

# Code of Conduct for Students



Gilmer  
County  
Schools

2022 - 2023

# **CODE OF CONDUCT FOR STUDENTS**

2022 - 2023

Grades PreK – 12

## **GILMER COUNTY SCHOOLS**

134 Industrial Blvd.  
Ellijay, Georgia 30540



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**Every Child, Every Opportunity, Every day**  
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*PARENT / LEGAL GUARDIAN: PLEASE READ AND REVIEW THIS DOCUMENT WITH YOUR CHILD.  
PLEASE SIGN AND RETURN THE SIGNATURE PAGE TO YOUR CHILD'S SCHOOL.*

Revised June 2022

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## STUDENT INFRACTIONS AND DISCIPLINE PROCEDURES

*Note: In accordance with disciplinary procedures of the Gilmer County Schools, and as required by Georgia Code (20-2-736), this publication of student behavior infractions and required or recommended dispositions is submitted for the information of school personnel, students and parents.*

### STATEMENT OF PURPOSE

#### STATEMENT OF PURPOSE

The purpose of the schools within the Gilmer County School system is to provide the best learning opportunity possible. Our standards of student behavior during school hours, on school property, and at school related functions are designed to create the expectations that students will behave themselves in such a way as to facilitate a learning environment for themselves and other students. Gilmer Schools participate in positive behavior interventions and supports as a proactive strategy for improving student behavior and decreasing student discipline incidents.

We expect students to:

1. Respect each other
2. Respect school district employees
3. Obey student behavior policies adopted by the Board of Education
4. Obey rules established by individual schools

Good order and discipline may be described as the absence of distractions and disturbances, which interfere with the optimum functioning of the student, the classroom, the school, school related functions, and the safe operation of school buses. It is also the presence of a friendly, yet professional, rapport in which students and school personnel work cooperatively toward mutually accepted goals. We ask your cooperation in sharing this responsibility for maintaining a proper learning environment.

Included in this Code of Conduct are prohibited behaviors and consequences for such behaviors. The Gilmer County Board of Education's Code of Conduct was designed and created to comply with the progressive discipline processes set forth in O.C.G.A. § 20-2-736 and Gilmer Board of Education Policy JCDA – Student Code of Conduct.

#### Additional Behavior Requirements

The District may impose campus, classroom, or club/organization rules in addition to those found in the student handbook. These rules may be listed in the student and campus handbooks, be posted or distributed in classrooms, or be published in extracurricular handbooks, state or national organization bylaws, and/or constitutions. Sponsors and coaches of extracurricular activities may require and enforce additional standards of conduct for student participation in extracurricular activities.

Additional standards of behavior concerning an extracurricular activity are independent of the Student Code of Conduct. Violations of these standards of behavior that are also violations of the Student Code of Conduct may result in disciplinary actions being taken against the student, including but not limited, to the student being removed from participation in extracurricular activities, exclusion from school honors, suspension and/or expulsion for violation of the Student Code of Conduct.

The Code of Conduct governs students' behavior on school grounds; off school grounds at a school activity; off school grounds at a non-school activity, but where the misconduct leads to a disruption of school or any other violation of the Student Code of Conduct; en route to and from schools, or any school-sponsored activity; on the bus; and at the bus stop.

## INTRODUCTION TO STUDENT DISCIPLINE PROCEDURES

### SECTION I: PROGRESSIVE DISCIPLINE

Progressive discipline processes will be utilized by schools and the School System in order to create the expectation that the degree of discipline will be in proportion to the severity of the behavior, as well as consideration given to each student's previous discipline history and other relative factors; and that all due process procedures required by federal and state law will be followed. School principals or designees may also refer the students to detention or time-for-self, in lieu of in-school suspension (ISS) or out-of-school suspension (OSS), or any portion of the period of ISS/OSS. Exceptions to this provision include, but are not limited to, penalties for buying, selling, and possession with intent to distribute drugs/alcohol; consequences for a tribunal finding of a third offense of bullying within a school year; consequences for physical offenses upon school employees; and consequences for a dangerous weapon or firearm.

### SECTION II: INVESTIGATION AND NOTIFICATION PROCEDURES

- A. A teacher or designee must document a student's violation of the student code of conduct within one school day of the incident. The report will be filed with the principal (or designee), and shall describe the student's behavior.
- B. Following an appropriate investigation of the alleged infraction, the principal (or designee) will make a determination regarding a disposition.
- C. Within one school day following completion of an investigation and after determining a disposition, the principal (or designee) will contact parents/guardians regarding information relative to the student support services utilized or the disciplinary action taken. The principal (or designee) will make a reasonable attempt to confirm receipt of such notification by the student's parents or guardians. Notification will include information regarding how the student's parents or guardians may contact the principal (or designee).
- D. The teacher will have access to behavior resolutions and actions taken relative to student referrals.

### SECTION III: DUE PROCESS RIGHTS FOR STUDENTS RELATIVE TO ADMINISTRATIVE INVESTIGATIONS

In all cases, the rights of individuals involved will be ensured and protected. Within that statement, however, students and parents/guardians must realize that the due process rights of students during administrative investigations are defined relative to proposed dispositions to be imposed by the school's administration. Namely, if a principal (or designee) is planning to impose a punishment amounting to less than a ten-day suspension, he/she has three responsibilities to the student (*Goss v. Lopez*, 1975):

- (1) Notify the student of the charge;
- (2) Provide an explanation of the evidence collected; and
- (3) Extend an opportunity to the student to answer to that charge.

*If the principal (or designee) is seeking to impose a punishment that will exceed a ten-day suspension, he/she must also afford the student a due process discipline hearing before a hearing officer.*

### SECTION IV: STUDENT SEARCHES

To maintain order and discipline on school property or property being used by the school/School System, and to protect the safety and welfare of students and school personnel, school authorities may conduct, with reasonable suspicion, searches of both school and personal property as provided for in laws, procedures, and policies. Additionally, school authorities may seize and destroy any illegal, unauthorized or contraband materials discovered in said searches.

#### Description of Search Types:

**School Property Searches** (i.e., lockers, desks, etc.): These searches may be conducted based on a predetermined random basis or pursuant to "reasonable suspicion."

**Personal Property Searches** (i.e., automobiles, purses, book bags, clothing, etc.): These searches may be conducted pursuant to "reasonable suspicion" unless prior approval has been granted to the school or School System (thus eliminating the expectation of "reasonable suspicion"); when there is no reasonable expectation of privacy; or, in crisis- or medically-related emergencies.

*The School System may also conduct a search of property (only) located on School System property using police canines. Such searches shall be accomplished so as to protect students, faculty and others from immediate contact with the canine(s) in an effort to promote the safety of all students.*

## **SECTION V: ILLEGAL ACTS**

Parents and students should be aware that in some instances, an offense may constitute a violation of Georgia Law. As a result of any resulting violation of law, any court having jurisdiction may impose additional sanctions.

## **SECTION VI: REPORTING OF THREATENING BEHAVIOR OR ILLEGAL/SUSPICIOUS ITEMS AT SCHOOL**

Any threat (expressed or implied) by any individual which if carried out would pose a potential danger to the life and safety of students and/or staff members or the destruction of property should be regarded and treated seriously. Any student who receives or has knowledge of information concerning such a threat should immediately report that information to a school administrator or staff member.

*Students should notify an administrator or staff member when illegal or suspicious items, dangerous items or other items banned from school are found in the school building, on the school campus, or on the school bus. Students are advised not to pick up or handle illegal, dangerous, banned or unidentified items, or items not belonging to them.*

## **SECTION VII: SUSPENSION/EXPULSION OF STUDENTS WITH IDEA SERVICES**

- A. Guidelines for suspension / expulsion of students receiving special education services:** Students receiving special education services under the Individuals with Disabilities Education Act (IDEA) can be suspended out of school (OSS) for a total of 10 consecutive or cumulative school days in a school year without a consideration of whether the behavior is related or not to the student's disability. If school administration is imposing an OSS for a special education student that exceeds 10 cumulative school days in a school year or is recommending a long-term suspension or expulsion, the School System will convene a Manifestation Determination Review (MDR) to determine if the student's behavior is related to the student's disability.

In cases in which a student is being considered for a suspension/expulsion, and there is no record indicating the student has a disability, but the parent(s) claim the school/School System has knowledge that the student does have a disability, the parent must provide evidence prior to the incident and must notify and meet with school administration prior to the incident.

- B. Tribunal guidelines for student receiving special education services:** A manifestation hearing will be held prior to the conclusion of a possible due process hearing to determine if the alleged offense is a manifestation of the student's disability.
- If a student is found to be not guilty of an alleged offense by way of a due process hearing no manifestation meeting will be held.
  - If a student is found guilty or pleads guilty in a due process hearing and it IS found to be a manifestation of the student's disability, the IEP team will have all authority.
  - If a student is found guilty or pleads guilty in a due process hearing and it is determined that it IS NOT a manifestation of the student's disability the hearing officer will have authority to determine consequences.
- C. Tribunal guidelines for students holding a Section 504 plan:** A manifestation hearing will be held prior to the conclusion of a due process hearing to determine if the alleged offense is a manifestation of the student's impairment.
- If a student is found to be not guilty of an alleged offense by way of a due process hearing no manifestation meeting will be held.
  - If a student is found guilty or pleads guilty in a due process hearing and it IS found to be a manifestation of the student's impairment, the 504 team will have all authority.
  - If a student is found guilty or pleads guilty in a due process hearing and it is determined that it IS NOT a manifestation of the student's impairment the hearing officer will have authority to determine consequences.

## **SECTION VIII: UNSAFE SCHOOL CHOICE OPTION AND VIOLENT CRIMINAL OFFENSES**

Major offenses including, but not limited to, drug and weapon offenses can lead to schools being named as an “Unsafe School” according to the provisions of the State Board Rule 160-4-8-.16, UNSAFE SCHOOL CHOICE OPTION (USCO). Also, under USCO provisions, School System guidelines are in place to facilitate the timely and appropriate requested transfer of students who are victims of “violent criminal offenses” and/or students enrolled in schools determined to be “persistently dangerous” (as determined by the same State Board Rule).

## **SECTION IX: DISCIPLINING OFF-CAMPUS STUDENT BEHAVIOR**

The authority of administrators to suspend or otherwise discipline a student is not limited to the student’s on-campus conduct. Students may be suspended out of school or otherwise disciplined for off-campus conduct which is reasonably related to any school activity, and is contrary to the law or has an adverse impact on good order, discipline or the learning environment at the school or makes the student’s continued presence at school a potential danger to persons or property at the school or which disrupts the educational process.

## **SECTION X: DISCIPLINING OF STUDENTS PARTICIPATING IN EXTRA-CURRICULAR ACTIVITIES/ATHLETICS**

Students involved in athletics must refer to the GHSA (Georgia High School Association) Rules, the Student Activity Code of Conduct found in this document and the school specific Handbook. Extra-curricular student reinstatement decisions involve activity sponsor/director and school administration.

