violation and strategies used to address the behavior. If a Level 1 violation repeatedly or substantially interferes with the learning environment, it may be elevated to a higher level after teacher selected strategies have been utilized. Necessary strategies and positive behavioral interventions and supports will be provided through the MTSS-RTI process at Tier 1 (pages 14-15).</p> <p><i>Examples of behaviors that may impact only the student</i></p> <ul style="list-style-type: none"> ▪ Calling out in class ▪ Inappropriate Noise ▪ Chewing gum ▪ Tapping pencils ▪ Writing on self ▪ Writing on desk ▪ Not in seat ▪ Not prepared for class ▪ Off-tasks behaviors ▪ Drawing instead of working ▪ Tardy to class ▪ Criticizing teacher one on one ▪ Whining ▪ Wearing a hat in school, minor deviation from dress code ▪ Eating food when not allowed <p>Strategies for Managing Behaviors: Conference with student and other individuals as needed; Build relationships that support academic achievement; Discussion about expectations; Review classroom procedures and expectations; Eye contact; Proximity; High levels of supervision; Verbal warning; and Pre-teaching of expectations.</p> <p>Disciplinary Options may include: Time out in room; Time away in buddy classroom; Loss of privilege; Reflection sheet; Moving seat; Parent contact; Reinforcement of appropriate behaviors; De-escalation strategies; and Redirect behavior. Exceptional education student procedures must apply. For students with an Individual Education Plan (IEP) or 504 Plan, see pages 87-91.</p>
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LEVEL 2	<p>Level 2 violations include infractions which are more severe in nature than Level 1 and interfere with classroom instruction and/or orderly operation of the learning environment, school transportation or a school-sponsored activity. These violations include minor misconduct and misbehaviors directed against persons or property but do not seriously endanger the health, safety, and well-being of others. Necessary strategies and positive behavioral interventions and supports will be provided and documented through the Response to Intervention process at Tier 1. Certain level 2 violations might result in Tier 2 or Tier 3 intervention supports if safety concerns for the student or others are present (pages 14-15). Certain Level 2 violations may be elevated to Level 3 violations or higher based on the severity or context of the misconduct if this behavior jeopardizes the health, safety, or well-being of others.</p> <p><i>Examples of behaviors that interfere with the learning of others:</i></p> <ul style="list-style-type: none"> ▪ Touching ▪ Poking ▪ Standing on furniture ▪ Constant talking ▪ Out of seat and interfering with others learning ▪ Inappropriate chair manners ▪ Consistently not following directions ▪ Unauthorized electronic device usage including but not limited to cell phones and I-pods ▪ Running away and leaving the classroom ▪ Throwing items in classroom ▪ Disrespectful language to adult ▪ Yelling at teacher ▪ Moving or kicking furniture in an angry way/tantrum ▪ Bus misbehavior ▪ Gambling ▪ Dress code violations that noticeably affect safety or respect for self and others <p>Strategies for Managing Behaviors: Build relationships that support academic achievement; Discussion about expectations; Review classroom procedures and expectations; Eye contact; Proximity; High levels of supervision; Verbal warning; Pre-teaching of expectations; Mentoring; Consultation with grade level teams/school counselor/school psychologist for classroom/individual behavior management ideas; Restorative practices; Teach Pro-Social behaviors; and Use of safe place for students to retreat to help self-regulate.</p> <p>Disciplinary Options may include: Time out in room; Time away in buddy classroom; Loss of privileges; Reflection sheet; Moving seat; Parent conference; Reinforcement of appropriate behaviors; De-escalation strategies; Redirect behavior; Behavior Contract; In-School Suspension; Restorative justice; and problem solving with your grade level team. Corrective Strategies should be used to manage additional behaviors with the involvement of the student, parent, teacher, or other internal supports. Exceptional education student procedures must apply. For students with an Individual Education Plan (IEP) or 504 Plan, see pages 87-91.</p>
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<p>Level 3</p>	<p>Level 3 violations include infractions which are more severe in nature than Level 2 and interfere with the orderly operation of the learning environment, school transportation or a school-sponsored activity. These violations include repeated, unrelated acts or misconduct and misbehaviors directed against persons or property and may impede the learning or jeopardize the health, safety, or well-being of others. Necessary strategies and positive behavioral interventions and supports will be provided and documented through the MTSS-RTI process at Tier 1. Certain Level 3 offenses may be elevated to Tier 2 of the MTSS-RTI framework if Tier 1 supports have been completed and documented with fidelity. In addition, certain Level 3 offenses may be elevated to Tier 2 or Tier 3 intervention supports if safety concerns are present for the student or others (pages 14-15). If students have accumulated 2-4 out of school suspensions or an accumulation of 5 or more out of school suspension days, a Tier 2 behavior support plan should be created, implemented, and documented with fidelity. If the student accumulates 5 or more suspensions, a Tier 3 plan should be created, implemented, and documented with fidelity. Certain Level 3 violations may be elevated to Level 4 violations or higher based on the severity or context of the misconduct if it seriously disrupts the school environment, or presents threats to health, safety, or property.</p> <p><i>Examples of behaviors that affect an orderly environment:</i></p> <ul style="list-style-type: none"> ▪ Any level 1 or 2 that takes excessive teacher time and takes away from student learning. ▪ Talking back to adult ▪ Throwing items in classroom at others ▪ Lying ▪ Cheating ▪ Forgery ▪ Fighting (Simple Battery) ▪ Inappropriate language ▪ Pushing ▪ School disturbance ▪ Bullying, Harassment, Hazing ▪ Disrespect to peers/adults ▪ Leaving room without permission ▪ Banging on window ▪ Vandalizing school property ▪ Unauthorized electronic device usage including but not limited to cell phones and I-pods ▪ Conduct outside of school hours or away from school ▪ Unsafe action ▪ Dress code violations that create a hostile or unsafe environment <p>Strategies for Managing Behaviors: Behavior Contract; Detention; In-School Intervention; Mediation; Mentoring; Discipline Warning Letter to Parents; Referral Process; Restorative Practice; Shadowing; Substance Abuse Education; and Violence Education.</p> <p>Disciplinary Options may include: In-School Suspension for 1-3 days with Instructional Module. Exceptional education student procedures must apply. For students with an Individual Education Plan (IEP) or 504 Plan, see pages 87-91.</p>
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LEVEL 4	<p>Level 4 violations include infractions, which are serious acts of misconduct including, but not limited to, repeated misbehavior that is similar in nature, behavior that results in serious disruptions of the school environment and behavior that presents threats to health, safety, or property. Necessary interventions and positive behavioral interventions and supports will be provided and documented through the MTSS-RTI process. Certain Level 4 offenses may be elevated to Tier 2 or Tier 3 of the MTSS-RTI framework if Tier 1 supports have been completed and documented with fidelity. In addition, certain Level 4 offenses may be elevated to Tier 2 or Tier 3 intervention supports if safety concerns are present for the student or others (pages 14-15). If students have accumulated 2-4 out of school suspensions or an accumulation of 5 or more out of school suspension days, a Tier 2 behavior support plan should be created, implemented, and documented with fidelity. If the student accumulates 5 or more suspensions, a Tier 3 plan should be created, implemented, and documented with fidelity (pages 14-15). Certain Level 4 violations may be elevated to Level 5 violations or higher based on the severity or context of the misconduct.</p> <p><i>Examples of behaviors that affect an orderly environment:</i></p> <ul style="list-style-type: none"> ▪ Any level 1, 2 or 3 behavior that takes excessive teacher time and takes away from student learning. ▪ Talking back to adult ▪ Throwing items in classroom at others ▪ Lying ▪ Cheating ▪ Forgery ▪ Fighting (Simple Battery) ▪ Inappropriate language ▪ School disturbance ▪ Bullying, Harassment, Hazing ▪ Disrespect to peers/adults ▪ Leaving room without permission ▪ Banging on window ▪ Vandalizing school property ▪ Unauthorized electronic device usage including but not limited to cell phones and I-pods ▪ Conduct outside of school hours or away from school ▪ Unsafe action ▪ Dress code violations that create a hostile or unsafe environment <p>Disciplinary Options may include: Targeted Behavioral Contract. Consequence: Out-of-School Suspension for 1-5 days. Exceptional education student procedures must apply. For students with an Individual Education Plan (IEP) or 504 Plan, see pages 87-91.</p>
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<p>LEVEL 5</p>	<p>Level 5 violations include infractions which are serious acts of misconduct including, but not limited to, repeated misbehavior that is similar in nature, behavior resulting in serious disruptions of the school environment, behavior that present threats to health, safety, or property. Student will be placed on a mandatory Probationary Contract which may result in expulsion if the student is found in violation of the contract, may result in expulsion. Necessary interventions and positive behavioral interventions and supports will be provided and documented through the MTSS-RTI process. Certain Level 5 offenses may be elevated to Tier 2 or Tier 3 of the MTSS-RTI framework if Tier 1 supports have been completed and documented with fidelity. In addition, certain Level 5 offenses may be elevated to Tier 2 or Tier 3 intervention supports if safety concerns are present for the student or others (pages 14-15). If students have accumulated 2-4 out of school suspensions or an accumulation of 5 or more out of school suspension days, a Tier 2 behavior support plan should be created, implemented, and documented with fidelity. If the student accumulates 5 or more suspensions, a Tier 3 plan should be created, implemented, and documented with fidelity. Certain Level 5 violations may be elevated to Level 6 violations or higher based on the severity or context of the misconduct.</p> <p><i>Examples of Harmful and Illegal Behaviors:</i></p> <ul style="list-style-type: none"> ▪ Actions that cause harm ▪ Intentional/Unintentional Violence against school employees ▪ Stealing ▪ Fighting (Simple Battery) ▪ Battery ▪ Drugs ▪ Weapons ▪ School disturbance ▪ Biting ▪ Bullying, Harassment, Hazing ▪ Throwing furniture or other objects ▪ Stealing ▪ Threatening to do injury to person or property ▪ Sexual harassment ▪ Sexual behaviors ▪ Alcohol <p>Disciplinary Options must include: School-based review of previous strategies and interventions implemented; Participation in GRIP Program (Growing Responsibly, Increasing Possibilities).</p> <p>Consequence: Suspension for 6-10 days with a Probationary Contract. Exceptional education student procedures must apply. For students with an Individual Education Plan (IEP) or 504 Plan, see pages 87-91.</p>
<p>LEVEL 6</p>	<p>Level 6 violations include infractions which are of a serious and aggravated nature such that the student shall be removed from class and will be subject to a required 10-day suspension served by the student and a District due process hearing that may result in additional consequences, to include, but not limited to, additional suspension, in-school suspension, social restriction, community service and assignment to an identified program or alternative school. The Department of Public Safety, Social Worker, and other outside law enforcement or other agencies may investigate Level 6 violations and independent law enforcement investigations may result in state criminal or juvenile proceedings being initiated by such outside agencies against the student accused of a Level 6 violation. Certain Level 6 violations may be elevated to Level 7 violations or higher based on the severity or context of the misconduct. Level 6 infractions should be met with Tier 3 intervention supports through MTSS-RTI framework upon the student's return from suspension. At the re-entry conference, a Tier 3 behavior intervention plan should be created. The plan should then be implemented and documented with fidelity (pages 14-15).</p> <p><i>Examples of Harmful and Illegal Behaviors:</i></p> <ul style="list-style-type: none"> ▪ Actions that cause harm ▪ Intentional/Unintentional Violence against school employees ▪ Stealing ▪ Fighting (Simple Battery) ▪ Battery ▪ Aggravated Assault ▪ Aggravated Battery ▪ Bystander Battery ▪ Drugs ▪ Weapons

	<ul style="list-style-type: none"> ▪ School disturbance ▪ Biting ▪ Bullying, Harassment, Hazing ▪ Throwing furniture or other objects ▪ Threatening to do injury to person or property ▪ Sexual harassment ▪ Sexual behaviors ▪ Alcohol <p>Consequence: Long-Term Suspension. Exceptional education student procedures must apply. For students with an Individual Education Plan (IEP) or 504 Plan, see pages 87-91.</p>
LEVEL 7	<p>Level 7 violations include infractions which are of a serious and aggravated nature such that the student shall be removed from class and will be subject to a required 10-day suspension served by the student and a District due process hearing that may result in additional consequences, to include, but not limited to expulsion, additional suspension, in-school suspension, social restriction, community service and assignment to an identified program or alternative school, but to continue beyond the current semester. The student may be excluded from ALL units of the District for a specified period of time through permanent expulsion if applicable. The Department of Public Safety, Social Worker, and other outside law enforcement or other agencies may investigate Level 7 violations, an independent law enforcement investigation may result in state criminal or juvenile proceedings being initiated by such outside agencies against the student accused of a Level 7 violation. Level 7 infractions should be met with Tier 3 intervention supports through MTSS-RTI framework upon the student's return from suspension. At the re-entry conference, a Tier 3 behavior intervention plan should be created. The plan should then be implemented and documented with fidelity (pages 14-15).</p> <p>Examples of Harmful and Illegal Behaviors:</p> <ul style="list-style-type: none"> ▪ Actions that cause harm ▪ Intentional/Unintentional Violence against school employees ▪ Stealing ▪ Fighting (Simple Battery) ▪ Battery ▪ Aggravated Assault ▪ Aggravated Battery ▪ Bystander Battery ▪ Drugs ▪ Weapons ▪ School disturbance ▪ Biting ▪ Bullying, Harassment, Hazing ▪ Throwing furniture or other objects ▪ Threatening to do injury to person or property ▪ Sexual harassment ▪ Sexual behaviors ▪ Alcohol <p>Consequence: Expulsion. Exceptional education student procedures must apply. For students with an Individual Education Plan (IEP) or 504 Plan, see pages 87-91.</p>

ELEMENTARY MATRIX	Level of Consequences							Report	School Official to Contact
	1	2	3	4	5	6	7		
Offense/Violation									
1-Tobacco and Other Tobacco Products	●	●	●	●	●				
2-Electronic Communication Devices	●	●	●	●	●				
3a-Weapons			●	●	●	●	●	Police Report	SRO
3b-Weapons	●	●	●	●	●				SRO
4a-Intentional Physical Violence Not Causing Harm			●	●	●	●	●	Incident Report	Student Relations/SRO
4b-Intentional Physical Violence Causing Harm						●	●	Incident Report	Student Relations/SRO
Contact Student Relations Prior to Submitting Charge									
5a-Intent/Attempt/Sell/Distribute			●	●	●			Police Report	SRO
5b-Possession/Use/Under the Influence-1 st Offense			●	●	●			Police Report GRIP	SRO
5b-Possession/Use/Under the Influence-2 nd Offense & Subsequent Offenses						●	●	Police Report	SRO
5c-Possession and/or Distribution of Drug Related Paraphernalia-1 st Offense			●	●	●			Police Report GRIP	SRO
5c-Possession and/or Distribution of Drug Related Paraphernalia-2 nd Offense & Subsequent Offenses					●			Police Report	SRO
6a-Actual, Attempted or Threatened Destruction/Damage/Vandalism/Arson to School, Public or Private Property		●	●	●	●			Incident Report	SRO
6b-Actual, Attempted or Threatened Theft/Robbery/Burglary/Extortion/Possession of Stolen Property		●	●	●	●			Incident Report	SRO
6c-Textbooks, Media Center Materials, Computer Equipment/Use		●	●	●	●			Incident Report	SRO as appropriate
7a-Assault		●	●	●	●			GRIP	
7b-Simple Battery/Fighting/Hitting		●	●	●	●			GRIP	
7c-Battery			●	●	●			Incident Report GRIP	
7d-Aggravated Assault				●	●	●	●	Incident Report GRIP	SRO
7e-Aggravated Battery						●	●	Incident Report GRIP	SRO/Student Relations
7f-Bystander Battery		●	●	●	●			GRIP	
7g-Bullying/Hazing/Harassment	●	●	●	●	●			Bullying Report/GRIP	
8a-Rude or Disrespectful Behavior	●	●	●	●	●				
8b-Refusal to Follow Instructions	●	●	●	●	●				

ELEMENTARY MATRIX	Level of Consequences							Report	School Official to Contact
	1	2	3	4	5	6	7		
Offense/Violation									
9-Unexcused Absences/Truancy	Follow Attendance Protocol on page 41. Students will NOT be suspended for attendance-related infractions.							Attendance contract, Social Worker referral, Referral to Juvenile Court, Solicitor-General's Office, DFACS	For guidance, contact the Social Worker
10-Skipping Class/Required Activities	●	●	●	●	●				For guidance, contact the Social Worker
11-Classroom Disturbance		●	●	●	●				
12-General School Disturbance/Threats/Intimidation/Gang Related Activities			●	●	●			Incident Report	SRO as appropriate
13-Profanity/Obscenity	●	●	●	●	●				
14-Failure to Accept Disciplinary Action		●	●	●	●				
15-Chronic Tardiness	Follow Attendance Protocol on page 41. Students will NOT be suspended for attendance-related infractions.							Attendance contract, Social Worker referral, Referral to Juvenile Court, Solicitor-General's Office, DFACS	For guidance, contact the Social Worker
16-Bus Misbehavior	●	●	●	●	●				
17-Conduct Outside School Hours/Away From School Contact Student Relations Prior to Submitting Charge				●	●	●	●		Student Relations
18-Gambling		●	●	●	●				
19-Repeated Violations									
19a-Repeated Violations/Chronic Misbehavior			●	●	●			Resource Referral	
19b-Violation of Local School/District-Wide			●	●	●	●	●	Probation Contract	
20-Parking/Traffic Violations									
21-Loitering/Trespassing/Breaking and Entering	●	●	●	●	●				
22-Providing False Information	●	●	●	●	●				
23-General Sexual Misconduct/Sexual Harassment/Sexual Batter			●	●	●				SRO/ For guidance, contact the Social Worker/Student Relations
24-Student Identification Card Violation	●	●	●						
25-Dress Code Violation	●	●	●	●	●				See details for Dress Code on pages 50, 82-83.
26-Unsafe Action					●	●	●		Student Relations

MIDDLE/HIGH MATRIX	Level of Consequences							Report	School Official to Contact
	1	2	3	4	5	6	7		
Offense/Violation									
1-Tobacco and Other Tobacco Products	●	●	●	●	●				
2-Electronic Communication Devices	●	●	●	●	●				
3a-Weapons						●	●	Police Report	SRO
3b-Weapons	●	●	●	●	●	●			SRO
4a-Intentional Physical Violence Not Causing Harm 4b-Intentional Physical Violence Causing Harm Contact Student Relations Prior to Submitting Violation						●	●	Incident Report	Student Relations/SRO
						●	●	Incident Report	Student Relations/SRO
5a-Intent/Attempt/Sell/Distribute						●	●	Police Report	SRO
5b-Possession/Use/Under the Influence-1 st Offense				●	●			Police Report GRIP	SRO
5b- Possession/Use/Under the Influence-2 nd Offense & Subsequent Offenses						●	●		
5c-Possession and/or Distribution of Drug Related Paraphernalia-1 st Offense				●	●			Police Report	SRO
5c-Possession and/or Distribution of Drug Related Paraphernalia-2 nd Offense & Subsequent Offenses					●			Police Report GRIP	SRO
6a-Actual, Attempted or Threatened Destruction/Damage/Vandalism/Arson to School, Public or Private Property		●	●	●	●	●	●	Incident Report	SRO
6b-Actual, Attempted or Threatened Theft/Robbery/Burglary/Extortion/Possession of Stolen Property		●	●	●	●	●	●	Incident Report	SRO
6c-Textbooks, Media Center Materials, Computer Equipment/Use		●	●	●	●	●	●	Incident Report	SRO as appropriate
7a-Assault		●	●	●	●	●	●	GRIP	
7b-Simple Battery/Fighting/Hitting		●	●	●	●	●	●	GRIP	
7c-Battery					●	●	●	Incident Report/GRIP	
7d-Aggravated Assault						●	●	Incident Report/GRIP	SRO
7e-Aggravated Battery						●	●	Incident Report/GRIP	SRO/Student Relations
7f-Bystander Battery						●	●	GRIP	
7g-Bullying/Harassment/Hazing		●	●	●	●	●	●	Bullying Report/GRIP	
8a-Rude or Disrespectful Behavior	●	●	●	●	●				
8b-Refusal to Follow Instructions	●	●	●	●	●				

MIDDLE/HIGH MATRIX	Level of Consequences							Report	School Official to Contact
	1	2	3	4	5	6	7		
Offense/Violation									
9-Unexcused Absences/Truancy	Follow Attendance Protocol on page 41. Students will NOT be suspended for attendance-related infractions.							Attendance contract, Social Worker referral, Referral to Juvenile Court, Solicitor-General's Office, DFACS	For guidance, contact the Social Worker
10-Skipping Class/Required Activities	●	●	●	●	●				For guidance, contact the Social Worker
11-Classroom Disturbance		●	●	●	●	●	●		
12-General School Disturbance/Threats/Intimidation/Gang Related Activities			●	●	●	●	●	Incident Report	SRO as appropriate
13-Profanity/Obscenity		●	●	●	●	●	●		
14-Failure to Accept Disciplinary Action		●	●	●	●	●	●		
15-Chronic Tardiness	Follow Attendance Protocol on page 41. Students will NOT be suspended for attendance-related infractions.							Attendance contract, Social Worker referral, Referral to Juvenile Court, Solicitor-General's Office, DFACS	For guidance, contact the Social Worker
16-Bus Misbehavior	●	●	●	●	●	●	●		
17-Conduct Outside School Hours/Away From School Contact Student Relations Prior to Submitting Violation					●	●	●		Student Relations
18-Gambling		●	●	●	●	●	●		
19a-Repeated Violations/Chronic Misbehavior			●	●	●	●	●	Resource Referral	
19b-Violation of Local School/District-Wide			●	●	●	●	●	Probation Contract	
20-Parking/Traffic Violations		●	●	●	●	●	●		
21-Loitering/Trespassing/Breaking and Entering		●	●	●	●	●	●		
22-Providing False Information		●	●	●	●	●	●		
23-General Sexual Misconduct/Sexual Harassment/Sexual Battery		●	●	●	●	●	●		SRO/ For guidance, contact the Social Worker/Student Relations
24-Student Identification Card Violation	●	●	●	●	●				
25-Dress Code Violation	●	●	●	●	●				See details for Dress Code on pages 50, 82-83.
26-Unsafe Action					●	●	●		Student Relations

OFFENSES AND CONSEQUENCES

Multi-Tiered Systems of Support (MTSS) must be conducted prior to expelling or suspending a student in kindergarten through third grade for five (5) or more consecutive or cumulative days; unless student possessed a weapon, drugs or other dangerous instrument or the student's behavior endangers the safety of other students or school personnel. Exceptional Education Student procedures must apply. (O.C.G.A. § 20-2-740)

1. TOBACCO AND OTHER TOBACCO PRODUCTS

Students will not possess or use any tobacco products (cigarettes, cigars, chewing tobacco, snuff, etc.), including electronic cigarettes, vapor pens/tanks, cannabidiol (CBD) oil, or similar products on school property or on a school bus or at any school event away from school. **No student, staff member or school visitor is permitted to use any tobacco product or electronic cigarettes, vapor pens/tanks or similar products at any time on any School District owned/leased property or at any school event, including during non-school hours, virtual school days, 24 hours a day, seven days per week (Board Policy JCDA).** Additionally, the use of vapor pens/tanks and juuls for “vaping” or “juuling” may be harmful due to the lack of known dangers they may pose on the health of children.

