

JDD-R Student Suspension

7/19/18

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. In order to maintain a safe and orderly environment, a student may be subject to Short-Term Suspension for the violation of school rules and/or the Rules of the District. In addition, a middle school or high school may exercise the option of In-school Suspension (ISS) in lieu of regular suspension in accordance with the District's Administrative Rules. ISS allows a student to attend school and complete academic assignments in a supervised setting.

RULE:**I. IN-SCHOOL SUSPENSION**

In-School Suspension (ISS) may be used as an alternative disciplinary action for middle school and high school students who exhibit disruptive behavior.

A. ELIGIBILITY:

Middle school and high school students may be assigned ISS for offenses that do not have a specific minimum or mandatory consequences assigned in the Student Code of Conduct (Administrative Rule JCDA-R).

B. GUIDELINES:

1. ISS students will receive appropriate academic assignments that are aligned with current classroom instruction. These assignments will be monitored for completion by ISS designees. Credit will be given for work completed in ISS.
2. The parent/guardian will be provided written or verbal notification of a student's assignment to ISS.
3. If the parent/guardian declines or objects to a student's ISS placement, other disciplinary consequences, including out-of-school suspension, may be assigned in accordance with the appropriate Student Code of Conduct.
4. ISS is designed to isolate the students from the rest of the student body. A separate space for the housing of in-school suspension students (cubicles if possible) with access to the lunchroom and restrooms shall be provided. Lunch shall be brought to the isolated areas or served in the cafeteria at a time other than the regular lunch periods.
5. ISS students shall be supervised and made aware of the rules they are expected to follow while in ISS. Students who fail to follow these rules will be disciplined according to the appropriate Student Code of Conduct.
6. The ISS Program will have no effect on the student's transportation.
7. If a student serves any part of the day in ISS, the student is ineligible to participate in extracurricular activities on the day assigned to ISS. If the local school administration closes ISS during part of a student's assignment (example: course registration of students), the student can participate in extracurricular activities for that particular day. High school students enrolled in cooperative programs and assigned to ISS can report to their workstation in the business community after the school day has ended. Students completing their ISS contract on a Friday may participate in extracurricular activities on Saturday.
8. No student shall be placed in the ISS Program for more than thirty (30) school days per school year.

9. A student's maximum assignment shall be five (5) consecutive days per incident.
10. Each school is required to maintain documentation of its ISS program through the Student Information System.
11. Refusal to attend an assigned In-School Suspension or removal from the In-School Suspension program resulting in an out-of-school suspension will result in the loss of the opportunity to make up work as detailed in Part II below.

II. SHORT-TERM SUSPENSION

A. DEFINITION:

The suspension of a student from school is considered to be a Short-Term Suspension if the suspension is not more than ten (10) consecutive school days. See Administrative Rule JCEB-R (Student Hearing Procedure) for out-of-school suspensions of more than 10 school days.

B. PROCEDURES:

The Principal or designee may suspend students from school for a period of not more than ten (10) consecutive school days.

1. Prior to Suspension:

The Principal or designee shall afford the student his/her due process by following the procedures listed below:

- a. The student shall be given oral or written notice of the charges against him;
- b. If the student denies the charges, he/she shall be given:
 - (1) An explanation of the evidence the school authorities have; and
 - (2) An opportunity to present his/her side of the story.
2. If a student poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, he/she may need to be removed immediately from school premises without being afforded the notice and opportunity to respond as described above. In such cases, the notice and opportunity to respond shall be provided:
 - a. As soon as possible; and
 - b. Prior to the administration's finalization of the student's suspension recommendation.
3. The student's parent/guardian shall be notified of the suspension as soon as possible. This notification should be confirmed in writing no later than the day after the suspension begins. This notification shall contain the charges and the number of days and dates of the suspension. The written notification shall be delivered to the student's parent/guardian either in person or by first class mail to the last known address of the parent/guardian. If notification is delivered in person, a written confirmation of delivery shall be obtained.
5. If less than the number of suspended days remain in the complete grading period, the suspension will continue into the next regular school year or complete grading period.
6. Even though there are no appeal rights guaranteed by law for students on short-term suspension, parent/guardian may call the Principal to discuss their child's discipline. Following the decision of the Principal, the student's parent/guardian may contact the Office of Student Support to confirm the school's interpretation of the Code of Conduct.