## **SECTION XI: DEFINITIONS OF DISCIPLINARY / EDUCATIONAL TERMS**

**ALTERNATIVE EDUCATION PROGRAM:** (Grades 6-12) May be alternative to out-of-school suspension or expulsion. Students in the alternative education program are not allowed to participate in school-sponsored activities. Under certain circumstances, bus transportation to the alternative program may be denied at the discretion of school authorities. The Alternative Program is located at the Mountain Innovation Program.

**COUNSELING:** Gilmer County Schools provide counseling services in each school. The school counselors assist in efforts to help students focus on academic, personal, social, and career development so they achieve success in school. Counselors stress making smart choices and prepare students to lead fulfilling and responsible lives through classroom lessons, small groups and individual counseling sessions as needed.

**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 or to receive specific instruction in behavior modification. Detention may require the student’s attendance before school, after school or during scheduled class or school activity time if school officials deem removal of the student from his/her regular school schedule essential to the well-being of the student or school.

**EXPULSIONS:** Removal of student from the school System permanently, or for an extended period of time beyond the current semester. Expulsion of a student requires a due-process hearing (tribunal) as explained below. Expulsion by a tribunal from a Gilmer County school may be accompanied with an opportunity to attend the Alternative Program. A student expelled from a Gilmer County school and allowed to enroll in an Alternative Program is not eligible to participate in extra-curricular or co-curricular programs or activities at the school from which they are expelled.

**HEARING OFFICER:** A person or persons that, by law and through an appointment of the Superintendent, may hear predetermined student discipline proceedings. This person or persons would be authorized to rule on discipline cases when there is a recommendation for suspension/expulsion for more than nine school days.

## **INDIVIDUALS WITH DISABILITIES EDUCATION**

**ACT (IDEA):** IDEA is a United States federal law that governs how states and public agencies provide early intervention, special education, and related services to children with disabilities. It addresses the educational needs of children with disabilities from birth to age 21 in cases that involve 13 specified categories of disability.

**INDIVIDUALIZED EDUCATION PROGRAM (IEP):** IEP is a written statement for each child with a disability that is developed, reviewed and revised in a meeting in accordance with State Board Rule 160-4-7-.06.

**MOUNTAIN INNOVATION PROGRAM: (Grades 6-12)**

MIP is an alternative program for students who meet certain criteria regarding their school behavior, including poor attendance or academic deficiencies. Students and parents/guardians must attend an orientation prior to enrollment in the program. Tribunal referrals will be given priority. Enrollment is determined by the referring school administration or Tribunal Hearing Officer. The program is ZERO TOLERANCE based - meaning any violation of the student disciplinary code may result in expulsion.

**POSSESSION:** For purposes of this Code, possession shall be defined as the actual control or manual custody of anything which may be the subject of property for one's use, either as the owner or as the proprietor of a qualified right in it and either held personally or by another, who exercises it in one's place and name. This definition shall embrace the concept of actual possession as well as constructive possession and shall extend to items of contraband held personally by a student or maintained by a student in a space or spaces in which the student exercises control including but not limited to purses, book bags, lockers and vehicles.

**PRINCIPAL'S DISCRETION:** When a disposition notes that schools may have "principal's discretion" in dealing with an infraction, that distinction should also be interpreted as a "principal's, assistant principal's or principal's designee discretion." Some examples of Principal's discretion could include but are not limited to: Administrative Detention, Check-in Check-out, Behavior Intervention Group, Counselor referral, Parent Conference, Phone Conference, Behavior Plan.

**PROGRESSIVE DISCIPLINE:** The degree of discipline will be in proportion to the severity and/or the number of occurrences of the behavior.

**STUDENT SUPPORT TEAM (SST):** The Student Support Team (SST) is a multi-disciplinary team which utilizes a problem-solving process to investigate the educational needs of students who are experiencing academic and/or social/behavioral difficulties. SST, which is required in every Georgia public school, uses a data-driven process to plan individualized supports and interventions and the method of assessing their effectiveness.

**SUSPENSIONS:** The removal of a student from class, school, or school-sponsored events for a specified period of time. Suspensions may also include the removal of privileges such as bus transportation, student parking, or other opportunities as provided to them by the school or School System. Student suspensions are generally applied as either short-term or long-term suspensions based on the severity of the violation(s). **SHORT-TERM SUSPENSIONS** are suspensions for less than ten school days. **LONG-TERM SUSPENSIONS** are for greater than nine school days and require a due-process hearing (tribunal) before being implemented.

1. **IN-SCHOOL SUSPENSION:** Temporary removal from classes by placing students in designated area. Students will continue to do classroom work and receive credit.
2. **OUT-OF-SCHOOL SUSPENSION:** Denial to a student of the right to attend school. Students who have been suspended out of school are not permitted on any Gilmer County Schools campus or at any school function while under suspension. Alternative school students may, as determined by a tribunal, be allowed transportation shuttle privileges to/from home. Out of school suspended students who return to school or attend a school function while under expulsion/suspension may be considered to have criminally trespassed and may be prosecuted accordingly if they have not obtained and carry written permission from that Principal.
3. **SUSPENSION OF BUS PRIVILEGES:** Denial of the privilege of school System bus transportation as the result of the safety of students, bus drivers and/or materials being threatened. Discipline will be administered according to procedures in this handbook.
4. **SUSPENSION OF PARKING PRIVILEGES:** Parking is a privilege bestowed by permit which may be suspended or revoked at the Principal's discretion. Suspended and expelled students are denied parking privileges for the term of their suspension or expulsion.

**TRIBUNAL/DISCIPLINARY HEARING:** In accordance with O.C.G.A. § 20-2-751 through O.C.G.A. § 20-2-759, the definition of tribunal/disciplinary hearing is a due process hearing afforded to students where there is a recommendation for suspension / expulsion for longer than nine school days. A tribunal panel/officer has the authority to suspend students out of school long-term or place them in the Alternative Program. All tribunals must be held no later than ten days after the beginning of the student's suspension unless: (1) the parent/guardian



requests, in writing, an extension to the established deadline; (2) parent agrees to maintain student's current status until tribunal has been completed; (3) both school and parent accept this extension/continuance. Any teacher who is called as a witness by the school system shall be given notice no later than three days prior to the hearing. Gilmer County Board of Education will observe Georgia law in developing and implementing disciplinary hearings held by a disciplinary hearing officer, including the ability to honor disciplinary orders of private schools and other public schools/school systems pursuant to O.C.G.A. § 20-2-751.2.

**UNSAFE SCHOOL CHOICE OPTION (USCO):** The process of allowing students who attend a school identified as a "persistently dangerous" public school or students who become victims of a violent criminal offense while at school to transfer to a safe public school.

## **SECTION XII: AMENDING THE DISCIPLINE CODE**

Additions or changes in the student infraction codes and the corresponding dispositions may be made as deemed necessary and disseminated following Gilmer Board of Education approval. If this becomes necessary, appropriate announcements will be made to all students.

## **SECTION XIII: REVIEW OF LOCAL BOARD POLICIES RELATIVE TO STUDENT DISCIPLINE**

Current School Board Policies regarding Student Discipline are available for review on the School System's website at [www.gilmerschools.com](http://www.gilmerschools.com). A copy of the following Gilmer County Schools Board Policies are located at the end of this document: JCDA: Student Code of Conduct, IFBG: Internet Acceptable Use, JCDAG: Bullying.

# **Code of Conduct - Level 1-5 Offenses**

**The Code of Conduct is organized into five (5) categories of prohibited behaviors: Level 1 Offenses, Level 2 Offenses, Level 3 Offenses, Level 4 Offenses and Level 5 Offenses. Additional information regarding prohibited behaviors and disciplinary actions follows these sections. State Reporting Codes are in parentheses following the offense. Any violation of state/local law (GA Code) may be referred/reported to a School Resource Officer.**

## **Level 1 Offenses**

- **Academic Dishonesty (32):** Receiving or providing unauthorized assistance on classroom projects, assignments or exams or state mandated testing.
- **Attendance Related (30):** Repeated or excessive unexcused absences or tardies; including failure to report to class or other designated location on time, skipping class, leaving school without authorization, or failure to comply with disciplinary sanctions.
- **Behavior Detrimental to Learning:** Such behavior includes but is not limited to conduct that disrupts the learning environment, repeated refusal to produce school work such as homework, class work, assessments, and any other educational required expectations.
- **Bullying (29):** Participation in written, verbal, or physical act(s) that meet(s) the definition of bullying as defined by O.C.G.A. § 20-2-751.4 (1st offense).
- **Bus Conduct:** Violation of the guidelines for bus conduct.
- **Disrespectful Behavior:** Being disrespectful to students, school personnel, or other persons.
- **Dress Code (31):** Violation of the guidelines for dress code.
- **Encouraging Prohibited Behavior:** Inciting, encouraging, counseling or advising others to engage in prohibited behavior that violates the code of conduct. A student violates this rule when he/she verbally or physically encourages others to engage in prohibited behavior, which may include oral instruction or physically showing a student how to

engage in prohibited behavior. This also includes being accessory to a code of conduct violation.

- **False Information:** Deliberately giving false or misleading information, including but not limited to forgery and altering records.
- **Gambling:** Includes, but is not limited to, betting money or other items on card games, dice games, or the outcome of athletic contests or other activities, and/or possession of gambling materials or paraphernalia.
- **Inappropriate Items and Activities:** Possessing, using, selling, buying, giving away, distributing, bartering, or exchanging any personal belonging that is inappropriate for school including but not limited to any material, substance, or food item.
- **Inappropriate Physical Contact between Students:** Such behavior includes, but is not limited to, inappropriate display of affection and inappropriate touching which does not amount to sexual harassment.
- **Misuse of Electronic Communication Devices/Technology:** Displaying or using a cell phone or other electronic communication device during the school day without the consent of the principal or his/her designee. This also includes actions that record, through video, audio, pictures, or any other medium, students or school employees without explicit permission, with or without intent or motive to cause harm. This also includes use of a school computer for anything other than instructional purposes and unauthorized use of a school computer or district computer network.
- **Other Disciplinary Event (24):** Violating any other Board of Education or school rule, including other minor discipline events not listed in the Code of Conduct that warrant intervention and consequences.
- **Over-the-Counter Medication:** Using or possessing over-the-counter medication at school without the written consent of the principal or his/her designee.
- **Peer Conflict:** Inappropriate touching to include: pushing, shoving or fighting that does not result in visible bodily injuries. This includes arguing, horseplay and inappropriate peer interactions.
- **Profanity:** Using profane, vulgar, obscene, insulting, or threatening language, gestures, graphics, or materials, whether spoken, written, gestured, or communicated in person or via any electronic device.
- **Student Incivility (33):** Insubordination or disrespect to staff members or other students: Includes, but is not limited to refusal to immediately follow school staff member instructions, use of vulgar or inappropriate language, or misrepresentation of the truth. Includes major classroom disruption that stops instruction for an extended period of time and requires administrative intervention; profanity directed toward school staff; or major disruption outside classroom that requires administrative intervention.
- **Tobacco Products and Paraphernalia (18):** Possessing, using, selling, buying, giving away, bartering, or exchanging any tobacco product or smoking paraphernalia.
- **Unauthorized Areas:** Being in an unauthorized area without permission.
- **Electronic Smoking Device(42):** Unintentional possession of an electronic smoking device

### **Disciplinary Actions for Level 1 Violations**

Engaging in or attempting to commit any Level 1 offense can result in disciplinary action as outlined below. According to state law, students in grades K-3 may not be suspended out of school or expelled for more than five days without the Multi-tiered System of Supports (MTSS) process being in place.

