



4.3.3 Student Discipline

Purpose

At ANCS, we believe that a meaningful and positive learning environment is best nurtured with a fair and explicit Code of Conduct. We also understand that learning often involves making mistakes. There are times when students behave in ways that go against our Guiding Principles and make it difficult for teaching and learning to take place. In these situations, we believe students need to be made aware of their behavior and given opportunities to make different, more thoughtful choices.

To this end, ANCS' Code of Conduct and discipline system aims to:

1. Help students acquire the appropriate academic behaviors that enable them to be successful learners and citizens of the world.
2. Facilitate a meta-cognitive process that enables students to make thoughtful decisions that lead to positive outcomes for the student, ANCS, and the greater community.
3. Facilitate conversations between staff members, students, and their families about student behavior in a way that builds positive relationships.

Duration

This policy is permanent.

Policy

SECTION 1. When and Where the Code of Conduct Is in Effect

The ANCS Code of Conduct is in effect during the following times and in the following places:

- a. At school or on school property at any time (this includes on-campus, after-school enrichment and extracurricular activities)
- b. Off school grounds at any school activity, function, or event and while traveling to and from such events
- c. On vehicles provided for student transportation by the school system

In addition, students may be disciplined for off-campus conduct that is felonious or that may pose a threat to the school's learning environment or the safety of students and staff.

SECTION 2. Progressive Discipline

When it is necessary to impose disciplinary action, ANCS administrators and staff will follow a progressive discipline process that will take into consideration the severity of the behavior, the student's discipline history, the age of the student, and other relevant factors.



The following more clearly defines the behaviors that are subject to disciplinary action and the procedures as to how staff will intervene on these behaviors; it also describes possible interventions and disciplinary actions staff will take to correct the behaviors.

Level 1: Disruption of Teaching and Learning

Level 1 behaviors are defined as those behaviors that distract and/or disrupt staff members from teaching, supervising, or otherwise adequately performing their job. Level 1 behaviors may also be behaviors that distract and/or disrupt other students from learning and performing to the best of their abilities. These misbehaviors are often minor and are usually resolved quickly with an intervention administered by the classroom teacher or staff member who is supervising the student at the time of the misbehavior.

Note: The behaviors described below do not cover all disciplinary situations that may arise. This is NOT intended to be an exhaustive list. Moreover, modifications to the procedures and/or disciplinary action can be made depending upon the facts of an individual case and at the discretion of the building administrator.

Examples of Level 1 Behaviors

- Wandering around classroom at inappropriate times
- Disrupting or distracting others from working
- Calling or speaking out of turn
- Talking while others are talking
- Purposeful slowness
- Refusing to work with others
- Refusing to participate
- Missing work, bookbag, and other materials necessary for class
- Possession of non-instructional items (including electronics)
- Intentional off-task behavior
- Not sharing instructional materials
- Destroying classroom materials

Procedures

- There is immediate intervention by the staff member who is supervising the student or observes the misbehavior.
- For students in grades K-5, the classroom teacher will note behavior in behavior log.



- The staff member may decide to discuss the misbehavior with a parent/guardian, an administrator, and/or other appropriate staff members.

Possible Disciplinary Actions

- Student moved closer to staff member
- Behavior expectations / Guiding Principles restated or clarified
- Student reminded of appropriate behavior
- Student discreetly redirected
- Student prompted to use relaxation exercises
- Student allowed time and space to cool down or refocus
- Brief conference with student outside classroom or privately after class
- Student assigned a task for redirection (e.g., handing out papers)
- Temporary removal from activity
- Confiscation of non-instructional item(s)

Level 2: Contribution to a Physical or Emotionally Unsafe Environment

Level 2 behaviors are defined as those behaviors that create or contribute to a physically and/or emotionally unsafe learning environment for staff and/or students. These behaviors require staff to immediately intervene and for student(s) to immediately stop the behaviors and reflect on how their behaviors are impacting others.

Note: The behaviors described below do not cover all disciplinary situations that may arise. This is NOT intended to be an exhaustive list. Moreover, modifications to the procedures and/or disciplinary action can be made depending upon the facts of an individual case and at the discretion of the building administrator.