ELEMENTARY/MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 1 - Conference
	Level 2 - Strategies (see pages 54-55)
	Level 3 - In-School Suspension of 1-3 days
	Level 4 - Suspension 1-5 days
Maximum:	Level 5 - Suspension of 6 - 10 days with a contract

Students in violation of this offense will be referred to the web-based **ASPIRE (A Smoking Prevention Interactive Experience)** program at www.mdanderson.org/aspire. A Certificate of Completion must be printed and presented to the referring administrator.

2. ELECTRONIC COMMUNICATION DEVICES, INCLUDING CELLULAR PHONES, SMART PHONES, TABLETS, WALKIE-TALKIES AND SIMILAR DEVICES

Students will not use any electronic communication device, including but not limited to, cellular phones, smart phones, tablets, walkie-talkies, and similar devices during traditional and/or virtual instructional time or on school buses and must not interfere with the educational mission of the school or pose a safety hazard. The instructional day includes, but is not limited to, lunch periods, class changes, study halls, and any other structured or non-structured instructional activity that occurs during the normal school day. At all times, students are expected to adhere to the following rules relative to electronic communication devices: (1) Phones must be turned completely off (not on silent or vibrate mode) and put away out of view (as directed by the school) during instructional time (official start of school day to the end of the school day), (2) No text messaging is allowed, (3) Students with serious medical conditions or other unusual circumstances may be given special permission by the school principal to use an electronic device if it is determined to be essential for the health of the student. Even for approved instructional purposes, use of a personal electronic communication device such as a smartphone is optional; students will not be required to provide personal electronic communication devices and will be furnished with a device or an alternative means to conduct the activity.

Parents/guardians are asked to refrain from calling, e-mailing, or texting their student during instructional time. In the event of an emergency, the parent/guardian may contact the student via the school's phone system. **POSSESSION OF A PERSONAL ELECTRONIC COMMUNICATION DEVICE ON SCHOOL PROPERTY IS A PRIVILEGE NOT A RIGHT.** All violations of these expectations will result in confiscation of the device. Moreover, the confiscated device will be returned only to the parent/guardian. The school is not responsible for personal electronic devices on school property or at school sponsored events. Electronic devices may be confiscated by the school administrator or designee for unapproved use on school property or at school sponsored events, including the following:

- (a) Purposely look for security problems, attempt to disrupt school technology resources, or engage in any activity that monopolizes or compromises school technology resources;
- (b) Copying computer programs, software or other technology provided by the District for personal use; download unauthorized files; or use school technology resources for personal gain or private business enterprises;
- (c) Attempting to, threatening to, or actually damage, destroy, vandalize, or steal private property or school property while using school technology resources on or off school grounds (The local school police officer must be notified of such incidents.);

- (d) Using or participating in using personal or school technology resources to distribute or display inappropriate material. Inappropriate material does not serve an instructional or educational purpose and includes but is not limited to the following (See Rule 7G for bullying using technology):
- Profane, vulgar, lewd, obscene, offensive, indecent, sexually explicit, pornographic, or threatening information/material;
 - Advocates illegal or dangerous acts;
 - Causes disruption to DeKalb County School District, its employees, or students;
 - Advocates violence;
 - Contains knowingly false, recklessly false, or defamatory information; or
 - Is otherwise harmful to minors as defined by the Children’s Internet Protection Act. (The local school police officer must be notified of such incidents.)
- (e) Refusing to comply with reasonable directions or commands of school staff regarding responsible use of technology, and/or use audio or visual recording devices without permission of a school administrator.
- (f) Gaining or attempting to gain unauthorized access to the District’s computer data, network, system, Internet connections, e-mail accounts, or intranet or to any third party’s computer system, data, or network, such as:
- Malicious tampering, phishing, or hacking activities;
 - Intentionally seeking information about passwords belonging to other users;
 - Disclosing a user’s password to the District’s computer network, system, Internet connections, e-mail accounts, or intranet to other individuals. Students, however, may share their passwords with their parents.
 - Modifying passwords belonging to others;
 - Attempting to log in through another person’s account;
 - Attempting to gain access to material that is blocked or filtered by the District;
 - Accessing, copying, or modifying another user’s files without authorization;
 - Disguising a user’s identity;
 - Using the password or identifier of an account that does not belong to the user; or
 - Engaging in uses that jeopardize access into others’ accounts or other computer networks or systems.

NOTE: No one is allowed to take pictures or video of other persons at school without the express permission of the principal. At no time shall a student take any pictures, video or audio recordings of students or staff while on school property or at any school sponsored event or post any pictures, videos or audio recordings of students or staff on social media without their consent. Violation of this provision will result in the student losing the privilege of using an electronic communication device while on school property. Visitors or volunteers may also not take pictures or video of students other than their own child without the consent of the student’s parent or guardian. Visitors and volunteers should consult with teachers about photo or video permissions that may have been obtained from the student’s parent or guardian.

Students must never send threatening/inappropriate messages and/or images via electronic communication devices or the internet/intranet at any time, including during virtual instructional time. This could result in very serious school, personal and/or criminal consequences. Go to <http://www.dekalbschools.ga.org/bullying-harassment-hazing-awareness> for further information on cyberbullying.

Student must not wear headphones with or without electronic devices during instruction time unless used for approved medical or instructional purposes only.

ELEMENTARY/MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 1 - Conference
	Level 2 - Strategies (see pages 54-55)
	Level 3 - In-School Suspension of 1-3 days
	Level 4 - Suspension 1-5 days
Maximum:	Level 5 - Suspension of 6 - 10 days with a contract

3. WEAPONS, EXPLOSIVES, HAZARDOUS OBJECTS AND OTHER DEVICES

NOTE: Weapons present an immediate and real danger to students, faculty, and staff, and can also damage the learning climate and reputation of a school. Federal law (Gun-Free School Zone Act;) states that school districts must have a policy requiring the expulsion of a student from school for at least one calendar year for possession of or for bringing a firearm or dangerous weapon to school, school-sponsored functions, on school property or school buses. (18 U.S.C. § 921(a)(25); O.C.G.A. § 16-11-127.1; O.C.G.A. §20-2-751.1) The possession of any dangerous weapon, hazardous object, or firearm in violation of O.C.G.A. § 16-5-21; 16-5-24; 16-11-127; 16-11-127.1; or 16-11- 132 will trigger the reporting requirements of O.C.G.A. § 20-2- 1184.

- A. Students shall not possess, handle, bring, transmit, or cause to be transmitted; use or threaten to use; sell, attempt to sell, or conspire to sell a firearm, a dangerous weapon or dangerous instrument/hazardous object/unauthorized item, either concealed or open to view, at school, on school property, at school-sponsored functions or school buses. There is no exception for students who have a valid legal license to carry a weapon.

NOTE: The definition of "weapon" for purposes of this Code of Conduct is one that includes, but is not limited to, the following items:

Category I Weapon: Firearm/Dangerous Weapons

Any loaded or unloaded firearm or a dangerous weapon.

Per O.C.G.A. §20-2-751.1, a student who is determined to have possessed a Category I weapon at school, shall be subject to expulsion from school for a period of not less than one calendar year; provided, however, that a hearing officer, administrator, superintendent, or local board of education shall have the authority to modify such expulsion requirement on a case-by-case basis, and is authorized to place a student determined to have brought a Category I weapon in an alternative educational setting.

A firearm includes a handgun, rifle, shotgun, or other weapon which will or can be converted to expel a projectile by the action of an explosive or electrical charge.

A dangerous weapon includes any weapon commonly known as a "rocket launcher," "bazooka," or "recoilless rifle" which fires explosive or nonexplosive rockets designed to injure or kill personnel or destroy heavy armor, or similar weapon used for such purpose. The term shall also mean a weapon commonly known as a "mortar" which fires high explosive from a metallic cylinder, and which is commonly used by the armed forces as an antipersonnel weapon or similar weapon used for such purpose. The term shall also mean a weapon commonly known as a "hand grenade" or other similar weapon which is designed to explode and injure personnel or similar weapon used for such purpose.

Category II Weapon: Hazardous Objects

Any pellet gun, paint pellet gun, or BB gun, antique firearm, nonlethal air gun, stun gun, Taser, or any similar weapon that does not meet the definition of a Category I weapon; any Bowie, Dirk, machete, switchblade knife, ballistics knife, any other knife having a blade of two or more inches; any razor blade (e.g., straight, regular, retractable, etc.); boxcutter; any bludgeon (e.g. billy club, PR-24, night stick, spring stick, blackjack, club); any firearm muffler or firearm silencer; "look-alike" bomb; any "martial arts" device or flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely (e.g., nunchakus, nun chuck, nun chahka, shuriken, or fighting chain, etc.); any disc of whatever configuration with at least two points or pointed blades which is designed to be thrown or propelled (e.g., Chinese star, oriental dart, throwing star, etc.); miscellaneous devices such as swords, sword/knife canes, ice picks, chains, bow and arrows, knuckles made of metal, thermoplastic, wood or other similar material, objects placed on fingers, in hands, or on fists or knuckles to provide a "loaded fist," etc., or any tool or instrument which the school administration could reasonably conclude as being used as a weapon or intended by the student to be used as a weapon and thus a violation of the intent of this Code of Conduct.

In addition to the above, Category II weapons include any item defined as a weapon or hazardous object as defined by O.C.G.A. § 16-11-127.1 and § 20-2-751, with the exception of firearms and dangerous weapons (See Category I).

Category III Weapon: Knives/Other Weapons

Any knife or instrument having a blade of less than two inches, any "look-alike" firearm, or plastic disposable razor or sling shot.

Dangerous Instruments/Unauthorized Items

Students shall not possess ammunition, BBs, paint pellets, CO₂ cartridges fireworks (other than "snap its", "poppers", or "pop-its" which may be addressed as a disruptive behavior), stink bombs, pepper spray, mace, or similar instruments /items. These instruments/items are disruptive to the function of the school and may pose a safety risk.

NOTE: A student must never touch or handle weapons at any time. Students should never take or agree to hold weapons, drugs, illegal or unknown items from other students. Tell an administrator if any of these items are found.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	
ELEMENTARY/MIDDLE/HIGH SCHOOL CONSEQUENCES: CATEGORY I WEAPONS	
Minimum:	Level 7 – Expulsion; one calendar year
Maximum:	Permanent Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 7.	

- B. Students will not use, possess, or handle water pistols, other instruments that project water or other liquids, toy guns, matches, lighters, laser pointers, devices that emit an electrical shock, or other devices, which when used inappropriately, cause discomfort/harm to another person and/or disrupt the class, school, or school event.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 1 - Conference Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum:	Level 5 – Suspension of 6-10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 1 - Conference Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

4. INTENTIONAL PHYSICAL VIOLENCE AGAINST TEACHERS, BUS DRIVERS, SCHOOL OFFICIALS, OR OTHER SCHOOL EMPLOYEES

Students will not intentionally hit or attack any school employee to cause physical hurt, harm, or injury.

A. Intentional Physical Violence Not Causing Physical Harm/Injury

Students will not intentionally hit or attack a teacher, school bus driver, school official, or other school employee. Students will not intentionally hit, attack, or make physical contact of an insulting or provoking nature with a teacher, school bus driver, school official, or other school employee. A due process hearing shall be held for such violation even for recommendation of short-term suspension, unless waived by the employee.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

MIDDLE/HIGH SCHOOL CONSEQUENCES:

Minimum: Level 6 – Long-Term Suspension

Maximum: Level 7 – Expulsion

A required 10-day suspension must be served and a due process hearing held for Level 6-7.

B. Intentional Physical Violence Causing Physical Harm

Students will not intentionally hit, attack, or otherwise make intentional physical contact with a teacher, school bus driver, school official, or other school employee and cause physical hurt, harm, or injury, unless in defense of themselves, as provided in O.C.G.A. §16-3-21.

ELEMENTARY/MIDDLE/HIGH SCHOOL CONSEQUENCES:

Minimum: Level 6 – Long-Term Suspension

Maximum: Level 7 – Expulsion

A required 10-day suspension must be served and a due process hearing held for Level 6-7.

State Law indicates a student found by a preponderance of evidence to be in violation of committing an act of physical violence against a teacher, school bus driver, school official, or school employee causing physical hurt, harm or injury will be expelled from school for the remainder of the student’s eligibility to attend public school (O.C.G.A. § 20-2-751.6). The law applies to all students in grades K-12. The Hearing Officer may assign the student to an alternative education program for the period of the expulsion. If the student is in kindergarten through grade eight, the Hearing Officer may allow the student to re-enroll at some point when the student reaches the high school grades. Additionally, if the student is in kindergarten through grade six and there is no alternative educational program available, the Hearing Officer may permit the student, at a recommended time, to re-enroll in school.

5. ALCOHOL, DRUGS, AND OTHER ILLEGAL/CONTROLLED SUBSTANCES*

*As used in this *DCSD Code of Student Conduct*, “drugs” shall mean all substances, including but not limited to, alcohol and alcoholic beverages, marijuana, medical marijuana, prescription drugs, over-the-counter drugs, look- alike drugs, inhalants, pills, tablets, capsules, synthetic substances and all other legal and illegal drugs or controlled substances under state or federal law. Use of alcohol, marijuana and other drugs by minors is illegal and harmful.

NOTE: A student must never touch or handle drugs at any time. Students should never take or agree to hold weapons, drugs, illegal or unknown items from other students. Tell an administrator if any of these items are found.

A. Sale or Distribution of Drugs

Students will not sell, attempt to sell, or intend to sell, distribute, attempt to distribute, or intend to distribute, drugs or substances represented or believed by the seller, buyer, distributor, or recipient to be drugs.

ELEMENTARY SCHOOL CONSEQUENCES:

Minimum: Level 3 - In-School Suspension of 1-3 days

Level 4 - Suspension 1-5 days

Maximum: Level 5 - Suspension of 6 - 10 days with a contract

MIDDLE/HIGH SCHOOL CONSEQUENCES:

Minimum: Level 6 – Long-Term Suspension

Maximum: Level 7 – Expulsion

A required 10-day suspension must be served and a due process hearing held for Level 6-7.

B. Possession/Use/Under the Influence of Drugs

Students will not possess, use, attempt to use, or be under the influence of drugs or substances represented or believed by the student to be drugs. Students will not cause, invite, or induce any person to possess, use, attempt to use, or be under the influence of drugs or substances represented or believed by the student to be drugs. Students will not deliberately smell, inhale, or ingest any legal substances or will not cause, invite, or induce any person to smell, inhale or ingest any legal substances in a manner other than for its intended purpose, including but not limited to, fingernail polish, model airplane glue, hand sanitizer, etc.

ELEMENTARY SCHOOL CONSEQUENCES	
Minimum:	Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

NOTE: The principal may request a referral to a District Due Process Hearing from the Superintendent/Designee for a possible long-term suspension/expulsion for any student whose presence may constitute a clear threat to the safety of others.

1st Offense: The student is suspended for 10 school days with a contract. If the parents/guardian and student accept the offer to attend the drug-education program, Growing Responsibly, Increasing Possibilities (GRIP), 5 days of the 10-day suspension shall be waived upon successful completion of the GRIP program and the contract will remain in effect. If the GRIP program is not successfully completed, the full 10-day suspension with a contract shall be imposed. This option is available for elementary, middle, and high school students.

2ND Offense and subsequent offenses and/or if the student’s conduct is a felony or designated felony possession: The student is suspended for ten (10) school days and is referred to a due process hearing, which may impose long-term suspension or expulsion, or assignment to an alternative school.

Prescribed Medications

The parent of a student who has to use a prescribed medication at school must consult the school administrator and follow the appropriate School District procedures, including required medication documentation. Required student protocol, rules and documentation are provided in District Policy JGCD, Regulation JGCD-R(1) and Form JGCD-E(1). School approval must be given prior to the student possessing or using any medication, including over-the-counter medication. Students may not possess medical marijuana at school, including CBD or low-THC oil, on school property, school buses or at school-sponsored functions.

NOTE: Under state law, students with asthma, life-threatening allergies or diabetes may carry and use their inhalers, auto-injectable epinephrine, and necessary supplies and equipment to perform diabetes monitoring and treatment as needed, based upon school receipt of a doctor’s prescription and parent’s written permission. A student may be subject to disciplinary action if they use auto-injectable epinephrine or any other medications in a manner other than as prescribed.

C. Possession and/or Distribution of Drug-Related Paraphernalia

A student will not possess or distribute drug-related paraphernalia, including items associated with the use, sale, or distribution of drugs. As used in this DCSD Code of Student Conduct, “drug-related paraphernalia” includes, but is not limited to pipes, water pipes, clips, rolling papers, scales, small baggies, grinders, and other items used or related to drug use (i.e., vapor pens, vapor tanks, juuls, etc.)

*** This offense relates only to drug-related paraphernalia. Offenses related to possession, use, distribution, and sale of drugs, alcohol, or other substances are addressed in Offense 5A or 5B.**

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum:	Level 5 - Suspension of 6 - 10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 4 - Suspension 1-5 days
Maximum:	Level 5 - Suspension of 6 - 10 days with a contract

1st Offense: The student is suspended for 10 school days with a contract with the option to attend the Growing Responsibly, Increasing Possibilities (GRIP) program to reduce the suspension to five days, as discussed above. This option is available for elementary, middle, and high school students.

2nd and Subsequent Offenses: The student will be suspended for ten (10) school days.

6. PROPERTY

A. Actual, Attempted or Threatened Destruction/Damage/Vandalism/Arson to School, Public or Private Property

Students will respect all property and will not attempt to, threaten to, or destroy, damage, vandalize, deface, or set fire to school, public or private property located at the school.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum	Level 5 – Suspension of 6-10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

NOTE: The student must make restitution for any damage to school property caused by his/her behavior while on school property.

B. Actual, Attempted or Threatened Theft/Robbery/Burglary/Extortion/Possession of Stolen Property

Students will respect all property rights and will not engage in, attempt, or threaten theft; theft by deception; extortion; robbery; burglary; possession of stolen property or missing property. This applies to public, school, district, and privately-owned property. Students will not engage in use, possession and/or distribution of stolen or counterfeit money/checks/money orders/bank or credit cards.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum	Level 5 – Suspension of 6-10 days with a contract

MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

NOTE: The student must make restitution for any loss or associated damage of school, district or personal property caused by his/her behavior while on school property. The student must make restitution for any financial loss caused by his/her distribution or use of stolen or counterfeit money, checks, money order, bank cards or credit cards.

C. Textbooks, Media Center Materials, Computer Equipment/Use

Students will respect school related materials and will not lose, destroy, deface, damage, and/or inappropriately use textbooks, media center materials, or district-owned technology, including computer and computer-related equipment and materials. Technology misuse includes but is not limited to, inappropriate use/hacking of the Intranet or Internet.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum	Level 5 – Suspension of 6-10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

NOTE: Students must make restitution for any damage to school property caused by their behavior. Any form of electronic bullying (cyberbullying/cyberstalking), threats and/or harassment using school equipment, school networks, e-mail systems or committed at school is strictly prohibited.

7. BULLYING/HAZING, ASSAULT, BATTERY AGAINST STUDENTS, SCHOOL PERSONNEL, SCHOOL VISITORS

Students will respect all persons’ physical and mental health and well-being and will participate in creating a school climate free of violence of all types.

A. Assault

Students will not verbally threaten and/or intimidate teachers, administrators, bus drivers, other school personnel, other students, or persons attending school-sponsored functions, with or without the use of physical contact; will not attempt to hurt any such persons without physical contact; and will not engage in verbal altercations and/or actions which cause such persons to be in reasonable fear of immediate bodily harm.

NOTE: Threatening witnesses may result in expulsion.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum	Level 5 – Suspension of 6-10 days with a contract

MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

B. Simple Battery/Fighting/Hitting

Students will not engage in fighting, hitting, kicking, shoving, pushing, biting, or making physical contact with teachers, administrators, bus drivers, other school personnel, and/or other students or persons.

NOTE: If the incident involves intentional physical contact with a school employee not causing physical harm/injury, see Offense #4a.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum:	Level 5 – Suspension of 6-10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

C. Battery

Students will not make physical contact causing substantial or visible bodily harm such as substantially blackened eyes, substantially swollen lips or other facial or bodily parts, substantial bruises to body parts or other substantial injury to teachers, administrators, bus drivers, other school personnel, other students, or persons in school or attending school-related functions.

NOTE: If the incident involves intentional physical injury to a School District employee causing physical harm/injury, see Offense #4b.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum:	Level 5 - Suspension of 6 - 10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

D. Aggravated Assault

Students will not use or make threats with a deadly weapon or hazardous object, which is likely to or does cause serious bodily harm to a teacher, administrator, bus driver, other school personnel, students, or other persons in school or attending school-related functions.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a District due process hearing held for Level 6-7.	
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a District due process hearing held for Level 6-7.	

E. Aggravated Battery

Students will not maliciously cause bodily harm to a teacher, administrator, bus driver, other school personnel, students, or other persons attending school-sponsored functions, by depriving such person of a member of his/her body, by rendering a member of his/her body useless, or by seriously disfiguring his/her body or a member thereof.

ELEMENTARY MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a District due process hearing held for Level 6-7.	

NOTE: If the incident involves intentional physical injury to a School District employee causing physical harm/injury, see Offense #4b.

F. Bystander Battery

Students who observe any type of fight will immediately notify a teacher or other adult and will not become involved in a fight that the student does not start. A student who does not start a fight but becomes involved in it will be charged with Bystander Battery. This offense includes, but is not limited to, hitting or kicking another student while that student is fighting another student. **Note: For information about situations that constitute self-defense, see page 57.**

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55)
	Level 3 - In-School Suspension of 1-3 days
	Level 4 - Suspension 1-5 days
Maximum	Level 5 – Suspension of 6-10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a District due process hearing held for Level 6-7.	

G. Bullying/harassment/hazing

Students will not threaten, intimidate, harass, make physical contact with or subject another student to any other form of physical or emotional hurt, including hazing associated with membership in extracurricular organizations (sports teams, band, etc.). School officials will address each act of bullying/harassment/hazing that is reported or of which they otherwise become aware.

Bullying

Bullying is unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Both kids who are bullied and who bully others may have serious, lasting problems.

Bullying means an act that is:

- (1) Any willful attempt or threat to inflict injury on another person, when accompanied by an apparent present ability to do so, in light of a real or perceived power imbalance;
- (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 by a person with real or perceived power over another person which a reasonable person would perceive as being intended to threaten, harass, or intimidate, that:
- (A) Causes another person visible bodily harm;
 - (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.

Bullying 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.