**1st Violation:** Verbal Warning with administrative conference, or up to two days administrative detention, or In-School Suspension up to two (2) school days.

**2nd Violation:** Two days administrative detention, or In-School Suspension up to three (3) school days.

**3rd Violation:** In-School Suspension up to five (5) school days.

**4th Violation:** Out-of-School Suspension up to two (2) school days.

**5th Violation:** Out-of-School Suspension up to three (3) school days.

**6th Violation:** Out-of-School Suspension up to five (5) school days.

**7th Violation:** The student will be suspended (In-School or Out-of-School) with the matter being submitted to a Disciplinary Hearing Officer (See Level 3 Offenses).

### **Additional Disciplinary Actions for Section 1 Violations**

Depending on the circumstances surrounding the Level 1 violation, school administrators shall have the discretion to deviate from the progressive discipline policy.

If the Level 1 violation warrants deviation from the progressive discipline policy, additional disciplinary actions may include but are not limited to phone calls made to the student's parent or guardian, an individualized behavioral contract, behavioral checklist and/or counseling, a student may be given a Verbal Warning, administrative detention, other means of correction in lieu of suspension, assigned to In-School Suspension for up to five (5) consecutive days or be given a Short Term Suspension or be sent to a Disciplinary Hearing for the Level 1 Offense regardless of the number of previous violations.

### **Level 2 Offenses**

- **Alcoholic Beverages (01):** Unintentional use/possession of alcohol.
- **Battery (03):** Intentional touching or striking of another person to intentionally cause bodily harm. (Note: The key difference between battery and fighting and is that fighting involves mutual participation.)
- **Bullying (29):** Participation in written, verbal, or physical act(s) that meet(s) the definition of bullying as defined by O.C.G.A. § 20-2-751.4 (2nd offense).
- **Disorderly Conduct (06):** Any act that substantially disrupts the orderly conduct of a school function, disrupts the orderly learning environment, or poses a threat to the health, safety, and/or welfare of students, staff or others. (Includes disruptive behaviors on school buses).

- **Electronics and Technology Policy (05):** Use of a school computer for anything other than instructional purposes or unauthorized use of a computer or computer network with the intention of deleting, obstructing, interrupting, altering, damaging, or in any way causing the malfunction of the computer, network, program(s) or data. Any action that goes against the Gilmer County Schools Acceptable Use Policy.
- **Failure to Report:** Failure to report to a teacher or administrator the knowledge of an event, device, object, or substance that could cause harm to self or others.
- **False Representation of Substances:** False representation of substance to be a drug for which the student has no valid prescription or false representation of the substance to be an illegal drug as defined under the laws of the State of Georgia.
- **Fighting (08):** For the purpose of this offense, fighting shall include, but not be limited to, hitting, kicking, pinching, slapping or other physical contact that results in visible bodily harm to the student or person whom contact was made.
- **Gang Affiliation:** Exhibiting gang affiliation, as evidenced by a common identifying sign, symbol, tattoo, graffiti, attire, or other distinguishing characteristic. Wearing or possessing gang-related apparel; communicating either verbally or non-verbally to convey membership or affiliation with a gang. Examples include but not limited to possession or wearing of gang-related clothing, jewelry, emblems, badges, symbols, signs, or using colors to convey gang membership or affiliation; gestures, handshakes, slogans, drawings, etc. to convey gang membership or affiliation; committing any other illegal act or other violation of school policies in connection with gang-related activity. Related symbols or slogans, threatening or intimating on behalf of a gang, the requirement or payment for protection or insurance through a gang.
- **Giving False Information:** Falsifying, misrepresenting, omitting or erroneously reporting information regarding instances of alleged inappropriate behavior by a teacher, administrator, or other school employee toward a student.
- **Misdemeanor Conduct:** Any misconduct occurring within the jurisdiction of the Code of Conduct that has not been specifically detailed in the Code of Conduct, but satisfies the elements of a misdemeanor offense under Georgia law.
- **Non-Dangerous Use of Hazardous Objects:** Possession, displaying, using, or otherwise exhibiting intent to use a hazardous object in such a manner that is neither dangerous nor threatening to the student, other students, personnel or any other person on school grounds, school busses, school bus stops or school events. If the hazardous object is displayed or used, or the student exhibits intent to use the object in such a way that the object could be considered a dangerous weapon, refer to Level 4, Weapons.
- **Possession of Obscene Materials:** Possessing obscene or vulgar materials when such conduct does not involve another student.
- **Possession of Medical Substance Containing Alcohol:** Possessing any substance containing alcohol which is normally used for medical purposes that has not been reported to the appropriate school official.
- **Possession of Prescription Drugs:** Possession of prescription medication prescribed to you by a doctor, but has not been reported to appropriate school officials.

- **Possession of Unapproved Items (34):** The use or possession of any unauthorized item disruptive to the school environment including electronic cigarettes, smoking devices, Juul and vape devices/paraphernalia.
- **Sexual Harassment (15):** Physical and unwelcome sexual advances, lewd gestures or verbal conduct or communication of a sexual nature; requests for sexual favors; possession of sexually explicit images; gender-based harassment that creates an intimidating, hostile, or offensive educational or work environment. Comments that perpetuate gender stereotypes or suggestive jokes that are directed or are not directed towards specific individuals or group of individuals. This also includes physical or non-physical sexual advances; requests for sexual favors.
- **Sexual Offense (16):** Unlawful sexual behavior, sexual contact without force or threat of force, or possession of sexually explicit images; can be consensual. Inappropriate sexually-based physical contact including but not limited to public groping, inappropriate bodily contact, inappropriate sexually-based behavior including but not limited to sexting, lewd behavior, possession of pornographic materials; simulated sex acts, engaging in sexual activities on school grounds or during school activities, which include but not limited to oral, anal or vaginal penetration; pimping; prostitution; indecent exposure of private body parts.
- **Trespassing (19):** Entering or remaining on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry. (Note: The key difference between Trespassing and Breaking & Entering-Burglary is that Trespassing does not include forceful entry into the school building.)
- **Theft/Larceny (11):** Theft including, but not limited to, attempted theft, extortion, bribery, theft by deception, and/or possession of stolen property. Theft is the unlawful taking of property belonging to another person or entity (e.g., school) without threat, violence or bodily harm. (Note: The key difference between larceny/theft and robbery is that the threat of physical harm or actual physical harm is involved in a robbery.)
- **Threat (17):** Any threat through written or verbal language or act which creates a fear of harm and/or conveys a serious expression of intent to harm or violence without displaying a weapon and without subjecting the victim to actual physical attack.
- **Unintentional Physical Contact with School Personnel:** Unintentional but inappropriate physical contact or action with school personnel.
- **Vandalism (20):** Damaging or vandalizing school or personal property, regardless of whether there is a monetary loss of value.
- **Verbal Abuse:** Verbally abusing others, including but not limited to, threats, or intimidation, including but not limited to, harassing or taunting in person, on the internet, or other mode of electronic communications.
- **Viewing Obscene Materials:** Accessing or viewing obscene or vulgar materials when such conduct does not involve another person.
- **Weapons/Knife (22):** The unintentional possession of any type of knife.
- **Weapons/Other (23):** The unintentional possession of any instrument or object that is used or intended to be used in a manner that may inflict bodily harm (does not include knives or firearms).

- **Electronic Smoking Device (42):** Use or knowledgeable possession of an electronic smoking device

### **Disciplinary Actions for Level 2 Violations**

If necessary, restitution for damage to property, theft of property or harm to any property by any means will be required.

If necessary, law enforcement will be notified.

**1st violation during school year:** Engaging in or attempting to commit any Level 2 offense during a school year can result in the student being assigned up to 5 consecutive school days of In-School Suspension or Short-Term Suspension. If the student commits any Level 1 violation while serving In-School Suspension, then the student will serve the remainder of the suspension out of school.

**2nd violation during school year:** Engaging in or attempting to commit any Level 2 offense for the second time during a school year can result in the student being assigned up to 10 consecutive school days of In-School Suspension or Short-Term Suspension. If the student commits any infraction against the code of conduct while serving Short Term Suspension for a section two violation, then the matter is subject to being submitted to a Disciplinary Hearing Officer, per principal's discretion. If the Hearing Officer finds the student has engaged in or attempted to commit a second or subsequent Level 2 offense, the Hearing Officer may issue either a long-term suspension or expulsion from school. The student may be allowed to enroll at Mountain Innovation Program (MIP) provided the student complies with the enrollment rules of MIP.

**3rd violation and any subsequent violation during school year:** Any student engaged in or attempting to commit a third or subsequent Level 2 offense during a school year may result in the student being assigned to Out-of-School Suspension with the matter being submitted to a Disciplinary Hearing Officer. If the Hearing Officer finds the student has engaged in or attempted to commit a third or subsequent Level 2 offense, the Hearing Officer may issue either a long-term suspension or expulsion from school. The student may be allowed to enroll at Mountain Innovation Program (MIP) provided the student complies with the enrollment rules of MIP.

Depending on the circumstances surrounding the Level 2 violation, school administrators shall have the discretion to deviate from the progressive discipline policy. If the Level 2 violation warrants deviation from the progressive discipline policy, a student may be given other means in lieu of suspension, up to 10 consecutive days of In-School Suspension, assigned a Short-Term Suspension or be sent to a Disciplinary Hearing for the Level 2 Offense regardless of the number of previous violations.

