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Policy Detail

OBJECTIVE

It is the goal of the Marietta City Schools that all students be successful in school and graduate. To that end, it is the student's responsibility to follow all rules and regulations of the schools and the School System. The Marietta Board of Education expects the highest standard of conduct and decorum of all students attending Marietta City Schools.

Students are expected to: demonstrate respect for self and others; demonstrate courtesy to others; behave in a responsible manner; attend class regularly; be prepared for class; take seriously the course of study; dress appropriately; cooperate with school officials; respect others' property; and avoid violation of the student code of conduct. Students are expected to be ambassadors for our school system and must conduct themselves in a respectful and considerate way at all times whether at school, on school or school district grounds, en route to and from school, in the community or attending school related activities outside our community. Students who misbehave, show disrespect to school employees or school property, or disrupt school activities shall be subject to appropriate disciplinary action.

The Superintendent shall develop or assign personnel to develop rules and regulations which implement the above mentioned philosophy. The Board of Education will approve all student policies and any change to these policies. A system wide handbook on student conduct shall be provided to each student at the beginning of the school year and/or upon enrollment.

The superintendent shall review or assign personnel to review the code of conduct on an annual basis. Parents will participate in the revisions. The Board of Education will approve all revisions to the Code of Conduct.

The disciplinary procedures outlined in this behavior code exist as required by law and state board of education rules to ensure that all students are aware of unacceptable behavior, as well as the consequences of such policy violations. Staff members should discuss the Behavior Code in full with their students at the start of school and at other times during the year as needed. It is the responsibility of parents or guardians to discuss the Behavior Code with their students and to inform them of the consequences and criminal penalties of violating this code. This includes underage sexual conduct and crimes for which a minor can be tried as an adult (O.C.G.A. § 20-2-735). The School System encourages parents to inform their students of the implications of this conduct. Nothing in this policy shall be construed to infringe on any right provided to students with

Individualized Education Programs 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 of 1990.

DISRUPTIVE STUDENTS

The Superintendent of Marietta City Schools fully supports the authority of principals and teachers in Marietta City Schools under O.C.G.A. § 20-2-738, including establishing and disseminating procedures. Teachers may remove students who repeatedly or substantially interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn, where the student's behavior is in violation of the student code of conduct, provided that the teacher has previously filed a report pursuant to O.C.G.A. § 20-2-737, as described immediately below, or determines that such behavior of the student poses an immediate threat to the safety of the student's classmates or the teacher.

Any teacher, who has knowledge that a student has exhibited behavior that repeatedly or substantially interferes with the teacher's ability to communicate effectively with the students in the classroom or with the students' ability to learn, is required to file a report to the principal's office. The report shall be filed with the principal or his/her designee within one school day of the most recent occurrence of such behavior and shall not exceed one page and shall describe the behavior of the student. The principal or designee shall send a copy of the report to parents within one school day of receiving it and shall include information on how the parents may contact the principal or designee. The principal or designee shall also provide written notification of disciplinary action taken to both the parent and the teacher within one school day. (O.C.G.A. § 20-2-737)

The Marietta City School System retains the right to assign disruptive students or students who frequently or severely violate the behavior code to an alternative education program. Students may be assigned to the alternative educational program either by a disciplinary tribunal, a disciplinary tribunal waiver, after returning from incarceration in a youth detention facility or an adult detention facility, by parental request, or by the decision of an Admission Screening Committee. All students assigned to the alternative education program are subject to the provisions of the Marietta City Schools Behavior Code and the rules and procedures of the alternative education program. Failure to comply with the Behavior Code or the rules and procedures of the alternative education program may result in dismissal from the alternative education program or referral to a disciplinary tribunal.

The alternative educational program is available for students in grades six through twelve. Unless a minimum time period is specified by a disciplinary tribunal or through a waived tribunal, students shall be assigned for a minimum of one complete semester. Students assigned to an alternative education program shall not participate or attend any school-sponsored or extra-curricular activity at any Marietta City School.

Criminal law violations are subject to this behavior code and also will be referred to local law enforcement authorities. Furthermore, in order to ensure the safety of students, the Board of Education authorizes reasonable and appropriate action, including the use of force or physical restraint when the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions including verbal directives or other de-escalation techniques. Reasonable physical force or physical restraint may be used when other less severe means of preventing greater harm may have been ineffective and/or when conditions for action are urgent.

The principal of each school in the Marietta School System or authorized representative has the authority to conduct reasonable interrogations of students in order to properly investigate and punish student misconduct and is authorized to conduct searches within the confines of

applicable law of students, student lockers, automobiles driven by students, other property assigned to students, or articles carried upon their persons. Metal detectors may be used to search students for weapons. Students do not have a reasonable expectation of privacy for items stored on school property; which includes areas such as school lockers, within locker rooms, on-campus parked vehicles and other school areas.

CHRONIC DISCIPLINARY PROBLEM STUDENTS

Chronic disciplinary problem student means 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. (O.C.G.A. § 20-2-764)

After a student has been identified as a chronic disciplinary problem student, O.C.G.A. § 20-2-765 requires that the principal notify the student's parent or guardian by telephone call and by either certified mail or statutory overnight delivery with return receipt requested or first-class mail of the disciplinary problems and invite such parent or guardian to observe the student in a classroom situation.

Georgia law also requires at least one parent or guardian be invited to attend a conference to devise a disciplinary and behavioral correction plan. The principal or designee and the parent or guardian is expected to be present at the conference. The principal may also invite other appropriate staff members if he/she feels that it would be advisable to do so. If the parent or guardian fails to attend the conference, it will be the responsibility of the school personnel attending to devise a disciplinary and behavioral correction plan for the student and to provide copies of that plan to both the parent and the student.

