

JCD-R Student Conduct

10/15/20

RATIONALE/OBJECTIVE:

The Cobb County School District (District) is dedicated to sound discipline practices in the continuing effort to provide students in the District an effective and safe learning environment, to promote learning, and to encourage maturity during the school day as well as during all school-related activities.

The District recognizes that parents/guardians are ultimately responsible for the behavior of their children, including their adherence to the District's Student Codes of Conduct and other Administrative Rules. However, the District also recognizes concerns for the welfare of students from their entry on a school bus or school property to their return to the bus stop or when they leave school property. Therefore, schools will take appropriate actions in an effort to provide students and staff a safe and orderly environment.

RULE:**A. GENERAL PROVISIONS:**

Maintaining proper student conduct shall be the joint responsibility of the school principal, the faculty, and the other school employees.

B. STUDENT SUPPORT TEAM PROCESS:

The Student Support Team process is designed to provide alternatives that build on academic and/or behavioral strengths of students rather than focus on academic and/or behavioral deficits.

C. AGE APPROPRIATE DISCIPLINE:

The District follows a policy of age appropriate discipline. To this end, factors to be considered in determining the consequences for students will include, but not be limited to age, the maturity level of the student, willfulness and intent, and other circumstances as are deemed appropriate by the principal or designee.

D. DIRECTIVES:

To maintain proper student conduct, the following directives shall be observed:

1. Students whose behavior requires the attention of the principal or designee shall be referred to the principal or designee's office immediately. Any violation contemplated by O.C.G.A. § 20-2-1184 must be reported to the principal or designee immediately as indicated in the District's Student Code of Conduct.
2. Corporal punishment shall not be used as a disciplinary procedure in the District.
3. Teachers shall not place students in the halls without supervision or in other unsupervised areas of the schools as a disciplinary measure.
4. When written work is used as a disciplinary measure, it shall be of an educational nature.
5. Students who are allegedly guilty of misconduct or of violating the District's Student Code of Conduct and may be subject to out-of-school suspension shall be afforded the following:
 - a. The student shall be given oral or written notice of the allegation against him/her and an explanation of the evidence the school authorities have regarding his/her involvement.
 - b. The student shall be given an opportunity to state his/her version of events.
 - c. If circumstances prevent the principal or designee from affording a student the opportunity to discuss his/her version of the events or the evidence:

- (1) The principal or designee will make a reasonable attempt to contact the student as soon as practicable.
 - (2) If such attempt is made and is unsuccessful, the principal or designee will proceed with assigning the discipline.
6. All disciplinary actions shall be in compliance with the District's Student Code of Conduct and other applicable Administrative Rules.
 7. Prior to initiating a criminal complaint as defined in O.C.G.A. § 15-11-2 regarding a student's disruption or interference with the operation of a school, evidence of progressive discipline must be documented (see O.C.G.A. § 20-2-1181).

E. REASONABLE FORCE

When, in good faith, reasonable force is used by school personnel to restrain a student who is perceived by school personnel to be a threat to themselves or others and as a result thereof, civil or criminal action is instituted by the student, guardian or parent on behalf of the student, the District will provide legal representation to the personnel involved pursuant to Administrative Rule EGD-R (Indemnification and Protection for District Personnel). Such representation will consist of representation by the Board of Education attorney or designee.

1. It is recommended that whenever reasonable force is used, that each employee involved shall construct an anecdotal report of all facts pertaining to the incident and their role in the incident.
2. In the event that criminal or civil action may be instituted, the incident shall be reported to the Level Assistant Superintendent and either the Student Support office or Special Student Services Division, as appropriate.
3. Nothing herein will preclude school personnel from employing their own personal attorney.

F. CHRONIC DISCIPLINARY PROBLEM STUDENTS:

A chronic disciplinary problem student is 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.

1. Parental Notification:

- a. If a teacher or a principal identifies a student as a chronic disciplinary problem student, the principal shall notify the student's parent or guardian of the disciplinary problem by a telephone call and by either certified mail, return receipt requested, or first-class mail.
- b. The principal or designee shall:
 - (1) Invite the parent/guardian to observe the student in a classroom situation; and
 - (2) Require at least one parent/guardian to attend a conference with the principal or designee and teacher to devise a disciplinary and behavioral corrective plan.
 - (3) Provide the parent/guardian with contact information for the Prevention/Intervention Center.