## **Level 3 Offenses**

- **Alcoholic Beverages (01):** Possessing, using, selling, buying, giving away, bartering, exchanging, receiving, or being under the influence of any alcoholic beverage whether at school or any school related activity prior to attending school or a school-related activity.
- **Arson (02):** Unlawful and intentional damage or attempted damage to any real or personal property by fire or incendiary devices.
- **Assault and Battery (03):** The intentional use of excessive physical contact with a student or person other than school personnel referenced in Level 4 hereof, that results in severe marking, scratching, swelling, bruising, cuts or other visible injuries to the student or person with whom contact was made.
- **Breaking/Entering Burglary (04):** Unlawful or unauthorized forceful entry into a school building or vehicle (with or without intent to commit theft). (Note: The key difference between Trespassing and Breaking & Entering- Burglary is that Trespassing does not include forceful entry into the school building.).
- **Bullying, Third Offense (29):** The 3rd offense of participation in written, verbal, or physical act(s) that meet(s) the definition of bullying as defined by O.C.G.A. § 20-2-751.4.
- **Controlled substances/ Drugs Except Alcohol: (07)** Possessing, using, selling, buying, giving away, bartering, exchanging, receiving, or being under the influence of any Schedule I, II, III or IV drug as defined by the Official Code of the State of Georgia, or any substance or chemical that is mood altering when taken that has not been prescribed to the student taking the substance or the chemical.
- **Counterfeit Money:** Possessing, using, selling, buying, giving away, bartering, receiving, or exchanging any counterfeit money.
- **Damaging or Setting Off a Fire Alarm:** To willfully damage or destroy a school fire alarm so as to endanger human life, or to set off a school fire alarm with no reasonable belief that a fire exists on the school premises.
- **Felony Misconduct:** Any misconduct occurring within the jurisdiction of the Code of Conduct that has not been specifically detailed in the Code of Conduct, but satisfies the criminal elements of a felony under Georgia law.
- **Gang Related Activity (35):** Engaging in gang-related activity that encourages, solicits, promotes, condones, causes, assists or abets any illegal or disruptive act.
- **Homicide (09):** Killing of one human being by another
- **Kidnapping (10):** The unlawful and forceful abduction, transportation, and/or detention of a person against his/her will.
- **Motor Vehicle Theft (12):** Any incident involving motor vehicle theft
- **Non-Felony Drugs:** Less than one ounce of marijuana
- **Prescription Medication:** Possessing, selling, buying, giving away, bartering, exchanging, distributing, or receiving any prescription drug not prescribed to the student in possession thereof or wrongfully possessing, selling, buying, giving away, bartering, exchanging, distributing, or receiving any prescription drug that is prescribed to the student, or the use of any substance represented to be a prescription drug prior to or after

attending school or school related activity that was not prescribed for the student to include medical marijuana.

- **Repeated Offenses (36):** Collection of seven or more section one or section two offenses, or a combination there of, that occur within a single academic year.
- **Robbery (13):** The taking of, or attempting to take, anything of value that is owned by another person or organization under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear (Note: The key difference between robbery and larceny/theft is that the threat of physical harm or actual physical harm is involved in a robbery.)
- **Serious Bodily Injury (27):** The term “serious bodily injury” means bodily injury that involves a substantial risk of death, protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
- **Sexual Battery (14):** Oral, anal, or vaginal penetration against the person's will or where the victim did not or is incapable of giving consent; touching of private body parts of another person either through human contact or using an object forcibly or against the person's will or where the victim did not or is incapable of giving consent. Includes but is not limited to rape, fondling, child molestation, indecent liberties and sodomy.
- **Terroristic Threat, school wide (17):** School-wide physical, verbal, written or electronic threat or act which creates fear of harm without displaying a weapon or subjecting victims to physical attack; Note: Students that display a pattern of behavior that is so severe, persistent, or pervasive so as to have the effect of substantially interfering with a student’s education, threatening the educational environment, or causing substantial physical harm, threat of harm or visibly bodily harm may be coded as bullying. Includes but not limited to bomb threats or unauthorized pulling of the fire alarm.
- **Weapons/Knife (22):** Intentional possession of a knife or knife-like item without the intent to harm or intimidate **or** the intentional possession, use or intention to use a knife or knife-like item with the intent to harm or intimidate
- **Weapons/Other (23):** The intentional possession, use, or intention to use any instrument or object that is used or intended to be used in a manner that may inflict bodily harm (does not include knives or firearms)
- **Weapons/Handgun (25):** Intentional or unintentional possession or use of a handgun in a manner that could produce bodily harm or fear of harm. A handgun is a firearm that has a short stock and is designed to be held and fired by the use of a single hand; and any combination of parts from which a firearm described above can be assembled. Note: This definition does not apply to items such as toy guns, cap guns, bb guns and pellet guns [Pursuant to Gun-Free Schools Act - Public Law 107-110, Section 4141].
- **Weapons/Rifle/Shotgun (26):** Intentional or unintentional possession or use of a rifle or shotgun in a manner that could produce bodily harm or fear of harm. The term "rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger. The term "shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or



remade to use the energy of an explosive to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger. [Pursuant to Gun-Free Schools Act - Public Law 107-110, Section 4141]. This includes the intentional or unintentional possession or use of a rifle or shotgun in a manner that could produce bodily harm or fear of harm.

- **Weapons/Other Firearms (28):** Intentional or unintentional possession or use of any firearms other than handguns, rifles, or shotguns as defined in 18 USC 921. Includes any weapon (including started gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive; the frame or receiver of any weapon described above; any firearm muffler or firearm silencer; any destructive device, which includes any explosive, incendiary, or poison gas (i.e. bomb, grenade, rocket having a propellant charge more than 4 ounces, missile having an explosive or incendiary charge of more than 1/4 ounce, mine, or similar device); any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than 1/2 inch in diameter; any combination or parts either designed or intended for use in converting any device into any destructive device described above, and from which a destructive device may be readily assembled. (NOTE: This does not include toy guns, cap guns, bb guns, pellet guns, or Class-C common fireworks). [Pursuant to Gun-Free Schools Act – Public Law 107-110, Section
- **Electronic Smoking Device (42):** Distribution and/or selling of electronic smoking devices. Level 3 may also be used for students that violate school policy on electronic smoking devices three or more times during the same school year.
- **Threats towards school employees:** Any threat or verbal assault through written or verbal language or act which creates a fear of harm and/or conveys a serious expression of intent to harm or violence with or without displaying a weapon and with or without subjecting school personnel to an actual physical attack. (Violence against other school personnel should be reported as Battery (03) – Level 3)

### **Disciplinary Actions for Level 3 Offenses**

If necessary, restitution for damage to property, theft of property or harm to any property by any means will be required.

If necessary, law enforcement will be notified.

Engaging in or attempting to commit any Level 3 offense during a school year will result in the student being assigned Out-of-School Suspension with the matter being submitted to a Disciplinary Hearing Officer. If the Disciplinary Hearing Officer finds the student has engaged in or attempted to commit a Level 3 offense, the Hearing Officer may issue either a long-term suspension or expulsion from school. The student may be allowed to enroll at Mountain Innovation Program (MIP) provided the student complies with the enrollment rules of MIP.

In accordance with 20-2-751.6, a student who is found by a disciplinary hearing officer, panel, or tribunal to have committed any act of physical violence against a teacher, school bus driver, or other school official or employee may be disciplined by expulsion, long-term suspension, or short-term suspension and shall be referred to juvenile court.

If the Hearing Officer finds that the student has engaged in or attempted to commit a second or subsequent Level 3 offense during a school year, the Hearing Officer will issue either a long-term suspension or expulsion from school.

## **Level 4 Offenses**

- **Violence Against a Teacher (44):** Intentional physical attack against a teacher with the intent to cause bodily harm resulting in severe injuries or any physical attack against a teacher (Violence against other school personnel should be reported as Battery (03) – Level 3)

### **Disciplinary Actions for Level 4 Offenses**

If necessary, law enforcement will be notified.

Engaging in or attempting to commit any Level 4 offense during a school year will result in the student being assigned Out-of-School Suspension with the matter being submitted to a Disciplinary Hearing Officer. If the Disciplinary Hearing Officer finds the student has engaged in or attempted to commit a Level 4 offense, the Hearing Officer may issue either a long-term suspension or expulsion from school. The student may be allowed to enroll at Mountain Innovation Program (MIP) provided the student complies with the enrollment rules of MIP.

In accordance with 20-2-751.6, a student who is found by a disciplinary hearing officer, panel, or tribunal to have committed any act of physical violence against a teacher, school bus driver, or other school official or employee may be disciplined by expulsion, long-term suspension, or short-term suspension and shall be referred to juvenile court.

If the Hearing Officer finds that the student has engaged in or attempted to commit a second Level 4 offense during a school year, the Hearing Officer will issue a permanent expulsion from all of the schools of the Gilmer County School District.

## **Level 5 Offenses**

- **Adjudication or Conviction of a Felony:** The adjudication or conviction of an enrolled student or a student seeking enrollment committed offense that involve one or more of the following violent criminal offenses:
  - a. Murder (O.C.G.A. § 16-5-1);
  - b. Voluntary Manslaughter (O.C.G.A. § 16-5-2);
  - c. Rape ((O.C.G.A. § 16-6-1);
  - d. Aggravated Sodomy (O.C.G.A. § 16-6-2);
  - e. Aggravated Child Molestation (O.C.G.A. § 16-6-4);
  - f. Aggravated Battery (O.C.G.A. § 16-5-24); and
  - g. Aggravated Armed Robbery (O.C.G.A. § 16-8-41)
  - h. The adjudication or conviction of an enrolled student or a student seeking enrollment of an offense that is designated as a felony under the laws of the State of Georgia or a felony under the laws of the United States of America.

## **Disciplinary Actions for Level 5 Offenses**

### **Enrolled Students Disciplinary Hearing for Level 5 Violations and Additional Offenses**

Engaging in or attempting to commit any Level 5 offense will result in the student being assigned Out-of-School Suspension with the matter being assigned to a Disciplinary Hearing Officer. An enrolled student charged with violating a Level 5 offense may not execute a waiver of the Disciplinary Hearing. If the Disciplinary Hearing Officer finds the enrolled student, subject to a disciplinary hearing for other charged offenses, has committed any Level 5 offense, the student will receive a punishment of permanent expulsion.

If the Disciplinary Hearing Officer determines that an enrolled student, subject to a disciplinary hearing for other charged offenses, has been adjudicated or convicted of a designated felony (Seven Deadly), or any other felony, under the laws of the State of Georgia, or under the laws of the United States of America, the student will receive permanent expulsion from all schools of the District.

### **Enrolled Students Charged with an Off-Campus Felony**

#### **20-2-768. Expulsion or suspension of students for felonies; alternative educational system; policy.**

(a) Each local board of education is authorized to refuse to readmit or enroll any student who has 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 under Code Sections 15-11-602 and 15-11-707 which would be a felony if committed by an adult. If refused readmission or enrollment, the student or the student's parent or legal guardian has the right to request a hearing pursuant to the procedures provided for in Code Section 20-2-754.

(b) A hearing officer, tribunal, panel, superintendent, or local board of education shall be authorized to place a student denied enrollment in a local school system under subsection (a) of this Code section in an alternative educational system as appropriate and in the best interest of the student and the education of other students within the school system.