Before any chronic disciplinary problem student is permitted to return from an expulsion or suspension, the school to which the student is to be readmitted shall request by telephone call and by either certified mail or statutory overnight delivery with return receipt requested or first-class mail at least one parent or guardian to schedule and attend a conference with the principal or his or her designee to devise a new or revised disciplinary and behavioral correction plan. Failure of the parent or guardian to attend shall not preclude the student from being readmitted to the school. At the discretion of the principal, a teacher, counselor, or other person may attend the conference. The principal shall ensure that a notation of the conference is placed in the student's permanent file (O.C.G.A. § 20-2-766).

STUDENT SUPPORT TEAM (SST)

The SST is an interdisciplinary group that uses a **systematic process** to address learning and/or behavior problems of students in school. Law in the state of Georgia mandates the SST.

SST is now conceptualized as driving individualized instruction and student learning at Tier 3 within the Georgia Department of Education, Student Achievement Pyramid of Interventions (POI). Tier 3 provides an additional layer of analysis and intervention beyond standards-based differentiated instruction (Tier 1) and pre-planned intervention protocols (Tier 2) available school wide to students.

At each school building the SST brings together a small group, problem-solving team (including the student's teachers, other personnel, and parents) to determine the issues that need to be addressed for the student. The Tier 3/SST team will frame, analyze, and resolve problems using a collaborative, systematic, data-based decision making process. The structured problem-solving team process should include:

- Identify the problem (descriptive and measurable)

- Gather information and analyze data from a variety of sources and assessments
- Establish instructional/behavioral objective(s)
- Develop an intervention plan which specifies appropriate strategies and ongoing assessment measures
- Implement the plan (who, what, when and where)
- Evaluate periodically, adjusting or closing a case as appropriate

School personnel should follow the procedures outlined in the Marietta City Schools Student Support Team Manual. A copy of each planning, documentation and communication form is provided in this manual.

A school staff member or a parent/guardian may refer a student to the SST at any time. Occasionally, the school may receive requests for Student Support Team assistance from Community Professionals working with our students. In these cases, based on the conceptual framework of the Pyramid of Intervention (POI), the SST shall determine the appropriate Tier level to address a student's identified needs. Intervention and progress monitoring by the SST may not be appropriate when documentation of a student's response to intervention at Tier 2 is not available.

The SST initiates referrals to the Department of Special Services in those instances where interventions have not been successful and it is believed that a student may require specially designed instruction through special education services as authorized by the Individuals with Disabilities Education Act (IDEA). The SST provides the necessary documentation of a student's Response to Intervention (RTI) in the general education program as well as establishing present levels of academic and behavioral functioning.

Ongoing interventions through the POI may not be appropriate to meet the unique learning needs of some students based on the impact of sensory, motor, communication, medical or other developmental disabilities. The SST may request to expedite the special education evaluation and eligibility process for students exhibiting these characteristics. Also, there may be "red flags" the POI Team should consider to go directly into Tier 3 / SST without Tier 2 documentation. Such cases may include transfer students with current SST records from another school district and students who demonstrate severe behavioral difficulties that significantly impact their safety and /or the safety of others in school.

ENROLLMENT OF STUDENTS

Pursuant to O.C.G.A. § 20-2-751.2, a student from a public school system in this state, a private school in this state, or a public school outside of this state, who attempts to enroll or who is enrolled in any Marietta City Schools during the time in which that student is subject to a disciplinary order of suspension or expulsion, or has been permanently expelled from school, shall be refused admission or withdrawn from Marietta City Schools for any time remaining in that other school system's or school's disciplinary order upon receiving a certified copy of such order if the offense which led to such suspension or expulsion in the other school system or school was an offense for which suspension or expulsion could be imposed in Marietta City Schools.

School administrators shall notify all teachers and other school personnel of any student assigned to them who has been convicted of or has been adjudicated to have committed an offense which is a class A designated felony or class B designated felony act under O.C.G.A. § 15-11-2. Such teachers and other certified professional personnel as the administrator deems appropriate may review information in the student's file. Such information shall be kept confidential.

UNSAFE SCHOOL STATEMENT

Major disciplinary offenses including, but not limited to drug and weapons offenses, can lead to

schools being named as an Unsafe School according to the provisions of State Board Rule 160-4-8-.16.

DRIVERS' LICENSES {Teenage and Adult Driver Responsibility Act (O.C.G.A. § 40-5-22)}

In addition to penalties specified in this Code of Conduct for attendance and selected conduct, students seventeen (17) years of age and younger may find their eligibility for a Georgia instructional/learner's permit or driver's license impacted by their school enrollment and/or conduct.

ALLEGATIONS OF INAPPROPRIATE BEHAVIOR

The School System adheres to the requirements found in O.C.G.A. § 20-2-751.7 and the Professional Standards Commission's state mandated process for students to follow when reporting instances of alleged inappropriate sexual behavior by a school employee. Any student (*or parent or friend of a student*) who has been the victim of an act of abuse, sexual abuse, sexual misconduct, or other inappropriate behavior 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.

Any teacher, counselor or administrator receiving such a report 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 abuse, sexual abuse, sexual misconduct or other inappropriate behavior, the oral and written reports should be made to the Superintendent or the Superintendent's designee.*

Any school principal or principal's designee receiving a report of abuse as defined in O.C.G.A. § 19-7-5, or any other behavior required to be reported under this law, shall make an oral report by telephone or other oral communication or a written report by electronic submission or facsimile immediately, but in no case later than 24 hours from the time there is reasonable cause to believe that suspected child abuse has occurred. When a report is being made by electronic submission or facsimile to the Division of Family and Children Services of the Department of Human Services, it shall be done in the manner specified by the division. Oral reports shall be followed by a later report in writing, if requested, to a child welfare agency providing protective services, as designated by the Division of Family and Children Services of the Department of Human Services, or, in the absence of such agency, to an appropriate police authority or district attorney. If a student has allegedly been abused or subjected to inappropriate behavior by a school employee, a report of such allegation will also be made as soon as practicable by the principal or principal's designee to the Superintendent's designee.

