

Hall County Code of Conduct and Discipline Procedures



It is the purpose of the Hall County Board of Education to operate the school system in a manner that will provide an orderly process of education and that will provide for the welfare and safety of all students who attend our schools. In accordance with that purpose, the Hall County Board of Education has adopted a policy that requires schools to follow codes of conduct that focus on maintaining a good learning environment for all students. These standards for behavior require students to respect each other and school district employees, to obey student behavior policies adopted by the Board and to obey student behavior rules established at each school within the district.

The school's primary goal is to educate, not to punish; however, when the behavior of an individual student comes in conflict with the rights of others, corrective actions may be necessary for the benefit of that individual and the school as a whole. Accordingly, students shall be governed by policies, regulations and rules set forth in this Code of Conduct and Discipline Procedures. Such governing rules shall be published and provided annually to all school personnel and students. Parents are encouraged to become familiar with the policies, regulations and rules of the school system, and to be supportive of these in their daily communication with their children and others in the community.

Major discipline offenses, including, but not limited to, drug and weapon offenses, can lead to a school being named as an Unsafe School according to the provisions of the State Board of Education Rule – Unsafe School Choice Option.

AUTHORITY OF THE PRINCIPAL

The principal is the designated leader of the school and, in concert with the staff, is responsible for the orderly operation of the school. In cases of disruptive, disorderly or dangerous conduct not covered in this Code, the principal may undertake corrective measures which he or she believes to be in the best interest of the student and the school provided any such action does not violate school board policy or procedures.

CODE OF CONDUCT

The students of the Hall County School District are expected to maintain good order and discipline in the school environment. Good order and discipline may be described as the absence of distractions, frictions and disturbances which interfere with the optimum functioning of the student, the class and the school. It is also the presence of a friendly yet business-like rapport in which students and school personnel work cooperatively toward mutually recognized and mutually accepted goals.

This Code of Conduct is effective during the following times and in the following places:

- At school or on school property at any time;
- Off school grounds at any school activity, function or event and while traveling to and from such events;
- On vehicles provided for student transportation by the school system and at bus stops.

Also, students may be disciplined for conduct off campus which could result in the student being criminally charged with a felony and which makes the student's continued presence at the school a potential danger to persons or property at the school or which disrupts the educational process.

COMPULSORY SCHOOL ATTENDANCE LAW

Consequences and Penalties for Non-Compliance with Compulsory School Attendance Law:

Assuring that children attend school regularly is an important part of a parent's responsibility. Parents are responsible for providing school officials with verification of reasons (written absence notes) for each absence. When your child must be absent, it is important that you state the reason(s) for your child's absence(s) in writing and share these with the school as soon as possible. Any absence not certified by a parent/guardian, physician or court/other agency (meeting the definition of an unexcused absence) is considered unexcused.

Failure to comply with compulsory school attendance as required under Code Section 20-2-690.1. Any parent, guardian, or other person residing in this state who has control or charge of a child or children shall enroll and send such child or children to a public school, a private school, or a home study program that meets state requirements. Any parent, guardian, or other person who has control of a child or children who is in violation of this Code section shall be subject to a fine not less than \$25.00 and not greater than \$100.00, or imprisonment not to exceed 30 days, community service, or any combination of such penalties, at the discretion of the court having jurisdiction. Each day's absence from school in violation of this part after the child's school system notifies the parent, guardian, or other person who has control or charge of a child of ten (10) unexcused days of absence for a child shall constitute a separate offense.

PARENTAL INVOLVEMENT

This Code of Conduct is based on the expectation that parents, guardians, teachers and school administrators will work together to improve and enhance student behavior and academic performance and will communicate freely their concerns about, and actions in response to, student behavior that detracts from the learning environment. School administrators recognize that two-way communication through personal contact is extremely valuable; therefore, they provide information to parents as well as on-going opportunities for school personnel to hear parents' concerns and comments.

The Code of Conduct specifies within its standards of behavior various violations of the Code which may result in a school staff member's request that a parent or guardian come to the school for a conference. Parents are encouraged to visit the schools regularly and are expected to be actively involved in the behavior support processes designed to promote positive choices and behavior.

