



# Georgia Department of Education

## Policies and Procedures

Policy Title:	<b>Student Code of Conduct, State Schools</b>		
Policy Number:	<b>SS-6020 JD</b>		
Release Date:	<b>7-13-06</b>	Last Revised:	<b>8-1-11</b>

### **Purpose**

To describe expected behaviors and consequences related to various violations of the Student Code of Conduct.

- To ensure a safe teaching and learning environment that is protected from disruption and harassment.
- To provide information to students and parents about the rules and regulations (expected student conduct) and the possible penalties for violations of these rules and regulations.
- To provide uniform administrative and disciplinary procedures for the State Schools.
- To provide for enforcement of school disciplinary rules.

### **Applicability**

This policy applies to all students of the State Schools including the Atlanta Area School for the Deaf, the Georgia Academy for the Blind, and the Georgia School for the Deaf. The Student Code of Conduct will be enforced when the student is on school property, including residential facilities at any time, off school property at any school activity, function or event, and while traveling to and from such events. Also, students may be disciplined for felonious conduct off campus or for conduct that may pose a threat to or disrupt the school's learning environment or the safety of students and employees. This includes participating in the instructional and/or residential program. Faculty, staff, students, and parents are expected to know and understand the Student Code of Conduct for State Schools.

The State Schools shall incorporate the provisions of this policy in each student handbook. The State Schools may impose campus or classroom rules in addition to those found in this Student Code of Conduct.

## Policy

All students shall:

1. **Participate fully in the learning process.** Students are to report to school and class on time, attend all regularly scheduled classes, remain in class until excused or dismissed, pay attention to instruction, complete assignments to the best of their ability, and ask for help when needed.
2. **Avoid behavior that impedes the student from learning or impedes the learning of other students.** Students should know and avoid the behaviors prohibited by this code, take care of books and other instructional materials, and cooperate with others.
3. **Show respect for the knowledge and authority of teachers, administrators, and other school employees.** Students must follow reasonable directions, use acceptable and courteous language, avoid being rude, and follow school rules and procedures.
4. **Recognize and respect the rights of other students and adults.** All students are to show concern for and encouragement of the educational achievements and activity participation of others.

## General Provisions

1. All students enrolled in the State Schools are protected by the Procedural Safeguards of the *Individuals with Disabilities Education Improvement Act (IDEA) of 2004*. Disciplinary action for violations of the Code of Conduct will comply with requirements of Section 504 of the Rehabilitation Act of 1973, IDEA, and the Georgia Special Education rules. In all cases, the rights of individuals will be ensured and protected. The State Schools shall make every reasonable effort to administer the discipline code consistently.
2. The State Schools encourages parents/guardians, staff, and other stakeholders to support the Student Code of Conduct. Parents are encouraged to become familiar with the Code of Conduct and to be supportive of it in their daily communication with their children and others in the community. The Code of Conduct will be reviewed and updated annually with input from parents. Parents/guardians are encouraged to communicate their questions and/or concerns regarding the Code of Conduct.
3. The School Director is the designated leader of the school and, in concert with staff, shall develop and disseminate a student handbook incorporating the Student Code of Conduct and Disciplinary Procedures for students attending the State Schools. The School Director is responsible for the orderly operation of the school. In cases of disruptive, disorderly or dangerous conduct not covered in this Code, the director may undertake corrective measures which he or she believes to be in the best interest of the student, school and community.
4. The Student Handbook and the Student Code of Conduct and Disciplinary Procedures shall be distributed to each student and the student's parents or guardians during the first week of school or upon enrollment of each new

student. Parents and students will be required to sign an acknowledgement of receipt of the Student Handbook and the Student Code of Conduct and Disciplinary Procedures and return the acknowledgement to the school. Students will receive instruction based on the contents of the Student Code of Conduct within the first two weeks of school, and students will be tested on the contents of the Code of Conduct. The Student Code of Conduct and Disciplinary Procedures will be available in the main office of each school, the media center and each classroom.

### **Student Dress Code**

Students attending the State Schools are expected to dress in an appropriate manner. Students are expected to dress and be groomed in a way as to reflect neatness, cleanliness, and good taste. Student dress should not distract or cause disruption in the educational program or orderly operation of the school. School administrators shall develop and disseminate the student dress code for their school. School administrators shall be responsible for determining dress code violations and appropriate consequences.

### **Student Organizations and Clubs**

All student clubs and organizations must follow guidelines and procedures governing the creation and operation of such clubs, organizations, and groups in accordance with the policies of the State Schools. State law requires that parents/guardians receive information regarding school clubs and organizations, such information must include the club or organization, mission or purpose, name of the club's faculty advisor, and a description of past or planned activities. Each of the State Schools shall provide this information as a supplement to this code of conduct. On the parent/guardian signature page, the parent will have an opportunity to decline permission for his or her student to participate in the club or organization designated by him or her.

### **Electronic Network Resources – Appropriate Use (SS-4003 IFGBA)**

The Georgia Department of Education (GaDOE) provides technology resources to its students and staff for educational and administrative purposes. The goal in providing these resources is to promote educational excellence in the state schools by facilitating resource sharing, innovation, and communication with the support and supervision of parents, teachers, and support staff. The use of these technology resources is a privilege, not a right.

With access to computers and people all over the world comes the potential availability of material that may not be considered to be of educational value in the context of the school setting. GaDOE and the State Schools believe that the value of information, interaction, and research capabilities available outweighs the possibility that users may obtain material that is not consistent with the educational goals of the State Schools.

### **Acceptable Use**

Technology resources will be used only for learning, teaching, and administrative purposes consistent with established missions and goals. Commercial use of systems is strictly prohibited.

Training will be made available to all users in the proper use of the system and will make copies of the acceptable use guidelines available to all users. All training in the use of the system will emphasize the ethical use of this resource.

Software or external data may not be placed on any computer, whether stand-alone or networked to the system, without permission.