Examples of bullying include but are not limited to:

- Verbal assaults such as unwanted teasing or name-calling;
- Threats, taunts and intimidation through words and/or gestures;
- Direct physical contact such as hitting or shoving;
- Physical violence and/or attacks;
- Cyberstalking or engaging in conduct to communicate, or to cause to be communicated, words, images, or language by or using e-mail or electronic communication, directed at or about a specific person, causing substantial emotional distress to the victim;
- Cyberbullying or the willful, hostile, and repeated harassment and intimidation of a person using digital technologies, including, but not limited to, email, blogs, social networking websites (*e.g.*, Instagram, Twitter, Facebook, etc.), chat rooms, texts, and instant messaging;
- Rumors or spreading of falsehoods;
- Stalking;
- Public humiliation;
- Social isolation;
- Extortion or manipulation, including incitement and/or coercion;
- Using cameras or camera phones to take embarrassing or unauthorized photographs of students or school employees and distributing them to others or posting them online;
- Sending abusive or threatening text messages or instant messages; and
- Using websites to circulate gossip and rumors to other students.

Cyberbullying

Cyberbullying is bullying that takes place over digital devices like cell phones, computers, and tablets. Cyberbullying can occur through SMS, Text, and apps, or online in social media, forums, or gaming where people can view, participate in, or share content. Cyberbullying includes sending, posting, or sharing negative, harmful, false, or mean content about someone else. It can include sharing personal or private information about someone else causing embarrassment or humiliation. Some cyberbullying crosses the line into unlawful or criminal behavior. (www.stopbullying.gov)

Examples of cyberbullying include but are not limited to:

- Cyberstalking or engaging in conduct to communicate, or to cause to be communicated, words, images, or language by or using e-mail or electronic communication, directed at or about a specific person, causing substantial emotional distress to the victim;
- Cyberbullying or the willful, hostile, and repeated harassment and intimidation of a person using digital technologies, including, but not limited to, email, blogs, social networking websites (*e.g.*, Instagram, Twitter, Facebook, etc.), chat rooms, gaming, texts, and instant messaging.

Please refer to Offense #17 for cyberbullying violations that occur away from school or after school hours.

Harassment

Students will not harass or subject another student to any other form of physical, verbal, or nonverbal harassment.

Harassment may be defined as offensive behavior (physical, verbal, social, emotional, and/or relational) that intentionally targets a specific person or persons. Harassment includes, but is not limited to, behavior that intentionally targets another based on race, religion, gender, disability, or national origin.

Examples of harassment include but are not limited to:

- Harassment or intimidation motivated by any actual or perceived characteristic including race, color, ethnicity, religion, gender, disability, age, gender identity, sexual orientation, ancestry, national origin, physical attributes, socioeconomic status, physical or mental ability, or by any other distinguishing characteristic;
- Public humiliation;
- Social isolation.

Hazing

Students will not haze or subject another student to any other form of physical, verbal, or nonverbal hazing (O.C.G.A. § 16-5-61).

Hazing may be defined as the practice of rituals and other activities involving harassment, abuse or humiliation used as a way of initiating or raising the rank of a person into a group. *Hazing happens regardless of a person's willingness to participate.*

Examples of hazing include but are not limited to:

- Physical or verbal harm/degradation/abuse;
- Theft/Destruction of personal property for the purpose of bullying, harassing, or intimidating;
- Public humiliation;
- Intimidation/ domination.

School officials will address each act of bullying/harassment/discrimination/hazing that is reported or of which they otherwise become aware.

Disciplinary action after the first incident of bullying may include, but is not limited to, the following:

- Counseling;
- Loss of a privilege;
- Reassignment of seats in the classroom, cafeteria, or school bus;
- Reassignment of classes;
- Detention;
- In-school suspension;
- Out-of-school suspension (through appropriate due process hearing);
- Expulsion (through appropriate due process hearing); and
- Assignment to an alternative school (through appropriate due process hearing).

A student who has engaged in bullying should be given an age-appropriate consequence which will include, at minimum and without limitation, disciplinary action or counseling as appropriate under the circumstances.

Students in grades six through twelve found to have committed the offense of bullying for the third time in a school year shall at a minimum be assigned to an alternative school through appropriate due process hearing by disciplinary Hearing Officers, panels, or tribunals (O.C.G.A. § 20-2-751.4).

Schools should clearly communicate to all parties that any retaliation following or related to a report of bullying is strictly prohibited and may result in strong disciplinary action.

It should be noted that bullying does not involve actions that are solely the result of a mutual conflict. Please refer to other offense codes for violations that do not constitute bullying. For more information on bullying, harassment and hazing violations, please see pages 67-73, 76-79, 94-95.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 1 - Conference Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum:	Level 5 – Suspension of 6-10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

8. RUDE/DISRESPECTFUL BEHAVIOR AND/OR REFUSAL TO CARRY OUT INSTRUCTIONS

A. Rude or Disrespectful Behavior

Students will be courteous and not use inappropriate language, behavior, or gestures, including vulgar/profane language, toward teachers, administrators, bus drivers, other school personnel, other students, or persons attending school-related functions.

ELEMENTARY/MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 1 - Conference Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum:	Level 5 - Suspension of 6 - 10 days with a contract

B. Refusal to Follow Instructions of Faculty or Staff Member/Insubordination

Students will follow the instructions of teachers, school administrators, or other staff members (e.g., will not refuse to leave an area, refuse to stop aggressive behavior, refuse to stop disruptive behavior).

ELEMENTARY/MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 1 - Conference Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum:	Level 5 - Suspension of 6 - 10 days with a contract

9. UNEXCUSED ABSENCES AND/OR TRUANCY

Students will attend school unless their absence is explicitly excused and will not participate in truancy. Excused absences are defined by District Policy JB which also requires submission of appropriate documentation. Georgia law allows absences to be excused as follows: personal illness; serious illness or death in the family; religious holiday; instances in which attendance could be hazardous as determined by the DeKalb County School District; registering to vote/voting in a public election; tests and physical exams for military service and the National Guard; and other such absences as provided for by law or by the local Board of Education. Georgia law also provides for special treatment of absences in the following circumstances:

- Georgia law provides up to 5 days of excused absences for students whose parents are in the armed forces and who are called to duty or home on leave from overseas deployment in a combat zone.
- Students serving as Pages of the Georgia General Assembly will be counted as present for days missed from school for such service.
- Students volunteering to work as poll officers in the Student Teen Election Program (STEP) will be counted present for up to two (2) days of service in that program.
- Foster care students attending court proceedings related to their foster care shall be credited as present for any day(s) or portion of a day missed from school for that purpose.

2022-2023 Attendance Protocol	
*The Attendance Protocol/Consequences are subject to change at any time.	
Number of Absences	Action
1-2	School notifies (phone call, email, parental contact) the parent of absences and documents the outcome in Infinite Campus contact log.
3	The Attendance Protocol Manager (APM), attendance secretary, registrar, or principal's designee will send a three- day letter to the parent/ guardian informing them of their child's absence.
4-5	The Attendance Protocol Manager (APM) should meet with the school attendance team (SAT) regularly and complete any necessary interventions. The APM, SAT, and or member of the SAT will complete a student interview, parent conference (via phone or in person), and complete the Attendance Intervention Summary Form. * <i>Members of the SAT should include an administrator, school counselor, school social worker, student support person, and any other principal designee.</i>
6	The APM will send a six-day unexcused attendance letter to the parent/guardian, informing them of consequences of continued absences.
8	An Infinite Campus referral should be submitted to the school social worker, accompanied by the three and six-day letters, and the Attendance Intervention Summary Form.

NOTE: State law provides that any parent/guardian who does not comply with compulsory attendance mandates (O.C.G.A § 20-2-690.1) shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not less than \$25.00 and not greater than 100.00, imprisonment not to exceed 30 days, community service, or any combination of such penalties, at the discretion of the court having jurisdiction. Each day of absence from school in violation of this section after the child's school system notifies the parent/guardian of five unexcused days of absence shall constitute a separate offense. State law also requires students 16-17 years of age to have written permission from their parent or guardian to withdraw/drop out of school (O.C.G.A. § 20-2-690.1).

NOTE: Students WILL NOT be suspended for attendance-related infractions only.

Poor attendance can keep children from reading proficiently by the end of third grade, which is shown to negatively affect their chances of graduating on time. ~American Graduate

10. SKIPPING CLASS OR REQUIRED ACTIVITIES

Students will attend school and activities as directed and will not skip classes or required school activities. If students do not report to class/required school activity or leave school or school property without permission from an administrator, they are in violation of this offense.

The following applies to all skips:

School Action Per Occurrence*	
*The Attendance Protocol/Consequences are subject to change at any time.	
Number of Skips	Action
1 - 2	Student receives a warning. Teacher is responsible for contacting the parent(s).
3 - 6	Student receives 1-day detention or comparable consequence. Referred to the counselor who is responsible for contacting the parent(s).
7 - 10	Student receives a discipline referral and 1 day in-school suspension (ISS) or comparable consequence. School to schedule a student/parent conference for the purpose of signing an attendance contract.
11+	Student receives a discipline referral and ISS or comparable consequence. Parent contacted and referral to counselor and social worker. Student is given choice of ten (10) days ISS, alternative school/program placement, or comparable consequence.

NOTE: Students WILL NOT receive out-of-school suspension for attendance-related infractions only.

11. CLASSROOM DISTURBANCE

Students will avoid any behavior that disrupts class instruction, distracts students and/or teachers, or creates a dangerous or fearful situation for students and/or staff including but not limited to talking, loud interruptions, repeated defiance, etc.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum:	Level 5 – Suspension of 6-10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

12. SCHOOL DISTURBANCE

Students will respect the school as a place of learning and will not engage in acts that cause or may cause a material and substantial disruption of the school and/or threaten the safety or well-being of other students. Prohibited acts include, but are not limited to, walk-outs, sit-downs, **rioting/chaos**, picketing, trespassing, inciting disturbances, pranks, **terroristic threats**, **gang-related activities**, threats to the school, **bomb threats**, **pulling fire alarm**, **calling 911**, and actual violence during period of disruption, etc.

A. General School Disturbance

Students will not engage in acts that cause or may cause disruption of the school and/or threaten the safety or well-being of other students. Prohibited acts include, but are not limited to walk-outs, sit-downs, picketing, trespassing, inciting disturbances, and/or food fights, etc.

B. Threats/Intimidation

Students will not engage in acts of school-wide threats and/or intimidation. Prohibited acts include, but are not limited to threatening pranks, terroristic threats, bomb threats, rioting/chaos, pulling fire alarm, calling 911, and actual violence during period of disruption, etc.

C. Gang Related Activities

Students will not engage in acts of gang-related activities and affiliations. Prohibited acts include wearing, displaying, or possessing gang-related apparel, accessories, tattoos, or other markings; conveying membership or affiliation with a gang; gang-related solicitation; violence; threats; activity that interferes with the orderly operation of schools; defacement of school or personal property by painting, tagging, marking, writing, or creating any form of graffiti, etc.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum:	Level 5 – Suspension of 6-10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

The DeKalb County School District believes that school should be a safe place for students to learn and grow. Distractions caused by gangs and similar organizations are a direct threat to the safety and security of students and disrupt the learning environment. Therefore, the DeKalb County School District **strictly prohibits** all activities related to gangs and other organizations that engage in unlawful or delinquent behavior. The School District provides support for students affected by gang activity. A student **will not**, by use of violence, force, coercion, threat of violence, or gang activity, cause disruption or obstruction to the educational process. “Gang-related activities” are acts by a group of students or an individual student representing the group, which can or may cause danger/disruption to the school environment and/or threaten the safety of students, faculty, or other employees of the school district. Prohibited behavior includes, but is not limited to:

- Displaying gang signs and symbols on personal and school property
- Wearing clothing that symbolizes gang affiliation (shirts, hats, bandanas, belts, jewelry, etc.);
- Displaying gang hand-signs, tattoos / brands, and/or other adornments which symbolize gang affiliation;
- Defacing school property with gang graffiti (furniture, walls, buses, buildings, structures, etc.);
- Using electronic devices (computers, cellular phones, camera/video phones, video cameras, camcorders, MP3 players, etc.) for the purpose of documenting, disseminating, or transmitting gang activity, threats, and/or planned violent behavior;
- Engaging in any criminal offense involving violence, possession of a weapon and/or use of weapon which includes, but is not limited to, gang recruitment, intimidation, and premeditated/planned school disturbances that may place students, faculty, and staff in reasonable fear of receiving bodily injury.

A gang is a formal or informal organization, association, or group consisting of three or more persons who engage in activities that threaten the safety of students, staff, volunteers, visitors, or others; that compromise the general school order or its activities; and/or that interfere with the School District’s educational mission. Individuals associated with a gang may share a common name or common identifying signs, symbols, tattoos, graffiti, or attire or other distinguishing characteristics.

Students who participate in gang-related activities, as defined in this section, will be charged with Offense #12 Gang Related Activity. Upon being found in violation of this offense, the student will be referred to a District due process hearing, which may result in suspension, referral to an alternative school or expulsion. In addition, the student will be referred to mandatory gang prevention counseling. Parents, law enforcement and other appropriate persons will be notified any time a student is suspected of being involved in gang-related activity. Students who participate in gang-related activities may be subject to consequences set forth in state law (O.C.G.A. §§ 16-15-3, 16-15-4). **Students who feel bullied, threatened, or unsafe at school because of gang activity should report their concerns to a teacher, counselor, principal, assistant principal, or the Georgia Department of Education’s anonymous hotline number to report gang-related activity by calling 1-877-SAY-STOP (1-877-729-7867) or the DeKalb County School District Alert Line at 1-888-475-0482.** Students who want to leave a gang should contact a principal or a staff member whom they trust for guidance and support services. The school or School District may provide students and parents with information on community organizations that assist students in leaving gangs.

13. PROFANITY/OBSCENITY

Students will respect themselves and others and will not engage in conduct that includes, but is not limited to, cursing; profane, vulgar, obscene, offensive words or gestures; spitting on another person; possession of obscene material/pornography; and profane, vulgar, or obscene comments or actions. Offensive language may include, but is not limited to, disparaging statements on the basis of national origin, disability, race, ethnicity, gender, sex, gender identity, age, pregnancy status, and/or sexual orientation.

ELEMENTARY CONSEQUENCES:	
Minimum:	Level 1 - Conference Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum:	Level 5 - Suspension of 6 - 10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

14. FAILURE TO ACCEPT DISCIPLINARY ACTION

Students will accept disciplinary action and not refuse or fail to serve detention, in-school suspension, or any other disciplinary action imposed by a teacher or school administrator.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum:	Level 5 – Suspension of 6-10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

15. CHRONIC TARDINESS

Students will attend school and school activities on time and will not demonstrate chronic tardiness. Being repeatedly late to school, class, or a school activity constitutes a violation of this section.

The following applies to all unexcused tardies:

Number of Tardies	School Action Per Occurrence* <i>*The Attendance Protocol/Consequences are subject to change at any time.</i>
1 - 2	Student receives a warning. Teacher is responsible for contacting the parent(s).
3 - 6	Student receives one day detention or comparable consequence. Referred to the counselor who is responsible for contacting the parent(s).
7 - 10	Student receives a discipline referral and 1 day in-school suspension (ISS) or comparable consequence. School to schedule a student/parent conference for the purpose of signing an attendance contract.
11+	Student receives a discipline referral and ISS or comparable consequence. Parent contacted and second discipline and counselor referral completed. Student is given choice of ten (10) days ISS, alternative school/program placement, or comparable consequence.

NOTE: Students WILL NOT receive out-of-school suspension for attendance-related infractions only.

If a student is 10 minutes late to school each day, this adds up to missing more than 33 hours of class time. ~American Graduate

16. BUS MISBEHAVIOR

NOTE: See Bus Expectations/Bus Stop Rules/Bus Matrix (pages 49-51)

Students will do their part to ensure safe and orderly bus operations and will not engage in behavior that includes, but is not limited to, any behavior that disrupts or distracts a bus driver, or causes a dangerous situation for a bus driver and/or students, or that disturbs the orderly operation of a bus, or that creates a dangerous situation for vehicles operating near a bus. Prohibited bus behaviors also include the use of any electronic devices during the operation of a school bus, including but not limited to cell phones, audible electronic devices, or similar devices without headphones; or the use of any other electronic device in a manner that might interfere with the school bus communication equipment or the school bus driver’s operation of the school bus. Prohibited bus behaviors also include the use of 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. Violations that occur involving the school bus and/or incidents that occur while students are on the way to school (bus stop/neighborhood) or returning from school (bus

stop/neighborhood) may result in direct intervention by the school. (See Bus Referral Matrix Page 51)

Per O.C.G.A. 20-2-751.5, if a student is found to have engaged in bullying, physical assault or battery of another person on the school bus, a meeting should be held between student's parent/guardian and school officials to form a school bus behavior contract for the student. Such contract shall provide for progressive age-appropriate discipline, penalties, and restrictions, and may include but shall not be limited to assigned seating, ongoing parental involvement, and suspension from riding the bus.

ELEMENTARY CONSEQUENCES:	
Minimum:	Level 1 - Conference Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum:	Level 5 - Suspension of 6 - 10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 1 - Conference Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 - Suspension of 6-10 days with a contract Level 6 - Long-Term Suspension
Maximum:	Level 7 - Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

17. CONDUCT OUTSIDE OF SCHOOL HOURS OR AWAY FROM SCHOOL

The following applies to student behavior including conduct that occurs outside of school hours; off school or district property and transportation; during virtual instructional days, weekends, holidays, or school breaks; and without the use of district-owned/provided technology, software, and networks.

A. Off-Campus Misconduct

Students will not engage in any off-campus behavior that could result in the student being criminally charged with a felony (or punishable as a felony if committed by an adult) 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.

B. Cyberbullying

Cyberbullying applies to the use of electronic communication, *whether 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 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.

ELEMENTARY CONSEQUENCES:	
Minimum:	Level 4 - Suspension 1-5 days
Maximum:	Level 5 - Suspension of 6 - 10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 5 – Suspension of 6-10 days with a contract
	Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process	

NOTE: A student attempting to enroll/re-enroll into school who is or may be criminally charged with a felony or a designated felony as defined by O.C.G.A. § 15-11-63 must be referred directly to the Department of Student Relations and subject to the Student Placement Protocol as described on pages 59-60.

18. GAMBLING

Students will not engage in acts of gambling including, but not limited to, betting money or other items on card games, dice games, or the outcome of games or activities, and/or possession of gambling materials or paraphernalia.

ELEMENTARY CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55)
	Level 3 - In-School Suspension of 1-3 days
	Level 4 - Suspension 1-5 days
Maximum:	Level 5 – Suspension of 6-10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55)
	Level 3 - In-School Suspension of 1-3 days
	Level 4 - Suspension 1-5 days
	Level 5 – Suspension of 6-10 days with a contract
	Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

19. REPEATED VIOLATIONS/CHRONIC MISBEHAVIOR/VIOLATION OF PROBATION

A. Repeated Violations/Chronic Misbehavior

Students will address any misconduct by working to improve their behavior and will not engage in behavior that repeatedly or chronically disrupts or disturbs the educational process, the orderly operation of school, school activities, school buses, or other school operations that constitutes a violation of the *DCSD Code of Student Conduct*. A "chronic disciplinary problem student" is defined by law as a student who exhibits a pattern of behavioral characteristics which interfere with the learning process of students around him or her and which are likely to recur. This may be demonstrated by repeated violations of the *DCSD Code of Student Conduct*, but may also be shown by other behaviors of the student. Before a student may be charged with such a violation, the student must be warned of possible consequences and have three documented referrals including, but not limited to a school counselor, school social worker, and/or other appropriate resource personnel. In addition, the parents/guardian must be contacted about the misbehavior, be given an opportunity to observe their child in school and be given an opportunity to participate in developing a student discipline correction plan.

When a student is identified with a Chronic Disciplinary Problem:

1. The principal shall notify the student’s parent or guardian of the discipline problem by telephone AND by certified or first-class mail or statutory overnight delivery; AND
2. The parent or guardian shall be invited to observe the student in a classroom setting; AND
3. At least one of the parents or guardians shall be requested to attend a conference with the principal or their designee to devise a disciplinary and corrective action plan/probation contract; AND
4. Before a student may be charged with a violation of this section the school must further document that the student has been warned of possible consequences of their chronic behavior, that a disciplinary and corrective action plan/probation contract had been implemented prior to the violation (or documentation that the parent or guardian did not co-operate in the process), and support provided to the student by at least three separate referrals to three different resources: school

counselors, social workers, mentors, MTSS/RTI, Positive Behavioral Supports, Restorative Practices, GRIP, or other interventions in the student's behavior plan; AND

5. Before any chronic disciplinary problem student is permitted to return from suspension or expulsion, the school to which the student is to be readmitted should request by telephone call and by either certified mail with return receipt requested or first-class mail that at least one (1) parent or guardian schedule and attend a conference with the principal or designee to devise a disciplinary and behavioral correction plan/probation contract. At the discretion of the principal or designee, a teacher, counselor, or other person may attend the conference. The principal will note the conference in the student's permanent file. Failure of the parent or guardian to attend such conference shall not preclude the student from being readmitted to the school.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum:	Level 5 – Suspension of 6-10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

B. Violation of Local School and/or District-Wide Probation

Students will follow school rules and will not disregard District and local school rules while they are on local school or District-wide probation. Failure to follow all District and local school rules could result in possible long-term suspension or expulsion.

ELEMENTARY/MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6 -10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

20. PARKING AND TRAFFIC VIOLATIONS

Students will adhere to all traffic and parking rules and will not violate parking and traffic guidelines if they drive a vehicle to school. Students who choose to park a vehicle on school property must purchase a parking permit, display the decal sticker on their vehicle, park in their assigned spot, and comply with all parking and traffic regulations issued by the school or School District. Parking on school property without a permit or with an expired permit, engaging in reckless or careless operation of a vehicle on or near school property or near a school bus, or failing to comply with all parking and traffic regulations issued by the school or School District will constitute a violation of the *DCSD Code of Student Conduct*. **Parking permits must be renewed upon expiration.**

HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

NOTE: Penalty may include revocation of parking permit or towing of vehicle off campus at the student's expense.

21. LOITERING OR GOING ON ANY SCHOOL CAMPUS WITHOUT AUTHORIZATION/TRESPASSING/BREAKING AND ENTERING

Students will respect school property and will not enter the premises of a school other than their own school, unless prior permission is received from an administrator of the school to be visited, or unless the school is hosting a school-related function, such as an academic or athletic activity. A student will not enter or remain in any school or district building on weekends or after school hours without authorization or permission.

NOTE: When a student refuses to leave any school property and/or returns to any school property after being instructed by school staff or law enforcement staff to leave the property, the student will be in violation of this section and the matter may be handled by law enforcement.

ELEMENTARY CONSEQUENCES: Minimum: Level 1 - Conference Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Maximum: Level 5 - Suspension of 6 - 10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES: Minimum: Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension Maximum: Level 7 – Expulsion A required 10-day suspension must be served and a due process hearing held for Level 6-7.

