

writing does not alleviate the school system's obligation to provide an impartial hearing if the grievant orally requests an impartial hearing through the school system's Section 504 Coordinator. The school system's Section 504 Coordinator will assist the grievant in completing the written Request for Hearing. The Section 504 Coordinator may be contacted through the school system's county office. Copies of the 504 Procedural Safeguards and Notice of Rights of Students and Parents Under Section 504 may be found at the system website or may be picked up at the central office or at any of the school offices.

## **CODE OF CONDUCT LONG BRANCH ELEMENTARY SCHOOL**

It is the purpose of the Lumpkin County School District to operate each school in a manner that will provide an orderly process of education and that will provide for the welfare and safety of all students who attend the schools within the district. In accordance with that purpose, the Board of Education has adopted a policy which requires all schools to adopt codes of conduct which requires students to conduct themselves at all times in order to facilitate a learning environment for themselves and other students. These standards for behavior require students to respect each other and school district employees, to obey student behavior policies adopted by the Board and to obey student behavior rules established at each school within the district.

The school's primary goal is to educate, not to punish; however, when the behavior of an individual student comes in conflict with the rights of others, corrective actions may be necessary for the benefit of that individual and the school as a whole. Accordingly, students shall be governed by policies, regulations and rules set forth in this Code of Conduct.

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

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

Also, students may be disciplined for conduct off campus which is felonious or which may pose a threat to the school's learning environment or the safety of students and employees.

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.

### AUTHORITY OF THE PRINCIPAL

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

### PROGRESSIVE DISCIPLINE PROCEDURES

When it is necessary to impose discipline, school administrators and teachers will follow a **progressive discipline process**. The degree of discipline to be imposed by each school official will be in proportion to the severity of the behavior of a particular student and will take into account the student's discipline history, the age of the student and other relevant factors.

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

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

1. Warning and/or counseling with an administrator or counselor
2. Loss of privileges
3. Isolation or time out
4. Temporary removal from class or activity
5. Notification of parents
6. Parent conference
7. Detention
8. Temporary placement in an alternative education program
9. Short-term suspension

10. Referral to a tribunal for long-term suspension or expulsion
11. Suspension or expulsion from the school bus
12. Referral to law enforcement of juvenile court officials: Georgia law requires that certain acts of misconduct be referred to the appropriate law enforcement officials. The school will refer any act of misconduct to law enforcement officials when school officials determine such referral to be necessary or appropriate.

The maximum punishments for an offense include long-term suspension or expulsion, including permanent expulsion, but those punishments will be determined only by a disciplinary tribunal as outlined in the JCEB Board of Education policies.

Parents or students may elect not to contest whether a student has violated the Code of Conduct or the appropriate discipline, and in such cases, an agreement may be negotiated which would include the parents or students waiving a right to a hearing before a disciplinary tribunal. Such an agreement and waiver must be approved also by the disciplinary tribunal or hearing officer in accordance with local board policy.

Before a student is suspended for ten days or less, the principal or designee will inform the student of the offense for which the student is charged and allow the student to explain his or her behavior. **If the student is suspended, the student's parents will be notified if possible.** School officials may involve law enforcement officials when evidence surrounding a situation necessitates their involvement or when there is a legal requirement that may need to be reported.

School officials may search a student if there is reasonable suspicion the student is in possession of an item that is illegal or against school rules. Student book bags, desks and other school property are subject to inspection and search by school authorities at any time without further notice to students or parents. Students are required to cooperate if asked to open book bags.

#### BEHAVIOR THAT WILL RESULT IN DISCIPLINARY PROCEDURES

The degree of discipline imposed will be in accordance with the progressive discipline process unless otherwise stated.

Possession, sale, use in any amount, distribution, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturates, marijuana, drug paraphernalia or alcoholic beverage or other intoxicant.

Possession, distribution, attempted sale or sale of substances represented as drugs or alcohol.

Sale, attempted sale, distribution, or being under the influence of a prescription or over the counter drug.

Possession or use of a weapon or dangerous instrument: A student shall not possess, use, handle or transmit any object that reasonably can be considered a weapon. Students who possess firearms on campus will be subject to a minimum of a one calendar year suspension and will be referred to law enforcement officials (O.C.G.A. 20-2-751.1).

Assault, including threats of bodily harm and/or sexual assault, of teachers, administrators, other school personnel, other students or persons attending school-related functions: Immediate suspension and automatic referral to a disciplinary tribunal if a student is alleged to have committed an assault upon a teacher or other school personnel; possible referral to a disciplinary tribunal if a student is alleged to have committed an assault upon another student or a person attending a school-related function.

Battery, including sexual battery, or any acts of physical violence resulting in physical injury, of teachers, administrators, other school personnel, other students, or persons attending school-related functions: Legal Requirement: Immediate suspension and automatic referral to the disciplinary tribunal if a student is alleged to have committed battery upon a teacher or other school personnel. Possible referral to the disciplinary tribunal if a student is alleged to have committed battery upon another student or a person attending a school-related function. (O.C.G.A. 20-2-751.6 and O.C.G.A. 20-2-751.5)

#### PHYSICAL VIOLENCE AGAINST A TEACHER, SCHOOL BUS DRIVER, OR OTHER SCHOOL PERSONNEL:

(1) Immediate suspension and automatic referral to the disciplinary tribunal if a student is alleged to have committed an act of physical violence against a teacher or other school personnel; Expulsion for the remainder of the student's eligibility to attend public schools for acts of physical violence found by a tribunal to have intentionally made physical contact which causes physical harm to another unless such physical contact or physical harm was in defense of himself or herself, as

provided in Code Section 16-3-21; or, the Board may authorize the student to attend alternative school for the period of the expulsion; provided, however, that if such student is in kindergarten through grade six, then the Board upon the recommendation of the tribunal may permit the student to re-enroll in regular programs for grades nine through 12; and provided further that if the Board does not operate an alternative education program for grades kindergarten through grade six, then the local board at its discretion may permit a student in kindergarten through grade six who commits such an act to re-enroll in the public school system. The student shall be referred to juvenile court with a request for a petition alleging delinquent behavior.