Other issues applicable to acceptable use are:

1. Copyright: All users are expected to follow existing copyright laws.
2. Supervision and permission: Student use of the computers and computer network is only allowed when supervised or granted permission by a staff member.
3. Attempting to log on or logging on to a computer or email system by using another's password is prohibited: Assisting others in violating this rule by sharing information or passwords is unacceptable.
4. Improper use of any computer or the network is prohibited. This includes the following:
  - a. Using racist, profane, or obscene language or materials
  - b. Using the network for financial gain, political or commercial activity
  - c. Attempting to or harming equipment, materials or data
  - d. Attempting to or sending anonymous messages of any kind
  - e. Using the network to access inappropriate material
  - f. Knowingly placing a computer virus on a computer or the network
  - g. Using the network to provide addresses or other personal information that others may use inappropriately
  - h. Accessing of information resources, files, and documents of another user without their permission

### **Filtering**

The Children's Internet Protection Act requires filtering for minors (1) visual depictions of obscenity, (2) visual depictions of child pornography, and (3) materials harmful to minors. The state schools will use 'firewall software' to implement filtering. The filter may be disabled by authorized staff to allow approved research or other lawful use on a case-by-case basis.

### **System Access**

1. Students will have access to resources for class assignments and research with their teacher's permission and/or supervision.
2. Teachers with accounts will be required to maintain password confidentiality by not sharing the password with students or others.
3. With the approval of the immediate supervisor, employees will be granted access to the system.
4. Any system user identified as a security risk or having violated the Acceptable Use Guidelines maybe denied access to the system. Other consequences may also be assigned.

### **Individual User Responsibilities**

1. The individual in whose name a system account is issued will be responsible at all times for its proper use.
2. The system may not be used for illegal purposes, in support of illegal activities, or for any other activity prohibited by guidelines, including accessing inappropriate material or confidential or protected information.

3. System users may not use another person's system account without written permission from the campus coordinator or designee, as appropriate.
4. System users are asked to purge electronic mail or outdated files on a regular basis.
5. System users are responsible for making sure they do not violate any copyright laws.

### **Vandalism Prohibited**

Any malicious attempt to harm or destroy equipment or materials, data of another user of the system, or any of the agencies or other networks to which the system has access is prohibited. Deliberate attempts to degrade or disrupt system performance may be viewed as violations of guidelines and, possibly, as criminal activity under applicable state and federal laws. This includes, but not limited to, the uploading or creating of computer viruses.

Vandalism as defined above will result in the cancellation of system use privileges, possible prosecution, and will require restitution for costs associated with system restoration, hardware, or software.

### **Forgery Prohibited**

Forgery or attempted forgery of electronic messages is prohibited. Attempts to read, delete, copy, or modify the electronic mail of other system users or deliberate interference with the ability of other system users to send/receive electronic mail is prohibited.

A student bringing prohibited materials into the school's electronic environment will be subject to a suspension and/or a revocation of privileges on the system and will be subject to disciplinary action.

### **Termination/Revocation of System User Account**

A system user's access to the system may be revoked or suspended upon violation of policy and/or administrative regulations regarding acceptable use. Termination of a student's access will be effective on the date the campus coordinator or designee receives notice of user withdrawal or of revocation of system privileges, or on a future date if so specified in the notice.

### **Consequences of Improper Use**

Improper, unauthorized, or unethical use may result in disciplinary actions consistent with existing policy, or other state and federal laws. This may also require restitution for costs associated with system restoration, hardware, or software.

## **Medication Policy**

Health services staff at each of the State Schools will provide appropriate control and assistance with the administration of medication to students.

1. A health services employee or trained designee will be responsible for administration of medication or assistance to the student in self-administration of medication, documentation of administration of medication, and storage of all medications in a locked cabinet.
2. The parent or legal guardian must complete and sign an authorization for administration of any medication at school detailing the student's name,

student's physician, medication's name, dosage, and frequency. For a prescribed medication, a licensed physician must also sign the authorization detailing the medication's name, dosage, time of administration, and potential side effects. The medication will be administered only in accordance with the written instructions from the prescribing physician. The parents or legal guardians shall authorize the staff member assisting with the administration of medication to correspond directly with the student's physician in the event the staff member deems it appropriate or necessary. The parent/guardian should also be contacted as soon as possible if this should occur. Only medical information related to this instance shall be discussed.

3. All medications and corresponding authorizations must be brought to the school office or clinic by a parent or legal guardian or other designated adult. In the event that a parent or legal guardian cannot bring the medication to school, it is the parent or legal guardian's responsibility to notify the school in order to plan alternative methods of transport.
4. All medications must be in their original containers which have unexpired dates and prescription medications must be clearly labeled with the physician's name, medication's name, strength, dosage, date, time for administration, and dispensing pharmacy.
5. It is the parent's or legal guardian's or physicians' responsibility to notify school health services staff of medication side effects.
6. Under certain circumstances, a student who has a life-threatening condition (i.e. asthma, diabetes, or allergic reaction) may be granted permission to carry medication (such as inhaler, glucose tablet, Epi-pen, or internal insulin pump) on his or her person. Such permission will only be granted in response to a written statement from the student's physician that such a need exists based on a life-threatening condition and a completed and signed authorization from the parent or legal guardian.
7. All medications (prescription and over-the-counter medications) require appropriate authorization (parent or legal guardian and/or physician) for each new school year or whenever there are changes in the student's medication to be administered at school.
8. Any student not complying with this policy and possessing any medication (prescription or over-the-counter medications) on the school campus shall be subject to discipline as set forth in the Student Code of Conduct policy.
9. Parents or legal guardians are responsible for unused medication at the end of the school year or when the student withdraws from a State School.

### **Discipline Policies**

Students attending the State Schools range in age from 3 to 21 years old and present a significant range of ability levels. Subsequently, disciplinary actions must be designed to

fit the developmental, cognitive, and social functioning level of the individual student as well as the severity of the behavior. The Discipline Policies of the State Schools are based upon the key components of parental involvement, progressive discipline, individualized behavior intervention, and positive behavior intervention and supports.

### **General Requirements for the Safe and Orderly Operation of the State Schools:**

#### **Attendance**

Georgia's Compulsory Education Law (O.C.G.A. 20-2-690.1) requires that every parent/guardian or other person who has control of any child between the ages of 6 and 16 shall enroll and send such child to school. All children enrolled for 20 calendar days or more in the public schools of this state prior to their seventh birthday shall become subject to the provisions of the compulsory school attendance law. State Board of Education policy defines the school year as 180 days of instruction or its equivalent.