Georgia law provides a process in which a teacher or principal identifies a student as a chronic disciplinary problem: The principal shall notify by telephone call and by mail the student's parent or guardian of the disciplinary problem, invite the parent or guardian to observe the student in a classroom situation, and request at least one parent or guardian to attend a conference to devise a disciplinary and behavioral correction plan. Georgia law also states that before any chronic disciplinary problem student is permitted to return to school from a suspension or expulsion, the

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school shall request by telephone call and by mail at least one parent or guardian to schedule and attend a conference to devise a disciplinary and behavioral correction plan.

The law allows a local board of education to petition the juvenile court to require a parent to attend a school conference. If the court finds that the parent or guardian has willfully and unreasonably failed to attend a conference requested by the principal pursuant to the laws cited above, the court may order the parent or guardian to attend such a conference, order the parent or guardian to participate in such programs or such treatment as the court deems appropriate to improve the student's behavior, or both. After notice and opportunity for hearing, the court may impose a fine, not to exceed \$500.00, on a parent or guardian who willfully disobeys an order of the court under this law.

Major discipline offenses including, but not limited to, drug and weapon offenses can lead to any state school being named as an Unsafe School according to the provisions of the State Board of Education Rule 160-4-16 Unsafe School Option.

GEORGIA CODE NOTICE

Georgia Code Section 20-2-735 requires us to advise parents that they should inform their children on the consequences, including potential criminal penalties, of underage sexual conduct and crimes for which a minor can be tried as an adult.

PROGRESSIVE DISCIPLINE PROCEDURES

When it is necessary to impose discipline, school administrators and teachers will follow a **progressive discipline process**. A major consideration in the application of the code is that the disciplinary action taken by school officials be **the least extreme measure** that can resolve the discipline problem. Circumstances to be considered include, but are not limited to, the following factors: age, health, maturity, academic placement of the student, prior conduct, attitude, cooperation of the parents, willingness to make restitution, and the seriousness of the offense. Such factors may be taken into account in determining the punishment to be imposed, including any decision to impose a punishment that is more or less severe than suggested in this Code of Conduct.

The Code of Conduct provides a systematic process of behavioral correction in which inappropriate behaviors are followed by consequences. Disciplinary actions are designed to teach students self-discipline and to help them replace inappropriate behaviors with those that are consistent with character traits from Georgia's Character Education Program.

The following disciplinary actions may be imposed for any violation of this Code of Conduct:

- Warning and/or counseling with a school administrator or counselor
- Loss of privileges
- Time-out
- Temporary removal from a class or activity
- Notification of parents
- Parent conference
- Corporal punishment
- Detention/Saturday school
- Temporary placement in an alternative education program
- Short-term suspension
- Referral to a tribunal for long-term suspension or expulsion
- Suspension or expulsion from the school bus
- Referral to law enforcement or juvenile court officials: Georgia law requires that certain acts of misconduct be referred to the appropriate law enforcement officials. The school will refer any act of misconduct to law enforcement officials when school officials determine such a referral to be necessary or appropriate.

Students may be suspended due to repeated violations of any rule. The **MAXIMUM** punishment for any offense is expulsion, but suspension for more than 10 days or expulsion will be determined only by a disciplinary tribunal as outlined in the Hall County Board of Education Policy JCEB.

In lieu of a disciplinary tribunal, a negotiated waiver settlement may be considered based on the consequences the school administration would recommend to a tribunal. If the student/parent/guardian, and a hearing officer appointed by the superintendent accept this agreement, a tribunal will not be held. A waiver agreement does not grant a student permission to enroll in The Foundry program. However, a student can be suspended with the option to apply for admission to The Foundry. The minimum stay at The Foundry is one semester.

A conference with the student must precede any immediate suspension from school. If immediate suspension is the action to be taken by school administrators, it must not exceed 10 school days. **Parents must be notified.** School officials may involve law enforcement officials when evidence surrounding a situation necessitates their involvement or when there is a legal requirement that an incident be reported.