(2) Possible punishments may include expulsion, long-term suspension, or short-term suspension for students found by a tribunal to have intentionally made physical contact of an insulting or provoking nature with the person of another.

Disrespectful conduct toward teachers, administrators, other school personnel, other students, or persons attending school-related functions

Any behavior based on a student's race, national origin, sex, or disability that is unwelcome, unwanted, and/or uninvited by the recipient is prohibited, including verbal or non-verbal taunting, physical contact, unwelcome sexual advances, request for sexual favors, and other verbal or physical contact of a sexual nature

Possession or use of tobacco in any form

Damaging or defacing personal property or school property (vandalism)

Theft

Extortion or attempted extortion

Possession and/or use of fireworks or any explosive

Activating a fire alarm under false pretenses or making a bomb threat

Insubordination, disorderly conduct, disobeying school rules, regulations, or directives; disobeying directives given by teachers, administrators, or other school staff

Classroom and school disturbances

Violation of school dress code

Use of profane, vulgar, or obscene words or indecent exposure

Inappropriate public displays of affection

Gambling or possession of gambling devices

Moving and non-moving driving violations

Giving false information to school officials

Cheating on school assignments

Unexcused absence, chronic tardiness, skipping class, leaving campus without permission

Bullying: Georgia law mandates that upon a finding that a student in grades 6-12 has committed the offense of bullying for the third time in a school year, the student shall be assigned to an alternative school.

Criminal law violations: A student who has committed a violation of the criminal laws and whose presence on the school campus may endanger the safety of other students or cause substantial disruption to the school operation may be subject to disciplinary action, including in-school suspension, short-term suspension and referral to a disciplinary tribunal.

Falsifying, misrepresenting, omitting, or erroneously reporting information regarding instances of alleged inappropriate behavior by a teacher, administrator, or other school employee toward a student.

## DEFINITION OF TERMS

**Assault:** Any threat or attempt to physically harm another person or any act, which reasonably places another person in fear of physical harm. (Example: threatening language or swinging at someone in an attempt to strike)

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

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

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

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

**Dress Code:** The current dress code is explained in the student handbook.

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

**Expulsion:** Suspension of a student from a public school beyond the current school quarter or semester. Such action may be taken only by a disciplinary tribunal, or in the case of intentional physical violence resulting in physical harm to school personnel, by the school board acting on the recommendation of a disciplinary tribunal.

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

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

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

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

**Suspension:** Removal of a student from the regular school program for a period not to exceed 10 days (short-term) or for a period greater than 10 days (long-term, which may be imposed only by a disciplinary tribunal). During the period of suspension, the student is excluded from all school-sponsored activities including practices as well as competitive events, and/or activities sponsored by the school or its employees.

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

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

**Weapon:** The term weapon is defined as any object, which is or may be used to inflict bodily injury or to place another in fear for personal safety or well-being. The following things may be defined as dangerous weapons: any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, or any dirk, any bat, club, or other bludgeon-type weapon, any stun gun or taser, bowie knife, switchblade knife, ballistic knife, any other knife, straight-edge razor or razor blade, spring

stick, metalknucks, chains, blackjack, or any flailing instrument consisting of two or more rigid parts connected in such a way as to allow them to swing freely, which may be known as a nunchaku, or fighting chain, throwing star or oriental dart, or any weapon of like kind.

Revised Official Code of Georgia, Code Section 20-2-735

Parents and legal guardians are encouraged to inform their children on the consequences, including potential criminal penalties, of underage sexual conduct and crimes for which a minor can be tried as an adult.

BULLYING

The 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 Code Section 16-5-23.1 or visible bodily harm as such term is defined in Code Section 16-5-23.1;
  - b. Has the effect of substantially interfering with a student's education;
  - c. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
  - d. Has the effect of substantially disrupting the orderly operation of the school.

The term applies to acts which occur on school property, on school vehicles, at designated school bus stops, or at school related functions or activities or by use of data or software that is accessed through a computer, computer system, computer network, or other electronic technology of a local school system. The term also applies to acts of 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.

### STUDENT SUPPORT PROCESSES

The Lumpkin County Board of Education provides a variety of resources, which are available at every school within the district to help address student behavioral problems. The school discipline process will include appropriate consideration of support processes to help students resolve such problems. These resources include Response to Intervention, school counselor, and chronic disciplinary problem student plans.

### PARENTAL INVOLVEMENT

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

Parents and students should contact the principal of the school if specific questions arise related to the Code of Conduct.

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

Georgia law mandates that any time a teacher or principal identifies a student as a chronic disciplinary problem student, the principal shall notify by telephone call and by mail the student's parent or guardian of the disciplinary problem, invite the parent or guardian to observe the student in a classroom situation, and request at least one parent or guardian to attend a conference to devise a disciplinary and behavioral correction plan.

Georgia law also states that before any chronic disciplinary problem student is permitted to return to school from a suspension or expulsion, the school shall request by telephone call and by mail at least one parent or guardian to schedule and attend a conference to devise a disciplinary and behavioral correction plan.

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