#### **Full Day Attendance**

Students are expected to be in attendance for the full school day. Students who check-in late or check-out early should submit a written note from their parent/guardian explaining their absence. Disciplinary action may be taken against students not in attendance for the full school day for reasons that cannot be excused.

#### **Student Absences**

Whenever students are absent, for any reason, their parent/guardian must submit a signed and dated written explanation of the absence to the school upon the child's return to school.

#### **Excused Absences**

As permitted under the state law and State Board of Education policies, students may be excused lawfully from attendance for the following reasons: illness, death in immediate family, religious holiday, instances in which attendance could be hazardous, services as page in legislature, a court order, and absence to vote in an election. Students whose parents are in the military and are being deployed or are home on leave are allowed five (5) days of excused absences per year.

#### **Unexcused Absences**

Unexcused absences will be subject to attendance investigation and can result in penalty as imposed by the Compulsory Education Law (O.C.G.A. 20-2-690.1) and Student Attendance Protocol Committee Law (O.C.G.A. 20-2-690.2);

Schools, in conjunction with the school system in which the student resides, will notify by first class mail parents of students ages 6-16 who have accumulated five (5) unexcused absences per semester and will include a copy of the summary of consequences.

Schools, in conjunction with the school system in which the student resides, will notify by first class mail parents/guardian of students ages 14-17 who have accumulated seven (7) unexcused absences per school year and will include a copy of (O.C.G.A. 40-4-22) the attendance-drivers license law and a summary of consequences.

Schools, in conjunction with the school system in which the student resides, will notify by first class mail parents/guardian of students ages 6-16 who have accumulated ten (10) unexcused absences per semester and will report violations to the Student Attendance Protocol Committee to determine if court action will be pursued for formal intervention.

### **Tardiness**

Students are expected to arrive at school on time. Students who are tardy for school must go to the school office to sign-in before going to class.

Schools will notify by first class mail parents of students who have accumulated five (5) unexcused tardies per semester and will include a copy of the summary of consequences.

The School will notify by letter parents of students who have accumulated ten (10) unexcused tardies per semester and will report violations to the Student Protocol Committee to determine if court action will be pursued for formal intervention.

## **Summary of Consequences for Attendance/Tardy Violation Reporting Students with Unexcused Absences/Tardies O.C.G.A. 20-2-701**

### **Consequences for Unexcused Absences**

- Any parent, guardian, or other person who has control of any child who on the tenth unexcused day of absence or the tenth unexcused tardy per semester, and after the child's school system has notified the parent, guardian, or other person who has control of any child, of each day's absence/tardy from school, shall be guilty of a misdemeanor, and court action may be pursued for formal intervention.
- **Penalties:**
  - 1) **Fine** – not less than \$25 and not greater than \$100.00
  - 2) **Imprisonment** – not to exceed 30 days
  - 3) **Community Service**, Or any combination of such penalties, at the discretion of the court.

### **Attendance/Discipline and Driver's License – (O.C.G.A. 40-5-22)**

This law requires that the local school system's central office receive information from the public schools and home schools regarding students 14 through 17 years of age whose driver's licenses are to be revoked or not issued according to the provisions of the law.

Committing any of the following offenses will result in the Department of Driver Services not issuing an instructional permit or driver's license. If a student has already been issued an instructional permit or driver's license, the department will suspend that permit/license or the ability to receive one, for a period of **one year**. This notification will be made by certified mail if a student:

- A. Has dropped out of school without graduating and has remained out of school for ten consecutive school days;
- B. Has **ten or more** school days of **unexcused absences** during the current academic year or ten or more school days of unexcused absences in the previous academic year; or

- C. Has been found in violation by a hearing officer, panel, or tribunal of one of the following offenses, has received a change in placement for committing one of the following offenses, or has waived his/her right to a hearing and pleaded guilty to one of the following offenses:
- I. Threatening, striking or causing bodily harm to a teacher or other school personnel;
  - II. Possession or sale of drugs or alcohol on school property or at school sponsored event;
  - III. Possession or use of a weapon on school property or at school sponsored event.
  - IV. Any sexual offense prohibited under Chapter 6 of Title 16; or;
  - V. Causing substantial physical or visible bodily harm to or seriously disfiguring another person, including another student.

Students applying for an instruction permit or driver's license must obtain from their school a letter certifying that none of the above provisions apply to them at the time the letter is generated or for the preceding year. All students who intend to get their learner's permit or driver's license over the summer months **must** receive a "Certificate of Attendance" from the school administration prior to the end of the school year. This certificate is **required** when applying for either license. Please check with your school's administration during the month of May.

#### **Parental Involvement:**

Parents shall be informed of all disciplinary actions. Parents shall be invited to attend and participate in conferences to discuss chronic or serious behavior problems; to develop behavior intervention plans; to revise individualized education programs; and to implement behavior intervention strategies in the home environment. Each of the State Schools shall develop and implement strategies to ensure parent involvement and participation in the development of appropriate student behavior.

The General Assembly of Georgia requires that this code of conduct include language encouraging parents and guardians to inform their children of the consequences, including potential criminal penalties, of underage sexual conduct and crimes for which a minor can be tried as an adult.

#### **Behavior Support Process and Behavior Intervention Plans**

All students attending the State Schools are protected by the Procedural Safeguards of IDEA. IDEA indicates that in the case of a child whose behavior impedes the child's learning or that of others, the use of positive behavior intervention and supports, and other strategies to address that behavior shall be considered.

State Schools shall administer Functional Behavioral Assessments and develop individualized Behavior Intervention Plans for students who engage in continual minor acts of misconduct, as well as, those who engage in even a single act of more serious misconduct. Functional Behavioral Assessment (FBA) is a process for gathering information about an individual's problem behavior(s). A team is established to identify the behaviors of concern, review the student's records, and plan for the implementation of the FBA. An FBA is a data based, thoughtful, and organized process. A comprehensive assessment identifies the consequences that maintain behaviors and the contexts in which those behaviors

reflect a pattern of antecedents and setting events. The team develops a hypothesis about the behavior based on this information, which is the foundation for developing the Behavior Intervention Plan (BIP).

A BIP is a written, individualized, behavior support plan based on a functional assessment of a student's behavior. The plan incorporates positive behavioral interventions and supports designed to address identified academic and behavior concerns.