22. PROVIDING FALSE INFORMATION

Students will act ethically and honestly and will not engage in an act of providing false information including, but not limited to, falsifying school records, forging signatures, making, or providing false statements, to teachers, administrators or other School District personnel, cheating, bribery, or using an unauthorized computer user ID or password. **Students are prohibited from falsifying, misrepresenting, omitting or erroneously reporting information to legal authorities, teachers, administrators, or other School District personnel regarding instances of alleged inappropriate behavior by a teacher, administrator, or other School District employee.**

ELEMENTARY CONSEQUENCES: Minimum: Level 1 - Conference Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Maximum: Level 5 - Suspension of 6 -10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES: Minimum: Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 6-10 days with a contract Level 6 – Long-Term Suspension Maximum: Level 7 – Expulsion A required 10-day suspension must be served and a due process hearing held for Level 6-7.

23. GENERAL SEXUAL MISCONDUCT/SEXUAL HARASSMENT/SEXUAL BATTERY

Students will show respect for self and others and will not engage in inappropriate bodily contact of a sexual nature. This offense prohibits sexual conduct between or among students and between or among a student and School District employees or visitors on school property or at any school activity or event, including, but not limited to, consensual sexual contact, nonconsensual sexual contact, sexual assault, unwelcome sexual advances or comments, request for sexual favors and/or indecent exposure.

Reports or complaints of sexual harassment under Title IX should be promptly reported to the principal or Title IX coordinator per District Policy JCAC. Additional information regarding the District’s Title IX contacts and reporting, formal complaint and investigation procedures can be found at: <https://www.dekalbschoolsga.org/hr/employee-relations/> and by emailing titleixcoordinator@dekalbschoolsga.org.

A. General Sexual Misconduct

Students will not willingly participate in any form of sexual activity, expose one’s intimate body parts, take part in any inappropriate public displays of affection, lewd behavior (i.e., “moon”), etc.

B. Sexual Harassment

Students will not engage in any sexual remarks or unwelcome comments directed towards or not directed towards individuals, physical advances, requests for sexual favors or otherwise violate the District Sexual Harassment Policy.

Reports or complaints of sexual harassment under Title IX should be promptly reported to the principal or Title IX coordinator per District Policy JCAC. Additional information regarding the District’s Title IX contacts and reporting, formal complaint and investigation procedures can be found at: <https://www.dekalbschoolsga.org/hr/employee-relations/> and by emailing titleixcoordinator@dekalbschoolsga.org.

C. Sexual Assault or Battery

Students will not engage in any indecent behavior including, but not limited to rape, statutory rape, fondling, child molestation, sodomy, making physical contact with the intimate parts of the body of another without that person’s consent or other offenses outlined within Georgia code, Chapter 16, Title 6.

ELEMENTARY SCHOOL CONSEQUENCES:	
Minimum:	Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum:	Level 5 – Suspension of 6-10 days with a contract
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days Level 5 – Suspension of 10 days with a contract Level 6 – Long-Term Suspension
Maximum:	Level 7 – Expulsion
A required 10-day suspension must be served and a due process hearing held for Level 6-7.	

24. STUDENT IDENTIFICATION CARD VIOLATION

Students will participate in ensuring that their presence on school grounds is permitted and will not be present on school grounds or attend any school event without proper student identification whenever required. If mandated by the local school, DeKalb County high school students must carry ID cards while on school property and at any school event. A suspected non-student with no ID card will be asked to leave the school grounds, with police assistance if needed. Students who are not in possession of their ID cards are in violation of this section. Students must pay for replacement ID cards.

ELEMENTARY CONSEQUENCES:	
Minimum:	Level 1 - Conference Level 2 - Strategies (see pages 54-55)
Maximum:	Level 3 - In-School Suspension of 1-3 days
MIDDLE/HIGH SCHOOL CONSEQUENCES:	
Minimum:	Level 1 - Conference Level 2 - Strategies (see pages 54-55) Level 3 - In-School Suspension of 1-3 days Level 4 - Suspension 1-5 days
Maximum:	Level 5 - Suspension of 6 - 10 days with a contract

25. STUDENT DRESS CODE VIOLATION

Students are expected to wear clothing that is suitable for school and adheres to the student dress code. Students are not permitted to wear any look alike garments that are illegal (i.e., bullet-proof vests, etc.) on school grounds or at school events. **ALL** students are expected to wear clothing that limits safety concerns and that adheres to the student dress code found on pages 82-83 of this handbook and any additional requirements listed in local school regulations.

The following penalties apply to **ALL** student dress code violations:

Number of Offenses	Actions of the School
First Offense	Verbal reprimand, contact parent and In-School Suspension (ISS) until end of day or until the parent can bring suitable clothing.
Second Offense	Required parent conference and In-School Suspension (ISS) until end of day or until the parent can bring suitable clothing.
Third Offense	Contact parent and In-School Suspension (ISS) until end of day or until the parent can bring suitable clothing, local probation and/or parent attends classes with student in lieu of ISS. Chronic violation of dress code will result in the charge of #19a – Repeated Violation of school rules and a behavior contract specific to complying with the DCSD Dress Code;

26. UNSAFE ACTION

Students will show respect for the health and wellbeing of themselves and of others and will not commit any action that has the potential to cause danger or physical harm to themselves or to others, to include exiting a moving school bus, exiting a school bus by way of the emergency exit (when an emergency does not exist), attempting to elude school officials by running through a parking lot or any traffic area, climbing on the roof of buildings, being in construction areas, boiler rooms, attics or elevator shafts, any knockout style punches to an unsuspecting victim, or **TikTok Challenges**, failure to wear Personal Protective Equipment (PPE) when required, or any action that has the potential for physical harm to self or others. This rule will only apply when the unsafe behavior does not meet the standards of any other violation.

ELEMENTARY/MIDDLE/HIGH SCHOOL CONSEQUENCES:

Minimum: Level 5 – Suspension of 6-10 days with a contract
Level 6 – Long-Term Suspension

Maximum: Level 7 – Expulsion

A required 10-day suspension must be served and a due process hearing held for Level 6-7

DeKalb County School District Transportation Student Bus Expectations

BUS	BE SAFE	BE RESPONSIBLE	BE RESPECTFUL
Waiting for the Bus 	Stand on sidewalk Be watchful of traffic Wait for Driver directions	Arrive 10 minutes early Line up appropriately Wait in a quiet and orderly manner	Keep hands, feet, and objects to self and out of aisle Stay off private property
Entering the Bus 	Allow bus to stop completely Board bus in an orderly manner Hold the handrail	Be seated quickly and slide over Remain seated	Greet the bus driver Be respectful of others and their property Use inside voice
Riding the Bus 	Stay seated at all times Keep aisles and emergency exits clear Keep self and objects inside the bus Silence at railroad crossings	Keep food and drink in your bag Keep bus clean Follow Driver directions Practice orderly conduct	Keep hands, feet, and objects to self and out of aisle Ask permission to open windows Use appropriate language and topics
Exiting the Bus 	Remain seated until bus stops Leave bus in an orderly manner Cross in front of bus Hold the handrail	Leave at your assigned bus stop Take belongings with you Leave the bus stop in an orderly manner	Keep arm's length between you and person in front of you Use inside voice
Evacuation of the Bus 	Stay quiet Listen for directions from Driver Leave belongings on bus	Follow Driver directions Help others when appropriate	Exit quickly and safely

BUS AND BUS STOP RULES

Students are expected to observe the following rules for safety and courtesy on the bus and at the bus stop.

AT THE BUS STOP

- Arrive at the assigned stop ten (10) minutes before bus pickup
- Stand on the sidewalk or the edge of the street by the curb
- Stay off private property
- Do not stand on the part of the road reserved for vehicles
- Be respectful and watchful of traffic
- Wait in a quiet and orderly manner

WHEN THE BUS ARRIVES

- Allow the bus to come to a complete stop
- Board the bus in a quiet and orderly manner

ON THE BUS

- Remain seated at all times until time to get off bus
- Remain silent at railroad crossings
- Cooperate with the driver and practice orderly conduct
- Do not bully, harass, or haze other students
- No profanity or obscene behavior
- No smoking
- No eating or drinking
- No vandalism
- No body parts outside bus
- No radio, tapes, or electronic audio/video devices without headphones
- No cell phone use at any time
- No live animals
- No unsafe objects or weapons
- No throwing of items from the bus or on the bus

LEAVING THE BUS

- Remain seated until the bus comes to a complete stop
- Leave the bus in an orderly manner
- Leave at your assigned bus stop
- Cross in front of the bus
- Leave the bus stop in an orderly manner

Violations that occur involving the school bus and/or incidents that occur while students are on the way to or returning from school, whether at the bus stop or in the surrounding neighborhood may result in direct intervention by the school. (See Bus Matrix Page 53)

BUS REFERRAL MATRIX FOR ALL STUDENTS

INAPPROPRIATE BEHAVIOR OR VIOLATION OF BUS RULES	First Offense	Second Offense	Third Offense	Fourth and Succeeding Offense
Delaying the bus schedule	Level 1 (All)	Level 2 (All)	Level 3 (All)	Level 4 (All)
Not sitting in the seat	Level 1 (All)	Level 2 (All)	Level 3 (All)	Level 4 (All)
Playing radio, tape, CD, IPOD, MP3 without earphones	Level 1 (All)	Level 2 (All)	Level 3 (All)	Level 4 (All)
Disrupting the bus (Excessive Noise)	Level 1 (All)	Level 2 (All)	Level 3 (All)	Level 4 (All)
Using inappropriate language (Cursing, name calling directed toward student or adult)	Level 1 (All)	Level 2 (All)	Level 3 (All)	Level 4 (All)
Bullying/Harassment/Discrimination/ Hazing	Level 2 (All)	Level 3 (All)	Alternative School* (MS/HS)	Alternative School* (MS/HS)
Hitting other students	Level 2 (All)	Level 3 (All)	Level 4 (All)	Level 5 (All)
Throwing objects in the bus	Level 2 (All)	Level 3 (All)	Level 4 (All)	Level 4 (All)
Throwing objects out of the bus window (Without damage to property)	Level 2 (All)	Level 3 (All)	Level 4 (All)	Level 4 (All)
Vandalism (Includes vandalism resulting from an object being thrown from the bus) Damage under \$100	Level 4 (All) Damage under \$100	Level 5 (All)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)
Fighting (NO HITTING ZONE)	Level 4 (ES) Level 5 (MH)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)
Violating the alcohol/drug policy (Possession/Use)	Level 5 (All)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)
Violating the alcohol/drug policy (Distribution)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)
Vandalism (Includes vandalism resulting from an object being thrown from the bus) Damage over \$100	Level 5 (ES) Level 6 (MH) Damage over \$100	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)
Exiting the emergency exit while in route	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)
Assault	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)
Multiple Assault (Physical assault by 2 or more students acting together)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)
Inciting to Riot/Chaos	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 6 (MH)
Possession of a Weapon, other than a Firearm	Level 5 (ES) Level 6 (MH)	Level 5 (ES) Level 7 (MH)	Level 5 (ES) Level 7 (MH)	Level 5 (ES) Level 7 (MH)
Possession of a Firearm	Expulsion (All)	Expulsion (All)	Expulsion (All)	Expulsion (All)

***O.C.G.A. § 20-2-751.4**

Consequences for Levels 1, 2, 3, & 4 are bus specific and do not include a school suspension.

Consequences for Levels 5, 6 & 7 require a bus suspension and a school suspension.

(ES)-Elementary School Students Only, (MH) Middle and High School Students, (All)-Elementary, Middle and High School Students

EXPLANATION OF BEHAVIORAL STRATEGIES, DISCIPLINARY OPTIONS, AND CONSEQUENCES

SCHOOL-INITIATED CONSEQUENCES

Each school is responsible for following the *DCSD Code of Student Conduct* and applying the appropriate consequence levels and corrective strategies.

Level 1 **Conference:** *Administrator and/or teacher communicate(s) with the student’s parent or counselor by phone, email, written notes, or person to person about the discipline concern.*

Staff members may conduct a conference among any combination of the following:

- Teacher/Student
- Teacher/Parent
- Teacher/Counselor
- Teacher/Student/Administrator
- Teacher/Student/Counselor/Parent
- Administrator/Student
- Administrator/Parent
- Telephone Conference with Administrator/Parent
- Telephone Conference with Teacher/Parent
- Other parties as deemed necessary

Level 2 **Strategies:** *ALL strategies should be age appropriate and behavior specific.*

- Build relationships that support academic achievement
- Discussion about expectations; Review classroom procedures and expectations
- Eye contact
- Proximity; High levels of supervision
- Verbal warning; Pre-teaching of expectations
- Mentoring
- Consultation with grade level teams/school counselor/school psychologist/case manager for students with disabilities for classroom/individual behavior management ideas
- Restorative practices
- Teach Pro-Social behaviors; and Use of safe place for students to retreat to help self-regulate
- For dress code: Parents/guardians may be asked to bring clothing or school may provide alternative clothing for student to wear.

Level 3 **Strategies:** *ALL strategies should be age appropriate and behavior specific.*

*Programs may be available based upon DeKalb County School District budgetary mandates.

Targeted Behavioral Contract	A written contract or plan for the student with stated goals, objectives, and outcomes for the student to develop necessary skill to address the stated behavior concern
Detention	Detaining a student for disciplinary reasons before or after school hours (including Saturdays)
In-School Intervention	May include, but is not limited to, Saturday School, work assignment, behavior essays or transportation restriction
Probationary Contract	Written statement which lists steps to be taken to improve behavior and describes the support to be provided by school staff and/or parent/guardian as well as the date the contract will be reviewed and must be signed by the student and parent/guardian
Lockout	Designated area on campus where students who are disruptive in class or tardy to class are assigned for the remainder of the period in which the infraction occurred
Mediation	Referral to conflict mediation
Mentoring	An agreed upon adult or student who provides consistent support, guidance, and help to a student who needs a positive role model.
Discipline Warning Letter to Parents	Write-up for the discipline offense with a defined period of good behavior to prevent suspension
Progress Report	A progress report or assignment sheet which gives the student and parent the opportunity to track the student’s academic and behavioral progress in each of his/her class for a specified period of time
Referral	Referral to School Counselor, Student Support Team, Student Support Services, School Social Worker, IEP Review, Attendance Staff, or other appropriate personnel
Restricted Activity	Denial of participation in school activities and extra-curricular events or the use of common areas or other parts of the school
Restorative Practice	A structured process guided by a trained facilitator in which the participants in an incident examine the intended and unintended impact of their actions and decide on interpersonal remedies to repair harm and restore relationship

Shadowing	Parent/guardian attends class with their child at school for an agreed upon time during the school day.
Staffing	Meeting of school personnel and perhaps other individuals to consider the behavior of the student and make recommendations
Substance Abuse Education & Conflict Resolution	Required participation in *GRIP Program (Growing Responsibly, Increasing Possibilities)
Time-Out	Temporary denial of a student's right to attend class

ADDITIONAL STRATEGIES - SCHOOL DETERMINES USE

Anecdotal Record (Teacher Record) Behavior Checklist
 Referral to Communities in Schools
 Counseling
 Limit Movement (Provide Supervision)
 Referral to School Psychologist
 Moving the Student's Seat in Class/on the Bus Review for Possible Exceptional Ed. Placement
 Parent Visit the School and Shadow the Student Review for Possible 504 Plan
 Parent Accompany Student to the Bus Stop Tutoring
 Referral to School Nurse
 Written Disciplinary Assignments Schedule Change
 *Modification of the School Day
 Revisit IEP/Section 504 Plan for Additional Modifications Involvement of Outside Agency (Initiated by parent) Evaluation

**Used only after demonstrated exhaustion of intervention supports through Tier 3 were provided and documented with fidelity, or an IEP or 504 plan was created and indicates that this is an agreed upon accommodation.*

SCHOOL- INITIATED CONSEQUENCES

NOTE: *Suspensions may consist of in-school, out-of-school or bus suspensions as deemed appropriate by school administrators.*

- Level 3 In-School Suspension (1-3 days): School initiated suspension**
- Level 4 Suspension of 1-5 days; School initiated suspension**
- Level 5 Suspension of 6-10 days (with contract); School initiated suspension with Targeted Behavioral Contract**
- Level 6 Long-Term Suspension/District Due Process Hearing Required**
- Level 7 Expulsion/District Due Process Hearing Required**

DEFINITIONS OF TYPES OF DISCIPLINE

IN-SCHOOL SUSPENSION

“In-school suspension” means the removal of a student from regular classes and assignment to an in-school suspension setting in the local school. The student’s teachers send class assignments to in-school suspension. **The student may not attend or participate in extracurricular activities while assigned to in-school suspension.**

A teacher may request that a student who has been assigned to in-school suspension be allowed to attend their class (such as lab classes). The granting of this request is limited to cases where it is extremely important that a class not be missed or where a class cannot be made up at a later date. The principal has the final decision.

For minor offenses, in lieu of in-school suspension, and upon student or parent request, students may be given the option of school service (i.e., picking up trash on the school grounds, cleaning lunchroom tables, etc.), provided the school service is age-appropriate, supervised, and does not include restroom duties.

OUT-OF-SCHOOL SUSPENSION

“Short-term suspension” means the removal of a student from school (or school bus) for 1-10 school days, as imposed by the school administrator.

School work missed during 1-3 day suspensions may be made up when the student returns to school. For suspensions of 4-10 school days, parents/guardians may request schoolwork and pick up the schoolwork during school hours. A student on short-term suspension is not allowed on school property and may not participate in any school activities or school functions.

“Long-term Suspension” means the removal of a student from school (or school bus) for more than ten school days but not beyond the current school semester. A District due process hearing is required for imposition of long-term suspension. A student on long-term suspension who has not been referred to an alternative school may not receive homework, make up work, or take semester exams unless allowed to do so by the Hearing Officer, Superintendent/Designee or the Board of Education. A student on long-term suspension is not allowed on school property and may not participate in any school activities or school functions.

In some cases (limited to one per student per academic year), the principal may temporarily postpone a student’s suspension if the offense was committed at a critical time in the academic calendar (i.e., immediately before final exams). This **does not** apply to offenses that are violations of state or federal law or that involve weapons, violence, or drugs.

EXPULSION

“Expulsion” means the removal of a student from school (or school bus) for a specified period of time beyond the current semester. A District due process hearing is required for imposition of expulsion. During an expulsion, a student may or may not be allowed to attend an alternative school or virtual school.

ALTERNATIVE SCHOOL

A student who is removed from his/her local school for more than ten (10) school days may be assigned to an alternative school for instruction, academic support, and counseling. Alternative school enables a student to take academic classes that allow the student to keep up with the course credit requirements toward graduation. **The student must attend and successfully complete their alternative school assignment and may not return to their local school or any other school or attend any extracurricular activities while attending an alternative school pursuant to a long-term suspension or expulsion.**

Students cannot withdraw/leave the DeKalb County School District to circumvent an assignment to an alternative school. Students who are assigned to an alternative school must attend and successfully complete that program before returning to the designated local school. Students who leave the School District and return at a later date will automatically be assigned to an alternative school to complete the original assignment unless the student was enrolled in a comparable alternative setting as approved by the Superintendent or Designee. Also, the student may be allowed to return to their previous school on an early re-admission upon the decision of the hearing officer.

PROBATION

“Probation” means that a student is placed on a trial period during which the student is expected to maintain good behavior. A student found by a preponderance of evidence to be in violation of certain offenses may be placed on probation by a school administrator, Hearing Officer, the Disciplinary Action Review Committee, or the Board of Education. Violation of a local school or School District rule while on probation may result in further disciplinary action, including a possible referral to a District due process hearing. A student placed on district-wide probation may be subject to further disciplinary action up to expulsion.

RESTRICTIONS ON SCHOOL ACTIVITIES

Students who are suspended or expelled will not be allowed to participate in any school-sponsored activities, including the prom or graduation exercises if these occur during the period of suspension or expulsion. A parent or guardian may, for good cause, petition the school principal for permission for the student to participate in school-sponsored activities. If denied permission by the principal, the parent or guardian may appeal to the appropriate Regional Superintendent for the final decision.

ACCESSORY

Based on a preponderance of evidence, a student may be found to be an accessory to a violation of the *DCSD Code of Student Conduct* if the student assists, plans, participates, advises, incites, counsels, and/or encourages other individuals to violate the *DCSD Code of Student Conduct*. A student accessory is subject to the same penalties as the students who are actively involved in committing such offenses.

SELF-DEFENSE

A student’s use or threatened use of force may be justified when and to the extent that they reasonably believes that such threat or force is necessary to defend themselves or a third person against such other's imminent use of unlawful force. O.C.G.A. §16-3-21. Such actual/threatened use of force may be unreasonable in instances where School District personnel were in the immediate area to intervene. However, the student must not use more force than appears reasonably necessary in the circumstances. Self-defense is not available as a defense where the use of force continued after staff intervention. *When a student is claiming self-defense, it is the student’s responsibility to prove that they acted in self-defense.* If self-defense is accepted as a valid justification under the circumstances, the student is found not in violation by a preponderance of evidence and no discipline is imposed for that offense.

RESTROOMS AND LOCKER ROOMS

All offenses listed in this *DCSD Code of Student Conduct* apply to student behavior in school restrooms and locker rooms. Students are expected to help keep restrooms clean and safe. Also, students are expected to report disruptive, unsafe, and/or unclean conditions in restrooms to an administrator.

No cell phones, camcorders, video recorders, or cameras are allowed in locker rooms. It should be noted that no one is allowed to take pictures or video of other persons in any area of the school without the express permission of the principal.

STUDENT DISCIPLINE PROCEDURES

Students are entitled to certain due process measures before being suspended/expelled from public school. The extent of the procedural protections depends on how long the suspension/expulsion from school will last. **For example, for suspensions of ten school days or less, the United States Supreme Court has held that only minimal due process is required.**

The DeKalb County School District has adopted a set of procedural safeguards that afford students greater due process than the law requires. The procedures are described in the following sections.

SCHOOL ADMINISTRATIVE DUE PROCESS FOR SUSPENSION

School administrative due process for suspension is held before a student is given in-school suspension, out-of-school suspension, or bus suspension up to ten (10) days or other appropriate consequences. If the violation warrants further suspension beyond the ten (10) days, it must be referred by the school principal with a recommendation for long-term suspension or expulsion.

At the school administrative due process for suspension meeting, the student is informed verbally of the offense with which the student is charged, who made the charge(s), who witnessed the offense, and what disciplinary action is proposed to be taken. The student is provided with an opportunity to tell their side of the story. The student’s parent/guardian will be contacted if disciplinary action is taken. Witnesses (when applicable) are asked to submit verbal and/or written accounts of the incident as soon as possible after the incident.