Examples of Level 2 Behaviors

- Repeat of Level 1 behaviors
- Wandering around the school at inappropriate times
- Intentionally disrupting or distracting others from working
- Using inappropriate or profane language
- Taunting, mocking, or making fun of students
- Roughhousing or playfighting



- Refusing to follow staff directions
- Arguing with a staff member
- Cursing at a classmate
- Habitually missing work, bookbag, and other materials necessary for class
- Destroying school property
- Cheating or copying another student's work on a major assignment
- Inappropriate use of instructional technology

Procedures

- There is immediate intervention by the staff member who is supervising the student or observes the misbehavior.
- If misbehavior continues after interventions or is severe enough, the staff member will complete a classroom or advisor referral.
- Student will be removed from the activity and sent to the designated "think space" to reflect on behavior.
- The staff member may decide to discuss the misbehavior with a parent/guardian, an administrator, and/or other appropriate staff members

Possible Disciplinary Actions

- Parent notified
- Lunch or after-school detention
- Community service
- Temporary removal from class or activity
- Conference with parent/guardian, teacher, and/or administrator
- Confiscation of non-instructional item(s)
- Special seating arrangements
- Loss of relevant privileges
- Mediation
- Referral to counselor



- Referral to SST

Level 3: Dangerous, Unsafe, or Illegal Behaviors

Level 3 behaviors are defined as those behaviors that are dangerous, unsafe, and illegal in a school environment. These behaviors require staff to immediately intervene, student(s) to immediately stop the behaviors, the building administrator to conduct an investigation to determine whether student(s) acted in a way that was dangerous and/or illegal, and to determine the appropriate disciplinary action.

Note: The behaviors described below do not cover all disciplinary situations that may arise. This is NOT intended to be an exhaustive list. Moreover, modifications to the procedures and/or disciplinary action can be made depending upon the facts of an individual case and at the discretion of the building administrator.

Examples of Level 3 Behaviors

- Repeat of Level 2 behaviors
- Engaging in, attempting to engage in, or threatening to engage in a physical or verbal altercation with another student (e.g., fighting)
- Knowingly intimidating or engaging in threats and/or harassment of a staff member or other school personnel
- Bullying or cyber-bullying
- Disrespectful conduct toward staff member(s) or school official(s)
- Damaging or defacing school or private property
- Stealing or attempting to steal school or private property, or knowingly receiving stolen or private property
- Using of profane, vulgar, or obscene words or actions
- Possession and/or distribution of obscene material
- Insubordination, disorderly conduct, disobeying school rules or regulations, and/or disobeying directives given by a staff member or school official
- Harassing, threatening, or intimidating a student witness
- Engaging in sexual harassment
- Engaging in threats and/or harassment based on race, nationality, gender, disability, sexuality, etc.
- Plagiarizing a major assignment



Procedures

- There is immediate intervention by the staff member who is supervising the student or observes the misbehavior.
- The staff member will complete a Principal or Assistant Principal's referral and student will be taken to Principal or Assistant Principal to reflect on behavior.
- All persons involved (including staff members) complete a Witness to Incident report and submit to the Principal or Assistant Principal.
- Principal or Assistant Principal investigates the incident and initiates disciplinary action.
- The staff member may decide to discuss the misbehavior with a parent/guardian, an administrator, and/or other appropriate staff members.

Possible Disciplinary Actions

- Conference with building administrator
- Suspension, in-school or out-of-school
- Referral to outside agency
- Removal from extracurricular school activities
- Loss of privileges for a long time period
- Recommendation to Tribunal Panel for long-term suspension
- Behavior contract
- Referral to SST
- Referral to counseling

Level 4: Serious Threat to Safety

Level 4 behaviors are defined as those behaviors that are dangerous and pose a serious threat to the safety to staff and students. These behaviors require staff to immediately intervene, the building administrator to conduct an investigation to determine whether student(s) acted in a way that was dangerous and/or illegal (which may include involving the police), and for a parent/guardian to immediately come to the school to meet with administration and pick up their child. Further disciplinary action may result at the discretion of the building administrator.