### **Communication Technology and Privacy**

State Schools Policy excludes the use of cell phones and other electronic devices at school during the school day. These devices interfere with the educational process. The school day begins when the student enters the building and ends when school is dismissed. The use of camera phones, cameras, recorders, or other electronic devices that might violate the privacy rights of students and/or school staff or are used to commit academic fraud will result in appropriate consequences.

At the beginning of each school year, students will receive age-appropriate instruction regarding privacy and technology. Such instruction shall include discussion of online practices and dangers, including social networking, "cyber-bullying," texting, and "sexting."<sup>1</sup> The instruction will highlight the practical and legal consequences of such practices.

## **SCHOOL SAFETY**

### **Disruption of Public Schools (O.C.G.A. 20-2-1181)**

It shall be unlawful for any person to disrupt or interfere with the operation of any public school, public school bus, or public school bus stop.

### **Visitors to the State Schools – (O.C.G.A. § 20-2-1180)**

Georgia law requires that visitors, with the exception of students, school employees, law enforcement officers or other public safety officials in the performance of an emergency call, shall sign in at the designated location, **as stated on posted signs** of any school building, between the official starting and dismissal times and provide a reason for their presence at the school.

The school administrator or designee shall have the authority to ask any visitor to explain his or her presence in the school at any time when the school is in official session. Any person who does not have legitimate need or cause to be on the premises or on school property and/or who fails to sign-in at the designated location may be in violation of Georgia law and may face criminal prosecution.

### **Failure to Leave Campus (O.C.G.A. 16-22-35)**

Any person who fails to leave the premises when requested to leave any school property and/or returns to any school property after being instructed by school staff or law enforcement to leave the property is considered trespassing and faces criminal prosecution of a misdemeanor of a high and aggravated nature.

---

<sup>1</sup> The term "sexting" refers to the practice of exchanging sexually suggestive or explicit photographs or text through computers or mobile electronic devices.

### **School Safety Zones**

School safety zones are defined as in or on any property owned by the school. It is unlawful for any person to carry, possess, or have under his/her control any weapons or explosive compound while within a school safety zone, at a school building or school function, or on school property or a bus furnished by the school. Violation is a felony punishable by a fine up to \$10,000.00, imprisonment for not less than two (2) years and not more than (10) years, or both.

### **Reports to Law Enforcement and Child Welfare Agencies**

The School Director, or his or her designee, shall report offences and incidents to law enforcement and child welfare agencies in accordance with State School Policy *SS-3007 Incident Reporting – Serious Breaches of Conduct, State Schools*.

### **Search and Seizure**

Whenever reasonable suspicion exists that the student possesses unauthorized materials, contraband, drugs, or other items deleterious to the safety and welfare of the school community, the designated school official may conduct a search in accordance with the State School Policy *SS-6001 Search and Seizures, State Schools*.

### **Discipline:**

#### **Age Appropriate Progressive Discipline Process**

##### **Definition**

Age appropriate progressive discipline processes shall be designed to create the expectation that the degree of discipline will be in proportion to the severity of the behavior leading to the discipline, that the previous discipline history of the student being disciplined, the age and developmental level of the student, and other relevant factors will be taken into account, and that all due process procedures required by federal and state law will be followed. (O.C.G.A. § 20-2-735)

##### **Guiding Principles**

1. Each incident of inappropriate behavior is unique in terms of situational variables. Similarly, disciplinary action will reflect consideration of a number of factors specific to the student involved in the misbehavior.
2. This model strives for a safe and orderly student-learning environment through a systematic process of behavioral correction. Inappropriate behaviors are followed by consequences. Inappropriate behaviors are substituted with those that are consistent with the character traits identified in Georgia's Character Education Program.
3. Parents are viewed as integral partners to be utilized when addressing students' misbehavior.

The level of discipline imposed shall be based on the severity of the misbehavior, as well as the developmental, cognitive and social functioning level of the students. The use of corporal punishment is prohibited at the State Schools.

In-School Suspension (ISS) and Out-of-School Suspension (OSS) are Progressive Discipline options, and under certain circumstances these options may be considered a change in placement. In-School and Out-of-School Suspensions over ten (10) days at a time and suspensions for more than ten (10) days cumulatively for each school year may be considered to constitute a “change in placement” for a student with a disability.

ISS is used as a progressive discipline option. The student is removed from regular classes for a specified period of time. The teacher provides class work assignments for the student to complete while in ISS. The time a student spends in ISS may count toward the 10-day limitation if the ISS assignment is not directly linked to the curriculum or specific IEP goals.

IDEA requires that prior to changing the placement of a student with a disability through the use of disciplinary action, the following must occur:

1. A manifestation determination must be made by the student’s IEP Team;
2. The IEP team must plan a functional behavioral assessment of behavior and then use assessment results to develop a behavior intervention plan; and
3. The IEP Team must determine what services are to be provided to the child, for any removal period beyond ten (10) days in a school year, in order that the child may continue to participate in the general curriculum and advance toward achieving his/her IEP goals.

Students violating the code of conduct may be removed from the regular classroom environment as a disciplinary measure for not more than 10 days within the current school year.

Although Georgia State Law gives teachers the authority to unilaterally remove students from the classroom under certain circumstances, these short-term removals from the classroom may be counted toward the 10-day change in placement analysis.

### **Change of Placement for Disciplinary Removals Related to Weapons, Controlled Substances, or Serious Bodily Injury**

The School Director may assign a student attending the State School to an appropriate interim alternative educational setting for more than 10 days, but for not more than 45 calendar days if:

1. The student carries a weapon to school or to a school function or possesses a weapon at school, on school property or at a school function under jurisdiction of the State School; or
2. The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or at a school function under the jurisdiction of the State School; or
3. The student inflicts serious bodily injury upon another person while at school, on school premises, or at a school function. The definition for serious bodily injury comes from US code, section 1365 or Title 28 and must involve (a) a substantial risk of death, (b) extreme pain, (c) protracted and obvious disfigurement, or (d) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

## **Student Disciplinary Tribunals**

To ensure that students attending the State Schools who allegedly commit a serious offense are afforded a Student Disciplinary Tribunal.

Student Disciplinary Tribunals shall be convened as an evidentiary hearing to render a decision and impose disciplinary action.