(c) It is the policy of this state that it is preferable to reassign disruptive students to alternative educational settings rather than to suspend or expel such students from school.

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## **APPENDIX: Discipline-Related Information:**

### **GILMER COUNTY SCHOOLS - STUDENT DRESS CODE**

The faculty, students, parents, and administrators of the Gilmer County School Community believe that being well groomed is one of the key factors in creating a positive, significant, and respectful learning environment. Because of the importance of our daily activities, we believe that the attire worn by students should in no way distract or disrupt other students, teachers, or the learning process.

1. Shirts/Blouses/Tops - Blouses/shirts must be designed and worn so that the tops of the shoulders are covered. (1" Wide straps should be the minimum width of straps covering the shoulders).

- a. No halter-tops, strapless tops, spaghetti strap, or bare shoulder tops of any kind are allowed.
  - b. Blouses that expose any portion of the waist, hips, or midriff are not allowed.
  - c. Males are not to wear sleeveless shirts unless an undershirt is worn underneath.
  - d. Other blouses/shirts not appropriate for school include but are not limited to low-cut, see-through (top underneath must meet dress code), or backless tops.
2. Shorts/Skirts/Pants - All shorts and skirts must be worn no shorter than mid-thigh (Boys & Girls). The wearing of tights or leggings beneath skirts or shorts does not mean it is acceptable to then wear the skirt or shorts shorter than mid-thigh.
    - a. Slits, holes, or tears in skirts or pants cannot be above mid-thigh.
    - b. Skirts and shorts may not be worn rolled at the waist.
  3. Shoes - Health regulations and safety factors require that shoes be worn at all times. Bedroom shoes/slippers are not allowed. Certain programs on campus have more restrictive shoe requirements and these requirements must be followed to participate in these courses.
  4. Undergarments may not be visible while standing or sitting.
  5. No pajamas or see through sleepwear/nightwear - of any kind should be worn at school. Blankets and pillows are not to be brought to class.
  6. No student clothing shall display words or symbols that advocate or depict violence, weapons, drugs, tobacco, alcohol, sex, gang affiliation, obscene language, obscene symbols, or other illegal activity expressively or implied. No student clothing or accessories should be disruptive to the learning environment.
  7. Jewelry or accessories that may be used as weapons are not to be worn to school. This includes, but is not limited to, jewelry such as spiked rings, spiked bracelets, two or three finger rings that are connected, and bulky chains worn around the neck or waist. Sharp objects such as spikes are not allowed on clothing or book bags.
  8. No gloves or hand coverings are allowed in the building.
  9. Hats and Caps are permitted. They must adhere to the dress code and cannot create school disruptions. Fish hooks and other items deemed a safety hazard are not allowed on hats.
  10. Costumes and costume make-up are not permitted. Certain days may be designated by the principal allowing these items but only temporarily.
  11. **Exceptions to this policy may be made by the principal or designee.**

## COMPULSORY SCHOOL ATTENDANCE

### Georgia Law (§20-2-690.1)

- a) Every parent, guardian, or other person residing within this state having control or charge of any child or children between their sixth and sixteenth birthdays shall enroll and send such child or children to a public school, a private school, or a home study program that meets the requirements for a public school, a private school, or a home study program; and such child shall be responsible for enrolling in and attending a public school, a private school, or a home study program that meets the requirements for a public school, a private school, or a home study program under such penalty for noncompliance with this subsection as is provided in Chapter 11 of Title 15, unless the child's failure to enroll and attend is caused by the child's parent, guardian, or other person, in which case the parent, guardian, or other person alone shall be responsible; provided, however, that tests and physical exams for military service and the National Guard and such other approved absences shall be excused absences. The requirements of this subsection shall apply to a child between his or her seventh and sixteenth birthdays who has been assigned by a local board of education or its delegate to attend an alternative public school program established by that local board of education, including an

alternative public school program provided for in Code Section 20-2-154.1, regardless of whether such child has been suspended or expelled from another public school program by that local board of education or its delegate, and to the parent, guardian, or other person residing in this state who has control or charge of such child. Nothing in this Code section shall be construed to require a local board of education or its delegate to assign a child to attend an alternative public-school program rather than suspending or expelling the child.

- b) Any parent, guardian, or other person residing in this state who has control or charge of a child or children and who shall violate this Code section shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not less than \$25 and not greater than \$100, 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 five unexcused days of absence for a child shall constitute a separate offense. After two reasonable attempts to notify the parent, guardian, or other person who has control or charge of a child of five unexcused days of absence without response, the school system shall send a notice to such parent, guardian, or other person by certified mail, return receipt requested. Public schools shall provide to the parent, guardian, or other person having control or charge of each child enrolled in public school a written summary of possible consequences and penalties for failing to comply with compulsory attendance under this Code section for children and their parents, guardians, or other persons having control or charge of children. The parent, guardian, or other person who has control or charge of a child or children shall sign a statement indicating receipt of such written statement of possible consequences and penalties; children who are age ten years or older by September 1 shall sign a statement indicating receipt of such written statement of possible consequences and penalties. After two reasonable attempts by the school to secure such signature or signatures, the school shall be considered to be in compliance with this subsection if it sends a copy of the statement, via certified mail, return receipt requested, to such parent, guardian, other person who has control or charge of a child, or children. Public schools shall retain signed copies of statements through the end of the school year.
- c) \*Local school superintendents in the case of private schools or home study programs and visiting teachers and attendance officers in the case of public schools shall have authority and it shall be their duty to file proceedings in court to enforce this subpart.

- ☐ *To fully comply with the provisions of the State's compulsory attendance law, the School System must receive proactive cooperation from the person, or persons, administering private school or home study programs.*

## GILMER COUNTY SCHOOLS GUIDELINES FOR TEACHER REMOVAL OF STUDENT FROM CLASSROOM GA Code § 20-2-738

### Introduction

- I. The Gilmer County School System fully supports the provisions of GA Code § 20-2-738, which provides that a teacher shall have the authority to remove from class a student who repeatedly or substantially disrupts the learning process. Consideration must be given to disciplinary options available through the school, the System, other public entities, or community organizations. Care must be given to ensure that the status of IEP students is maintained. This option of a teacher removing a student from class should be used within the context of the Board's Disciplinary Code that is followed by all students and staff.

### Guidelines for Classroom Teachers

- II. Teachers may remove a student from class for either: (1) Substantial disruption of class or acts that pose immediate threats to safety; and (2) repeated disruptive classroom behavior. Prior written reports must be on file identifying the student as a "chronic disciplinary problem".
  - A. Teacher must discuss the matter with the principal (designee) and file a report describing the student behavior in not more than one page. This report must be filed by the end of the school day on which the removal occurs or at the beginning of the next school day.
  - B. After discussions, if the principal (designee) seeks to return the student to the teacher's class and the teacher withholds consent, then a Placement Review Committee decides the matter.

- C. Any teacher may be required to complete professional development to improve classroom management skills if the teacher has more than two students returned by a Placement Review Committee because the class is deemed to be the best available alternative for the student. The principal shall derive the plan in consultation with the teacher to include identification and remediation of academic and behavioral student needs or other instructional skills.

#### **Guidelines for Principals**

- III. The principal (designee) will discuss the matter with the teacher and student by the end of the day or the beginning of the next school day.
  - A. Students will retain all due process rights and safeguards. The student will be given the reason(s) for the removal along with an opportunity to present an explanation of the situation.
  - B. After receiving written notice from the teacher that a student is to be removed, the principal (or designee) will within one day send the parents/guardian notification that the student was removed from class, a copy of the report filed by the teacher and information on how the principal (designee) may be contacted.
  - C. After the above discussion, the student may be returned to class if the teacher gives consent. This return does not limit the principal (designee) from administering appropriate disciplinary action as warranted.
  - D. If the teacher withholds consent, the principal (designee) will decide on an appropriate temporary placement by the end of the first day following the removal from class. This temporary placement should provide the least disruption possible taking into account the severity of the infraction, past behavior of the student, need for special services, and the availability of alternative settings. This action should be communicated to parents/guardians and the teacher.
  - E. The principal (designee) convenes a meeting of the Placement Review Committee.
  - F. The principal (designee) informs the parents/guardians and teacher of the Placement Review Committee decision.

#### **Guidelines for Placement Review Committees**

- IV. Each school will have one or more Placement Review Committees. The purpose of the committee is to determine the placement of a student when a teacher withholds consent to the return of a student to the teacher's class.
  - a. A committee will be composed of three members. The faculty will choose two teachers to serve and one teacher as an alternate. The principal shall choose one member of the professional staff to serve. The teacher that withholds consent to readmit may not serve on the committee.
  - b. The Placement Review Committee shall have authority to do the following: (a) Return the student to the teacher's class upon determining that such placement is the best or only available alternative; and (b) refer the student to the principal (designee) for other appropriate action.
  - c. The Placement Review Committee will meet by the end of the second day after the removal of the student from class and will issue a decision in writing by the end of the third day following the removal by the teacher.
  - d. If the decision is not to return the student to the class from which they were removed, the principal (designee) will use prescribed procedures outlined in the Gilmer County Schools Code of Conduct for Students such as:
    - placement in another classroom;
    - assignment to in-school suspension;
    - assignment to alternative school;
    - assignment to out-of-school suspension not to exceed ten total days for the incident;
    - Referral to an alternative program through a disciplinary panel/hearing combination of the aforementioned dispositions.
  - e. The principal (designee) may return the student to the class from which they were removed upon successful completion of the assigned intervention(s) or consequence(s). This action should be communicated to the teacher and parents/guardians.

## STUDENT REPORTING OF ACTS OF SEXUAL ABUSE OR SEXUAL MISCONDUCT

GA Code § 20-2-751.7

(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 system 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 or administrator receiving a report of sexual abuse or sexual misconduct of a 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, but in no case later than 24 hours from the time there is reasonable cause to believe a child has been abused. The report should be made by telephone and followed by a written report in writing, if requested, to a child welfare agency providing protective services, as designated by the Department of Human Resources, 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 or shall be investigated immediately by school or system personnel. 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 superintendent and the Professional Standards Commission Ethics Division.

### Definitions:

**"Sexual abuse"** means a person's employing, using, persuading, inducing, enticing, or coercing any minor who is not that person's spouse to engage in any sexual act as defined in O.C.G.A. 19-7-5.

**"Sexual misconduct"** includes behavior by an educator that is directed at a student and intended to sexually arouse or titillate the educator or the child. Educator sexual misconduct by an educator may include, but is not limited to, the following behavior:

1. Made sexual comments, jokes, or gestures.
2. Showed or displayed sexual pictures, photographs, illustrations, or messages.
3. Wrote sexual messages/graffiti on notes or the internet.
4. Spread sexual rumors (i.e. said a student was gay or a lesbian).
5. Spied on students as they dressed, showered or used the restroom at school.
6. Flashed or "mooned" students.
7. Touched, excessively hugged, or grabbed students in a sexual way.
8. Forced a student to kiss him/her or do something else of a sexual nature.
9. Talked, asked, or made comments about a student's developing body, sexuality, dating habits, *etc.*
10. Talked repeatedly about sexual activities or sexual fantasies.
11. Called students sexual names.