2. Suspension/Expulsion:

- a. If a chronic disciplinary problem student is suspended or expelled, the principal shall request at least one parent/guardian attend a conference with the principal or designee to develop a disciplinary and behavioral plan prior to the student's return to school. The request must be made by:
 - (1) Telephone; and
 - (2) Either certified mail, return receipt requested, or first-class mail.
- b. A notation of the conference shall be placed in the student's permanent file. Failure of the parent/guardian to attend the conference shall not prevent the student's return to school.
- c. If the parent/guardian willfully and unreasonably fails to attend the conference required in the preceding paragraphs, the principal may notify the Student Support office which shall, through the Board of Education attorney, petition the Cobb County Juvenile Court to proceed against the parent/guardian. The Court may order the parent/guardian to attend the conference and/or order the parent/guardian to participate in programs or treatment as the Court deems appropriate to improve the student's behavior.

Adopted: 7/22/82

Revised: 4/13/83; 8/8/84; 5/25/00; 7/27/00; 9/18/00

Reclassified an Administrative Rule: 9/1/04

Revised: 2/9/05; 8/10/05; 1/11/06; 1/18/12; 2/8/12

Revised and re-coded: 1/7/13 (Previously coded as Administrative Rules JIC and JKG)

Revised: 8/10/16; 10/15/20

Legal Reference

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| O.C.G.A. 20-2-1126 | Written policies and procedures for operation of school buses; receipt of code of conduct by students; acknowledgement by parent or guardians |
| O.C.G.A. 20-2-740 | Annual report by LBOE regarding disciplinary and placement action |
| O.C.G.A. 20-2-751.1 | Expulsion policy for students bringing weapons to school |
| O.C.G.A. 20-2-751.2 | Students subject to disciplinary orders of other schools |
| O.C.G.A. 20-2-751.4 | Policies prohibiting bullying; assignment to alternative school; notice |
| O.C.G.A. 20-2-751.5 | Required provisions for student code of conduct |
| O.C.G.A. 20-2-751.6 | Disciplinary policy for students committing acts of physical violence against school employees |
| O.C.G.A. 20-2-753 | Tribunal following allegations of assault and battery or suspension exceeding 10 days |
| O.C.G.A. 20-2-756 | Reports to law enforcement officials |
| O.C.G.A. 20-2-766.1 | Proceeding against parents for failure to cooperate in educational programs; penalty |
| O.C.G.A. 20-2-705 | Parental consent for participation in school clubs and organizations |
| O.C.G.A. 16-11-37 | Terroristic threats and acts |
| O.C.G.A. 16-11-37 | Terroristic threats and acts; penalties |
| O.C.G.A. 16-11-127.1 | Carrying weapons within school safety zones, at school functions or on school property |
| O.C.G.A. 16-13-30 | Purchase, possession, manufacture, distribution or sale of controlled substances or marijuana |
| O.C.G.A. 16-5-21 | Aggravated assault |
| O.C.G.A. 16-6-1 | Rape |
| O.C.G.A. 20-2-1184 | Mandatory reporting of students committing certain prohibited acts |
| O.C.G.A. 20-2-735 | Adoption of policies by LBOEs to improve student learning environment |
| O.C.G.A. 20-2-736 | Student codes of conduct; distribution |
| O.C.G.A. 20-2-737 | Reports by teacher of violations of student code of conduct; parental notice |
| O.C.G.A. 20-2-738 | Authority of teacher to remove student from classroom; procedures |
| O.C.G.A. 20-2-751 | Expulsion/Suspension definitions |
| O.C.G.A. 20-2-752 | Establishment of disciplinary hearing officers, panels or tribunals; rules and regs |
| O.C.G.A. 20-2-754 | Tribunal procedures |
| O.C.G.A. 20-2-757 | Applicability of public inspection and open meeting laws |
| O.C.G.A. 20-2-765 | Notice to parents re: chronic disciplinary problem student |
| O.C.G.A. 20-2-766 | Students returning from expulsion/suspension; notice, conferences |
| O.C.G.A. 20-2-767 | Alternative Education Systems - definitions of expulsion/suspension |
| O.C.G.A. 20-2-768 | Expulsion/suspension for commission of a felony; alternative education system |
| Rule 160-4-8-.15 | Student Discipline |