1. The State School shall convene a Student Disciplinary Tribunal in the following cases:
  - (a) Where a student has committed an alleged assault or battery upon a teacher, other school official or employee.
  - (b) Where a student has committed an alleged assault or battery upon another student.
  - (c) Where a student is alleged to have violated any school or system rule or engaged in any act of misconduct for which the School Director recommends suspension longer than ten school days.
  - (d) Any situation in which the student may be suspended for more than ten days.
2. Student Disciplinary Tribunals for the students attending the State Schools shall include one administrative faculty member from the State Schools, one representative from DOE, and a representative from the student's home school system. When the School Director or his/her designee refers a student to the Director of State Schools or his/her designee for a hearing, the Director of State Schools or his/her designee shall identify three members to serve on the hearing tribunal. No member shall be a member of the staff at the school, which the student attends.
3. The School Director shall send a letter by certified mail to the student and his parents or guardians at least 48 hours before the hearing is held containing a statement of the time, place and nature of the hearing, a statement of the matters asserted and charges against the student, a list of potential witnesses, a statement setting forth the right of the student to present evidence, cross-examine witnesses, and be represented by legal counsel. The hearing shall be held no later than ten school days after the beginning of the suspension.
4. The School Director or his/her designee shall be responsible for presenting evidence in support of the charges against the student and all parties shall be afforded an opportunity to present and respond to evidence and to examine and cross-examine witnesses on any and all issues. Any teacher who is called as a witness by the school shall be given notice no less than three days prior to the hearing. The hearing tribunal shall make a verbatim, electronic, or written record of the hearing. This record shall be available to all parties but the cost of transcribing such record shall be borne by the party requesting the transcript.
5. The hearing tribunal shall render a decision finding whether the student committed the offense and, if so, the appropriate punishment. The

decision of the hearing tribunal shall be based solely on the evidence received at the hearing, including evidence presented by either party relevant to the appropriate punishment to be imposed. The hearing tribunal shall render a decision in writing within ten days of the close of the record and shall furnish a copy of the decision to the student, his or her parents or legal guardians, the principal or his/her designee and the DOE. The decision of the hearing tribunal shall be final and shall constitute the decision of the State Board of Education unless either party should appeal the decision to the State Board of Education.

6. In the event a student or his/her parent does not wish to contest the charge(s) of violation(s) of the discipline rules of the Code of Conduct for which a tribunal has been requested, the student and parent may voluntarily accept the consequences prescribed by the school by signing a Waiver of Disciplinary Tribunal Hearing form. Such waiver shall specify the rule violation, the date and description of the incident, the prescribed consequences and an agreement to waive the opportunity to participate in a tribunal hearing, present evidence, cross examine witnesses, and be represented by an attorney. The decision to waive the tribunal shall be final and cannot be appealed by the school or family. The waiver must be signed by the student, a parent, and the School Director or his/her designee, who shall act as hearing officer with the authority to approve the disciplinary consequences set forth in the waiver.
7. Any party may appeal the decision of the hearing tribunal to the State Board of Education by filing with the Georgia Department of Education's General Counsel a written notice of appeal within twenty days from the date the decision is rendered. Such notice of appeal shall set forth the decision of the hearing tribunal and the basis of the appeal. Any decision of the hearing tribunal not appealed in this manner shall be final. The DOE may suspend the disciplinary action imposed by tribunal pending the outcome of the appeal.
8. The State Board of Education shall review the record of the hearing before the hearing tribunal, the decision of the hearing tribunal and the notice of appeal and shall render its decision in writing within ten days from the date it receives the notice of appeal. The decision of the State Board shall be based solely on the record before the hearing tribunal and the State Board shall not consider any other evidence in ruling on the appeal. The State Board may find the facts to be different than those found by the hearing tribunal and the State Board may change the consequences in accordance with state law.
9. Any student subject to a disciplinary hearing who withdraws from the State School prior to the hearing must appear before a Disciplinary Hearing Tribunal to determine the student's eligibility to return to a State School in the event the student seeks to return to a State School. Alternatively, the State School may, in its discretion, proceed with the tribunal in accordance with this policy despite the student's withdrawal from the school.

**OFFENSES AND CONSEQUENCES**

OFFENSE	CONSEQUENCE
<p><b>1. Excessive Unexcused Absences or Truancy</b> Excused absences are defined as</p> <ul style="list-style-type: none"> <li>• Illness</li> <li>• Death in immediate family</li> <li>• Religious Holiday</li> <li>• Instances in which attendance could be hazardous</li> <li>• Service as page in legislature</li> <li>• Court Order</li> <li>• Absence to vote in an election</li> <li>• Parent/guardian military deployment or leave (O.C.G.A 20-2-690.1)</li> </ul> <p>All other absences are unexcused.</p>	<p><b>1.</b> Penalty may range from warning and/or conference with student to one to three days in-school suspension.</p>
<p><b>2. Academic Dishonesty or Misrepresentation of self or others</b></p>	<p><b>2.</b> Penalty may range from the student receiving zero on the assignment and warning or conference with student to one to three days out-of-school suspension.</p>
<p><b>3. Assault on faculty or staff member</b> Threatening bodily harm to faculty or staff member. This includes threats that are verbal, written or implied.</p>	<p><b>3.</b> Penalty may range from restriction from school programs and/or other activities to a change in placement.</p>
<p><b>4a. Physical Violence against a teacher, school bus driver, or other school official or employee. (O.C.G.A. 20-2-751.6)</b> A student shall not commit an act of physical violence against a teacher, school bus driver, or other school official or employee either by</p> <ol style="list-style-type: none"> <li>(1) Intentionally making physical contact of an insulting or provoking nature with the person of another, or</li> <li>(2) Intentionally making physical contact that causes physical harm to another unless such physical contacts or physical harms were in defense of himself or herself.</li> </ol>	<p><b>4a.</b> Immediate suspension with disciplinary tribunal hearing that may result in change of placement.</p>
<p><b>4b. Violence</b> A student shall not commit an act of physical violence against another student.</p>	<p><b>4b.</b> Penalty may range from short-term suspension to recommendation for a disciplinary tribunal hearing that may result in change of placement.</p>
<p><b>5. Verbal Assault of employee, students, or persons, including threatened violence.</b></p>	<p><b>5.</b> Penalty may range from restriction from school programs and/or other activities to recommendation for a disciplinary tribunal hearing that may result in change of placement.</p>
<p><b>6. Threatening or Intimidation.</b> Threatening bodily harm to another student or students, but not involving physical contact. This includes threats that are verbal, written or implied.</p>	<p><b>6.</b> Penalty may range from restriction from school programs and/or other activities to recommendation for a disciplinary tribunal hearing that may result in change of placement.</p>