DISCIPLINE TEAM MEETING (DTM)

When a Principal recommends a long-term out of school suspension/expulsion, and the disciplinary hearing may potentially be waived, a Discipline Team Meeting (DTM), which consists of the principal/designee, the student behavioral specialist and/or another representative from the system office of student discipline, and the parent/guardian, will be offered to the parent/guardian within five (5) school days of the first day of suspension. The student may be invited where practicable. The principal/designee will notify the office of the Student Support Team Coordinator, or Superintendent's designee, as soon as practicable after the investigation of the occurrence. The principal/designee should furnish the following documents to the MTSS/RTI Coordinator or Superintendent's designee, before or at the time of the Discipline Team Meeting DTM: witness/student statements; a current copy of the student's permanent record; a copy of the student's test record card; current status of the student's academic and conduct grades in all classes (progress reports); days present and absent (excused and unexcused absences); number of tardies and class cuts; detention assignments with reasons; anecdotal report citing discipline, attendance and academic records, and interventions offered at the local school including SST referral, counseling sessions and parent/guardian conferences with dates, reasons, and results; copy of police report; special education, Section 504 or SST status (active enrollment or referral for any of these programs); SST reports; copy of the currently approved suspension letter that includes the school administrations' recommendation for consequences, and any other information or evidence relevant to the incident.

The purpose of this meeting is for the team to discuss the investigation completed by the school, the discipline procedures afforded, and any information provided by the student and/or the parent/guardian. As this is a parent conference, the student's or parents' legal counsel may not attend. The MTSS/RTI Coordinator and/or another representative from the district office of student discipline may set a reasonable time limit for the DTM and may end the DTM if it is evident that resolution is not imminent. If the parent/guardian and school are able to reach an agreement about the disciplinary outcome, the agreement is approved by the Director of Student Relations, and the parent/guardian waives the hearing in writing, then the hearing will be canceled. If the parent/guardian disagrees with the disciplinary outcome and the end result of the DTM, or the parent/guardian does not attend the DTM, then the hearing will proceed as scheduled. Discipline Team Meetings can be conducted using various modes of communication. If the DTM does not occur or does not occur as discussed in this Code, the hearing will proceed as scheduled.

DISTRICT DUE PROCESS HEARING

In-person and virtual District due process hearings are conducted by a Hearing Officer who hears evidence concerning violation of student misconduct, which, if proven, may require discipline greater than a ten (10) school-day suspension. The Hearing Officers are appointed by the Superintendent and should have no prior knowledge of the violation. If a Hearing Officer does have prior knowledge of the violation prior to the hearing, it may proceed if Hearing Officer affirms that they can hear evidence and come to a decision without bias.

When a school principal recommends a student to the District due process hearing, the recommendation is reviewed by the appropriate Hearing Officer, who decides whether to hold a hearing. All hearings must be held no later than ten school days after the disciplinary action or school-initiated arrest by a School Resource Officer (SRO) unless the School District and parents/guardians mutually agree to an extension. If a hearing is to be held, the student and parent/guardian will be provided verbal and written notice of the date, time and place of the hearing, violations and a list of possible witnesses.

District due process hearings are confidential and not open to the public. The student, his/her parent or guardian or a parent representative with written parent permission, and their witnesses may attend the hearing, but other relatives or friends of the student will not be allowed to attend. The proceedings are recorded electronically. The School District may summon witnesses to testify on its behalf at the hearing. The student and parent/guardian may also bring witnesses. The Hearing Officer will make determinations regarding whether witnesses have relevant testimony to the charges considered. If the student or parent/guardian wants School District personnel or other students to testify at the hearing, they should contact school administration, which will arrange the issuance of summonses for these persons. The parent/guardian must contact the school within 48 hours of the hearing so that parental consent can be requested for the student asked to testify. Witnesses testifying in a District due process hearing will not be allowed to have an attorney present at the hearing unless that witness is or may be charged in the incident.

The evidence presented at a District due process hearing may include physical evidence, such as drugs or weapons; witness testimony; photographs; recordings; and relevant documents, such as witness statements, investigation reports, and the student's current discipline and academic record. The School District bears the burden of proving the violations against the student by a "preponderance of the evidence." The student has the right, at his/her own expense, to be represented by counsel at the District due process hearing. The parent/guardian must give the Department of Student Relations notice at least 48 hours before the hearing

that they will have legal representation during the due process hearing and the attorney must provide an Entry of Appearance to the Department of Student Relations at least 48 hours before the hearing. Failure to give notice may result in the hearing being postponed and reset for a later date so that the school can make any necessary arrangements and/or schedule District attorney. The School District is not usually represented by an attorney at District due process hearings, but in some cases an attorney is used.

The District due process hearing is not required to be identical to a courtroom trial, and the strict rules of the Georgia Evidence Code do not apply. All parties may offer relevant information to assist the Hearing Officer with determining whether the student is in violation of an offense and whether discipline must be imposed. The Hearing Officer is authorized to make the final decision regarding relevancy of information provided. Based upon a preponderance of the evidence presented at the hearing, the Hearing Officer will determine whether school rules have been violated and identify the discipline to be imposed.

After the presentation of evidence by both sides, each side is given an opportunity to make a closing argument. The hearing then ends, and the Hearing Officer will deliberate privately to decide whether a violation has occurred and an appropriate discipline if the student is found in violation by a preponderance of evidence. If the student is found not in violation of school rules, the student shall be allowed to return to school. If the student is found in violation, the Hearing Officer may impose discipline ranging from sending the accused back to school on probation to expulsion from the School District. Parents/guardians may contact the office the next school day to receive the decision. A letter will be sent to the student's parent/guardian within ten days after the hearing is held.

APPEAL TO DEKALB BOARD OF EDUCATION

The student's parent/guardian may appeal the Hearing Officer's decision to the Board of Education by submitting a written request to the Superintendent of DeKalb County School District at 5823 Memorial Drive, Stone Mountain, Georgia, 30083. This request must be made within twenty (20) calendar days (including weekends, public and legal holidays) from the date the decision is rendered by the Hearing Officer. The written notice of appeal should set forth the reasons, together with any supporting arguments, as to why the Hearing Officer's decision is alleged to be incorrect. The notice should further specify what portion or portions of the record support the appellant's contentions. No new evidence will be allowed.

The DeKalb Board of Education will review the record and shall render the decision in writing within ten (10) days excluding weekends and public and legal holidays from the date the request for appeal is received. The decision of the DeKalb Board of Education will be based solely on the record created during the District due process hearing. The DeKalb Board of Education will not consider any new evidence or hear any oral arguments; however, written arguments concerning the merits of the appeal may be submitted. The DeKalb Board of Education has the power to affirm, reverse, or modify the Hearing Officer's decision. The DeKalb Board of Education's decision will be final unless an appeal is made to the State Board of Education by filing a notice of appeal in writing with the DeKalb County School District superintendent within thirty (30) calendar days of the DeKalb Board of Education's decision. The appeal shall set forth: the question in dispute; the decision of the local board; and a concise statement of the reasons why the decision is being appealed. The contents of this notice of appeal and the procedure to be followed before the State Board of Education of Georgia are specified in O.C.G.A. § 20-2-1160 and State Board Rule 160-1-3-.04.

A transcript of the District due process hearing will be made only if there is an appeal. The student's parent/guardian or attorney may request an audio copy of the hearing at the Department of Student Relations or may order a copy of a written transcript at their own expense.

DISTRICT DUE PROCESS WAIVER

A parent/guardian and student may choose to waive their District due process hearing and accept the appropriate consequences for the incident by completing and signing a District Due Process Hearing Waiver. By submitting this waiver, the parent/guardian and student agree to the decision and waive any future challenges and appeals relative to that incident.

STUDENTS WITH DISABILITIES

The discipline procedures for students that receive special education services under IDEA and students with disabilities covered under Section 504 are the same as above with the following additional steps:

Special circumstances for students with disabilities (weapons, drugs, & or serious bodily harm)

1. The local school administrative staff should determine if a student was in possession of a weapon, drugs, or inflicted serious bodily harm to another individual. If yes, proceed to A & B.
 - A. **The Exceptional Education Director/District 504 Coordinator should be notified immediately of the above triggers.**
 - **The Exceptional Education/Section 504 District personnel will investigate the situation and provide guidance to the local school.**
 - **District personnel and local school personnel will collaborate to determine a plan of action.**

B. Exceptional Education/504 Coordinator will contact the local school if an emergency change in education location is needed.

2. The Special Education teacher(s), the IEP case manager or the Section 504 chairperson is notified of the occurrence.
3. If a student with disabilities is referred to a District due process hearing, a school administrator contacts the school's Lead Teacher for Special Education/Section 504 Chair to schedule a Manifestation/Determination meeting.
4. If it is determined that the behavior is not a manifestation for the disability, a recommendation is made by the school principal for a District due process hearing, subject to the education rights of the student under IDEA 2004. **If the behavior is a manifestation of the disability, any further placement decisions will be made by the IEP Review Committee or Section 504 Team.**

STUDENT PLACEMENT PROTOCOL FOR STUDENTS RETURNING AFTER INCARCERATION, DETENTION, OR OTHER SPECIAL CIRCUMSTANCES

Students who have been out of school due to incarceration or detention often need a period of transition before returning to their local school. Moreover, there may be circumstances in which a current student's presence at school may pose a serious and significant danger to the persons and/or property at the school. A protocol has been established for determining whether a student returning from a period of incarceration or detention due to alleged or adjudicated criminal conduct should be placed in an alternative school program or returned to the student's local school. The DeKalb County School District affords these students an opportunity to rebuild their academic and social skills so that the transition to their local school will go smoothly. The primary considerations in making this determination are the educational needs of the returning student and the safety of other students and staff.

In many cases, the conduct at issue is very serious, ranging from property offenses to serious sexual violations or weapon possession, or other violent acts. Students adjudicated for these offenses may be placed on a safety plan by the Department of Juvenile Justice (DJJ) or the Juvenile Court. These plans may impose certain restrictions on the returning student; for example, the student may not be allowed around children of a certain age, around the victim or children with the victim's profile, or may have to be supervised by an adult at all times.

In some cases, students have been expelled or suspended from DeKalb or another school district or private school, and the term of suspension or expulsion has not yet been completed. (O.C.G.A. § 20-2-751.2) In other cases, students may seek readmission or enrollment that have been suspended or expelled for being convicted of, being adjudicated to have committed, being indicted for, or having information filed for the commission of any felony or any delinquent act that would be a felony if committed by an adult. (O.C.G.A. § 20-2-768) This brings other questions into play, such as whether the student should be excluded altogether for the remainder of the expulsion or suspension or offered an alternative placement.

Before these students return to school, they will be referred to the Department of Student Relations. Department personnel will gather and review all appropriate information, including any information that the student's parents may wish to provide, and make a placement determination. The parents and student may be present for this review and may provide input. Attorneys will not be allowed to attend.

Parents who disagree with the placement determination made by the Department of Student Relations will have three school days following the determination to request a review by the Disciplinary Action Review Committee (DARC). The DARC operates under the auspices of the Department of Student Relations and is authorized to consider and rule on special requests from parents/guardians and school administrators pertaining to student discipline-related situations. The DARC will meet and make a placement determination based upon a review of the information from the Department of Student Relations and any additional information provided by all other parties. Parents who disagree with the placement determination made by the Disciplinary Action Review Committee will have three (3) school days following the determination to request a District due process hearing, pursuant to O.C.G.A. § 20-2-754.

The protocol described above may be used in other types of student placement situations as deemed appropriate by Student Relations administrators. **All placement determinations will be made on a case-by-case basis.** Various factors, including age, length of incarceration, nature of charges, existing discipline order, potential safety concerns or disruption of the educational process, present/prior discipline history, etc. may be used in making placement determinations at all levels. For example, the following general categories of serious violent offenses will result in the school administrator's referral to the Department of Student Relations:

- Assault resulting in serious injury
- Assault involving use of a weapon
- Death by other than natural causes (homicide)

- Kidnapping
- Rape
- Robbery with a dangerous weapon (armed robbery)
- Robbery without a dangerous weapon
- Sexual assault (not involving rape or sexual offense)
- Sexual Offense
- Taking indecent liberties with a minor

Additionally, an offense involving accusations of manufacturing, selling, or trafficking large quantities of controlled substances is to be included.

All principals will continue to follow the *DCSD Code of Student Conduct* when a student’s disciplinary infraction occurs within the school’s jurisdiction. The normal disciplinary procedures will be followed in these instances.

This protocol does not apply to students with disabilities. Students with disabilities will be referred directly to the Department of Exceptional Education or the Section 504 Coordinator for students with 504 plans.

SEARCHES

To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers, student desks and tables, or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search.

As used in this *DCSD Code of Student Conduct*, the term "unauthorized" means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission or process of the school, or any item described as unauthorized in school rules available beforehand to the student.

A student's failure to permit a search or seizure as provided in this *DCSD Code of Student Conduct* will be considered grounds for disciplinary action.

All searches by school employees shall be reasonably related to the objectives of the search and not excessively intrusive in light of the student's age and gender and the nature of the infraction.

PERSONAL SEARCHES

A student's person and/or personal effects (e.g., purse, book bag, etc.) may be searched whenever a school official has reasonable suspicion to believe that the search will reveal a violation of the law, the student conduct behavior code, or local school rules.

If a pat-down search of a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness present, when feasible. If the school official has reasonable grounds for suspecting that the student has on his or her person an item immediately dangerous to the student or to others, the student should be isolated, a school resource officer should be notified, and appropriate disciplinary action should be administered.

In appropriate circumstances, searches may include the use of electronic devices such as hand-held metal detectors or walk-through metal detectors. *Searches may also include the use of drug detection canines.*

LOCKER, DESK, AND TABLE SEARCHES

Student lockers, desks, and tables are school property and remain at all times under the control of the school. Principals of each school where lockers are issued should ensure that each student receives written notice prior to the issuance of the locker that lockers 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 that would lead students to believe that lockers are under their exclusive control.

Periodic general inspections of lockers, desks, and tables may be conducted by school authorities for any reason at any time without notice, without student consent, and without a search warrant. The School District may use K-9 Units to check lockers, desks, and tables. Items brought to school or placed in lockers, desks or tables are subject to reasonable searches.

AUTOMOBILE SEARCHES

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and visual inspections from the outside of student vehicles on school property. State law does not authorize a student to have a firearm secured in a vehicle parked on school premises.

The interiors of student vehicles may be inspected whenever a school authority has reasonable grounds for suspecting that illegal, unauthorized, or contraband materials are contained inside. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

Notice of the foregoing right to search shall be given to students who park on school property; however, failure to give such notice will not preclude school officials from conducting searches of vehicle interiors when otherwise authorized.

SEARCH RESULTS

If a search reveals a violation of federal, state, or local law, law enforcement authorities may be notified so that they may take appropriate action.

KEEPING WEAPONS OUT OF SCHOOL

KEEPING SCHOOLS SAFE

Every student wants and deserves a safe and secure school. For that reason, school districts and schools have rules against weapons and violence at school, on any school bus, and at any school-sponsored function.

Students may be expelled for bringing weapons to school. Also, bringing certain weapons to school is a “designated felony” under Georgia law. This means that student offenders under the age of 17 may be arrested and placed in a youth detention center for carrying or possessing a weapon at school, on a school bus, or at any school-sponsored function. For students aged 17 or over, these offenses amount to a felony and may result in a felony conviction and imprisonment.

Schools across the nation are required by federal law to have a student discipline policy that mandates a **minimum one calendar year expulsion** for bringing a firearm to school or for being in possession of a firearm on school property (including school buses). Consequently, DeKalb has a policy that requires a minimum one calendar year expulsion from all DeKalb schools for possession of a firearm.

WHAT OTHER WEAPONS MAY RESULT IN EXPULSION?

Having any type of knife, razor blade (including box cutters), chain, pipe, martial arts device, mace, BB gun or pellet gun, and other items such as ammunition at school, on the school bus or other school property, or at school functions is a violation of the *DCSD Code of Student Conduct* and may result in expulsion. (For a full and complete list of weapons, see pages 29-30.)

INFORMATION FOR STUDENTS: SO, WHAT CAN YOU DO?

Take pride in your school and show respect for yourself and your friends by participating in keeping your school and friends safe.

- **Do not, for any reason, bring a weapon to school, or accept a weapon from another student, or allow another student to place a weapon in your locker, desk, vehicle, or personal belongings.**
- **Tell your friends not to bring weapons to school for any reason, not to show off, not for protection, not for any reason.**
- **If you hear about or see a weapon at school or on a school bus, inform a teacher or administrator immediately (you may ask that your name not be used).**

WHY GET INVOLVED IN MAKING SCHOOLS SAFER?

Students should get involved because the problems that weapons at school can cause are serious and will not completely go away without student involvement. Students across the nation have said “enough is enough.” These students are taking a more active

interest in keeping their schools safe and free of weapons. These students let it be known that weapons will be reported, regardless of who brings them to school.

When word gets around that weapons are going to be reported, students are less likely to bring weapons to school.

A SPECIAL MESSAGE TO STUDENTS 17 YEARS OLD OR OLDER

If you are 17 years old or older and you are caught with a weapon at school or on the bus or in your vehicle at school, you may be **charged with a felony**. A felony conviction gives you a record, one that may keep you from being accepted in colleges, technical schools, and the armed services. It may also keep you from getting a job or voting.

DCSD CODE OF STUDENT CONDUCT

The *DCSD Code of Student Conduct* makes it very clear to all students that weapons cannot be brought to school. The *DCSD Code of Student Conduct* also includes important information and advice to students about weapons and other dangerous items.

IT'S IMPORTANT TO REMEMBER

When the weapons laws of Georgia are violated, the student may be:

- ARRESTED**
- PLACED IN A POLICE CAR**
- TAKEN TO JAIL OR A DETENTION CENTER**
- SENTENCED TO JAIL**
- PENALIZED WITH SUBSTANTIAL COURT FINES**
- PLACED ON PROBATION**
- EXPELLED FROM SCHOOL**

PREVENTION AND INTERVENTION

What are school districts doing to keep weapons out of schools? Several strategies are being used, such as:

- Distributing the *DCSD Code of Student Conduct* to all students to let them know that weapons are against the law and against school rules;
- Informing students that lockers, desks, tables, vehicles, and personal belongings are subject to being searched by school officials;
- Informing parents that most weapons come to school from home;
- Randomly conducting firearm and drug searches using gunpowder and drug-sniffing dogs;
- Restricting or limiting the use of book bags at school;
- Expelling students who have brought weapons to school or on a school bus;
- Installing more surveillance cameras and increasing the use of metal detectors.

Responsibility is knowing what is expected of you.

Responsibility is having high expectations of yourself and others.

Responsibility is making responsible choices.

Responsibility is making the right decision when the wrong decision is easier.

Responsibility is the measure of maturity.

STUDENT RIGHTS AND RESPONSIBILITIES

RESPONSIBILITIES

1. Parent(s)/Guardian Responsibilities

Through dissemination of the *DCSD Code of Student Conduct* each school will inform the parent of the following expectations:

1. To assume legal responsibility for the behavior of the child as determined by law and community practice and to ensure that the child is familiar with the discipline policy and regulations.
2. To teach the child self-discipline, respect for authority and for the rights of others.
3. To make sure that the child attends school regularly and that the school receives notification of the reason for absences when the child cannot attend school.
4. To work to the best of their ability to provide the necessary materials and a positive home learning environment for the child to succeed in school.
5. To maintain communication with the school and provide the school with a current telephone number through which they may be reached during the school day.
6. To respond quickly to school to get the child when called upon.
7. To be available for conferences when requested.
8. To cooperate with the school staff to develop strategies to benefit the child.

2. Student Responsibilities

1. To be aware of and to abide by District-wide policies, regulations, and school guidelines regarding acceptable behavior.
2. To be responsible for one's own behavior.
3. To conduct oneself in a manner which is conducive to learning and does not interfere with the teacher's right to teach or the student's right to learn.
4. To respect the personal, civil and property rights of all members of the school community.
5. To refrain from the use of physical force, verbal abuse or harassment, blackmail, stealing, vandalism, and other illegal activities.
6. To seek clarification from school personnel concerning the appropriateness of any action or behavior.
7. To attend school and classes regularly, on-time and be prepared with the necessary learning materials.
8. To know and follow the policies and regulations for every event considered part of the school program regardless of the time or place.
9. To comply immediately with any staff member's reasonable request to carry out school rules.

RELEASE OF STUDENT INFORMATION

Notification of Rights under the Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

- (1) The right to inspect and review the student’s education records within 45 days of the day the DeKalb County School District receives a request for access.

Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- (2) The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

Parents or eligible students who wish to ask the District to amend a record should write the school principal, clearly identify the part of the record they want changed and specify why it should be changed. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- (3) The right to privacy of personally identifiable information in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the DeKalb County Board of Education; a person or company with whom the District has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, educational consultant, volunteer, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer, or as otherwise required by law.

- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

RELEASE OF DIRECTORY INFORMATION

FERPA requires that the District, with certain exceptions, obtain the written consent of a parent, guardian, or eligible student (i.e., a student over 18 years of age) prior to the disclosure of personally identifiable information from a child's education records. However, the District may disclose appropriately designated "directory information" without written consent, unless the parent, guardian, or eligible student has advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the District to include this type of information from a child's education records in certain school publications. Examples include:

- A playbill, showing a student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Information posted on the school's or the District's website;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without the prior written consent of a parent, guardian, or eligible student. Outside organizations include, but are not limited to companies that manufacture class rings or publish yearbooks. In addition, federal law requires the District to provide military recruiters, upon request, with the following information—names, addresses and telephone listings—unless the parent, guardian, or eligible student has advised the District that they do not want their student's information disclosed without their prior written consent.

A parent, guardian, or eligible student who does not want directory information to be disclosed from the student's education records without prior written consent must notify the District in writing annually within a reasonable time period after receiving this notice. The District has designated the following information as directory information: student's name, address, and telephone listing, date of birth, electronic mail (e-mail) address, dates of attendance, grade level, major field of study, photograph, audio recordings, video recordings, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, and awards received, and the most recent educational institution previously attended. Such notification should be sent to the student's principal within ten (10) days of receipt of this handbook.

COMPLAINTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT

The Protection of Pupil Rights Amendment (PPRA) affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. Parents and eligible students who need assistance or who wish to file a complaint under PPRA should do so in writing to the following address: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington D.C., 20202-5920. Informal inquiries may be sent to the Family Policy Compliance Office via the following email address: PPRA@ED.Gov. The Family Policy Compliance Office website address is: www.ed.gov/fpco.

STUDENT COMPLAINT PROCEDURES

COMPLAINTS OF BULLYING, HARASSMENT, HAZING, OR DISCRIMINATION

Pursuant to federal and state laws, students are entitled to a Complaint Procedure to address allegations of discrimination and harassment (including bullying). Accordingly, the School District has established both informal and formal procedures for resolving any complaints of discrimination, harassment, or bullying on the basis of race, color, religion, national origin, sex (including sexual harassment), sexual orientation, gender identity, disability, or age. Allegations of discrimination should be reported immediately to any school employee, administrator, or counselor at the school, center, or any school event. A student may also make a direct report via mail or in person to the attention of: Title IX Officer, 1701 Mountain Industrial Blvd., Stone Mountain, Georgia 30083 or by dialing 678-676-0310. The school administrator or the Title IX Officer shall assist the student with formalizing and processing the complaint, which should include a statement of facts, identification of witnesses and any other information necessary to fully describe the matter.