REPORTING OF STUDENTS COMMITTING PROHIBITED ACTS

Any report of behavior contemplated in O.C.G.A. § 20-2-1184 will be made by the principal or designee to the Superintendent's designee and school resource officer. The school resource officer will report the matter to the office of the district attorney.

JURISDICTION AND DEFINITIONS

The following code provisions apply to offenses that students commit while on school property, on school vehicles, at designated school bus stops, en route to and from school, engaging in or attending school-related events or activities, while using the school technology resources or, in some cases, while off-campus. As used in this Code of Conduct:

A. Alternative Educational Program (AEP) – A placement that provides for the educational and behavioral needs of students who have been removed from the regular school programs due to violations of the behavior code or are returning from placement in a Department of Juvenile Justice (DJJ) facility or adult detention facility, or are eligible to remain in their regular classroom but are more likely to succeed in a nontraditional setting such as that provided in an alternative education program. This term includes, but is not limited to, the programs operated by the School System, and facilities operated by providers under contract with Marietta City Schools.

B. Battery - Making intentional physical contact of an insulting or provoking nature with another person, causing injury, or behaving in such a way as to intentionally cause physical injury to another person.

C. Bullying means an act which occurs 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 Marietta City School, that is: Any willful attempt or threat to inflict injury on another person when accompanied by an apparent present ability to do so; intentionally exhibiting a display of force such as would give the victim reason to fear or expect immediate bodily harm; or any intentional written, verbal or physical act, which a reasonable person would perceive as being intended to threaten, harass or intimidate that:

- Causes substantial physical harm or bodily harm capable of being perceived by a person other than the victim and may include, but is not limited to, substantially blackened eyes, substantially swollen lips or other facial or body parts, or substantial bruises to body parts;
- Has the effect of substantially interfering with the victim student's education;
- Is so severe, persistent or pervasive that it creates an intimidating or threatening educational environment; or
- Has the effect of substantially disrupting the orderly operation of the school.

Bullying behavior is also defined as:

Cyberbullying which occurs through the use of electronic communication, whether or not such electronic act originated on school property or with school equipment, if the electronic communication:

- Is directed specifically at students or school personnel;
- Is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school; and
- 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.

D. Detention - Restriction of student to the school site at times outside of regular school hours. School principals have the authority to require students to remain after school. Teachers have the authority to detain a student after school; however, they should advise the principal and notify the parents. In the case of students whose immediate detention would pose transportation problems, twenty-four (24) hours notice should be given before the detention takes place.

E. Disciplinary Tribunal - A disciplinary hearing to determine the guilt or innocence of a student accused of violating this behavior code. If the student is determined to be guilty of the alleged offense, tribunal officers or hearing officers determine the appropriate discipline for the student. Unless waived, tribunals are held in cases when long term suspension or expulsion is recommended, or a student is accused of a physical offense against a school employee. **ALL DISCIPLINARY TRIBUNAL'S DECISIONS MUST CONFORM TO THE RANGES IN THIS BEHAVIOR CODE.**

F. **Expulsion** means suspension or expulsion of a student from school beyond the current school semester.

G. **Harassment** is defined as a pattern of intentional, substantial, and unreasonable verbal or written contact that is initiated, maintained, or repeated after being given notice that the conduct is inappropriate.

H. **In-School Suspension (ISS)** - Restriction of students to a specified location in the school so as to remove them from participation in regularly scheduled school activities in accordance with Policy JDD/JDE.

I. **Long-Term Suspension** means the suspension of a student from school for more than ten (10) school days, but not beyond the current school semester.

J. **Permanent Expulsion** means expulsion from Marietta City Schools for the remainder of the student's eligibility to attend school pursuant to Georgia law. Students permanently expelled from Marietta City Schools are not eligible for enrollment in the School System's Alternative Education Program (AEP).

K. **Physical Threat** occurs when a student attempts to commit physical harm or injury to the person of another; commits an act which places another in reasonable apprehension of immediately receiving a physical injury, or behaves in such a way as could reasonably cause physical injury to any person.

L. **Saturday School** – As a result of violating the behavior code and assignment by an administrator, a student is required to report for a specified length of time on a Saturday. Academic assignments are required.

M. **School property** includes, but is not limited to:

1. The land and improvements which constitute the school;
2. Any other property or building, including school bus stops, wherever located, where any school function or activity is conducted;
3. Any bus or other vehicle used in connection with school functions and activities including but not limited to, school buses, buses leased by the School System and privately-owned vehicles used for transportation to and from school activities; and
4. Personal belongings, automobiles or other vehicles which are located on school property.

N. **School technology resources** includes, but is not limited to:

1. Electronic media systems such as computers, electronic networks, messaging, and Web site publishing, and
2. The associated hardware and software programs used for purposes such as, but not limited to, developing, retrieving, storing, disseminating, and accessing instructional, educational, and administrative information.

O. **Semester** is defined as a division of the school year into two terms of approximately equal length totaling thirty-six (36) weeks. Disciplinary minimums and maximums within the code that are defined by semesters, will be measured by full semesters of suspension/expulsion, rather than a partial semester that may begin the sanction. However, any student completing 75% of a partial semester in an expulsion/long-term suspension status will be deemed to have completed one full semester.

P. **Sexual battery** is defined as a student intentionally making physical contact with the intimate parts of the body of another person without the consent of that person. Intimate body parts include the primary genital area, anus, groin, inner thighs, or buttocks of a male or female and the breasts of a female.