<p><b>7. Bullying (OCGA 20-2-751.4)</b>  Any willful attempt or threat to inflict injury on another person when accompanied by an apparent present ability to do so; or any intentional display of force such as would give the victim reason to fear or expect immediate bodily harm; 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 OCGA 16-5-23.1 or visible bodily harm as such term is defined in OCGA 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</p>	<p><b>7.</b> Penalty may range restriction from school programs and/or other activities to recommendation for a disciplinary tribunal hearing that may result in change of placement.</p>
<p><b>8. Classroom Disturbance</b>  Disruption of learning opportunities that are not as substantial as School Disturbances.</p>	<p><b>8.</b> Penalty may range from warning and/or conference with student to out-of-school suspension.</p>
<p><b>9. Computer Trespass</b>  Unauthorized use of a computer or computer network including deleting, obstructing, interrupting, altering, damaging, or in any way causing the malfunction of the computer network, program(s) or data as well as visiting inappropriate web sites.</p>	<p><b>9.</b> Penalty may range from warning and/or conference with student to out-of-school suspension.</p>
<p><b>10a. Drug Sell/Transmission/Solicitation</b> – No student shall sell/buy, attempt to sell/buy, intend to sell, transmit or distribute any legal or illegal drug in any form whatsoever, including, but not limited to any narcotic drug, inhalant, hallucinogenic drug, amphetamine, barbiturate, cocaine, marijuana, other controlled substance, alcoholic beverage, anabolic steroid, intoxicant of any kind, vitamin, herbal supplement, any over-the counter pill, medication or similar substance, or any substance represented to be or reasonably appearing to be any type of drug, including alcohol. This rule shall be in effect at school or on school property at any time, off the school grounds at a school- sponsored activity, function, or event, and en route to and from school.</p>	<p><b>10a.</b> A mandatory referral for a disciplinary tribunal hearing that may result in a change in placement</p>
<p><b>10b. Drug Possession/Use/Under the Influence</b> – No student shall possess, use or be under the influence of any legal or illegal drug in any form whatsoever, including, but not limited to, any narcotic drug, inhalants, hallucinogenic drug, amphetamine, barbiturate, cocaine, marijuana, other controlled substance, alcoholic beverage, anabolic steroids, intoxicant of any kind, vitamins, herbal supplements, over-the-counter pills,</p>	<p><b>10b.</b> First Offense—Penalty will include a minimum short-term suspension days and may also include a referral for a disciplinary tribunal hearing that may result in a change of placement.   Second Offense – Mandatory disciplinary tribunal hearing that may result in a change of placement</p>

<p>medications or similar substances, or any substance represented to be or reasonably appearing to be any type of drug, including alcohol. This rule shall be in effect at school or on school property at any time, off the school property at a school-sponsored activity, function, or event, and en route to and from school. Possession and use of over-the counter medication or medications prescribed to the student by a licensed physician will not be considered a violation if all school procedures are followed.</p>	
<p><b>10c. Violations of the Medication Policy.</b></p>	<p><b>10c.</b> Penalty may range from detention to short-term suspension.</p>
<p><b>10d. Possession of Drug-related Paraphernalia</b> A student may not possess or use any drug-related paraphernalia.</p>	<p><b>10d.</b> Penalty may range from in-school suspension to referral for a disciplinary tribunal hearing that may result in a change of placement.</p>
<p><b>11. Use of Electronic Communication Devices–</b> Students may possess cell phones on school board property as long as they are not visible on their person. Students are not permitted to use any electronic communication devices during the school day. The school day begins when the student enters the building and ends when school is dismissed.</p>	<p><b>11.</b> Penalty may range from administrative warning to out-of-school suspension. Devices will be confiscated when in violation of the guidelines.</p>
<p><b>12. Failure to Accept Administrative Disciplinary Action.</b></p>	<p><b>12.</b> Penalty may range from warning and/or conference with student and parent to referral for disciplinary tribunal hearing that may result in a change of placement.</p>
<p><b>13. Gambling</b> Gambling is prohibited on school property, at a school function or on property used by the school with permission of the owner.</p>	<p><b>13.</b> Penalty may range from a warning to referral for a disciplinary tribunal hearing that may result in a change of placement.</p>
<p><b>14. Gang-related Activity</b> A gang member is a person who is part of an association of three or more people, associated for common purpose, which engages, individually or collectively, in illegal or disruptive behavior. Gang-related activity includes, but is not limited to, communication of gang affiliation through hand sign flashing, wearing of clothing articles in a certain way or color scheme, jewelry, tattoos, gang signs, symbols or graffiti on personal items, vandalism of public or private property and acts of intimidation, threats, fighting or other forms of violence.</p>	<p><b>14.</b> Penalty may range from parent notification to short-term suspension to referral for a disciplinary tribunal hearing that may result in a change of placement.</p>
<p><b>15. Harassment</b> Any act of harassment based upon race, color, religion, national origin, disability and gender (including sexual orientation and gender identity). This includes, but is not limited to, sexual harassment as used in connection with Title IX of the education amendments of 1972.</p>	<p><b>15.</b> Penalty may range from short-term suspension to referral for a disciplinary tribunal hearing that may result in a change of placement.</p>