## GILMER COUNTY SCHOOLS

### Anti-Bullying Provisions for Local Schools

The following provisions serve as administrative guidelines for schools in addressing anti-bullying provisions. In conjunction with statutory requirements contained within GA Code § 20-2-751.4, these guidelines provide school

stakeholders with existing provisions regarding the School System's continued efforts to eliminate bullying within the scope of its authority and jurisdiction.

**Anti-Bullying Statement** *(should be posted at local school sites)*

**“Gilmer County Schools expressly prohibits the bullying of any person, by any means, at school, on school property, or at school-related functions.”**

**Defining Bullying as an Infraction**

The current School Board's Code of Conduct defines bullying as the following:

1. Any (pattern of) willful attempts or threats to inflict injury on another person, when accompanied by an apparent present ability to do so;
2. Any intentional display of force such as that which would give the victim reason to fear or expect immediate bodily harm; or,
3. Any intentional written, verbal or physical acts, which a reasonable person would perceive as being intended to threaten, harass or intimidate. Such acts could include causing the following:
  - a. physical or visible bodily harm;
  - b. substantial damage to property;
  - c. disruption of school;
  - d. Interference with one's education or is so severe/persistent/pervasive that it creates an intimidating or threatening educational environment.

**Additional Notes Relative to Identifying Bullying Behavior.**

These actions are prohibited, by any means, at school, on school property, at school bus stops or at school-related functions. This statement is inclusive of the use of technology or other equipment owned by the School System and/or located at a school for the purposes of bullying another student.

Assistance in differentiating bullying from isolated incidents of aggressive, intimidating or threatening behavior is provided by Dr. Dan Olweus (noted researcher in school bullying), who defines bullying as "repeated negative, ill-intentioned behavior by one or more students directed against a student who has difficulty defending him or herself. Most bullying occurs without any apparent provocation on the part of the student who is exposed."

**Consequences for Bullying**

Consequences for grades K -5:

- Punishment at the discretion of the principal (The student's age/level of maturity or development should be considered in relation to the offense).

Consequences for grades 6-12:

- **First Offense:** 1-5 days of ISS (In School Suspension) or other appropriate punishment at the discretion of the principal.
- **Second Offense:** 1-10 days of ISS (In School Suspension), Check-In/Check-Out or Behavior Intervention Group/Plan or other appropriate punishment at the discretion of the principal.
- **Third Offense:** Assignment to Alternative School (per Gilmer Board of Education Policy JCDAG)

If the offense occurs on a bus or at a bus stop, in addition to the school disposition, the student may be suspended from bus transportation. The principal or designee shall also convene a parent/guardian conference in which a behavior contract is entered into between the school System, the student and the parents or guardian. Such behavior contract may specifically specify, among other things, prohibited behavior, seating assignment, or such other limitations or prohibitions as the principal or designee deems appropriate.

**Reporting Bullying**

Any school employee, upon becoming aware that an incident of bullying has occurred by personally witnessing the event, or through reporting by students and/or parents, will take appropriate steps to ensure that school administration is aware of that incident.

There is no expectation relative to investigations made through an anonymous reporting when the accusations of bullying cannot be substantiated with other sources or witnesses.

Any student who knowingly files a false report of bullying is guilty of such and will be punished under existing disciplinary provisions. Retaliation for the reporting of bullying incidents is expressly prohibited.



**Investigating and Documenting Bullying**

Upon receiving a report of a bullying incident, an appropriate, timely investigation will be conducted by the school's administration.

An administrative investigation will include timely, parental notification of both the victim's parents and the alleged aggressor's parents; appropriate, policy-driven consequences applied to the incident if a bullying incident is determined to have occurred; a safety plan for the victimized student if a bullying incident is determined to have occurred; and, identification of the potential building (or campus) location so as to reduce any further potential for repeated incidents of bullying in that specific area/location.

Relative to reporting bullying incidents, schools will maintain compliance with existing State School Board Rule.

**Developing/Implementing Bullying Prevention Programs at Local Schools**

Each school within the School System will develop, or implement an existing, school-wide bullying prevention program based on research-based best practices.

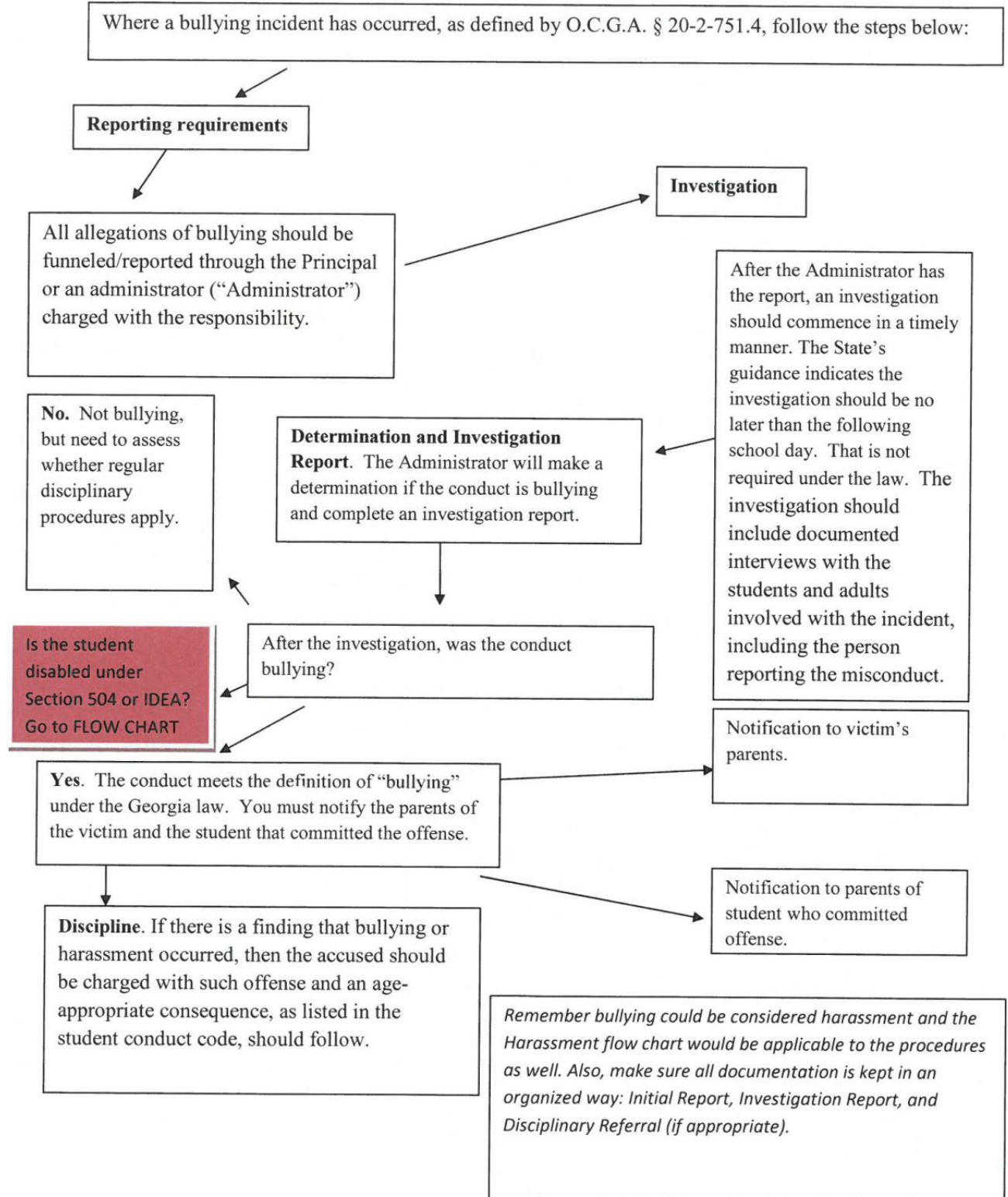
The Gilmer Board of Education Policy JCDAG: Bullying can be found at the end of this document.

**Bullying Procedures Flowchart**

The Bullying Procedures Flowchart is used by school administration in determining if the conduct in question meets the definition of "bullying" under the Georgia law. All allegations of bullying should be funneled/reported through the Principal or an administrator charged with the responsibility of handling discipline. School administration must notify the parents of the victim and the parents of the student that committed the offense.

The Bullying Procedures Flowchart can be found on the following page.

## BULLYING PROCEDURES



# GILMER COUNTY SCHOOLS

## Student Activity Code Of Conduct

### I. Introduction

The Gilmer County School System has determined that participation in interscholastic/ extracurricular activities is a privilege for students enrolled in the School System. A student participating in such activities is considered to be a school leader; and, with leadership comes additional responsibility, so students must adhere to the standards and expectations contained in the School System's Activity Code of Conduct. These students understand and agree to be held to a higher standard of conduct and dress than a student who does not participate in athletics. They acknowledge that this higher standard of conduct will cover their actions at school, on the field and in the community. They promise to refrain from taking part in any activity that might reflect negatively on their school or team.

In addition, they understand that drugs and alcohol are harmful, and that all athletes in the Gilmer County School System are subject to drug/alcohol testing in accordance with Gilmer County School System Board of Education drug testing policy.

They recognize that the use of tobacco and vaping products is a major health risk and is prohibited by school policy; therefore, they agree not to use or possess tobacco or vaping products at any time during the school year.

As such, if a student violates these standards, schools may withdraw the privilege of participating in these activities, regardless of whether the violation occurred at a school-related or non-school-related activity. Schools may also withdraw the privilege of participating in these activities if the student violations occur outside of the scope of the activity's "season"; or, beyond the scope of the school day/year.

### II. Student Infractions and Standards of Behavior

Student Infractions: Any student who commits the following infractions may be suspended or permanently dismissed from the team:

- A. Hazing other students: school clubs and student organizations will not use hazing or degradation of individual dignity;
- B. Missing practice, rehearsal or activities (unless excused by the coach or sponsor);
- C. Truancy and/or skipping classes;
- D. Acting in an unsportsmanlike manner when representing the school;
- E. Violating team curfews (as established by the coach or sponsor);
- F. Any behavior which results in discipline by the school administration.