Q. **Sexual Harassment.** Verbal, visual or physical conduct of a sexual nature (including, but not limited to, unwelcome sexual advances or gestures, requests for sexual favors, sexually offensive slurs, sexually offensive drawings or posters directed towards another person) where there is a pattern of harassing behavior or a single significant incident. **See also Policy JAEB.**

R. **Short-Term Suspension** means the suspension of a student from school for ten (10) school days or less.

S. **Tardies** – Arriving after the scheduled beginning of school or class without a valid excuse.

T. **Tuancy** - Any child subject to compulsory attendance who, during the school calendar year, is absent from school more than ten (10) days without a valid written excuse.

U. **Valid Written Excuse** - A written explanation provided to the school within three days of a student's absence, signed by the student's parent or guardian.

V. **Work Detail** - A student is required to report to a specific school location and faculty members for a specified length of time. A student should plan to do light physical labor.

The decision to charge a student for violation of this Code of Conduct shall be made by the administration of the local school. If the local school administration is uncertain as to the interpretation of the Code of Conduct they are to contact the Associate Superintendent or designee.

Section 1 DISCIPLINE LEVELS:

A. Level 1 Discipline:

Level 1 discipline is used for minor acts of misconduct which interfere with the good order of school. Following appropriate teacher intervention, students may be referred to an administrator. Consequences range from administrative conference to three (3) days of in-school Suspension (ISS) and/or restitution. Consequences may also include detention, work detail and/or Saturday school.

B. Level 2 Discipline:

Level 2 discipline offenses are intermediate acts of misconduct. Students should be referred to an administrator. Consequences range from an administrative conference to five (5) days Out-of-School Suspension (OSS) and/or restitution. Consequences may also include in-school suspension, detention, work detail and/or Saturday school.

C. Level 3 Discipline:

Level 3 discipline offenses are serious acts of misconduct including, but not limited to, repeated misbehaviors of a similar nature, serious disruptions of the school environment, threats to health, safety, or property and other acts of serious misconduct. Repeated violation of any part of this behavior code may be considered a Level 3 offense.

Students must be referred to the principal or his/her designee. The principal or his/her

designee will notify the Superintendent as well as the School Resource Officer or other law enforcement agencies as required by this policy. Notification of the Superintendent is required any time a student is referred to a disciplinary tribunal or the tribunal waiver process is used. Consequences range from out-of-school suspension to permanent expulsion and may include referral to an alternative education program. Students permanently expelled from Marietta City Schools are not eligible for enrollment in the School System's Alternative Education Program (AEP).

School principals or designees may recommend that a student be considered eligible to apply to attend the AEP during long-term suspension/expulsion. Upon this recommendation or a decision of the Tribunal Facilitator/Panel or Hearing Officer, expelled/long-term suspended students may attend the AEP for all or any assigned portion of their expulsion/long-term suspension pursuant to a contract. A student may be required to attend the AEP for a minimum length, which may extend past the long-term suspension/expulsion.

If a student is given the option of attending the alternative education program during the time of the long-term suspension/expulsion, they must enroll in the program within twenty (20) days of the tribunal decision. Failure to enroll within the twenty (20) day period may result in the forfeiture of the opportunity.

All students accepted into the School System's AEP will be on a contract basis, which will include behavior, attendance, and academic objectives. If the student violates the terms of the contract, he/she may forfeit the opportunity to attend the AEP during the remainder of his/her expulsion or long-term suspension, pursuant to the order of the Tribunal Facilitator/Panel or Hearing Officer and/or the terms of the contract. The student may appeal his/her dismissal to the Associate Superintendent or designee. Students who violate the terms of the contract and have been assigned to the AEP for reasons other than a disciplinary tribunal decision may be referred to a disciplinary tribunal for further disciplinary action.

School principals or designees may also refer the student to the Graduate Marietta Student Success Center for behavior intervention services, when available, in lieu of out-of-school suspension (OSS) or in-school suspension (ISS), or any portion of the period of OSS/ISS. Exceptions to this provision include, but are not limited to, penalties for buying, selling, and possession with Intent to distribute drugs/alcohol (2nd offense); consequence 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. STUDENT OFFENSES:

A student shall not violate any of the following rules of the School System. Pursuant to State requirements, disciplinary levels have been assigned to each offense. These levels correspond to the disciplinary levels detailed above.

A. ALCOHOL/ILLEGAL DRUGS/INHALANTS:

1. No student shall possess, consume, transmit, store, or be under any degree of influence of alcoholic beverages (including related products such as "near" beer, non-alcoholic beer, and non-alcoholic wine coolers) and/or illegal drugs, narcotics, hallucinogens, amphetamines, barbiturates, marijuana, prescription medications, or any other substance listed under the Georgia Controlled Substances Act or any substance believed by the student to be alcohol, a controlled substance or an illegal drug. Legal

intoxication is not required for violation of this Code of Conduct. **(See consequences, below)**

2. No student shall possess, transmit, store, buy, sell, or otherwise distribute or possess with intent to sell any drug-related paraphernalia. **(Level 1-3)**

3. No student shall falsely present or identify a substance to be alcohol, a controlled substance or an illegal drug. **(Level 1-3)**

4. No student shall buy, sell, or otherwise distribute or possess with intent to distribute or attempt to buy, sell, or otherwise distribute or possess with intent to distribute alcoholic beverages, illegal drugs, narcotics, hallucinogens, amphetamines, barbiturates, marijuana, prescription medications or any other substance listed under the Georgia Controlled Substances Act, or any substance falsely identified as such, or is believed by the purchaser or seller to be an alcoholic beverage or illegal drug, narcotics, hallucinogens, amphetamines, barbiturates, marijuana, prescription medications or any other substance listed under the Georgia Controlled Substances Act. **(See consequences, below)**

5. No student shall sniff or be under the influence of inhalants and/or other substances. **(See consequences, below)**

*Approved possession for personal use of prescription medication that is in compliance with school rules and Policy JGCD will not violate this section.