<p><b>16. Off Campus Misconduct and Criminal Law Violations</b> – Any off campus behavior of a student which could result in the student being criminally charged with a felony and which makes the student's continued presence at school a potential danger to persons or property at the school or which disrupts the educational process. This includes any such conduct outside of school hours or away from school that shows disrespect to school personnel or which endangers the health, safety, morals, or well being of other students, teachers, or employees within the school system.</p>	<p><b>16.</b> Penalty may range from short-term suspension to referral for a disciplinary tribunal hearing that may result in a change of placement.</p>
<p><b>17. Use of Profanity</b> – Use of vulgar or obscene words, gestures, or other actions, through oral, written or electronic communication that disrupt school system operations or show disrespect to school personnel during and after school hours.</p>	<p><b>17.</b> Penalty may range from a warning to referral for a disciplinary tribunal hearing that may result in a change of placement.</p>
<p><b>18. Damage to Property</b> - Willful or malicious damage of and/or threats to destroy or damage school, public or private property which may include such actions as the use of or threat of bombs, explosive devices, setting fires, firecrackers, homemade bombs, and/or the deliberate and serious destruction or defacement of school property or property used by the school with the permission of the owner.</p>	<p><b>18.</b> Penalty may range from short-term suspension to referral for a disciplinary tribunal hearing that may result in a change of placement.</p>
<p><b>19. Repeated Violations or Misbehavior</b></p>	<p><b>19.</b> Penalty may range from short-term suspension to referral for a disciplinary tribunal hearing that may result in a change of placement.</p>
<p><b>20. Rude, Disrespectful Behavior, or Refusal to carry out instructions of faculty or staff.</b></p>	<p><b>20.</b> Penalty may range from short-term suspension to referral for a disciplinary tribunal hearing that may result in a change of placement.</p>
<p><b>21. Sexual improprieties</b> Commission of an act of sexual contact, indecent exposure, inappropriate public displays of affection, or "sexting."</p>	<p><b>21.</b> Penalty may range from warning and conference with student to a disciplinary tribunal hearing that may result in a change of placement.</p>
<p><b>22. School Disturbances</b> Acts which cause substantial disruption of learning opportunities and/or threat to the safety or well being of other students which may include pulling fire alarms, sit-downs, walk-outs, riots, picketing, trespassing, inciting disturbances, threats, or actual violence during period of disruption.</p>	<p><b>22.</b> Penalty may range from short-term suspension to recommendation for a disciplinary tribunal hearing that may result in a change of placement.</p>
<p><b>23. Skipping Class or Required Activities.</b></p>	<p><b>23.</b> Penalty may range from referral to the school counselor to a ten day suspension.</p>

<p><b>24. Chronic Tardiness</b></p>	<p><b>24.</b> Penalty may range from warning and conference with student to in-school suspension.</p>
<p><b>25. Theft/Larceny</b> – Unlawful taking, carrying, leading, or riding away of property of another person</p>	<p><b>25.</b> Penalty may range from short-term suspension to recommendation for a disciplinary tribunal hearing that may result in a change of placement.</p>
<p><b>26. Possession of Tobacco or Tobacco Paraphernalia</b> A student may not possess or use any tobacco, tobacco products, or tobacco paraphernalia, including smoking tobacco, chewing tobacco or snuff.</p>	<p><b>26.</b> Penalty may range from in-school suspension to short-term out-of-school suspension.</p>
<p><b>27. Vandalism or Misuse of Equipment</b> Destruction, or defacement of public or private property located on school premises or at a school function or on property used by the school with the permission of the owner, or inciting, advising or counseling of others to engage in prohibited acts such as marking, defacing or destroying school property.</p>	<p><b>27.</b> Penalty may range from short-term suspension to recommendation for a disciplinary tribunal hearing that may result in a change of placement.</p>
<p><b>28. Weapons (OCGA 16-11-127.1)</b> A student shall not supply, possess, handle, use or transmit a dangerous instrument, weapon, or any object which can be reasonably considered a weapon on school property, on his/her way to and from school, or at any school function or activity, or at any school-related activity or event away from school. Weapon means and includes any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, knives of any type, straight-edge razor, razor blade, spring stick, metal knucks, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart or any weapon of like kind, and any stun gun or taser, including those described in subsection (a) of Code Section 16-11-106.</p>	<p><b>28.</b> Immediate suspension with disciplinary tribunal hearing that may result in change of placement.</p>

***In accordance with State School Policy SS-3007 Incident Reporting – Serious Breaches of Conduct, State Schools, parents and police will be notified in every instance where the law is violated.***

## **SCHOOL BUS AND TRANSPORTATION PROCEDURES**

School bus discipline and school bus safety are intertwined and inseparable. Students must properly ride the bus to ensure everyone's safety. Conduct that is disruptive or distracting will not be tolerated. All bus safety rules apply to regular bus routes, field trips, and athletic trips.

Transportation to and from the State Schools, in most cases, is the responsibility of the local school system in which the student resides. Although the local school system is responsible for transporting the student, the State Schools will assist school systems in communicating the importance of appropriate bus conduct.

The State Schools will follow the procedures outlined below to support the safe transport of students to/from the State School and to/from activities and field trips when transportation is provided by the State School.

1. Student bus safety instruction should be scheduled as required by state laws and rules.
2. The School Director or designee shall be responsible for providing a safe unobstructed area for buses to enter, load or unload and exit the school.
3. Students will only ride on assigned buses and enter and exit at their designated stops; no student shall be transported on a bus other than their designated bus or a bus operated by the State Schools.
4. Continued driver safety instruction and safety workshops shall be the responsibility of the State Schools.
5. Each school shall maintain all school buses and activity buses, and perform scheduled monthly inspections as required by the State Department of Education.
6. Each school shall perform safety drills in accordance with the Emergency Preparedness Plan.
7. Each school should have procedures in place to document student arrival on campus whether transported by the local school system, the family or another source. The school is responsible for student supervision until the student boards the transportation vehicle provided by the local school system or the parent. Therefore, the schools should have procedures in place to ensure students safely board the appropriate vehicle upon dismissal from school. Students shall not be allowed to board any vehicle when the driver or other responsible adult is not present.
8. If the school transports students to/from school, the school is responsible for supervision of the student until the student boards the transportation vehicle provided by the school system, or is released to the authorized adult. Each school shall develop internal procedures for where and when students are

dropped off at school or picked up to go home during the school week and weekend homegoings/returns.

9. The bus driver has the responsibility for maintaining and supervising order and discipline on the bus. Infractions must be reported to the School Director or his/her designee as soon as possible and no later than 24 hours of the incident. Any emergencies must be reported to the School Director or his/her designee immediately.
10. Schools must develop guidelines for students who are eligible to drive their own vehicles to school or use public transportation.