School officials may search a student if there is reasonable suspicion the student is in possession of an item that is illegal or for evidence of a violation of school rules. Personal property items (including personal electronic devices), school lockers, desks and other school property are subject to inspection and search by school authorities at any time without further notice to students or parents. At the discretion of administrators, students are required to cooperate if asked to open book bags, lockers, etc. Metal detectors and drug or weapon-sniffing dogs may be utilized at school or at any school function, including activities which occur outside normal school hours or off the school campus.

STUDENT SUPPORT PROCESSES

The Hall County Board of Education provides a variety of resources which are available at every school within the district to help address student behavioral problems. The school discipline process will include appropriate consideration of support processes to help students resolve such problems. These resources include, but are not limited to, Student Support Teams, school counselors, and chronic disciplinary problem student plans.

TEACHER AUTHORITY ACT

It is the policy of the Board of Education that the Superintendent shall fully support the authority of principals and teachers to remove a student from the classroom pursuant to Georgia law as cited in O.C.G.A. 20-2-738 and 20-2-751.5(d).

A teacher shall have the authority, consistent with board policy, to manage his or her classroom, discipline students, and refer a student to the principal or designee to maintain discipline in the classroom. Any teacher who has knowledge that a student has exhibited behavior which substantially interferes with the teacher's ability to communicate effectively with his/her class or with the ability of each student's classmates to learn, shall file a report of such behavior with the principal or designee. The principal and teacher shall thereafter follow the procedures set forth in Georgia law, specifically O.C.G.A. 20-2-737 and 738.

BEHAVIOR THAT WILL RESULT IN DISCIPLINARY PROCEDURES

- **Possession, sale, attempted sale, use, distribution or under the influence of any drug, including but not limited to narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, over the counter drug, unauthorized prescription drug or drug paraphernalia, alcoholic beverage or other intoxicant, or of any substance represented as drugs or alcohol.**
 - ALCOHOL - First offense: Immediate suspension, system's early intervention program for student and parent (SUPER 1), possible referral to disciplinary tribunal and/or referral to law enforcement officials. The student and parent or guardian will be offered the opportunity to attend SUPER 1 in lieu of up to half the original suspension, not to exceed five (5) days. Second or subsequent offense: Mandatory referral to tribunal and/or referral to law enforcement officials.
 - DRUGS - Immediate suspension pending a disciplinary tribunal, and immediate referral to law enforcement officials. Distribution, attempted sale or sale of these substances requires suspension for the remainder of the semester in which the incident occurred, plus expulsion for one full semester. Participation in the system's early intervention program for student and parent (SUPER 1) is required for first-time category one offenders to re-enroll in the regular school program; attendance does not reduce the number of days of suspension.
 - OVER THE COUNTER DRUGS - Immediate suspension, system's early intervention program for student and parent (SUPER 1), possible referral to disciplinary tribunal and/or referral to law enforcement officials. First time offenders may be offered the opportunity to attend SUPER 1 in lieu of up to half the original suspension, not to exceed five (5) days.