Consequences for Possession, Personal Use or Being Under the Influence (Elementary School):

First Offense and Additional Offenses:

Minimum of one (1) day of out-of-school suspension
Maximum of ten (10) days of out-of-school suspension with a recommendation for long-term suspension for a specified time
Contact Superintendent and School Resource Officer

Consequences for Possession, Personal Use or Being Under the Influence (Middle School and High School):

First Offense:

Minimum of three (3) days of out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Contact Superintendent and School Resource Officer

Second Offense:

Minimum of ten (10) days of out-of-school suspension with a recommendation for expulsion for a specified time
Maximum of ten (10) days of out-of-school suspension with a recommendation for expulsion for one (1) calendar year
Contact Superintendent and School Resource Officer

Third Offense and Additional Offenses:

Minimum of ten (10) days out-of-school suspension with a recommendation for expulsion for one (1) calendar year

Maximum of ten (10) days out-of-school suspension with a recommendation for permanent expulsion
Contact Superintendent and School Resource Officer

**Consequences for Buying, Selling and Distribution (Elementary School):
First Offense and Additional Offenses:**

Minimum of one (1) day of out-of-school suspension
Maximum of ten (10) days of out-of-school suspension with a recommendation for expulsion for a specified time
Contact Superintendent and School Resource Officer

**Consequences for Buying, Selling, Distribution and Possession with Intent to Distribute (Middle and High School):
First Offense:**

Minimum of ten (10) days of out-of-school suspension
Maximum of ten (10) days of out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed 2 semesters
Contact Superintendent and School Resource Officer

Second and Additional Offenses:

Minimum of ten (10) days of out-of-school suspension with a recommendation for expulsion for one (1) calendar year
Maximum of ten (10) days of out-of-school suspension with a recommendation for permanent expulsion
Contact Superintendent and School Resource Officer

B. ATTENDANCE VIOLATIONS:

Any student who is subject to compulsory education requirements and is deemed to be truant as defined in this policy is subject to progressive disciplinary consequences. As a minimum, students and their parents or guardians shall be required to meet with school administrators and/or other designated personnel to develop and implement an attendance improvement plan. Parking privileges also may be revoked for attendance violations.

When a child is absent, parents, guardians, or other persons who have control of a child enrolled in the School System must comply with Policy JB, (Attendance) and local school guidelines and submit valid, written excuses for absences. Georgia law requires that after any student accrues five (5) days of unexcused absences in a given school year, the parent, guardian, or other person who has control or charge of that child shall be in violation of Georgia Code Section § 20-2-690.1(c). Any child that is subject to compulsory attendance who, during the school calendar year, has more than ten (10) days of unexcused absences is considered truant. Possible consequences may also include identification as a 'child in need of services', as that term is defined by O.C.G.A. § 15-11-2, and pursuant to the procedures of Georgia Juvenile Code, Title 15, Chapter 11, Article 5.

O.C.G.A. §20-2-690.1 states the following:

"Any parent, guardian, or other person residing in this state who has control or charge of a child or children and who violates this Code section shall be guilty of a misdemeanor and upon conviction thereof, shall be subject to a fine of not less than \$25.00 and not greater than \$100.00, or imprisonment not to exceed 30 days, community service, or any combination of such penalties, at the discretion of the court having jurisdiction. Each day's absence from school in violation of

this part after the child's school system notifies the parent, guardian, or other person who has control or charge of a child of five unexcused days of absence for a child shall constitute a separate offense."

Schools shall notify parents when a student has accumulated five (5) unexcused absences. Schools shall also notify parents of students 14 years of age and older when the student accumulated seven (7) unexcused absences during the school year.

1. No student shall fail to attend school as required by the Georgia Compulsory Attendance laws. **(Level 1-2)**
2. No student shall miss any class or activity or be tardy for which he or she is enrolled without a valid excuse. **(Level 1-2)**
3. Students shall not leave school grounds during the course of the regularly scheduled school day without the permission of a parent and school principal or designee. Students must follow the established procedures for checking in or out of school. **(Level 1-2)**

C. BOMB THREATS:

Bomb threat is defined as transmitting in any manner a false alarm to the effect that a bomb or other explosive of any nature is concealed on school property creating a potentially dangerous situation.

Consequences (Elementary School):

Minimum of one (1) day out of school suspension
Maximum of ten (10) days out-of-school suspension and recommendation of long-term suspension or expulsion
Contact Superintendent and School Resource Officer

Consequences (Middle and High School):

First Offense:

Minimum of ten (10) days out-of-school suspension with a recommendation for long-term suspension not to exceed thirty (30) school days or the current semester; whichever is greater
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time
Contact Superintendent and School Resource Officer

Second and Additional Offenses:

Minimum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time
Maximum of ten (10) days out-of-school with a recommendation for permanent expulsion
Contact Superintendent and School Resource Officer

D. BULLETS, BB'S, PAINT BALL PELLETS

Students may not possess ammunition, BBs, paint pellets, or CO2 cartridges. These items are disruptive to the function of the school and may pose a safety risk. **(Level 1-3)**.

E. BUS BEHAVIORS:

The Marietta Board of Education expects students to conduct themselves in an exemplary manner on school bus transportation, or any other mode of transportation used to transport

students to and from school or to and from extra-curricular or interscholastic activities.

Encouraging proper student behavior while students are being transported is the responsibility of the school bus driver, Director of Transportation, school administration, and other personnel with supervisory responsibility over the students being transported.

The Department of Transportation takes seriously the safety of all students transported on Marietta City School's school bus transportation. Compliance with the rules below helps ensure the safe transportation of students to and from school and school related activities.