## **DISCIPLINE GLOSSARY OF TERMS**

### **General Terms**

**Arson** – Intentionally starting or attempting to start any fire or combustion.

**Assault** – A verbal threat to or an attempt to physically harm someone without actually touching him/her.

**Battery** – Intentional physical contact of an insulting or provoking nature or causing harm to another.

**Bomb/Explosive** – A device containing combustible materials and a fuse.

**Burglary** – Unauthorized entry into a school building (unoccupied) with the intent of committing a felony when the building is closed to the students and the public [See Theft].

**Bus Misconduct** – Failure to comply with rules of bus safety or Student Conduct Behavior Code.

**Bus Suspension** – suspension from the bus for a specified period of time. The student is expected to attend school, but the parents are responsible for providing transportation to school.

**Chronic Lack of Supplies** – Repeatedly reporting to class without necessary materials such as books, physical education attire, supplies, etc.

**Detention** – Student attends a work/study session outside of regular school hours. Student or parent is responsible for making arrangements for transportation.

**Disciplinary Probation** – A student found guilty of certain offenses may be placed on probation by the State School and/or the Student Disciplinary Panel. Probation is a trial period during which a student violating school rules is subject to further disciplinary action.

**Disobedience/Insubordination** – Failure of the student to comply with a reasonable direction or instruction by staff.

**Disorderly Conduct** – Behaving in a violent or seriously inappropriate manner which disrupts the educational process.

**Disrespect** – Responding or acting in a rude and impertinent manner.

**Disruption** – Behaving in a manner which interferes with educational activities.

**Drug/Alcohol/Chemical Offense** – Any controlled substance or alcohol; includes any transfer of a prescription drug or any substance represented or believed to be a drug, regardless of its actual content.

**Due Process** – A student is afforded oral or written notice of the charges against him/her and is given an opportunity for a review, hearing or other procedural rights in accordance with state and federal laws.

**Extortion** – Use of threats or intimidation to demand money or something of value from another.

**False Fire Alarm** – Reporting a fire to school or fire officials or setting off a fire alarm without a reasonable belief that a fire exists.

**Felony** – Any offense punishable as a felony under Georgia or federal law.

**Fighting** – Involves the exchange of mutual physical contact such as pushing, shoving, and hitting, with or without injury.

**Gambling** – Playing any game of skill or chance for money or anything of value.

**Harassment/Intimidation/Verbal Abuse** – Disturbing consistently, by pestering or tormenting in the classroom, on the school bus, or elsewhere on the school site.

**Inappropriate Dress** – Dressing in a manner that disrupts the teaching and learning of others or in violation of the school's dress code.

**Inappropriate Personal Property** – Possession of personal property that is prohibited by the school rules, such as food, beverages, and electronic equipment.

**In-School Suspension** – The student is removed from regular classes for a specified period of time at the local school. The teachers send class work assignments to the student.

**Loitering/Trespassing** – Entering any school property or school facility without proper authority, including student entry during a period of suspension or expulsion.

**Long-Term Suspension** – The student is suspended out-of-school for more than ten (10) days.

**Non-Prescription Drug** – Over-the-counter drug not authorized by a registered physician and not prescribed for the student. Student use is prohibited except in accordance with local school policy.

**Permanent Expulsion** – The student is removed from all public school property and activities or events for a period of time beyond the current school semester.

**Prescription Drug** – Use of a drug (medication) authorized by a registered physician *and* prescribed for the student. Student or parent should inform the school on the use of medically prescribed drug.

**Profanity/Vulgarity** – Writings, speech, electronic communications, or gestures that convey an offensive, obscene, or sexually suggestive message.

**Robbery** – Taking property from a person by force or violence, or threat of aggression.

**Sexual Assault** – Intentional sexual contact of a harmful or offensive manner.

**Short-Term Suspension** – The student is suspended out of school for ten (10) days or less by the local school administrator. The student may be suspended for an accumulation of offenses, as well as a major offense. Suspended students may make up those tests and assignments that the teacher determines will have impact on the student's final grade and mastery of course content. Assignments that the teacher does not require to be made up will not count towards a student's final grade. It is the student's responsibility to make arrangements to make up work within five (5) school days upon return to school. During the term of suspension the student is not allowed on the school campus or at any school activity or school-sponsored event.

**Student Disciplinary Panel** – A Panel composed of an administrator, teacher, social worker, counselor, or school officials. The Panel hears evidence presented by the school system, the student, and parents when a student is referred by the School Director or his/her designee. The Panel has the authority to make decisions ranging from returning the student to the local school to recommending permanent expulsion of the student.

**Tardiness** – Failure to be in assigned place at the assigned time without a valid excuse.

**Theft/Larceny** – Unlawful taking and carrying away of property belonging to another person (while the building is occupied) with the intent to deprive the lawful owner of its use [See Burglary].

**Transmission** – The passing of any substance, article, or weapon to another person.

**Truancy** – The student stays out of school without permission or valid excuse.

**Vandalism/Graffiti** – The willful or malicious destruction or defacement of public or private property.

**Waiver of Right to Attend Student Disciplinary Panel** – Parents may sign a waiver if they cannot attend or do not elect to attend the hearing. By signing a waiver, the student and parent admit to the charges and accept the assigned consequences. All appeal rights are waived. In the event a parent or student does not attend the hearing, it will proceed as scheduled.

**Weapon** – An article or implement that can cause bodily harm. This includes guns, knives, razors, clubs, and nun chukka, or any other object intended to be used to inflict bodily harm, as identified in O.C.G.A. § 16-11-127.1.

## **STATE SCHOOLS NONDISCRIMINATION**

The Atlanta Area School for the Deaf, the Georgia Academy for the Blind, and the Georgia School for the Deaf do not discriminate on the basis of race, color, religion, national origin, age, disability or gender in employment decisions or educational programs and activities, including its athletic programs. Any student, employee, applicant for employment, parent or other individual who believes he or she has been subjected to harassment or discrimination by other students or employees of the school based on any of the factors listed above should promptly report the same to the director of the school or appropriate person listed below, who will implement the discriminatory complaints or harassment procedures. Students may also report harassment or discrimination to their school counselor.

No person attending State Schools shall, on the basis or sex, be excluded from participation in, be denied the benefit of, or be subjected to discrimination in any education program or activity receiving financial assistance.

# STATE SCHOOLS DISCIPLINE FLOW-CHART