Formal complaints should be filed within 30 calendar days of the alleged incident. All policies and/or procedures mandated by any agency of the State of Georgia, or the United States, will be followed. As per O.C.G.A. § 20-2-751.5 (17), it is unlawful for a student to falsify, misrepresent, omit, or erroneously report information regarding instances of alleged inappropriate behavior by a teacher, administrator, or other school employee, including during off-school hours. Please refer to page 94 for the Bullying/harassment/hazing flowchart and page 95 for the Bullying/harassment/hazing Report Form in the *DCSD Code of Student Conduct*

REPORTING OF SEXUAL HARASSMENT UNDER TITLE IX

Sexual harassment under Title IX is defined as conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the District conditioning the provision of a District aid, benefit, or service on an individual's participation in unwelcome sexual conduct; or
2. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal access to the District's educational program or activity; or
3. "Sexual assault" - an offense classified as forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation; or
"Dating Violence"- sex-based violence committed by a person-
 - A. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - B. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - i. The length of the relationship.
 - ii. The type of relationship.
 - iii. The frequency of interaction between the persons involved in the relationship; or"Domestic Violence"- sex-based violence which includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or
"Sex-based Stalking" - engaging in a course of conduct directed at a specific person that would cause a reasonable person to-
 - A. fear for his or her safety or the safety of others; or
 - B. suffer substantial emotional distress.

The District's Policy regarding Title IX complaints is Policy JCAC. Additional information regarding DeKalb County School District Title IX procedures is available at: <https://www.dekalbschoolsga.org/hr/employee-relations/>.

Student's principal serves as the Title IX Site Coordinator and Title IX reports/complaints may be directed to them. The District's Title IX Coordinator is:

Marissa Key

Executive Director of Employee Relations; Title IX Coordinator

DeKalb County School District
1701 Mountain Industrial Blvd
Stone Mountain, Georgia 30083
678.676.0105

titleixcoordinator@dekalbschoolsga.org

Title IX complaints and/or reports will be addressed through the following grievance process.

GRIEVANCE PROCESS:

Reports or complaints made to the District regarding alleged sexual harassment in violation of Title IX shall be processed in accordance with the following process:

1. Reports or complaints may be verbal or written and may be made at any time (including during non-business hours) in person, by mail, by telephone, or by electronic mail using the contact information posted on the school and/or District website.
2. Any student, applicant for admission, or other person wishing to report or file a complaint alleging a violation as described above shall promptly notify either the principal at his/her school or the Title IX Coordinator designated and authorized by the District. Any employee who receives information alleging sexual harassment of a student shall report it to the principal or Title IX Coordinator. If the alleged offending individual is the principal, the report or complaint should be made by the complainant to the Title IX Coordinator.
3. The Title IX Coordinator or designee shall promptly contact the complainant to discuss the availability of supportive measures as defined in this policy, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The District shall treat complainants and respondents equitably by following this grievance process before punishing the respondent or providing remedies to the complainant. Remedies will be designed to restore or preserve equal access to the District's education program or activity. Such remedies may include the same individualized services described as "supportive measures." However, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.
4. **Formal Complaint** - Upon receipt of a complaint, District will within 10 days send written notice to both parties to include:
 - a. District's grievance process, and
 - b. Notice of the allegations potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice shall include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice shall inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice shall inform the parties of any provision in the student code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process. The notice shall describe the range of or list the possible disciplinary sanctions and remedies that the District may implement following any determination of responsibility.

- c. If, during an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the notice provided pursuant to paragraph (4)(B), the District shall provide notice of the additional allegations to the parties whose identities are known.

5. Dismissal of a Formal Complaint

The District shall investigate all allegations in the formal complaint. The District will dismiss allegations of conduct that do not meet the definition of sexual harassment or did not occur in a district education program or activity, or against a person in the United States. This dismissal will only apply to Title IX allegations. Such dismissal does not prohibit the District from addressing allegations under another provision of the District's policies.

The District, may also dismiss a formal complaint if:

- a. the complainant informs a Title IX Coordinator in writing of their wish to withdraw the formal complaint or any allegations therein;
- b. the respondent is no longer employed by the District; or
- c. there are circumstances preventing the District from gathering sufficient evidence to reach a determination regarding the allegations.

The District will simultaneously provide parties with a written notice of dismissal including the reasons for the dismissal.

6. Consolidation of Formal Complaints

The District may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references to the singular "party," "complainant," or "respondent" include the plural, as applicable.

7. Investigation of a Formal Complaint

After providing written notice to the parties of the receipt of a formal complaint, the District shall have 30 days to investigate. When investigating a formal complaint, and throughout the grievance process, the District shall

- a. Assume the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility and not place such burdens on the parties provided that the District cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the District obtains that party's voluntary, written consent to do so;
- b. Provide both parties with an equal opportunity to present fact and expert witnesses and other inculpatory and exculpatory evidence, and an opportunity to fully review and respond to all evidence on the record;
- c. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- d. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who maybe, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;

- e. Send written notice of investigative interviews, meetings, or hearings to the parties when their participation is expected including the date, time, location, participants, and the purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate;
- f. Provide parties, and their advisors, an opportunity to inspect and review any non-privileged evidence directly relating to the allegations, including the evidence which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. Prior to completion of the investigative report, the District shall send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties should have at least 10 days to inspect, review, and submit a written response to evidence, which the investigator will consider prior to completion of the investigative report.
- g. District will send parties, and their advisors, an investigative report that fairly summarizes relevant evidence, in electronic or hard format, with at least 10 business days for the parties to respond. The parties may elect to waive the full 10 days. District may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses. Relevant elements of the parties' written responses may be incorporated into the final investigation report, as well as any additional relevant evidence and necessary revisions. Rationales for any changes made after the review and comment period will be documented.
- h. Students shall cooperate with the investigation. Failure to do so may result in disciplinary action in accordance with the Student Code of Conduct.

If at any point in the investigation of reported sexual harassment of a student, the investigator determines that the reported harassment should more properly be termed abuse, the reported incident or situation shall be referred pursuant to the District protocol for child abuse investigation. Reported sexual harassment determined not to be sexual harassment as defined under Title IX may be investigated in accordance with Student Code of Conduct.

8. Questions

After the District has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker(s) shall afford a 10-day period for each party to have the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The District shall not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. The decision-maker(s) shall explain to the party proposing the questions any decision to exclude a question as not relevant.

9. Determination Regarding Responsibility –

The decision maker, who cannot be the same person(s) as the Title IX Coordinator or investigator(s), shall, issue a written determination regarding responsibility within 10 days of the conclusion of the question and answer period. To reach this determination, the District shall apply the preponderance of the evidence standard to formal complaints against students, to formal complaints against employees and to all complaints of sexual harassment. The written determination shall include:

- a. Identification of all allegations potentially constituting sexual harassment as defined in this regulation;

- b. A description of the procedural steps taken from receipt of the formal complaint through the determination, including any notifications to the parties, interviews with the parties and witnesses, site visits, and methods used to gather other evidence;
- c. Findings of fact and conclusions about whether the alleged sexual harassment occurred; and
- d. The rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent and what, if any, remedies will be provided to the complainant.

This information will be sent simultaneously to both parties along with the appeal process. The Title IX Coordinator is responsible for the effective implementation of any remedies.

10. **APPEALS PROCESS:**

Appeals of the written determination or of a dismissal can be made by either party within 10 days after the decision on the following bases:

- 1. A procedural issue that affected the outcome;
- 2. Newly discovered information or evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome, or
- 3. Title IX Coordinator(s), investigator(s), or decision-maker(s) had a conflict of interest or bias that affected the outcome.

As to all appeals, the District shall:

- a. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- b. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
- c. Ensure that the decision-maker(s) for the appeal complies with the training standards set forth in this policy;
- d. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- e. Issue a written decision describing the result of the appeal and the rationale for the result; and
- f. Provide the written decision simultaneously to both parties within 10 days of the receipt of appeal.

INFORMAL RESOLUTION

The informal resolution process allows the District the discretion to offer and facilitate an informal resolution process such as mediation or restorative justice so long as the parties provide voluntary, informed written consent to attempt informal resolution. Parties can only engage in the informal resolution process when a formal complaint is filed. The District cannot require parties to engage in the informal resolution process. Parties can withdraw the informal resolution process, and resume the investigation process regarding the formal complaint, at any time prior to reaching a resolution. Informal resolution is unavailable for allegations of employee on student sexual harassment.

Prior to informal resolution, the District will:

1. Provide to the parties a written notice disclosing: The allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
2. Obtain the parties' voluntary, written consent to the informal resolution process.

REPORTING ACTS OF SEXUAL ABUSE OR SEXUAL MISCONDUCT OF STUDENT BY STAFF

Title IX also applies to acts of sexual harassment by staff towards students and is addressable under the previous grievance process.

Further, O.C.G.A. § 20-2-751.7.(a) provides that: "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." The following is the reporting process:

- 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 District 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, volunteer, or administrator receiving a report of sexual abuse or sexual misconduct of 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 to the school social worker, but in no case later than 24 hours from the time there is reasonable cause to believe a child has been abused. The school social worker's Child Protection Report may be submitted via telephone, fax, or in written form (preferred method for the school district is written report) to a child welfare agency providing protective services, as designated by the Department of Human Services, 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 shall be investigated immediately by school or system personnel. To protect the integrity of the process and to limit repeated interviews with the student, the designated system personnel is required to take a written statement from the student prior to any other person. 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 designated Regional Superintendent, Chief Officer of Public Safety, and Coordinator of School Social Work. The Superintendent and the Professional Standards Commission Ethics Division must also be notified of any validated acts of sexual misconduct.

GENDER EQUITY IN SPORTS GRIEVANCE PROCEDURES

The DeKalb County School District prohibits discrimination in its elementary and secondary athletic programs, in accordance with the Georgia Gender Equity in Sports Act. The following grievance procedures are provided to allow for prompt and equitable resolution of written student complaints, including those brought by a parent or guardian on behalf of a student.

DEFINITIONS:

- “Days” means calendar days.
- A “grievance” is a complaint that alleges the DeKalb County School District has taken an action that is in violation of O.C.G.A. § 20-2-315 (Gender Equity in Sports Act).
- “Grievant” is the person initiating the complaint.
- “Student” means a person enrolled in a school or instructional program operated by the DeKalb County School District.

PROCEDURES:

Grievances may be brought only by the affected student or by the affected student's parent or guardian and shall proceed in the following manner:

- Within ten (10) days of the time that the grievant knows, or reasonably should know, about the grievance (or within ten (10) days of the publication of this procedure, whichever is later), the grievant shall present the written grievance form to the Superintendent who shall note the date received.
- The written grievance shall: (1) name the grievant and the affected student; (2) state the situation or conditions giving rise to the grievance; (3) identify the specific provisions of the law or the implementing regulations alleged to have been violated; and (4) indicate the specific relief sought.
- The Superintendent shall cause the grievance to be investigated. Within 30 days after the grievance is presented, the Superintendent shall give a written response to the grievance, setting forth the essential facts and rationale for the decision.
- The grievant may appeal the Superintendent’s decision to the DeKalb County Board of Education. The appeal must be in writing and submitted to the DeKalb County Board of Education within 35 days of the date of the response from the Superintendent. The Board may review all materials related to the grievance and render a decision in writing no less than 45 days after receipt of the written grievance form.
- The grievant shall have the right to appeal any decision by the DeKalb County Board of Education to the State Board of Education pursuant to O.C.G.A. § 20-2-1160.

Any student and/or parent or guardian of a minor child who feels that an action of the DeKalb County School District is in violation of O.C.G.A. § 20-2-315 (Gender Equity in Sports Act) may file a complaint by completing a form and forwarding it to Employee Relations, Division of Human Resources, 1701 Mountain Industrial Blvd., Stone Mountain, GA 30083. Forms may be obtained from the Office of the Executive Director of Athletics, 5829 Memorial Drive, Stone Mountain, Georgia 30083 or at www.dekalbschoolsga.org/athletics/downloads.

INTERNET AND TECHNOLOGY USAGE

The DeKalb County School District provides technologies, networks, and internet access to support the educational mission of the District and to enhance the curriculum and learning opportunities for students and employees in compliance with the Children's Internet Protection Act (CIPA) of 2000. All guidelines, regulations, policies, and rules are applicable to all telecommunication services and equipment provided by the District including, but not limited to, the following:

- Computer workstations and notebook computers;
- Smart phones, tablets, e-readers, and other mobile devices;
- Internet services;
- Telephone services; and
- Cellular phone services

The DeKalb County School District believes that information and interaction available on the Internet provides valuable educational information. It is not always possible for the District to control access to material that may be considered controversial or inappropriate; therefore, the user may accidentally or purposefully encounter controversial material. It is the user's responsibility to avoid initiating access to such material.

Use of the Internet must be in support of educational research and consistent with the District's educational goals and objectives. Use of any other District's network or educational resources must be in compliance with rules, policies, and guidelines for the network. Users must abide by all rules and procedures specified and deemed necessary at the site from which access to the Internet is made. Transmission of any material in violation of any United States, state law, or state regulation is prohibited which includes, but is not limited to, (1) copyrighted material, (2) threatening, pornographic, or obscene material, or (3) material protected by trade secret. Use of District resources including the network for (1) private financial gain, commercial advertising, or solicitation activities by or for-profit institutions or (2) political lobbying is prohibited. All illegal activities are strictly prohibited.

The use of the Internet is a privilege, not a right. Any student user not complying with the District's Internet Acceptable Use Agreement shall lose Internet privileges for at least one week. Student infractions may result in appropriate disciplinary action in addition to suspension or termination of access privileges.

Any user identified as being a security risk or as having a history of problems with other computer systems may be denied access to the Internet. The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages suffered by any user including loss of data resulting from delays, non-deliveries, incorrect deliveries, or service interruptions caused by its own negligence or user errors or omissions. Use of any information obtained via the Internet is at the risk of the user. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services.

Use of the School District's Internet and technology resources obligates students to observe the following terms:

- Students **will observe** the standard of courtesy and behavior consistent with the practices and policies of the DeKalb County Board of Education when sending or publishing messages or transmitting data or other information on the Intranet.
- Students **will use the internet system** for instructional purposes only as it relates to classroom and co-curricular assignments and activities.
- Students **will exhibit** appropriate online behavior, including interacting with other individuals on social networking websites and chat rooms.
- Students **will make** every effort to safeguard any information from unauthorized users.
- Students **will not initiate** or participate in any form of cyberbullying.
- Students **will not send or receive** inappropriate or offensive messages or pictures from any source. For example, students will not post, publish, or display any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially or religiously offensive, sexist, or illegal material.
- Students **will not post** messages and attribute them to another user.
- Students **will not violate** network security by entering the system under a User ID other than their own, share their user IDs, passwords, or user accounts with others.
- Students **will not disclose**, use, or disseminate personal information of other minors/students.

- Students **will not use the internet system** for any purpose that violates federal or state law.
- Students **will not transmit or download** information or software in violation of copyright laws.
- Students **will not disconnect** network components, alter programs or data, or purposely infect any computer with a virus.
- Students **will not engage in unauthorized use** of the network, intentionally delete or damage files and data belonging to other users or violate copyright law.

Students are strongly cautioned that sending inappropriate messages and/or images via electronic communication devices or the internet/intranet at any time could result in very serious school, personal and/or criminal consequences.

Students will observe the standard of courtesy and behavior consistent with the practice and policies of the DeKalb County Board of Education, including but not limited to Board Policy IFBGB entitled "Web Pages," when sending or publishing messages or transmitting data or other information on the Intranet.

SUPPLEMENTAL SAFETY AND DISCIPLINE INFORMATION

BULLYING, HARASSMENT, AND HAZING

DeKalb County School District has also implemented a **District Alert Line (1-888-475-0482)** to report weapons, violence, bullying, harassment, and/or drugs.

Students cannot be expected to reach their full academic potential in an environment of fear and intimidation. All schools in the DeKalb County School District have an obligation to provide a safe, healthy, and positive learning environment for their students and to promote mutual respect and acceptance among students, staff, and volunteers.

The District expressly prohibits the bullying, harassing, and hazing of any student, by any means or method, at school, on school property, or at school-related activities; while traveling including to or from school on a school bus; off-campus when the behavior results in a disruption to the school environment; or by use of data or software that is accessed through a District computer, computer system, computer network, or other electronic technology of the District.

Pursuant to state law, this policy also applies to acts of cyberbullying which occur through the use of electronic communication, whether 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 any student's or school personnel's person or property or has a high likelihood of succeeding in that purpose.

For purposes of this policy, 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.

All staff, students, and parents or guardians will receive a verbatim copy of this policy and accompanying administrative regulation prohibiting bullying, harassment, discrimination, and hazing at the beginning of the school year as part of the Code of Student Conduct.

The District strictly prohibits retaliation against any person involved in a report of bullying, harassing, and hazing or participates in an investigation of bullying, harassing, and hazing. Schools shall keep reports of bullying, harassing, and hazing confidential to the extent consistent with a thorough investigation.

School officials are expected to intervene immediately when they see a bullying, harassing, and hazing incident occur or upon receipt of any report of bullying, harassment, and hazing.

An employee who fails to comply with the requirements of this policy and accompanying administrative regulation may be subject to disciplinary action, up to and including termination of employment.

At an appropriate time during or after the investigation of a report, the parent or guardian of both the accused and the victim must be notified. If the incident involves an injury or similar situation, appropriate medical attention should be provided, and the parent or guardian should be notified immediately.

Upon being found in violation, a student who has committed the offense of bullying, harassment, and hazing should be given an age-appropriate consequence which shall include, at minimum and without limitation, disciplinary action, or counseling as appropriate under the circumstances.

Detailed guidelines and procedures for reporting and addressing student bullying, harassment, and hazing shall be implemented in accordance with the accompanying administrative regulation.

**Administrative Regulation: Bullying/Harassment/Hazing
Code JCDAG-R(1)**

Descriptor

The District expressly prohibits the bullying, harassment, and hazing of any student, by any means or method, at school, on school property, or at school-related functions; while traveling to or from school on a school bus; off-campus when the behavior results in a disruption to the school environment; or by use of data or software that is accessed through a District computer, computer system, computer network, or other electronic technology of the District.

A. Definitions

- Bullying – Unwanted, aggressive behavior among school-aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Both students who are bullied and who bully others may have serious, lasting problems.
- Harassment – Unwelcome conduct based on real or perceived race, color, national origin, sex, religion, disability, sexual orientation, gender identity or gender expression. It may take many forms, including verbal acts and name-calling; graphic and written statements, which may include use of cell phones or the Internet; or other conduct that may be physically threatening, harmful, or humiliating. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Unlike bullying, harassment does not always involve a real or perceived power imbalance. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive, or persistent to interfere with or limit a student’s ability to participate in or benefit from the services, activities, or opportunities offered by a school.
- Hazing – Bullying and intimidation in association with rituals to join an extracurricular group/activity or to raise a student’s rank/status within the organization.

B. Prohibited Behaviors

Examples of prohibited behaviors include, but are not limited to:

- Verbal assaults such as unwanted teasing or name-calling;
- Rumors or spreading of falsehoods;
- Threats, taunts, and intimidation through words and/or gestures;
- Public humiliation;
- Social isolation;
- Harassment Stalking;
- Direct physical contact such as hitting or shoving;
- Physical violence and/or attacks;
- Theft of money and/or personal possessions for the purpose of bullying, harassing, or intimidating;
- Extortion or manipulation, including incitement and/or coercion; Destruction of school or personal property; Any form of electronic bullying or cyberbullying using schoolequipment, school networks, or e-mail systems or committed at school;
- The use of cameras or camera phones to take embarrassing photographs of students or school employees and distributing them to others or posting them online;

Sending abusive or threatening text messages or instant messages; and using websites to circulate gossip and rumors to other students;

- Cyberbullying or the willful, hostile, and repeated harassment and intimidation of a person through the use digital technologies, including, but not limited to, email, blogs, social networking websites (e.g., TikTok, Snapchat, Twitter, Instagram, Kik, Facebook etc.), chat rooms, texts, and instant messaging; Cyberstalking or engaging in conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at or about a specific person, causing substantial emotional distress to the victim;

All staff, students, and parents or guardians will receive a verbatim copy of this policy prohibiting bullying/harassment/hazing at the beginning of the school year as part of the DCSD *Code of Student Conduct*.

C. Reporting Incidents of Bullying/Harassment/Hazing

Bullying/Harassment/Hazing may be reported by a student, parent, guardian, or other stakeholder to an administrator, teacher, counselor, or other staff member at the student’s school. At the option of the person reporting the incident, the report may be made either by name or anonymously and either verbally or in writing. Reporting forms may be found in

the Code of Student Conduct, on the District's website, and at each District school. Reports of bullying/harassment/hazing also may be made by using the District's Alert Line at 1-888-475-0482 or by calling the Georgia Department of Education's School Safety Hotline at 1-877 SAY-STOP (1-877-729-7867).

Any employee to whom bullying/harassment/hazing is reported must promptly document the report and forward it to the principal or designee. Any employee who witnesses an incident of bullying/harassment/hazing or who otherwise learns that a student is being bullied/harassed/hazed must promptly, but no later than one (1) day following the receipt of a concern, submit a written report to the principal or designee. The principal or designee shall ensure that proper documentation is maintained throughout the investigation and resolution of the matter. If the report is made by the alleged target/victim, the principal or designee will contact the parent or guardian immediately upon receipt of the report.

If the reporting student or the parent or guardian of the student feels that the school is not taking appropriate steps to investigate or address the problem even after consulting the school principal, the student or the parent or guardian should contact the appropriate Regional Superintendent or his or her designee.

Students who believe that another student at their school is being bullied/harassed/hazed are urged to inform a teacher, counselor, administrator, or other staff member.

The District strictly prohibits retaliation against any person who reports bullying/harassment/hazing or participates in an investigation of bullying/harassment/hazing. Incidents of retaliation should be reported using the same process as used for the original complaint and will be investigated and resolved by school or district personnel.

Where complainants request confidentiality, schools shall share details of reports of bullying/harassment/hazing with only those individuals who need to know consistent with the District's obligation to respond promptly and appropriately to reports of misconduct, or as otherwise required by law.

An employee who fails to comply with the requirements of Board Policy JCDAG and this accompanying regulation may be subject to disciplinary action, up to including termination of employment.

D. Responding to Incidents of Bullying/Harassment/Hazing

School officials are expected to intervene immediately when they see a bullying/harassment/hazing incident occur or upon receipt of any report of bullying/harassment/hazing. The following actions will be taken when bullying/harassment/hazing is reported.