Students shall comply with the Bus Safety Partnership Code of Conduct; a copy of which can be accessed at <http://www.marietta-city.org/cms/lib07/GA01903590/Centricity/shared/files/transportation/bussafety/Bus%20safety%20contract.pdf>. Additionally, students shall follow all student behavior policies and regulations while on school provided transportation including, but not limited to, the prohibitions on physical violence, bullying, assault, battery, disrespectful conduct, or other unruly behavior. Any referral to a school administrator for violating the behavior code while on school bus transportation will be resolved in accordance with the consequence levels prescribed in this policy. Inappropriate behaviors determined to be a violation of the behavior code do not require implementation of the Bus Safety Partnership Discipline Plan prior to submission of a referral to the school administration.

Consequences for violating the behavior code as it relates to student transportation range from Level 1 through Level 3 and/or suspension from the bus for a specified time: This may include permanent suspension from the bus. In the event a student's bus privileges are suspended, it shall be the responsibility of the parent/guardian, or the student if over 18 years old, to provide transportation to and from school and to and from extra-curricular and interscholastic activities. Additionally, prohibited items may be temporarily confiscated by the driver, provided they are returned to the student, student's parent/guardian, school administrator, or Director of Transportation. Drivers should not keep student's personal property in their possession overnight.

Articles brought on the bus such as band instruments must be kept in possession of the owner at all times. Efforts will be made to accommodate instruments; however, those that are too large or pose a threat to safety may be denied for transport. Students should be at the bus stop at least five (5) minutes before the bus is scheduled to arrive. Buses arriving within five minutes of scheduled pick-up time are considered to be on time. The bus will stop and load or unload passengers only at the designated bus stops. During inclement weather, the driver may make stops closer to a passenger's home.

In addition:

1. Students must keep all body parts inside the bus at all times. **(Level 1-3 and/or suspension from the bus for a specified time)**
2. Nothing may be thrown into, out of, within, or at the bus. **(Level 1-3 and/or suspension from the bus for a specified time)**
3. **Bus Disruption:** Students must not make unnecessary noise; converse in a loud tone or yell out the window of the bus; and must remain seated at all times unless directed by the driver. Students must remain quiet at all railroad crossings. **(Level 1-3 and/or suspension from the bus for a specified time)**
4. Emergency doors and windows are to be used only at the direction of the driver. **(Level 1-3 and/or suspension from the bus for a specified time)**
5. Students may not board or disembark a bus at a bus stop other than that assigned for their residence without submitting a written request from their parent or guardian to the principal or designee for approval. **(Level 1-3 and/or suspension from the bus for a specified time)**

6. Students shall not use any electronic devices during the operation of a school bus, including but not limited to: cell phones; pagers; audible radios, tape players, and compact disc players without headphones; or any other electronic device that may interfere with the bus' communication equipment or the driver's operation of the school bus. **(Level 1-3 and/or suspension from the bus for a specified time)**
7. Students shall not use mirrors, lasers, flashing lights, flash cameras, or any other lights or reflective surfaces which might interfere with the operation of the school bus. **(Level 1-3 and/or suspension from the bus for a specified time)**
8. Consumption of food and drinks, including gum and candy, are not permitted. **(Level 1-3 and/or suspension from the bus for a specified time)**
9. Students shall board and exit the bus quickly and quietly and are to cross the street in front of the bus in full view of the driver. After leaving the bus, students are not to stop to pick up anything that has fallen under or near the bus unless they first let the driver know there is a problem. Unsafe bus stop behavior should be reported to the school principal or his/her designee. **(Level 1-3 and/or suspension from the bus for a specified time)**
10. Students shall move behind the guardrail or white line on the floor before the bus is placed in motion, and they must be seated (if available) and remain seated and/or behind the guard rail and/or white line throughout the ride. **(Level 1-3 and/or suspension from the bus for a specified time)**
11. If a student has been found to have engaged in battery, acts of physical violence, bullying or physical threats on the school bus, the student's parent/guardian shall be required to meet with the principal/designee to execute a bus behavior contract. **(Level 2-3 and/or suspension from the bus for a specified time)**

F. COMMUNICATIONS DEVICES:

A "personal communication device" is defined as an electronic device, such as a beeper (pager), headset, cellular phone, smart phone, two-way radio, iPad, or other electronic communication device, used by students for personal or non-school sanctioned purposes. Students may not use personal communication devices as defined above during classroom instructional time. Students may use personal communication devices for personal reasons as follows:

- Elementary and Middle School: Students are permitted to possess personal communication devices but are not permitted to use them for personal reasons during school hours (beginning bell to ending bell) unless given permission by school personnel. Principals may require students to keep personal communication devices powered off during the school day.
- High School: Students are permitted to possess personal communication devices and may use them for personal reasons during non-instructional time (changing of classes, lunch, before/after school, etc.) unless otherwise directed by school personnel.

The use of personal communication devices is a privilege that can be revoked at any time by school administration or personnel.

This policy does not prohibit schools from using technology, including student-owned technology (such as smart phones, laptops, and netbooks) for the purpose of classroom instruction. However, students are not permitted to use such devices for instructional purposes during classroom time unless given permission by school personnel. In addition, both the Acceptable Use Guidelines and the Bring Your Own Technology (BYOT) Agreement must be signed by the student and his/her parent prior to such use. **(Level 1 and temporary confiscation of item)**

G. DISRESPECTFUL CONDUCT:

1. No student shall use any type of profane, vulgar, obscene or ethnically offensive language (written or oral) or gestures towards students or other persons who are not school personnel or adults. **(Level 1-2)**
2. A student shall not use profane, obscene, or abusive language (written or oral) or gestures toward school personnel or other adults. **(Level 2-3)**
3. No student shall possess, display, or distribute profane, vulgar, pornographic, obscene, or ethnically offensive materials. **(Level 1-2)**
4. No student shall knowingly and willfully make false reports or statements; whether orally or in writing; falsify school records; or forge signatures. This includes, but is not limited to, falsifying, misrepresenting, omitting or erroneously reporting information regarding instances of alleged inappropriate behavior by a school employee or student. **(Level 1-2)**
5. Insubordination: All students shall comply with reasonable directions or commands of authorized school personnel/designees. **(Level 1-3)**
6. No student shall refuse to identify one's self upon request of any School System employee/designee. **(Level 1-2)**
7. No student shall repeatedly violate the school or School System dress code, found in school handbooks or at Policy JCDB. **(Level 1-2)**
8. No student shall fail to attend detention, Saturday school or in-school suspension. **(Level 1-2)**
9. No student shall engage in a verbal altercation with any person. **(Level 1-3)**