Standards and Expectations for Behavior: Students participating in interscholastic/extracurricular activities must comply with the following standards and expectations for behavior:

- A. Establishing and promoting a positive self-image for the program, school and School System.
- B. Exhibiting good sportsmanship.
- C. Supporting team/activity rules developed by the activity's coaches or sponsors.
- D. Adhering to the School System's Code of Student Conduct.
- E. Observing all standards and guidelines established by the Georgia High School Association (GHSA) Constitution and by-laws.
- F. Obeying local, State and Federal laws governing behavior and conduct.\*

*Note: Provisions for dealing with starred (\*) items above are contained in Section V of this document.*

### III. Dispositions for Student Infractions and Standards of Behavior

Dispositions for student infractions and violations of standards and expectations of behavior include, but are not limited to, the following:

- A. Additional practice or conditioning time
- B. Conferencing between sponsor/parent or sponsor/student athlete
- C. Loss of position or awards privileges
- D. Suspension and/or removal from team

#### **IV. Suspensions for Student Infractions and Standards of Behavior**

Applying Suspensions: Relative to suspensions, progressive discipline processes will be utilized in order to create the expectation that the degree of discipline will be in proportion to the severity of the behavior, as well as consideration given to each student's previous discipline history and other relative factors.

Reporting Suspensions: Parent/guardian will be notified of the student's suspension. A suspension report will be filed with the Superintendent or designee.

Player assigned to Out-of-School Suspension: No player may practice or participate in an athletic contest if currently serving an out-of-school suspension (OSS). The player may resume practice or participate in an athletic contest on their first full day of regular school attendance.

#### **V. Dealing with Student Arrests**

Reporting of Misdemeanor or Felony Arrests: A student (or his/her parent/guardian) is responsible for informing a school official, which may include the Principal, Athletic Director or his/her Head Coach or sponsor, of misconduct which results in a misdemeanor or felony arrest. This report must occur within five calendar days of the arrest or the student faces disciplinary action up to, and including, partial or permanent suspension.

Confirming Student Arrests: Student arrests that are verified through a reliable source (school administrator, teacher, coach/sponsor, staff member, parent of involved student, law enforcement, etc.) will be appropriately investigated by the school administration or designee.

Addressing Misdemeanor Arrests and/or Convictions: Misdemeanor arrests and/or convictions that will cause suspensions from activities may include, but are not limited to, the following areas:

- A. Disruption of school or school events
- B. Threats of violence or acts of violence against school employees or students
- C. Sexual Offenses
- D. Weapons Offenses
- E. Alcohol or Drug Offenses

Addressing Felony Arrests and/or Convictions: Felony arrests constitute an immediate suspension from activities. Relative to that arrest, any subsequent felony conviction of a student may result in a permanent dismissal from activities.

Student Arrest Panel Process: Investigations arising from student arrests will be reviewed by a panel comprised of staff from the offending student's school, to include, but not be limited to the following: a school administrator, the school's athletic director, the coach/sponsor of the student, one additional coach/sponsor (as selected by the Principal), and one teacher (as selected by the Principal). It will be the role of this panel to review all information available as a result of the investigation and recommend potential dispositions for any confirmed infraction to the Principal for his/her consideration—it will ultimately be the responsibility of the Principal to administer consequences. The student may present a written response to the alleged infractions being presented to the panel, but the student and parent/guardian will not be present at the panel hearing. The student's parent/guardian will be notified in writing of the panel's decisions.

**The school reserves the right to suspend and/or permanently dismiss a student from all extracurricular/interscholastic programs for the remainder of their school career for misconduct, which could result in the arrest or conviction of select misdemeanor or felony crimes.**

#### **VI. Duration of Code of Conduct**

The Student Activity Code of Conduct will be in effect year-round.

## **GILMER COUNTY SCHOOLS**

### **Internet Safety**

#### **Section I: Internet Safety Tips**

The Internet is a wonderful tool for communicating, learning and connecting. However, there are safety precautions you should take when navigating through cyber space—always ask a trusted adult for permission or guidance if you are unsure about any online activity.

##### **For Students:**

- a) Never give out personal information about yourself, your family, your school or your activities to anyone on the Internet.
- b) Choose usernames and screen names that are generic and anonymous.
- c) Never complete a form or questionnaire.
- d) Don't send or post a picture of yourself, your family or friends.
- e) Never agree to meet anyone that you met online.
- f) Don't open an email from anyone you don't know.
- g) Tell a trusted adult right away if you read or see anything on the Internet that makes you feel uncomfortable.
- h) Know how to exit an inappropriate website.
- i) Don't break copyright rules by taking words, pictures, sound or video from someone else's website.

##### **For Parents: Along with assisting your child with the tips (provided), parents should also....**

- a) Set clear rules for Internet use.
- b) Encourage your child to avoid sharing any type of personal information over the Internet without your permission.
- c) Ask your child to tell you if something or someone online makes them feel uncomfortable or threatened.
- d) Advise your child not to download programs, music or files without your permission. File-sharing and taking text, images, sounds or video from the Internet may be illegal.
- e) Teach your child responsible, ethical online behavior. They should not be using the Internet to spread gossip, bully or threaten others.
- f) Talk to your child about online dangers and let them know you are there to help them get out of a bad situation.
- g) Your child may be better protected by the use of computer security tools such as content blockers, filters and popup blockers.
- h) Communicate regularly with your child about their online experiences.
- i) Consider "Internet Safety Contracts" with your child. Some help websites for these contracts and discussions with your child include: [www.netsmartz.org](http://www.netsmartz.org), [www.isafe.org](http://www.isafe.org) and [www.ikeepssafe.org](http://www.ikeepssafe.org) (for younger children).

#### **Section II: Using Social Networking Sites**

Student access to social networking websites (i.e., Facebook, Twitter, Snapchat and Instagram) has continued to grow in popularity. These sites, when used safely, offer young people and adults an opportunity to communicate with one another. However, when used inappropriately, these sites can become a hurtful or dangerous place for all students.

Some students choose to use the social networking sites in offensive, disrespectful and inappropriate ways. While the School System uses "best practices" to filter access to such sites on school computers, these sites can be accessed on personal computing devices and smart phones, which can create disruptions and negatively impact peer relationships, as well as the learning environment. Also, sometimes while at school, students will share what they have read. This creates disruptions and negatively impacts peer relationships, as well as the learning environment.

#### **Section III: Cyber Bullying**

Cyber Bullying, or Internet Bullying, is using the Internet or other digital devices to send or post negative messages, images, or video clips about others. It can take many forms, including posting or sending mean or embarrassing comments and/or images on chat rooms, message boards, Web sites, social networking sites,

online gaming sites, cell phones, instant messages or e-mail. Cyber bullying is a form of emotional bullying that causes feelings of fear, isolation, and humiliation among its targets.

Parents/guardians should discuss cyber bullying behavior, encouraging children to speak out against cyber bullying they witness and to report it to the appropriate person. Incidents of cyber bullying which occur at school or using school/School System technologies will be investigated by school administrators. In addition, parents/guardians need to set up guidelines for appropriate use for each new piece of technology that is brought into the home.

### **SPECIAL NOTE: CYBERBULLYING**

Cyber bullying is defined as the use of any Internet-connected device for the purpose of bullying, harassing, or intimidating another student. This includes, but may not be limited to:

- a) Sending abusive text messages to cell phones, computers, or Internet-connected game consoles.
- b) Posting abusive comments on someone's blog or social networking site (e.g., Instagram, Facebook).
- c) Creating a social networking site or Web page that masquerades as the victim's personal site and using it to embarrass him or her.
- d) Making it appear that the victim is posting malicious comments about friends to isolate him or her from friends.
- e) Posting the victim's personally identifiable information on a site to put them at greater risk of contact by predators.
- f) Sending abusive comments while playing interactive games.
- g) Taking videos or photos of anyone while on campus or at a school function—often using a cell phone camera—and posting them online, sometimes manipulating them to embarrass the target.

## **Gilmer County Schools - BUS SAFETY**

School bus discipline and school bus safety is intertwined and inseparable. Students must properly ride the bus to ensure everyone's safety including other students, motorists, and pedestrians. Conduct that is disruptive or distracting will not be tolerated. All bus safety rules apply to regular bus routes, bus stops, field trips, and athletic trips. Positive behavior interventions and supports will also be implemented on Gilmer County school busses.

### **DISRUPTIONS AND UNLAWFUL BEHAVIOR**

Georgia Code § 20-2-1181 states it is unlawful for a person to disrupt or interfere with the operation of a school bus or designated bus stop. Any person violating this Code is guilty of a misdemeanor of a "high and aggravated nature." Georgia Codes § 16-5-20, §16-5-23 and § 16-5-23.1 further protect school employees on buses and/or at school bus stops against behavior legally defined as "simple assault" and "simple battery," stating that people found guilty of violating these codes will be punished for misdemeanors of a "high and aggravated nature."

### **SAFETY RULES AT THE BUS STOP**

- Take the shortest, safest route to the bus stop.
- Be at the bus stop five minutes before time for the bus to arrive.
- Walk on the left shoulder of the road facing traffic unless there are sidewalks. Wear light or brightly colored clothing.
- Wait a safe distance from the road, but be prepared to quickly board the bus. Respect the property of other people.
- Refrain from pushing, fighting, or any other unsafe activity at the bus stop.
- Report disturbances immediately to school administration for resolution.

### **SAFETY RULES FOR ENTERING AND EXITING THE BUS**

- Be sure all traffic has stopped both ways before crossing the road. (Stop, Look, Listen) Walk 10-12 feet in front of the bus to stay in the driver's view when crossing the road.
- Never cross the road behind a school bus.
- Stop at the centerline of the road and look both ways before crossing after exiting the bus.

- Do not linger in the "Danger Zone". (The "Danger Zone" is a twelve-foot parameter around the bus where most accidents happen.)
- Do not go back for items dropped in the "Danger Zone". Leave the item. Get the driver's attention before retrieving anything!
- Never stop in the "Danger Zone" to get mail from the mailbox.
- Secure loose items such as toys, key chains, and drawstrings to avoid hanging them on the bus, especially the handrail.
- Students will not be allowed to enter or leave a bus at any place other than at the student's usual bus stop or school unless authorized by the principal or his/her designee.
- Students may not ride a different bus unless they present to the driver a note from the parent/guardian that has been approved by the principal, assistant principal or his/her designee.
- Students who must change buses at any school must follow the rules of that school.

### **SAFETY RULES ON THE SCHOOL BUS**

- Observe the same conduct as in the classroom. Never throw objects in or out of the bus.
- Remain seated and keep head and hands inside the bus.
- Be courteous and avoid the use of profane or abusive language. Show proper respect to the bus driver and follow all directions. Do not eat or drink on the bus.
- Never bring objectionable or dangerous objects such as weapons, glass, skateboards, or large projects on the bus. Cell phones and/or other electronic equipment such as portable speakers that may cause distractions are not allowed on the bus.
- Refrain from unnecessary noise. Remain quiet at railroad crossings.
- Do not tamper with safety equipment including crossing gate, emergency doors, windows or hatches. Be seated quickly and remain seated until arriving at destination.
- Students shall be prohibited from using any electronic devices with or without head phones or ear buds during the loading or unloading process. Students should keep electronic equipment packed away when preparing to board and when getting off the bus. Use of electronic devices while onboard the bus with headphones or ear buds is permitted as long as it does not interfere with the driver's operation of the school bus or interfere with the school bus communications equipment. In order to hear driver instructions, students are allowed to use one headphone or earbud while on the bus.
- Food/eating on buses: Students/adults on field trips or participating in extra-curricular /athletic events are allowed to eat on buses only with prior approval from the school administrator.
- Students shall be prohibited from using 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.