- **Possession of or use of a vaping device or mechanism or vaping-related paraphernalia:**
 - First Offense: Disciplinary action may include up to 3 days ISS with mandatory completion of *Consequences of Vaping* Canvas Module, out of school suspension, and possible referral to disciplinary tribunal.
 - Second Offense: Disciplinary action may include up to 5 days OSS and possible referral to disciplinary tribunal.
 - Third Offense: Disciplinary action may include up to 10 days OSS, behavior contract, referral to Super I, and possible referral to disciplinary tribunal. Super I attendance with parent/guardian may half the original suspension, not to exceed 5 days.
- **Possession or use of a weapon or dangerous instrument:** Any handgun, firearm, rifle, shotgun or similar weapon; any explosive compound or incendiary device; or, any other dangerous weapon as defined in O.C.G.A. § 16-11-121, including a rocket launcher, bazooka, recoilless rifle, mortar, or hand grenade. Immediate suspension pending a disciplinary tribunal and immediate referral to law enforcement officials. Such infractions require a minimum one calendar year expulsion. (O.C.G.A. 16-11-127.1 - A fine of not more than \$10,000; imprisonment for not less than two or more than ten years, or both.)
- **Possession of hazardous objects or other weapons:** Possible referral to disciplinary tribunal, out-of-school suspension, or in-school suspension.
- **Assault (physical or verbal), including threatened violence upon another student, a teacher, or another school official:** Immediate suspension, automatic referral to the disciplinary tribunal if a student is alleged to have committed an assault upon a teacher, other school official or employee; possible referral to law enforcement officials, and possible referral to the disciplinary tribunal if a student is alleged to have committed an assault upon another student.
- **Battery, including sexual battery, upon another student, a teacher, another school official or persons attending school-related functions:** Immediate suspension, automatic referral to the disciplinary tribunal if a student is alleged to have committed battery upon a teacher, other school official or employee, possible referral to law enforcement officials, and possible referral to the disciplinary tribunal if a student is alleged to have committed a battery upon another student.
- **Fighting:** Possible out of school suspension, possible referral to a disciplinary tribunal hearing, possible referral to law enforcement officials.
- **Disrespectful conduct, including the use of vulgar or profane language, toward teachers, administrators, other school personnel, other students, or persons attending school-related functions:** Possible removal from class, activity, or situation, conference with teacher, parents, and counselor, detention, in-school suspension, suspension, and/or referral to disciplinary tribunal.
- **Any behavior based on a student's race, national origin, religion, sex, or disability including verbal or non-verbal taunting, physical contact, unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature, or sexual harassment as defined pursuant to Title IX of the Educational Amendments of 1972:** Possible removal from class, activity, or situation, conference with teacher, parents, and counselor, detention, in-school suspension, suspension, and/or referral to disciplinary tribunal.
- **Inciting, advising or counseling of others to engage in prohibited acts:** Possible removal from class, activity, or situation, conference with teacher, parents, and counselor, detention, in-school suspension, suspension, and/or referral to disciplinary tribunal.
- **Classroom and school disturbances:** Possible removal from class, activity, or situation, conference with teacher, parents, and counselor, detention, in-school suspension, suspension, and/or referral to disciplinary tribunal.