H. DISRUPTION OF SCHOOL:

1. School/Class Disruption: No student shall, in any manner, by the use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or any other conduct, intentionally cause the disruption of any lawful mission, process or function of the school, or engage in any such conduct for the purpose of causing the disruption or obstruction of any such lawful mission, process or function. **(Level 1-3)**
2. Students shall not be on the campus of a school in which they are not enrolled during that school's hours or while that school is operational without permission from that school's administration. Students also may not enter a school building after hours without express permission. **(Level 2)**
3. Students may not attend any school function, on or off campus, while subject to suspension/expulsion or assigned to an alternative education program. **(Level 1-2)**
4. Students may not be present in an unauthorized area of school property. **(Level 1-2)**
5. Students shall not occupy nor block the entrance/exit of any school building, gymnasium, school grounds, properties or parts(s) thereof with the intent to deprive others of its use, or when the effect thereof is to deprive others of such use. **(Level 1-3)**
6. Students shall not prevent students from attending a class or school activity. **(Level 1-3)**
7. No student shall, except under the direct instruction of the principal or his/her designees, block normal pedestrian or vehicular traffic on a school campus or adjacent grounds. **(Level 1-3)**

I. FALSE REPORTS:

No student shall make false calls to emergency services or report false fire alarms which create a potentially dangerous interruption to the normal school operation and to both the physical and emotional well-being of students and staff, or falsify, misrepresent, omit, or erroneously report information regarding instances of alleged inappropriate behavior by a teacher, administrator or other school employee towards a student, whether at school, on school grounds, en route to and from school, in the community or attending school related activities outside our community.

1. False Call to Emergency Services: No student shall knowingly make or cause a false call to emergency services to be made.

**Consequences (Elementary School):
First Offense and Additional Offenses:**

Minimum of one (1) day out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for long-term suspension
Contact Superintendent and School Resource Officer

**Consequences (Middle and High School)
First Offense:**

Minimum of five (5) days out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Contact Superintendent and School Resource Officer

Second and Additional Offenses:

Minimum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for one (1) calendar year
Contact Superintendent and School Resource Officer

2. False Fire Alarms: No student shall knowingly give or cause a false fire alarm to be given.

**Consequences (Elementary School):
First Offense and Additional Offenses:**

Minimum of one (1) day out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for long-term suspension; not to exceed one (1) semester
Contact Superintendent and School Resource Officer

**Consequences (Middle and High School):
First Offense:**

Minimum of five (5) days out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Contact Superintendent and School Resource Officer

Second and Additional Offenses:

Minimum of ten (10) days out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for one (1) calendar year
Contact Superintendent and School Resource Officer

3. False Allegations Regarding Teachers, Administrators, and other School Employees: No student shall falsify, misrepresent, omit, or erroneously report information regarding instances of alleged inappropriate behavior by a teacher, administrator, or other school employee towards a student.

**Consequences (Elementary School)
First and Additional Offenses:**

Minimum of one (1) day out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Contact Superintendent and School Resource Officer

Consequences (Middle and High School)

First Offense:

Minimum of five (5) days out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Contact Superintendent and School Resource Officer

Second Offense:

Minimum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for one (1) calendar year
Contact Superintendent and School Resource Officer

Third Offense and Additional Offenses:

Minimum of ten (10) days out-of-school suspension with a recommendation for expulsion for one (1) calendar year
Maximum of ten (10) days out-of-school suspension with a recommendation for permanent expulsion
Contact Superintendent and School Resource Officer

J. GAMBLING:

No student shall participate in any type of gambling activity as defined by state law or that involves the wagering or betting of services, money or other items. **(Level 1-2)**

K. GANG RELATED ACTIVITY:

A "gang" is defined as any group or association of three or more persons, whether formal or informal, which encourages, solicits, promotes, urges, counsels, furthers, advocates, condones, assists, causes, advises, procures, or abets any illegal or disruptive activity or behavior of any kind, whether on or off school campuses or school property.

1. No student shall engage in any activity while participating in a gang which interferes with the orderly conduct of school activities, with discipline in the schools, or with the rights of other students or faculty members.
2. No student shall display identified gang tattoos.
3. No student shall wear, possess, or display gang related clothing, graffiti or paraphernalia.
4. No student shall hold himself or herself out as a member of a gang.
5. No student shall recruit or solicit membership in any gang or gang-related organization.
6. No student shall engage in any other gang-related behavior which is subversive to good order and discipline in the schools, even though such behavior is not specified in the preceding written rules.

Consequences for Gang Related Activity (Elementary School):

For first and additional offenses:

Level 1-3 consequences.