### **TRANSPORTING PROJECTS AND PROHIBITED ITEMS**

Occasionally projects and/or items are transported to and from school. These items may include woodworking projects, Science/Social Studies project, athletic equipment, and band instruments. The final decision will be made by conversation with the driver and school administrator. The following guidelines must be followed to ensure the safety of students during a possible evacuation and the comfort and well-being of all students:

- Only projects small enough to hold in student's lap, without interfering with the safety or comfort of others in the seat, may be transported.
- Items, including large display boards, should not exceed 18"x24" and must not contain sharp edges, corners or sharp displayed objects.
- Glass items, animals, balloons, flowers, chemicals, flammable materials or other hazardous items are **prohibited and will not be transported.**
- Band instruments small enough to hold in student's lap, without interfering with the safety or comfort of others in the seat, may be transported.
- No item shall be stored in the aisle, driver's compartment or behind the driver's seat.

- No items should be placed/stored in front of the emergency exits (for example: ice coolers).
- Skateboards, scooters and other similar objects are **prohibited** on the bus.
- Students are allowed to bring food items on the bus if the items are in the form of class assignments (ex: Edible Cell or other class project involving food), Weekend Snack Packs or other allowable item with Principal approval. These items are not to be consumed on the bus.

#### **ADDITIONAL GUIDELINES**

- Parents/Guardians are responsible for providing transportation for students suspended from riding the bus.
- Bus drivers are in complete charge at all times and are authorized to assign seats and to report misbehavior to the school administration. School administrators or his/her designees are responsible for disciplining students for bus misbehavior.
- Conversation with the bus driver or behavior distracting the bus driver by students during loading and unloading of buses should be avoided. During this critical time complete concentration by the bus driver is required.
- Parents/Guardians with concerns or complaints that need to be addressed by the bus driver should schedule a conference with the bus driver through the school. Under no circumstances should parents distract the bus driver by boarding the bus or complaining at the bus stop. Student safety must be top priority during this time.
- Student conduct in school and on school buses may be videotaped with surveillance equipment. This equipment is installed for the purpose of promoting a safe environment for students, personnel, passengers and drivers.
- Any action or disturbance that endangers the well-being of any student will be handled in accordance with the Gilmer County Schools Code of Conduct for Students.
- Parents/Guardians are responsible for communicating to their child their expectation of a daily routine for the child to follow after he/she exits the bus to ensure that the child will arrive home safely.
- Additionally, parents should establish an emergency plan with their child in case the parent is unable to be at the bus stop or at home when the child exits the bus. For example, in the event of an emergency, one option would be to coordinate a plan with a trusted neighbor, who is always home, for your child to walk to their home and then call you.
- Students in grades K-5 will only be transported back to school under extenuating circumstances relative to potential safety issues when brought to the bus driver's or school's attention by the student or his/her parent/guardian. **Parents will be responsible for supervision fees assessed by the school in this regard.**

## **Gilmer County Board Policies**

### **Gilmer County Schools Board of Education**

### **Policy JCDA: Student Code of Conduct**

Revised: 10/21/2021

It is the policy of the Gilmer County Board of Education ("Board") that the school district shall develop and implement age-appropriate student Codes of Conduct designed to improve the student learning environment and which will comply with state law and State Board of Education Rule 160-4-8-.15. Each Code of Conduct shall include the following:

1. Standards for student behavior designed to create the expectation that students will behave themselves in such a way so as to facilitate a learning environment for themselves and other students. The standards should be designed also to encourage students to respect each other and school district employees, to motivate students to obey student behavior policies adopted by this board and to obey student behavior rules established at each school within this school district;



2. Student support processes designed to consider, as appropriate in light of the severity of the behavioral problem, support services available at each school, the school system and other public entities or community organizations which may assist students to address behavioral problems;
3. Progressive discipline processes designed to create the expectation that the degree of discipline imposed by each school will be in proportion to the severity of the behavior of a particular student, the previous discipline history of the student and other relevant factors, while ensuring that each student receives the due process mandated by federal and state law;
4. Parental involvement processes designed to enable parents, guardians, teachers and school administrators to work together to improve and enhance student behavior and academic performance. The process should enable parents, guardians and school employees to communicate freely their concerns about student behaviors which detract from the learning environment.

The Superintendent shall involve parents in developing and updating student codes of conduct in accordance with applicable system policy and regulation. Each code shall require disciplinary action for each infraction of the code.

The student code of conduct shall be distributed to each student and/or the student's parents or guardians during the first week of school and upon the enrollment of each new student. The parents shall be requested to sign an acknowledgement of the receipt of the code of conduct and return promptly the acknowledgement to the school. The student code of conduct shall be available in the school office and each classroom.

Nothing in this policy shall be construed to infringe on any right provided to students pursuant to the federal Individuals with Disabilities Education Act, Section 504 of the federal Rehabilitation Act of 1973, or the federal Americans with Disabilities Act.

All student codes of conduct shall be submitted to the board for approval.

## **Gilmer County Schools Board of Education**

### **Policy IFBG: Internet Acceptable Use**

Last Revised: 1/27/2022

This policy enables the superintendent to establish guidelines for what constitutes acceptable and unacceptable use of the Gilmer County School System's technology resources in accordance with state and federal law and the Georgia Board of Education Regulations and Policies. Any user of Gilmer County School System Technology Resources, including students, staff, authorized users and unauthorized users, acknowledge that the Technology Resources belong to the Gilmer County School System and by their use, authorized or unauthorized, the user consents to monitoring by the Gilmer County School System and acknowledges there is no expectation of privacy. Any user of the Gilmer County School System Technology Resources waives any expectation of privacy and consents to monitoring by the Gilmer County School System in order to insure compliance with Board policy, state and federal law. It shall also be the policy of the Gilmer County Board of Education that the school district shall have in continuous operation, with respect to any computer belonging to the school having access to the Internet:

1. A qualifying "technology protection measure," as that term is defined in Section 1703(b)(1) of the Children's Internet Protection Act of 2000; and
2. Procedures or guidelines developed by the superintendent, administrators and/or other appropriate personnel which provide for monitoring the online activities of user and the use of the chosen technology protection measure to protect against access through such computers to visual depictions that are (i) obscene, (ii) child pornography, or (iii) harmful to minors, as those terms are defined in Section 1703(b)(1) and (2) of the Children's Protection Act of 2000, (iv) and further prohibits uses not consistent with the missions

of the Gilmer County Board of Education, Board policy, local, state or federal law. Such procedures or guidelines shall be designed to:

- a. Provide for monitoring the online activities of users to prevent, to the extent practicable, access by minors to inappropriate matter on the Internet and the World Wide Web;
- b. Promote the safety and security of minors by providing to students age-appropriate instruction regarding safe and appropriate online behavior, including interacting with others on social networking sites, in email and in chat rooms; behaviors that may constitute cyber bullying; and how to respond when subjected to cyber bullying;
- c. Prevent unauthorized access, including so-called “hacking,” and other unauthorized activities by minors online;
- d. Prevent the unauthorized disclosure, use and dissemination of personal identification information regarding minors; and
- e. Restrict minors’ access to materials “harmful to minors,” as that term is defined in Section 1703(b)(2) of the Children’s Internet Protection Act of 2000.

3. It shall be a violation of Board policy for any user, whether student, employee, authorized user or unauthorized user to use Gilmer County School System Technology Resources in violation of the mission of the Gilmer County School District, Board policy, local, state or federal law. All Gilmer County School System Technology Resources shall belong to the Gilmer County Board of Education, including any content, formula, or derivative byproduct created by the use of such resources. The Board hereby prohibits the creation, use or dissemination of materials violating Board policy, local, state or federal law by means of Gilmer County School System Technology Resources.

**DISCLAIMER:**

The Gilmer County School System makes no warranties of any kind, whether expressed or implied, for the service it is providing. The Gilmer County School System is committed to providing trouble-free access to the Internet but cannot be held liable for any lost, damaged, or unavailable information due to any technical difficulties that may arise. Use of any information obtained via the Internet is at the user’s own risk. Fees and other charges incurred in violation of policy will be the responsibility of the user. The Gilmer County School System specifically denies any responsibility for the accuracy or quality of any information obtained through these services.

## **Gilmer County Schools Board of Education**

### **Policy JCDAg: Bullying**

Last Revised: 11/18/2021

The Gilmer County Board of Education believes that all students can learn better in a safe school environment. Behavior that infringes on the safety of students will not be tolerated. Bullying, as the term is defined in Georgia law, of a student by another student is strictly prohibited. Such prohibition shall be included in the Student Code of Conduct for all schools within the school system.

Bullying is defined as follows: 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;

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 O.C.G.A. Section 16-5-23.1 or visible bodily harm as such term is defined in O.C.G.A. 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 the 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 the local school system. The term also applies to acts of cyber bullying which occur through the use of electronic communication, whether or not 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.

Procedures may be developed at each school encouraging a teacher or other school employee, student, parent, guardian, or other person who has control or charge of a student, either anonymously or in the person's name, at the person's option, to report or otherwise provide information on bullying activity. Any teacher or other school employee who, in the exercise of his or her personal judgment and discretion, believes he or she has reliable information that would lead a reasonable person to suspect that someone is a target of bullying is encouraged to immediately report it to the school principal. Any report will be appropriately investigated by the administration based on the nature of the complaint in a timely manner to determine whether bullying has occurred, whether there are other procedures related to illegal harassment or discrimination that should be implemented and what other steps should be taken. Any report of retaliation for reporting bullying will also be investigated and addressed as called for in this policy and in accordance with school procedures.

Acts of bullying shall be punished by a range of consequences through the progressive discipline process, as stated in the Code of Conduct. However, upon a finding by the disciplinary hearing officer, panel or tribunal that a student in grades 6-12 has committed the offense of bullying for the third time in a school year, the student shall be assigned to an alternative school.

Upon a finding by a school administrator that a student has committed an act of bullying or is a victim of bullying, the administrator or designee shall notify the parent, guardian, or other person having control or charge of the student by telephone call or through written notice, which may be done electronically.

Students and parents will be notified of the prohibition against bullying and the penalties for violating the prohibition by posting information at each school and by including such information in the student/parent handbooks.