*Note: The behaviors described below do not cover all disciplinary situations that may arise. This is NOT intended to be an exhaustive list. Moreover, modifications to the



procedures and/or disciplinary action can be made depending upon the facts of an individual case and at the discretion of the building administrator.*

Examples of Level 4 Behaviors

- Repeat of Level 3 behaviors
- Attempting to or threatening to cause physical harm to a staff member or school personnel (assault)
- Use of physical violence against a staff member or school personnel (battery)
- Possession or use of a weapon, firearm, or explosive or dangerous object
- Possession, sale, distribution, use, consumption, or under the influence of any narcotic, drug paraphernalia, alcoholic beverage, or other intoxicant
- Possession or use of tobacco in any form
- Possession, sale, distribution, use, consumption, or under the influence of a prescription or over-the-counter drug without a valid prescription
- Possession, sale, distribution, or attempt to sell a substance represented as drugs or alcohol
- Making terrorist threats, activating a fire alarm under false pretenses, or making a bomb threat
- Committing or attempting to commit sexual assault or battery

Procedures

- Teacher observing misbehavior intervenes, if appropriate.
- Staff member notifies the Principal or Assistant Principal.
- Student will be taken to Principal or Assistant Principal, if appropriate.
- All persons involved (including staff members) complete a Witness to Incident report and submit to the Principal or Assistant Principal.
- Principal or Assistant Principal investigates the incident and initiates disciplinary action.
- Principal or Assistant Principal meets with the student(s) and notifies the parents/guardians of the misbehavior and resulting disciplinary action.
- An accurate record of the misbehavior and disciplinary action is maintained and entered in APS record system.



Possible Disciplinary Actions

- Parent/guardian picks student up immediately from school
- Suspension
- Long-term suspension and recommendation to Tribunal Panel
- Parents/guardians, student, administrator, and teachers must have a conference before the child is allowed to return to school
- Police notification
- Behavior contract upon return to school
- Referral to counseling with an outside agency

SECTION 3. Definition of Disciplinary Terms

Assault: Any threat or attempt to physically harm another person or any act that reasonably places another person in fear of physical harm. Example: Threatening language or swinging at someone in an attempt to strike.

Battery: Intentionally making physical contact with another person in an insulting, offensive, or provoking manner or in a way that physically harms the other person. Example: Fighting.

Bullying: Georgia law defines bullying as (1) any willful attempt or threat to inflict injury on another person, when accompanied by an apparent present ability to do so; or (2) any intentional display of force such as would give the victim reason to fear or expect immediate bodily harm. At ANCS, we define bullying as any unprovoked, repeated, and/or aggressive action(s) or threat(s) by one or more persons, who have (or are perceived to have) more power or status than their victim(s), in order to cause fear, distress, or harm. Bullying can be physical, verbal, psychological, or a combination of these three. Bullying can also occur through electronic means (also known as cyber-bullying).

Chronic Disciplinary Problem Student: A student who exhibits a pattern of behavioral characteristics that interfere with the learning process of students around him or her and that are likely to recur.

Cyber-bullying: The practice of spreading nasty rumors, gossip, making threats, or otherwise harassing someone through email, the Internet, cell phone, text messages, or other electronic means.

Detention: A requirement that the student report to a specified school location and to a designated teacher or school official to make up work missed. Detention may require the student's attendance before or after school. Students are given a one-day warning so that arrangements for transportation can be made by the parents/guardians.



Drug: The term “drug” does not include prescriptions issued to the individual, aspirin or similar medications, and/or cold medications that are taken according to product use recommendations and Board policy. Caffeine pills are considered drugs.

Expulsion: Suspension of a student from a school beyond the current school quarter or semester. Such action may be taken only by a disciplinary Tribunal Panel.

Extortion: Obtaining money or goods from another student by violence, threats, or misuse of authority.

Fireworks: The term “fireworks” means any combustible or explosive composition or any substance or combination of substances or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, as well as articles containing any explosive or flammable compound and tablets and other devices containing an explosive substance.

Gambling: Engaging in a game or contest in which the outcome is dependent upon chance, even though potentially accompanied by some skill, and in which a participant stands to win or lose something of value.

Harassment: To bother or upset someone repeatedly through words and/or actions.

In-School Suspension: Removal of a student from class(es) or regular school program and the assignment of that student to an alternative program within the regular school but isolated from peers.