- **Possession or use of tobacco or nicotine in any form or tobacco use-related paraphernalia such as lighters, matches, electronic cigarettes or vapers:** Detention, in-school suspension, Saturday School, out-of-school suspension, and/or parent conference.
- **Willful or malicious damage to real or personal property of the school or to personal property of any person legitimately at the school during school or off school hours:** Possible suspension, referral to disciplinary tribunal, possible referral to law enforcement officials, and/or possible restitution. (O.C.G.A. 20-2-753)
- **Marking, defacing, or destroying school property during school or off-school hours:** Possible suspension, possible referral to the disciplinary tribunal, and/or possible restitution.
- **Theft:** In-school or out-of-school suspension, restitution, and possible referral to law enforcement officials.
- **Extortion or attempted extortion:** Immediate suspension, possible referral to the disciplinary tribunal, and/or possible restitution.
- **Possession and/or use of fireworks:** Parent conference, possible suspension, and possible referral to the disciplinary tribunal and to law enforcement officials.
- **Activating a fire alarm under false pretenses or making a bomb threat:** Immediate suspension, possible referral to disciplinary tribunal and referral to law enforcement officials.
- **Insubordination, disorderly conduct, disobeying school rules, regulations, or directives, disobeying directives given by teachers, administrators, or other school staff:** Possible removal from class, activity, or situation, conference with teacher, parents, and counselor, detention, in-school suspension, Saturday School, suspension, and/or referral to disciplinary tribunal.
- **Violation of school dress code:** Possible removal from class, activity, or situation, parent conference, detention, Saturday School, and/or in-school suspension.
- **Use of profane, vulgar, or obscene words, gestures, images, or indecent exposure, including possession or transmission of such words or images (such as 'sexting'):** Parent conference, confiscation, detention, in-school suspension, or suspension, possible referral to disciplinary tribunal, and/or possible referral to law enforcement officials.
- **Use of cell phones and other electronic devices including but not limited to: tape recorders or other recording devices, radios, cd players, MP3 players, video games, and televisions:** Parent conference, detention, in-school suspension, confiscation, possible referral to law enforcement officials, and/or suspension.
- **Inappropriate public displays of affection:** Parent conference, detention, in-school suspension, and/or suspension.
- **Gambling or possession of gambling devices:** Parent conference, detention, in-school suspension, and/or suspension.
- **Moving and non-moving driving violations:** Short-term or long-term revocation of driving privileges, in-school suspension, and/or detention.
- **Giving false information to school officials:** Parent conference, detention, in-school suspension, and/or suspension.
- **Falsifying, misrepresenting, omitting or erroneously reporting information regarding instances of alleged inappropriate behavior by a teacher, administrator, or other school employee toward a student:** Parent conference, detention, in-school suspension, and/or possible referral to a disciplinary tribunal. Any student (or parent or friend of the student) who has been the victim of an act of sexual abuse or sexual misconduct by a teacher, administrator, or other school system employee is urged to make an oral report of the act to any teacher, counselor or administrator at his/her school.
- **Cheating on school assignments:** Zero grade for assignment, substitute assignment, detention, parent conference and/or in-school suspension.
- **Bullying:** Discipline for any act of bullying, including cyber bullying, as defined under the bullying definition in this document, shall be within the discretion of the principal which may range from a reprimand to out-of-school suspension. However, upon a tribunal finding that a student in grades 6-12 has committed the offense of bullying for the third time in a school year, the student shall at a minimum be assigned to the Alternative Learning Center.
- **Criminal law violations:** Any criminal behavior occurring on campus or at school functions or activities (whether a misdemeanor or felony), or any off campus behavior of a student which could result in the student being criminally charged with a felony or which could result in a felony criminal charge if committed by an adult; and which makes the student's continued presence at the school a potential danger to persons or property at the school or which disrupts the educational process may be subject to disciplinary action, including in-school suspension, short-term suspension and referral to a disciplinary tribunal.
- **Willful and persistent violation of the Student Code of Conduct:** Student who chronically and/or habitually violate school rules or this Code of Conduct may be referred to the disciplinary tribunal, even if the offenses the student has committed do not include such a referral as a possible consequence.
- **Failure to comply with compulsory school attendance as required under Code Section 20-2-690.1:** Any student who is in violation of this Code section shall be subject to a referral to the court having jurisdiction. Each day's absence from school in violation of this part after the school system notifies the parent, guardian, or other person who has control or charge of a child of ten (10) unexcused days of absence for a child shall constitute a separate offense.
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- **Violation of the Hall County Schools Student Code of Conduct for personal electronic devices, computer hardware, software, network and internet access, to include any unauthorized entry into a computer network secured site.** Revocation of privilege, parent/ guardian notification, detention, in-school suspension, and/or suspension, possible referral to the disciplinary tribunal and/ or law enforcement. Warning statement: The act of entering or attempting to enter a computer network secured site (hacking) is a very serious offense that may include permanent expulsion from the school system.