1. Investigation – Upon receipt of any report of bullying/harassment/hazing, the principal or designee will direct an immediate investigation involving appropriate personnel. The investigation should begin no later than the following school day. The investigation shall include interviewing the alleged perpetrator(s), victim(s), identified witnesses, teacher(s), and staff members and reviewing video surveillance, if available. School counselors, school social workers, and other support staff should be utilized for their expertise as determined by the circumstances of the matter. The school shall keep confidential the results of the investigation, except with respect to the District's notification, reporting, or other legal obligations.
2. Notification – At an appropriate time during or after the investigation of a report, the parent or guardian of both the accused and the victim must be notified, but no later than three (3) days after completion of the investigation. If the incident involves an injury or similar situation, appropriate medical attention should be provided, and the parent or guardian should be notified immediately.
At the conclusion of the investigation, both the victim and the offending student must be notified of the results of the investigation. Victims may request information about the sanction imposed upon a student who was found to have engaged in harassment when the sanction directly relates to the victim. This includes an order that the harasser stay away from the harassed student, or that the harasser is prohibited from attending school for a period of time or transferred to other classes. Schools will not disclose any other information in the offending student's "education record," including information about sanctions that do not relate to the harassed student.
3. Interim Measures – The school will take steps to protect the complainant as necessary, including taking interim steps before the final outcome of the investigation.
4. Disciplinary Action – Upon a finding of guilt, a student who has committed the offense of bullying/harassment/hazing will be given an age-appropriate consequence which shall include, at minimum and without limitation, counseling, disciplinary action, or other consequence as appropriate under the circumstances.

Disciplinary action after the first incident of bullying/harassment/hazing may include but is not limited to the following:

- Loss of a privilege;
 - Reassignment of seats in the classroom, cafeteria, or school bus;
 - Reassignment of classes;
 - Detention;
 - In-school suspension;
 - Out-of-school suspension (through appropriate due process hearing);
 - Expulsion (through appropriate due process hearing);
 - Assignment to an alternative school (through appropriate due process hearing).
5. Follow Up and Aftercare – Follow up is important to the accused, the victim, and in some circumstances, the broader school community. Each school must provide after-care and follow up to individuals and groups affected by the bullying/harassment/hazing. Where necessary, counseling, and other interventions should be provided to address the social-emotional, behavioral, and academic needs of students who are victims of bullying/harassment/hazing and students who commit an offense of bullying/harassment/hazing. Schools must also assess school climate to determine whether additional staff training, or student instruction is needed. Where appropriate, the school should also reiterate the prohibition on retaliation and how to report such misconduct.

Pursuant to state law, students in grades six through twelve found to have committed the offense of bullying/harassment/hazing for the third time in a school year shall at a minimum be assigned to an alternative school through appropriate due process by disciplinary hearing officers, panels, or tribunals.

MANDATORY REPORTING OF STUDENT CRIMES

School administrators, teachers and other school-based employees will report crimes, as required by law (O.C.G.A. § 20-2-1184).

Victims of the following alleged student misconduct must file a written complaint or report with the school administration and with central administration, describing the alleged incident and the injury or damage sustained: (1) an alleged assault or battery by a student upon any teacher, other school official or employee; (2) an alleged assault or battery by a student upon another student; (3) substantial damage alleged to be intentionally caused by a student on school property to personal property belonging to a teacher, other school official, employee, or student, if, in the discretion of the school principal, the alleged damage could justify the expulsion or long-term suspension of the student.

ILLEGAL/DANGEROUS/SUSPICIOUS ITEMS

Students are to notify an administrator or other staff member immediately when illegal, suspicious, or dangerous items, or other items banned from school, are found. Students will not touch or handle such items or receive or accept such items from other students.

HOTLINE TO REPORT BULLYING, VIOLENCE, WEAPONS, AND DRUGS

Sponsored by the Georgia Department of Education, the HOTLINE provides a 24-hour reporting system for students to report weapons, violence (**including bullying**), or drugs anonymously by calling **1-877-SAY-STOP (1-877-729-7867)** or the **DeKalb County School District Alert Line at 1-888-475-0482**. Information is recorded and shared with the local school district and local law enforcement. An investigation is conducted upon receipt of the report.

SCHOOL RESOURCE OFFICERS

School Resource Officers (SRO) are POST-certified police officers assigned to schools to maintain safety and security at the assigned school, ensure the initiation of prevention and intervention programs, act as positive role models for students, serve as liaisons with other law enforcement personnel and agencies, help develop the Safe School Plan, and work to foster a better understanding of legal issues and the judicial process. However, SROs are not disciplinarians. They are not to be used as a substitute for an administrator in the daily administration of the student discipline program. The administrative staff works with the SRO to use their law enforcement expertise and experience but should refrain from assigning SROs or other law enforcement agency personnel to duties and stations that limit or encumber their effectiveness. As School District employees, SROs follow the professional requirements of all employees.

As mandated by state law in Georgia, students will be charged and arrested for possession of weapons, as defined in O.C.G.A. § 16-11-127.1, for possession of drugs, as defined in O.C.G.A. § 16-13-24 through O.C.G.A. § 16-13-32, for any felony or designated felony, as described in Title 16 of the Criminal Code of Georgia Annotated, and for causing bodily injury to others, damage to public or private property, and/or causing a major school disturbance, including, but not limited to, making terroristic threats.

School administrators are required to immediately report suspected violations of the law to SROs or other law enforcement personnel. When an SRO, other law enforcement or emergency agency is on a school campus for the purpose of responding to a request for intervention, investigation, serving a warrant, or in response to an emergency, the school administrative staff follows the responder's recommendations. In all cases involving an SRO, as in all other serious situations at the school, the parents/guardians are notified in a timely manner.

Parents and guardians are encouraged to inform their children of the consequences, including potential criminal penalties, of underage sexual conduct and crimes for which a minor can be tried as an adult (O.C.G.A. § 20-2-735). Information on this may be found on the DeKalb District Attorney's website at <http://www.dekalbda.org>.

CAMPUS SECURITY PERSONNEL

Campus Security Personnel (CSP) maintain the security of the school by monitoring campus activity and undertaking necessary precautions vital to the protection of the staff and students to preserve an environment suitable for the education process by patrolling school buildings and grounds to ensure security. CSP are assigned to all secondary schools and several elementary schools.

TEENAGE/ADULT DRIVERS RESPONSIBILITY ACT (TAADRA)

Effective July 1, 2015, schools will certify that a student is enrolled in and not under expulsion from a public or private school to be eligible for a driver's license or learner's permit. Schools will use the **Certificate of School Enrollment** form and the **Certificate of Eligibility for Restoration of Driving Privileges Form**.

CHRONICALLY DISRUPTIVE STUDENTS

Students who chronically disrupt class are addressed through a MTSS-RTI process using a tiered process of interventions and continuous monitoring of progress. Progressive consequences range from Tier 1 of the MTSS-RTI process for the initial disruptions to Tier 3-SST for continuously disruptive behavior. The initial focus of the MTSS-RTI process is developing and implementing interventions to modify the identified behavior problems.

Chronically disruptive students may be placed on probation with a signed contract. The administrative staff, in conjunction with resource personnel and the parents, should collectively devise a discipline correction plan. Chronically disruptive students must be referred to and receive interventions from resource personnel (i.e., counselor, social worker, school psychologist, SST chair, Instructional Support Specialist, or student support specialist) prior to a referral to a District due process hearing.

STUDENT SUPPORT TEAM

The Student Support Team (SST) is a problem-solving team at the Tier 3 level of interventions and/or student assessment that seeks interventions for students with academic, behavior, or other types of problems. SST levels of interventions are implemented when they are necessary as part of the progression through the tiers of intervention.

Once the student reaches Tier 3-SST, interventions are implemented and documented with fidelity for cycles of 4-6 weeks. At each 4-6 week interval, an SST problem-solving meeting is held (parents are to be invited) during which the student's response to intervention is assessed based on the data collected during the intervention period. If the interventions at SST-Tier 3 were done with fidelity and were not successful, based on data documented during the intervention period by the intervention providers, additional alternative interventions and modifications are developed and implemented for an additional cycle of 4-6 weeks. Intervention providers may include the Assistant Principal for discipline, school counselor, teachers, or other staff. After two or more cycles of Tier 3 intervention have been completed and documented with fidelity and the child continues to struggle, the SST may request parent permission to complete a psychoeducational evaluation to determine the student's cognitive and academic strengths and weaknesses and/or behavioral/social and emotional status. If the child makes progress in response to the Tier 3-SST interventions (intense

support), he or she may matriculate back to Tier 2 (moderate intensity support) and, if progress continues, return to Tier 1 Core Instruction.

If the student continues to experience difficulties and based upon the student's responses to the implemented interventions, a referral to Special Education may be warranted. If such a special education referral is made, a Parental Consent for Evaluation (PCE) is obtained, and all available data is reviewed as part of the evaluation process. Data can include SST/RTI records, including all data and all evaluations previously completed. A special education eligibility meeting is then held to determine the student's eligibility for special education services.

PLACEMENT REVIEW PROCEDURES FOR REMOVING STUDENTS FROM CLASS

Based on state law (O.C.G.A. § 20-2-738), a teacher may remove from class a student who **repeatedly or substantially** interferes with the teacher's ability to conduct instructional activities, provided the student has previously been reported or the teacher determines that the behavior of the student **poses an immediate threat** to the safety of the student's classmates or the teacher. In the case of immediate removal from the classroom, the teacher will submit a written referral by the end of the school day or at the beginning of the next school day to the principal or other school administrator. The administrator will, within one school day after the student's removal from class, send the student's parents a written notice that the student was removed from class, a copy of the teacher's referral, and information regarding how the parent may contact a school administrator. When a teacher removes a student from class, as prescribed above, the administrator will discuss the matter with the teacher by the end of the school day or at the beginning of the next school day. The administrator will give the student oral or written notice of the basis for the removal from class. If the teacher withholds his or her consent to the student's return to the same class, or the student's misbehavior precludes returning to school (such as committing a major violation of the *DCSD Code of Student Conduct*), the administrator determines the consequences for the student by the end of the first day, which may include in-school suspension or out-of-school suspension for up to ten days. Suspensions or expulsions of longer than ten days may be imposed only by the Hearing Officer or Board of Education.

If the teacher withholds his or her consent to the student's return to the same class and the administrator does not impose other disciplinary action, the administrator will convene the Local Placement Review Committee by the second day after the removal from the classroom, and the committee will render a decision whether the student should or should not return to the teacher's classroom. The committee's decision will be made no later than three days after the removal from class. In the interim, the administrator will make a temporary placement for the student (other than in the classroom from which the student was removed, unless the teacher gives permission). Any teacher who removes more than two students from his or her total enrollment in any school year who are subsequently returned to the class by the Local Placement Review Committee because such class is the best available alternative may be required to complete professional development to improve classroom management or other skills, based on classroom observations and documentation.

Each school and center principal shall establish at least one Local Placement Review Committee, composed of three members. The school faculty will select two teachers and one alternate, and the principal will select one staff member to serve on the committee (schools may have more than one Local Placement Review Committee, at the discretion of the principal, but each committee must have three members selected as stated above). The selection of the committee should proceed as follows: (1) principal asks for volunteers and nominations; (2) a secret ballot is taken at a faculty meeting; (3) results are tabulated by a teacher; (4) results of the ballot are shared with the faculty. The Local Placement Review Committee (by simple majority vote) determines the placement of a student when a teacher withholds his or her consent to the return of the student to the teacher's class when an administrator has not imposed disciplinary action (provided the teacher has met the reporting requirements enumerated above or if the student poses a threat). The committee is authorized to (1) return the student to the teacher's class upon determining that such placement is the **best** or **only** alternative; or (2) refer the student to the administrator for other appropriate action.

The decision of the committee shall be in writing and will be made within three school days after the teacher withholds consent to the return of the student. If the Local Placement Review Committee decides not to return the student to the class from which he or she was removed, the administrator may place the student into another appropriate classroom, in-school suspension, or out-of-school suspension. In-school suspension or out-of-school suspensions may be for up to ten days. All disciplinary action will be sent to the parents in writing, by either letter or copy of the *Student Discipline Referral* form, with a note to the parent to confirm receipt of the notice.

PREVENTION/INTERVENTION

Prevention/Intervention has several programs in place for students, including peer mediation, conflict resolution classes, drug education classes, parenting classes, character education, in-school suspension/life skills training, bullying awareness activities, and other programs and activities.

GRIP (Growing Responsibly, Increasing Possibilities) is a substance abuse and conflict resolution education program that is provided for first-time violators of the Drug/Substance offenses (possession or use) in this *DCSD Code of Student Conduct*. Violators of offense #5a (distribution/sale/intent), or students charged with felony possessions or multiple offenses are not eligible, unless otherwise indicated by the Hearing Officer or the DeKalb Board of Education. Additionally, GRIP helps students resolve conflict, cope with peer pressure, manage anger, and communicate with others. Students who have been involved in a fight may be referred to GRIP. GRIP is offered on Saturdays to students and parents are also asked to participate in the classes to reinforce the effort to resolve issues peacefully between and among students.

SAFE SCHOOL AUDITS

The DeKalb County School District is committed to ensuring a safe and orderly learning environment. Research studies have indicated that supervision of students is vitally important in the prevention and reduction of violent and criminal behaviors. Adult supervision is necessary for students to feel safe at school. Therefore, the purpose of Safe School Audits is to monitor adult supervision of students, especially during transitional times; assess students' understanding of the rules for appropriate behavior according the *DCSD Code of Student Conduct*; ensure staff understanding of procedures to follow if a campus crisis occurs; and to conduct randomly selected student surveys regarding whether the student feels safe at school.

The Safe School Audits goal is for students and staff to learn and work in a safe and orderly environment. Objectives for conducting the audits are: (1) provide school-based data to local school administrators regarding supervision of staff during transitional periods of the school day; (2) gather and report information on students' feelings about safety at school; (3) provide information on staff awareness of procedures to be followed during a crisis; and (4) building and environment checks.

Trained Safe School Administrators will conduct random Safe School Audits throughout the year. Upon entering a school building, the team leader will notify the principal of the team's presence. Audit team members, equipped with a school map, bell schedule, and audit checklist will proceed to designated areas on the school's campus to observe and document information gathered during the audit. The process generally takes about thirty-five (35) minutes to complete. The audit will be scored according to a prescribed procedure for elementary and secondary schools. Results will be shared with the Superintendent, Deputy Superintendent, School Leadership and Operational Support, Regional Superintendents, Principals, and Assistant Principals.

To ensure that Safe School Audits are conducted with fidelity, a Safe School Audit training module will be developed. Campus identified personnel will be trained and tested in the use and understanding of the Safe School Audit process. Additionally, school administrators, school personnel, and students will receive professional learning on the Safe School Audit process. It is expected that the use of the Safe Schools Audit will result in a reduction of discipline referrals and suspensions.

STUDENT DRESS CODE

The atmosphere of a school must be conducive to learning. While the focus of the DeKalb Code of Student Conduct is behavior expectations, students clothing can affect their safety and their appearance can positively or negatively impact the climate of a school. Students must adhere to the School District's dress code requirements. Students who fail to comply with the dress code requirements, as enumerated below, may be charged with Offense #25 – Student Dress Code Violation (see page 50)

- Students are expected to follow ALL school rules governing safety in specialized programs that may require the wearing of protective clothing, safety glasses, or other similar requirements.
- All shirts must have sleeves. Clothing length must be worn at mid-thigh or lower. Clothing with rips or tears is prohibited. Clothing must be suitably fitted to cover all undergarments, including during movement.

- Students are expected to wear shoes that allow freedom of movement. Flip-flops, slides, between-the-toe shoes without heel straps, bedroom shoes, or other footwear that interferes with freedom of movement or safety are prohibited.
- Clothing, jewelry, tattoos, piercings, or other body ornaments that disrupt the educational process or endanger the health or safety of other students, staff or visitors are prohibited.
- The wearing of specific look alike items such as bullet-proof vests are prohibited.
- Clothing, insignia, symbols, tattoos, piercings, jewelry, or adornments worn or carried on or about a student which promote gangs, or the use of controlled substances, drugs, alcohol, or tobacco are prohibited.
- Students are expected to wear clothing that is respectful of others. The wearing of clothing, tattoos or other adornments which show offensive and/or vulgar words, pictures, diagrams, drawings, or includes words or phrases of a violent nature, a disruptive nature, a sexual nature, politically/socially controversial words or graphics or words or phrases that are derogatory regarding a person's background, ethnicity, race, national origin, religious belief, sexual orientation, gender identity, gender expression, pregnancy status, or disability is prohibited.

NOTE: Local schools that offer school choice options may add additional requirements such as school uniforms. Students/Parents are urged to review individual local school handbooks for any additional requirements related to student dress. Any local dress code requirements must align to the DCSD student dress code.

CODE OF SPORTSMANSHIP

Sportsmanship can be defined in one word: RESPECT. Respect for ourselves, our schools, and guests to our schools helps build a positive image not only with the community, but also with all those who participate in competitive activities in our schools.

Responsibilities of Participants:

- Use appropriate language;
- Treat opponents with the respect due them as guests or hosts;
- Exercise self-control at all times;
- Respect the officials' judgment and interpretation of the rules;
- Accept the responsibility of representing your school in a positive manner;
- Act in a manner that will create a positive attitude in the audience;
- All players who are involved in a fight and any substitutes who leave the bench area during a fight and are ejected from the current contest will be subject to the sit-out rule;
- Players are expected to exhibit good sportsmanship before and after a contest, even if the game officials do not have jurisdiction. Behaviors such as taunting, fighting, etc. are forbidden.

SECLUSION AND RESTRAINT

Georgia Board of Education Rule 160-5-1.35 provides guidelines for use of restraint in Georgia schools. The DeKalb policy is provided below.

BOARD POLICY SECLUSION AND RESTRAINT DESCRIPTOR CODE: JGF (2)

The DeKalb County Board of Education establishes the following standards for the safe administration of physical restraint with regard to enrolled students.

1. The use of chemical restraint, mechanical restraint, or prone restraint, as defined by Georgia Department of Education Rule 160-5-1-.35, is prohibited within the DeKalb County School District.
2. The use of seclusion, as defined by Georgia Department of Education Rule 160-5-1-.35, is prohibited within the DeKalb County School District.

- a. Seclusion does not include situations in which a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student.
 - b. Seclusion does not include “time-out,” defined as a behavioral intervention in which the student is temporarily removed from the learning activity but in which the student is not confined.
 - c. Seclusion does not include in-school suspension, detention, or a student-requested break in a different location in the classroom or in a separate unlocked room.
3. Physical restraint may be utilized only when the student is an immediate danger to themselves or others and the student is not responsive to less intensive behavioral interventions including verbal directives or other de-escalation techniques.
 - a. Physical restraint does not include: providing limited physical contact and/or redirection to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing guidance to a location, or providing comfort.
 - b. Physical restraint shall not be used:
 - i. as a form of discipline or punishment, or
 - ii. when the student cannot be safely restrained, or
 - iii. when the use of the intervention would be contraindicated due to the student’s psychiatric, medical, or physical conditions as described in the student’s educational records.
 - c. All physical restraint must be immediately terminated when the student is no longer an immediate danger to himself or others or if the student is observed to be in severe distress or breathing appears impaired.
 4. Before any staff member may implement physical restraint, he or she should have completed an approved training program.
 - a. Approved training programs will address a full continuum of positive behavioral intervention strategies as well as prevention and de-escalation techniques and restraint.
 - b. Schools and programs shall maintain written or electronic documentation on training provided and the list of participants in each training. Copies of such documentation will be made available to the Georgia Department of Education or any member of the public upon request.
 - c. If a staff member who has not completed an approved training program has to physically restrain a student to prevent injury to a student or others in an emergency situation when staff members trained in physical restraint are not available, he or she should ask other students, if present, to request assistance immediately.
 5. Whenever possible, the use of physical restraint on a student shall be monitored by another staff member or administrator. The use of physical restraint shall be documented by staff or faculty participating in or supervising the restraint for each student in each instance in which the student is restrained.
 6. Whenever physical restraint is used on a student, the school or program where the restraint is administered shall notify the student’s parent or legal guardian within one school day after the use of restraint.
 7. This policy does not prohibit a staff member from utilizing time-out, as defined in paragraph (2) above, or any other classroom management technique or approach, including a student’s removal from the classroom that is not specifically addressed in this rule.
 8. This policy does not prohibit a staff member from taking appropriate action to diffuse a student fight or altercation.
 9. Deciding whether the use of physical restraint is necessary to protect students or others from imminent harm or bodily injury, and taking the actions deemed necessary to protect students or others from imminent harm or bodily injury, are actions that involve the performance of discretionary, not ministerial, duties.
 10. In some instances, in which a student is an immediate danger to himself or herself or others, the school or program must determine when it becomes necessary to seek assistance from law enforcement and/or emergency medical personnel. Nothing in this policy shall be construed to interfere with the duties of law enforcement or emergency medical personnel.
 11. School officials must notify a student’s parent or guardian immediately when emergency medical or law enforcement personnel remove a student from a school or program setting.

NOTICE OF RIGHTS OF STUDENTS AND PARENTS UNDER SECTION 504

Section 504 of the Rehabilitation Act of 1973, commonly referred to as "Section 504," is a nondiscrimination statute enacted by the United States Congress. The purpose of Section 504 is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

For more information regarding Section 504, or if you have questions or need additional assistance, contact DeKalb County School District's Section 504 Office:

Watina F. April
Shadow Rock Center
1040 King Way Drive
Lithonia, GA 30058
(678)676-1817
watina_f_april@dekalbschoolsga.org

The implementing regulations for Section 504 as set out in 34 CFR Part 104 provide parents and/or students with the following rights:

1. Your child has the right to an appropriate education designed to meet his or her individual educational needs as adequately as the needs of non-disabled students. 34 CFR 104.33
2. Your child has the right to free educational services except for those fees that are imposed on non-disabled students or their parents. Insurers and similar third parties who provide services not operated by or provided by the recipient are not relieved from an otherwise valid obligation to provide or pay for services provided to a disabled student. 34 CFR 104.33
3. Your child has a right to participate in an educational setting (academic and nonacademic) with non-disabled students to the maximum extent appropriate to his or her needs. 34 CFR 104.34
4. Your child has a right to facilities, services, and activities that are comparable to those provided for non-disabled students. 34 CFR 104.34
5. Your child has a right to an evaluation prior to a Section 504 determination of eligibility. 34 CFR 104.35
6. You have the right to not consent to the school district's request to evaluate your child. 34 CFR 104.35
7. You have the right to ensure that evaluation procedures, which may include testing, conform to the requirements of 34 CFR 104.35.
8. You have the right to ensure that the school district will consider information from a variety of sources as appropriate, which may include aptitude and achievement tests, grades, teacher recommendations and observations, physical conditions, social or cultural backgrounds, medical records, and parental recommendations. 34 CFR 104.35
9. You have the right to ensure that placement decisions are made by a group of persons, including persons knowledgeable about your child, the meaning of the evaluation data, the placement options, and the legal requirements for least environment and comparable facilities. 34 CFR 104.35
10. If your child is eligible under Section 504, your child has a right to periodic reevaluations, including prior to any subsequent significant change of placement. 34 CFR 104.35
11. You have the right to notice prior to any actions by the school district regarding the identification, evaluation, or placement of your child. 34 CFR 104.36
12. You have the right to examine your child's educational records. 34 CFR 104.36
13. You have the right to an impartial hearing with respect to the school district's actions regarding your child's identification, evaluation, or educational placement, with opportunity for parental participation in the hearing and representation by an attorney. 34 CFR 104.36
14. You have the right to receive a copy of this notice and a copy of the school district's impartial hearing procedure upon request. 34

CFR104.36

15. If you disagree with the decision of the impartial hearing officer (school board members and other district employees are not considered impartial hearing officers), you have a right to a review of that decision according to the school district's impartial hearing procedure. 34 CFR 104.36

16. You have the right to, at any time, file a complaint with the United States Department of Education's Office for Civil Rights.