C. ACTIVITIES WHILE UNDER SHORT-TERM SUSPENSION:

1. Participation:

- a. Students under Short-Term Suspension shall not participate in or attend school activities on or off campus or be present on any other Cobb County school campus.
- b. When short-term suspension carries over the summer months, permission to participate in school-sponsored summer activities is at the discretion of the Principal unless the activity is a Georgia High School Association (GHSA) sanctioned event in which case GHSA by-laws apply. Students violating this prohibition are subject to additional penalties.
- c. During the time of the suspension, if school is not in session due to inclement weather or other reasons, the suspension time will be extended to cover any days missed.

2. Class Work Credit:

Students under a short-term suspension shall be allowed to receive credit for class work missed during the time of suspension,

3. **Assignments:**
 - a. It will be the responsibility of the parent/guardian to pick up the work from the school; It is the student's responsibility to complete the work during the suspension and return it to the teachers on the first day the student returns to school following a suspension.
 - b. If a parent/guardian fails to pick up work during a suspension that has been prepared by the student's teacher(s), the student may forfeit his/her right to make-up work under this Rule during additional suspensions during the school year.
4. **Final Examinations/Long-Term Assignments:**
 - a. A student may take final examinations and turn in long-term assignments assigned before the suspension or expulsion that are due during the suspension or expulsion.
 - b. Long-term assignments must be turned in the day the student returns from the suspension or expulsion.
 - c. The Principal shall provide for the student's taking of final examinations. The examinations will occur either at the given time or through some special arrangement at the discretion of the Principal or designee.

D. PRESCHOOL THROUGH THIRD GRADE:

Prior to being suspended or expelled from school for more than five consecutive or cumulative days during a school year, preschool through third-grade students must first receive a multi-tiered system of supports such as response to intervention (RtI) pursuant to O.C.G.A. § 20-2-742. This provision does not apply to students in possession of a weapon, illegal drugs, or other dangerous instrument or when such student's behavior endangers the physical safety of other students or school personnel.

E. SPECIAL EDUCATION STUDENTS:

In addition to the requirements of Section D, above, prior to assigning any student in preschool through third grade to out-of-school suspension for more than five consecutive or cumulative days during a school year, if such student has an Individualized Education Plan (IEP) or a plan under Section 504 of the federal Rehabilitation Act, the school shall also convene an IEP or Section 504 meeting to review appropriate supports being provided as part of such IEP or Section 504 plan.

Adopted: 7/22/82

Revised: 4/13/83; 8/8/84; 6/28/90; 5/27/92; 7/23/92; 1/13/93; 6/27/96; 5/28/98;

6/22/00; 9/18/00; 6/27/02; 10/24/02; 4/22/04

Reclassified an Administrative Rule: 9/1/04

Revised: 12/9/04; 1/27/05; 8/10/05; 1/11/06; 7/1/06; 8/13/08; 11/10/10; 6/8/11

Revised and re-coded: 1/7/13 (Previously coded as Administrative Rule JKDA and Administrative Rule JKDC)

Revised: 7/1/13; 7/25/16; 7/19/18

Legal Reference

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. 20-2-751.5	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. 20-2-1160	LBOE tribunal power to determine local school controversies; appeals; special ed provisions
O.C.G.A. 20-2-154.1	Alternative education programs; intent; description; funding
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. 20-2-738	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. 20-2-765	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. 20-2-768	Expulsion/suspension for commission of a felony; alternative education system
Rule 160-4-8-.12	Alternative Education Programs
20 USC 7151	Gun-free requirements