DEFINITION OF TERMS

ASSAULT: Any threat or attempt to physically harm another person or any act which reasonably places another person in fear of physical harm. (Example: threatening or abusive language)

BATTERY: Actual and intentional touching or striking of another person against his or her will or intentionally causing bodily harm to an individual.-

BULLYING: The bullying of a student by another student is prohibited. Any act of bullying should be reported to the school principal or his or her designee. In accordance with Georgia law, "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; or
- 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 which a reasonable person would perceive as being intended to threaten, harass, or intimidate, that;
 - a) Causes another person substantial physical harm within the meaning of Georgia Code Section 16-5-23.1 or visible bodily harm as such term is defined in Code Section 16-5-23.1;
 - 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.

The term 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. The term also applies to acts of cyberbullying which occur through the use of electronic communication, primarily when the 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. For purposes of this Code Section, 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.

CORPORAL PUNISHMENT: Physical punishment of a student by a school official in the presence of another school official in accordance with Hall County Board of Education Policy JDA.

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 school or after school. Students are given one day's warning so that parents or guardians can make arrangements for transportation.

DISCIPLINARY TRIBUNAL: School officials appointed by the Board of Education to sit as fact finder and judge with respect to student disciplinary matters.

DISORDERLY CONDUCT: Any act that substantially disrupts the orderly conduct of a school function, the learning environment, or poses a threat to the health, safety, and/or welfare of students, staff or others.

DRESS CODE: The current dress code is maintained in the principal's office and appears in student handbooks.

EXPULSION: Removal of a student from school beyond the end of the semester. During the period of expulsion, the student is excluded from all school-sponsored activities including practices, as well as competitive events, and/or activities sponsored by the school or its employees.

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

FIGHTING: Mutual participation in a fight involving physical violence where there is no one main offender – does not include verbal confrontations, tussles, or other minor confrontations.

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 (large or small) 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. (Also includes stink bombs/smoke bombs.)

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

HARASSMENT: Behavior based on a student's race, national origin, sex, religion or disability that is unwelcomed, unwanted, and/or uninvited by the recipient. It can be verbal, non-verbal, and/or physical and includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature.

HAZARDOUS OBJECTS OR OTHER WEAPONS: Any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more

inches, straight-edge razor, razor blade, spring stick, knuckles, whether made from metal, thermoplastic, wood, or other similar material, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any instrument of like kind, any nonlethal air gun, and any stun gun or Taser. Such term shall not include any of these instruments used for classroom work authorized by the teacher.

IN-SCHOOL SUSPENSION: Removal of a student from class(es) or regular school program and assignment of that student to an alternative program isolated from peers.

PHYSICAL VIOLENCE: Intentionally making physical contact of an insulting or provoking nature with the person of a school official; or intentionally making physical contact which causes physical harm to another unless such physical contacts or physical harms were in defense of himself or herself, as provided in GA Code Section 16-3-21.

SATURDAY SCHOOL: Principals may assign students in grades 7-12 to Saturday School for violations of the rules governing attire, tardiness, class cuts, leaving school without permission, cutting detention hall, tobacco and unexcused absences.

SEXUAL HARASSMENT: Sexual harassment can take many forms and it is not possible to define or itemize every aspect of the harassment forbidden by the School District. Sexual harassment may include conduct or speech that entails unwelcome sexual advances, requests or demands for sexual favors, taunts, threats, comments of a vulgar or demeaning nature, or physical contact that creates a hostile environment. There may be other speech or conduct which students experience as inappropriate or illegal harassment, all of which is forbidden.

Sexual harassment defined in the Federal Regulations implementing Title IX of the Education Amendments of 1972 is defined as follows: **Sexual harassment** means 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;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
3. "Sexual assault"- an offense classified as a forcible or nonforcible 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.

Students, parents or other persons wishing to report alleged sexual harassment of a student should promptly notify the student's school principal, school counselor, or Title IX Coordinator. All reports or complaints regarding alleged sexual harassment of students will be handled in accordance with Board Policies JAA and/or JCAC, as applicable.

SUSPENSION: Removal of a student from the regular school program for a period not to exceed the end of the semester. During the period of suspension, the student is excluded from all school-sponsored activities including practices, as well as competitive events, and/or activities sponsored by the school or its employees.

SYSTEM'S EARLY INTERVENTION PROGRAM FOR STUDENT AND PARENT: This early intervention program is for youth ages 12-18 and their parents/guardians. For a category one offense the Substance Use Prevention Education Resource (SUPER I) Program is a prerequisite for re-entry to the regular school program. For other indicated offenses, the SUPER I Program is voluntary, and the student and parent(s) or legal guardian(s) will be offered the opportunity to attend in lieu of up to half of the original suspension, not to exceed five (5) days. See your school counselor for more information about this program.

THEFT: The offense of taking or, if in lawful possession thereof, appropriating 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 a signed admission of guilt and/or acceptance of consequences in lieu of a formal disciplinary tribunal.