SECTION 504 PROCEDURAL SAFEGUARDS

OVERVIEW:

Any student or parent or guardian (“grievant”) may request an impartial hearing due to the District’s actions or inactions regarding a child’s identification, evaluation, or educational placement under Section 504. Requests for an impartial hearing must be in writing to the District’s Section 504 Coordinator; however, a grievant’s failure to request a hearing in writing does not alleviate the District’s obligation to provide an impartial hearing if the grievant orally requests an impartial hearing through the Section 504 Coordinator. The Section 504 Coordinator will assist the grievant in completing the written Request for Hearing.

HEARING REQUEST:

The Request for the Hearing must include the following:

- A.** The name of the student;
- B.** The address of the residence of the student;
- C.** The name of the school the student is attending;
- D.** The decision that is the subject of the hearing;
- E.** The requested reasons for review;
- F.** The proposed remedy sought by the grievant; and
- G.** The name and contact information of the grievant.

Within ten (10) business days from receiving the grievant’s Request for Hearing, the Section 504 Coordinator will acknowledge the Request for Hearing in writing and schedule a time and place for a hearing. If the written Request for Hearing does not contain the necessary information noted above, the Section 504 Coordinator will inform the grievant of the specific information needed to complete the request. All timelines and processes will be stayed until the Request for Hearing contains the necessary information noted above.

MEDIATION:

The District may offer mediation to resolve the issues detailed by the grievant in this or her Request for Hearing. Mediation is voluntary and both the grievant and District must agree to participate. A waiver form must be signed to toll time limits for the scheduling for a formal hearing, if necessary. The grievant may terminate the mediation at any time. If the mediation is terminated without an agreement, the District will follow the procedures for conducting an impartial hearing without an additional Request for Hearing.

HEARING PROCEDURES:

- A.** The Section 504 Coordinator will obtain an impartial review official who will conduct a hearing within 45 calendar days from the receipt of the grievant’s Request for Hearing unless agreed to otherwise by the grievant or a continuance is granted by the impartial review official.
- B.** Upon a showing of good cause by the grievant or the District, the impartial review official, at his or her discretion, may grant a continuance and set a new hearing date. The request for a continuance must be in writing and copied to the other party.
- C.** The grievant will have an opportunity to examine the child’s educational records prior to the hearing.
- D.** The grievant will have the opportunity to be represented by legal counsel at his or her own expense at the hearing and participate, speak, examine witnesses, and present information at the hearing. If the grievant is to be represented by legal counsel at the hearing, he or she must inform the Section 504 Coordinator of that fact

in writing at least ten (10) calendar days prior to the hearing. Failure to notify the Section 504 Coordinator in writing of representation by legal counsel shall constitute good cause for continuance of the hearing.

- E.** The grievant will have the burden of proving any claims he or she may assert. When warranted by circumstances or law, the impartial Hearing Officer may require the District to defend its position/decision regarding the claims (i.e., a recipient shall place a disabled student in the regular educational environment operated by the recipient unless it is demonstrated by the recipient that the education of the person in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. 34 C.F.R. §104.34). One or more representatives of the District, who may be an attorney, will attend the hearing to present the evidence and witnesses, respond to the grievant testimony and answer questions posed by the review official.
- F.** The impartial review official shall not have the power to subpoena witnesses, and the strict rules of evidence shall not apply to hearings. The impartial review official shall have the authority to issue pre-hearing instructions, which may include requiring the parties to exchange documents and names of witnesses to be present.
- G.** The impartial review official shall determine the weight to be given any evidence based on its reliability and probative value.
- H.** The hearing shall be closed to the public.
- I.** The issues of the hearing will be limited to those raised in the written or oral request for the hearing.
- J.** Witnesses will be questioned directly by the party who calls them. Cross-examination of witnesses will be allowed. The impartial review official, at his or her discretion, may allow further examination of witnesses or ask questions of the witnesses.
- K.** Testimony shall be recorded by court reporting or audio recording at the expense of the District. All documentation related to the hearing shall be retained by the District.
- L.** Unless otherwise required by law, the impartial review official shall uphold the action of the District unless the grievant can prove that a preponderance of the evidence supports his or her claim.
- M.** Failure of the grievant to appear at a scheduled hearing unless prior notification of absence was provided and approved by the impartial review official or just cause is shown shall constitute a waiver of the right to a personal appearance before the impartial review official.

DECISION:

The impartial review official shall issue a written determination within twenty (20) calendar days of the date the hearing concluded. The determination of the impartial review official shall not include any monetary damages or the award of any attorney's fees.

REVIEW:

If not satisfied with the decision of the impartial review official, any party may pursue any right of review, appeal, cause of action or claim available to them under the law or existing state or federal rules or regulations.

Special Education: A Parent’s Guide to Understanding Rights and Responsibilities

This guide is designed to help you understand your rights and responsibilities regarding special education. It should not be used as a substitute for the full version of the Parents’ Rights outlined in the Individuals with Disabilities Education Act (IDEA) and the Rules of the Georgia State Board of Education (Ga. Bd. Of Educ. R.) pertaining to Special Education. (See Ga. Bd. Educ. R. 160-4-7-.09 PROCEDURAL SAFEGUARDS/PARENTS’ RIGHTS.) To view the full version of the Georgia Parents’ Rights please go to the Georgia Department of Education web site at www.gadoe.org and select *Offices & Divisions*, then *Curriculum & Instruction*, then *Special Education Services and Supports*. You will then look under *Dispute Resolution* or *Family Engagement Information & Resources* to find Parent Rights. The full version of these rights is available in multiple languages and is also presented in video format. This table represents a condensed guide to parental procedural safeguards. To view a complete listing of Parental Rights under IDEA, contact your student’s case manager or visit: <https://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Documents/Parents%20Rights/Parents%20Rights%20Sample%201%20updated%20032420.pdf>.

<p style="text-align: center;">RECORDS:</p> <ul style="list-style-type: none"> ➤ You have a right to look at your child’s education records. ➤ You may also have the records interpreted or explained to you. ➤ You may request to have something in the record changed or removed if you feel it should not be in your child’s record. ➤ You have the right to add information, comments, data or any other relevant written material to your child’s record. ➤ You may ask for and receive copies of the Individualized Education Program (IEP) and/or any of your child’s records. The school district may charge a fee for the copies but may not charge a fee for searching for and retrieving documents. ➤ With your written permission, you may have a person acting on your behalf inspect and review the records. 	<p style="text-align: center;">EVALUATION PROCEDURES:</p> <ul style="list-style-type: none"> ➤ Your child has the right to a full and complete evaluation to determine if they have a disability and is in need of special education and/or related services. ➤ You have the right to have your child assessed in all areas of the suspected disability. ➤ The school district must test your child according to procedures outlined in the IDEA and Georgia Special Education Rules. ➤ Evaluations must consist of more than one test, and those tests must be given in the language that the child normally uses, unless the parent and school agree otherwise, and at least once every three years. ➤ You will be involved in the decision about eligibility and what programs and services your child needs during the re-evaluation.
<p style="text-align: center;">CONFIDENTIALITY OF INFORMATION:</p> <ul style="list-style-type: none"> ➤ Your child’s educational records are <u>private</u>. ➤ You can ask to have copies of only your child’s records. ➤ School employees involved with your child may see your child’s records and do not require your permission. ➤ No one else may see the results of your child’s records without your permission. 	<p style="text-align: center;">LEAST RESTRICTIVE ENVIRONMENT:</p> <ul style="list-style-type: none"> ➤ You have the right to have your child taught in classrooms and participate in all school programs and activities with other children without disabilities, of the same age and grade, to the greatest extent appropriate for your child. ➤ School district personnel must make accommodations and modifications so that your child can participate in all school programs and activities to the greatest extent appropriate.

<p style="text-align: center;">INDEPENDENT EVALUATION:</p> <ul style="list-style-type: none"> ➤ If you disagree with the school’s evaluation, you may have your child tested by a professional evaluator not employed by the schooldistrict, at public or private expense. Contact the school system to find out the procedures for accessing this right. ➤ <u>Upon request</u>, the school district <u>must provide</u> you a list of <u>independent</u> evaluators so that you may choose one to test yourchild. ➤ The school district must consider the results of an independentevaluator. ➤ The IEP team uses the results of the test to determine if your childhas a disability or needs special education. 	<p style="text-align: center;">SURROGATE PARENTS:</p> <ul style="list-style-type: none"> ➤ When the school cannot find the child’s parents of the child is a ward of the state, the school system will assign a surrogate (substitute) parent who will represent the child regarding the child’srights and interests for any evaluation, meeting, or educational decisions for special education services. ➤ Surrogate parents will receive special training and will act as theparent by giving consent and participating in IEP/other meetings. ➤ The surrogate parent has the same rights and responsibilities as a parent in special education in matters relating to a student.
<p style="text-align: center;">NOTICE/PARENT PARTICIPATION:</p> <ul style="list-style-type: none"> ➤ You must be notified of your parental rights. ➤ You must be invited to attend meetings about your child such aseligibility, reevaluation, or IEP meetings. ➤ You are to receive copies of all documents about your child’seducation program and can have them explained to you. ➤ Copies can be in your native language, Braille, or explained in sign language. If needed, the school district will provide a translatoror interpreter. ➤ You must be given opportunities to participate in any decision-making meeting regarding your child’s special education. ➤ You must be invited to any meeting that is held to discuss yourchild’s disability, evaluations, re-evaluations, placement of your child, and his/her IEP and its contents. ➤ You are entitled to have IEP meetings held at a time and placemutually convenient to you and other members of the IEP Team. ➤ You have the right to excuse or not to excuse a member of your child’s IEP Team from attending and IEP meeting. The school district cannot excuse a required member without your permission. 	<p style="text-align: center;">COMPLAINTS, MEDIATION, HEARINGS:</p> <ul style="list-style-type: none"> ➤ You have the right to ask for mediation or a due process hearingif you disagree with what the school has planned for your child. ➤ The school system can also ask for mediation or a due processhearing. ➤ The parent and the school system must both agree to try mediation before mediation will be scheduled. ➤ When you request a due process hearing, you have the right to participate in a resolution session that provides an opportunity forparents and school systems to resolve any issues in a due process complaint so that the parents and systems can avoid a due processhearing and provide immediate benefit to the child. ➤ When you request a due process hearing, you have the right to an impartial due process hearing conducted by an administrative law judge (ALJ)/ hearing officer. ➤ You may file a formal written complaint with the Georgia Department of Education to conduct an investigation about any concerns, problems, or disagreements related to the IDEA or Georgia Special Education Rules. The complaint can be faxed to theDivision for Special Education Services and Supports at 404-651- 6457(fax) or mailed to the Division for Special Education Services and Supports at 1871 Twin Towers East, 205 Jesse Hill Jr. Drive SE, Atlanta, GA 30334.

<p style="text-align: center;">CONSENT:</p> <ul style="list-style-type: none"> ➤ The school cannot test/evaluate or re-evaluate your child without your permission/consent. ➤ The school cannot place your child in special education or change your child's program placement without your permission/consent. ➤ The school district cannot release your child's records without your permission/consent except to certain individuals identified in law. ➤ You have the right to <u>not</u> give your permission/consent. ➤ You have the right to take away your consent to special education and related services once you have given permission; you must do it in writing. Revoking consent means your child will no longer receive any special education services. 	<p style="text-align: center;">DISCIPLINE PROCEDURES AND RIGHTS:</p> <ul style="list-style-type: none"> ➤ The school system must follow certain procedures when students with disabilities exhibit behaviors that cause the IEP Team to find other settings and/or ways to educate the child. ➤ Schools may remove students to alternative programs when there is a potential danger to the child, students, or school personnel. ➤ Regardless of the setting, the school district must continue to provide a free appropriate public education for your child. ➤ The setting must enable your child to continue to receive services that will allow them to meet the goals and objectives in his/her IEP. ➤ Disciplinary actions occur for violations involving drugs, alcohol, vans or other school rules violations. ➤ These rights protect you, your child, and the school system.
<p style="text-align: center;">PRIVATE SCHOOL PLACEMENT:</p> <ul style="list-style-type: none"> ➤ If you decide to place your child in a private school, you must inform school officials at the last IEP meeting you attend of your intent and explain your concerns about the public program. ➤ The school system is not required to pay for the private school if the school district offered a free appropriate public education to meet a child's educational needs that have been identified through the educational evaluation and are included in the IEP. 	<p style="text-align: center;">CONTACTS:</p> <ul style="list-style-type: none"> ➤ When you have concerns about your child's education, it is important to tell the school principal or special education director. ➤ If you need further help, there are parent or advocacy groups from whom you may obtain help. Ask the school for information or a list of names. You also can contact Parent to Parent of Georgia which keeps an active list for referrals or other information. Call 1-800-229-2038 or go to www.p2pga.org. ➤ You may also contact the Division for Special Education Services and Supports at 404-656-3963 or 1-800-311-3627 or go to the Georgia Department of Education website at www.gadoe.org to help find other helpful resources.

APPENDIX

PARENTS' RIGHT-TO-KNOW (ESSA)

In compliance with the requirements of the Every Students Succeeds Act (ESSA), parents may request information about the professional qualifications of their child's teacher(s) and/ or paraprofessional(s). The following information may be requested:

- 1) Whether the student's teacher -
 - has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
 - is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and
 - is teaching in the field of discipline of the certification of the teacher.
- 2) Whether the child is provided services by paraprofessionals and, if so, their qualifications.

If you wish to request information concerning your child's teacher's and/ or paraprofessional's qualifications, please contact the school principal.

NON-DISCRIMINATION STATEMENT

The DeKalb County School District does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.¹ The following person has been designated to handle inquiries regarding the non-discrimination policies:

DeKalb County School District

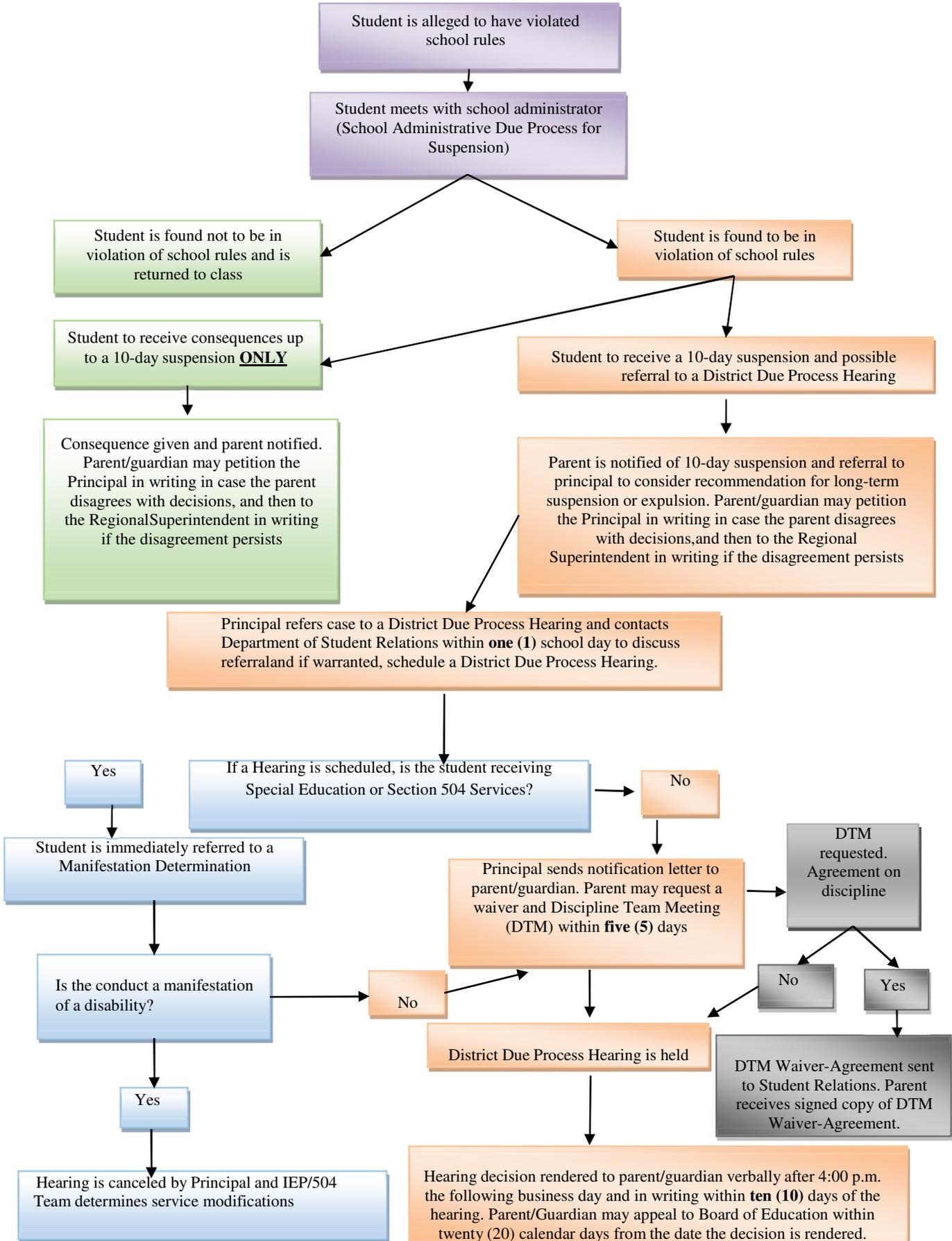
Employee Relations

1701 Mountain Industrial Boulevard, Stone Mountain, GA 30083

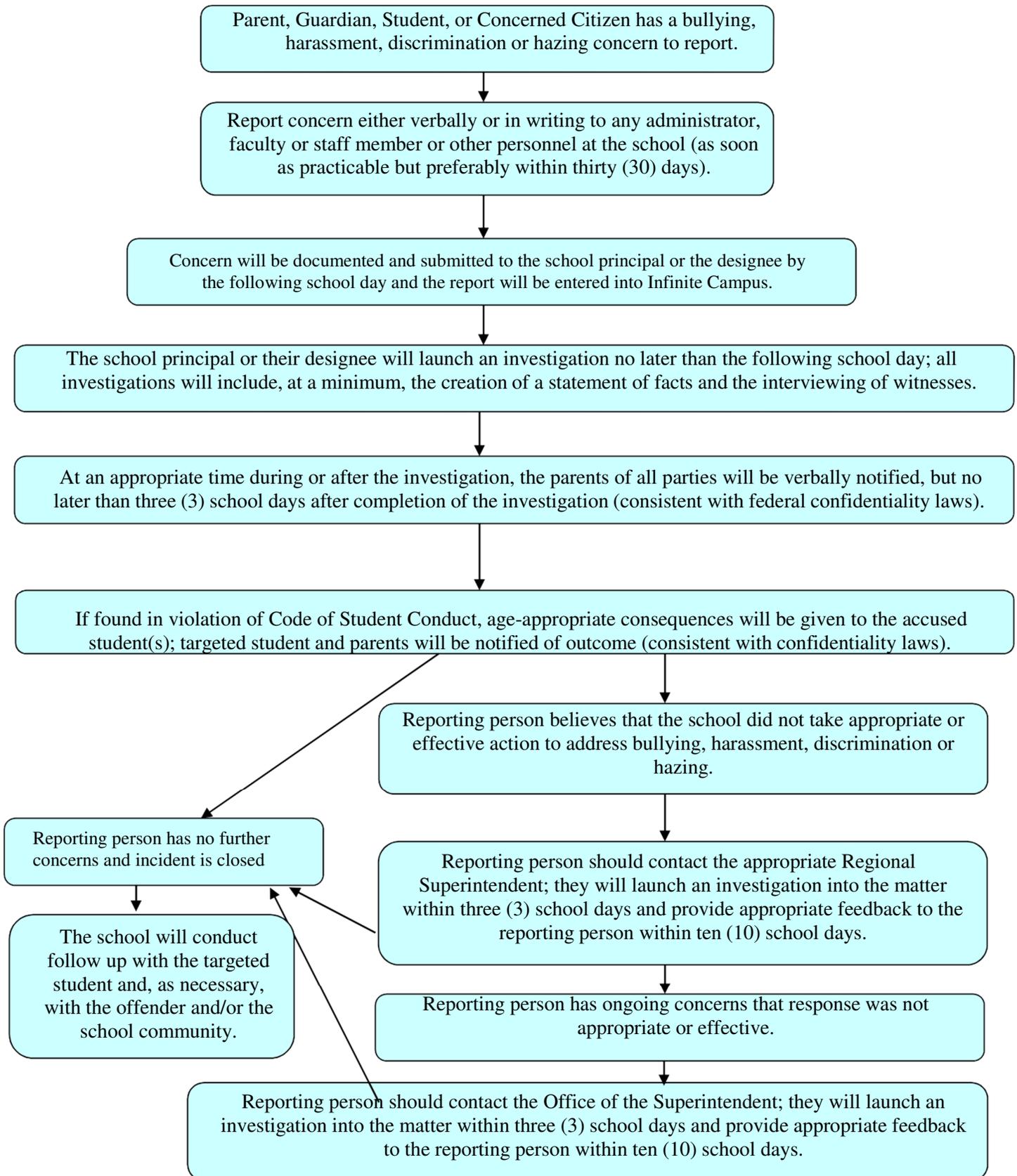
678-676-0107

For further information on notice of non-discrimination, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area, or call 1-800-421-3481.

DISCIPLINE DUE PROCESS FLOWCHART



2022-2023
BULLYING/HARASSMENT/HAZING REPORTING FLOWCHART





“As the significant adult in the child’s life while in school, teachers certainly have some degree of responsibility in maintaining discipline. Effective teaching cannot take place without discipline. However, the foundation for discipline begins at home. When teachers report a discipline problem, parents or guardians should talk to their children and to the teachers to work out a solution together.

The purpose of discipline should be to guide children toward acceptable behavior and to teach them to make wise and responsible decisions. Discipline helps children learn to think in an orderly fashion and to understand the logical consequences of their actions.”

-National PTA

**WRITTEN COMMENTS, SUGGESTIONS, OR RECOMMENDATIONS ABOUT THE CONTENTS OF
THE CODE OF STUDENT CONDUCT ARE WELCOME.**

THEY MAY BE SENT TO:

**DEPARTMENT OF STUDENT RELATIONS
5823 MEMORIAL DRIVE
STONE MOUNTAIN, GA 30083**

(678) 676-1811

MRS. VICKIE B. TURNER, BOARD CHAIR

DR. VASANNE S. TINSLEY, INTERIM SUPERINTENDENT

It is the policy of the DeKalb County Board of Education not to discriminate on the basis of race, color, religion, national origin, disability, pregnancy status, age, sex, sexual orientation, or gender identity, in any of the District’s educational programs, activities, or practices.