Suspension: Removal of a student from the regular school program for a period not to exceed 10 days (short-term) or for a period greater than 10 days (long-term, which may be imposed only by a disciplinary Tribunal Panel). During the period of suspension, the student is excluded from all school-sponsored activities, including practices, competitive events, and/or activities sponsored by the school or its employees. Each day a student is suspended, he/she must make up schoolwork assigned by teacher that is missed.

Theft: The offense of taking or misappropriating any property of another with the intention of depriving that person of the property, regardless of the manner in which the property is taken or appropriated.

Waiver: A waiver is an agreement not to contest whether a student has committed an infraction of the Code of Conduct and the acceptance of consequences in lieu of a hearing before a disciplinary Tribunal Panel.

Weapons: The term “weapon” is defined as any object that is or may be used to inflict bodily injury or to place another in fear for personal safety or well-being.

SECTION 4. Tribunal Panel and Disciplinary Hearing

- a. Students who have committed serious violations of ANCS Code of Conduct are referred to the Tribunal Panel for a disciplinary hearing.



- b. The purpose of the Tribunal Panel is to consider the evidence brought forth by the student, building administrator, and other witnesses to determine if the student has violated the ANCS Code of Conduct.
- c. The Tribunal Panel will be comprised of a building administrator and members of the Discipline Committee from the campus other than one the student attends.
- d. The student, parent/guardian, building administrator, and other student(s) or staff involved in the incident may attend the hearing in order to provide evidence or context concerning the student or the incident.
- e. The panel's decision will be based solely on the evidence presented at the hearing. If the Tribunal Panel determines that the student has violated the Code of Conduct, the Tribunal Panel may impose a range of sanctions that include conditional reinstatement into ANCS and permanent expulsion from ANCS.

SECTION 5. Due Process Rights of Students

Suspension is the involuntary exclusion by an authorized ANCS administrator of a student from his or her normal schedule in the school and/or from other school-sponsored activities. This may include in-school suspension, short-term suspension of up to 10 days, or long-term suspension of over 10 days. Expulsion is the removal of a student from ANCS.

- a. All actions regarding the imposing of suspension or expulsion—including all cases of in-school and out-of-school suspension—must conform to the elements of due process. In cases of short-term (in-school and out-of-school) suspension, due process may be handled in an informal manner.
- b. Before a student is suspended for 10 days or less, the Principal or designee will inform the student and the parents/guardians of the offense for which the student is charged and allow the student to explain his or her behavior. If the student is suspended, attempts will be made to notify the student's parent/guardian by telephone. Students and parents/legal guardians must be informed in writing of the terms and conditions of the suspensions.

Due Process Procedure for Long-Term Suspension/Expulsion

- a. The Principal or designee will conduct an informal hearing characteristic of all types of suspension cases.
- b. If the Principal or designee determines that a recommendation of long-term suspension or expulsion is warranted, the student will be given a notice of recommendation for long-term suspension or for expulsion, and a formal student disciplinary hearing will be organized. Written notice of the disciplinary hearing will be given to all parties, including the parents/guardians of the student involved, personally or by mail at least three days prior to the hearing. The notice will include the following:
 - i. A statement of the time, place, and nature of the hearing
 - ii. A short and clear statement of the matters asserted



iii. A statement as to the right of all parties to present evidence and to be represented by legal counsel

c. In all cases, effort will be made to conduct the hearing before the end of any short-term suspension previously imposed for the offense. If this cannot be done, the student will be permitted to return to school after the short-term suspension has expired, except in any case where the hearing is delayed at the request of the student, parent/guardian, or other person standing in loco parentis, in which case the student will not return to school, pending hearing.

i. Pending the outcome of the student disciplinary hearing, a student who receives a long-term suspension or expulsion may appeal to the ANCS Governing Board within 10 days of the decision if he or she feels proper due process rights were not granted. The Governing Board may listen to the appeal and rule only on whether due process was granted, not on the decision itself. Any further appeal may be taken to the Atlanta Board of Education.

ii. Per the school's charter, APS will be notified of any student expelled from ANCS and the reasons for the expulsion.

Approval

Policy approval date:

Policy effective date:

Policy review date:

05/11

05/11

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