Contact Superintendent and School Resource Officer, if required by Level 3 consequence

Consequences for Gang Related Activity (Middle and High School):

First Offense:

Level 1-3 consequences

Contact Superintendent and School Resource Officer, if required by Level 3 consequence

Second Offense:

Minimum of five (5) days out-of-school suspension

Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters

Contact Superintendent and School Resource Officer

Third and Additional Offenses:

Minimum of ten (10) days out-of-school suspension

Maximum of ten (10) days out-of-school suspension with a recommendation for permanent expulsion

Contact Superintendent and School Resource Officer

L. HARASSMENT, INTIMIDATION, THREATS (VERBAL OR WRITTEN), AND BULLYING BEHAVIOR:

1. No student shall engage in verbal or written harassment or abuse of or toward another student or students or school system employees or other adults. **(Level 2-3)**

2. No student shall threaten, verbally, in writing, or by physical presence, expressed or implied, or conspire to cause bodily injury to any student, school employee or non-school employee. **(Level 2-3)**

3. Bullying. No student shall bully another student or students.

Parents/guardians/persons that have control or charge of students who are victims of bullying or are found to have committed bullying will be notified via telephone/personal conference or letter/referral. Staff members who have reliable information that would lead a reasonable person to suspect that someone is a target of bullying are expected to report instances of these behaviors to the school principal or designated administrator immediately so that administrators may investigate them in a timely manner. Employees, volunteers, students, and parents/guardians/other persons that have control of students may report or otherwise provide information on bullying activity to a school administrator anonymously if they choose. No person who reports bullying behaviors will be retaliated against by any school employee. Students who retaliate against others for reports of bullying behavior are subject to discipline which may include strong penalties. Students who knowingly file a false report of bullying will also be disciplined. **(Level 2-3; Upon a finding by a tribunal that a student in grades six through 12 has committed the offense of bullying for the third time in a school year, such student shall be assigned to an alternative education program.)**

M. INCENDIARY DEVICES.

No student shall possess, light, and/or discharge smoke bombs, stink bombs, fireworks, cigarette lighters, matches, or similar devices. **(Level 2)**

N. OFF-CAMPUS OFFENSES:

Off-campus misconduct for which a student shall be disciplined includes, but is not limited to, any off-campus conduct that is:

1. Prohibited by the Georgia or United States criminal codes;
2. Conduct which could result in the student being criminally charged with a felony or would be chargeable as a felony if committed by an adult; and,
3. Conduct which makes the student's continued presence at school a potential danger to persons or property at the school or which disrupts the educational or discipline process. **(Level 2-3 and contact Superintendent)**

O. OTHER BEHAVIORS:

No student shall participate in any activity that is illegal or is subversive to good order and discipline of the school and not specifically addressed in the other sections of this Code of Conduct. **(Level 1-3)**

P. OVER-THE-COUNTER MEDICATION:

Possession of all over-the-counter medication on school property must be in compliance with school rules and Policy JGCD. A student is prohibited from selling, distributing, or possessing with intent to distribute any over-the-counter medication. Over the counter medications specifically include, but are not limited to, nicotine replacement therapies such as nicotine gum and candy, nicotine lozenges, nicotine patches, nicotine inhalers, nicotine nasal sprays and the like. **(Level 1-3)**

Q. PARTIES TO THE OFFENSE:

No student shall urge, encourage, counsel, further, promote, assist, cause, advise, procure, or abet any other student(s) to violate any section or paragraph of this Code of Conduct. **(Level 1-3)**

R. PHYSICAL OFFENSES:

Principals or designees will continue to exercise professional discretion in determining incidents of horseplay, intentional spitting, physical altercation, fighting or physical bullying. Principals or designees will have the authority to assign consequences based on behavior related to specific incidents. This may include differentiated discipline assigned on a case by case basis.

1. No student shall use any device, chemical, irritant, or substance in a manner inconsistent with its intended or prescribed use or in a manner designed to cause harm, shock, physical irritation, or allergic reaction. Examples include, but are not limited to, directing a laser optical pointer or similar device at another person's eyes, and applying "itching powder" or like substances to another person. **(Level 1-2)**
2. Students shall not engage in horseplay or rough or boisterous activities. **(Level 1-2)**
3. No student shall participate in any kind of physical harassment including intentional spitting on another. **(Level 2-3)**
4. Students shall not engage in fighting or mutual combat. Students that fight and incidentally or inadvertently injure another person in the process of fighting, being separated, or being removed from the area will receive higher consequences. **(Level 2-3)**
5. Battery on any Person Other Than a School Employee.

Consequences (Elementary School):

First Offense and Additional Offenses:

Minimum of one (1) day out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time
Contact Superintendent and School Resource Officer

Consequences (Middle and High School):

First Offense:

Minimum of three (3) days out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed one (1) semester
Contact Superintendent and School Resource Officer

Second and Additional Offenses:

Minimum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Maximum of ten (10) days out-of-school suspension with a recommendation for permanent expulsion
Contact Superintendent and School Resource Officer

6. Physical Threat of a Student or a Person who is not a School Employee:

Consequences (Elementary School):

First Offense and Additional Offenses:

Minimum of one (1) day out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed one (1) semester
Contact Superintendent and School Resource Officer

Consequences (Middle and High School):

First Offense:

Minimum of three (3) days out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Contact Superintendent and School Resource Officer

Second and Additional Offenses:

Minimum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Maximum of ten (10) days out-of-school suspension with a recommendation for permanent expulsion
Contact Superintendent and School Resource Officer

7. Physical Offenses upon School Employees:

a. Physical Threat:

Hearing: If a student commits an act of physical threat (assault) upon a school employee, a mandatory disciplinary hearing shall be held in accordance with Policy JDD/JDE of JCDA regardless of the recommended discipline, unless the hearing is waived. A disciplinary hearing regarding a recommendation for a short-term out of school suspension (10 days OSS or less) may be waived by the employee. A disciplinary

hearing regarding a recommendation for a long- term out of school suspension/expulsion (11 days OSS or more) may be waived only by agreement of both the employee and the parent/guardian/student over 18.

Consequences (Elementary School):

First Offense and Additional Offenses:

Minimum of one (1) day out-of-school suspension with mandatory disciplinary hearing
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed one (1) semester
Contact Superintendent and School Resource Officer

Consequences (Middle and High School):

First Offense:

Minimum of ten (10) days out-of-school suspension with mandatory disciplinary hearing
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Contact Superintendent and School Resource Officer

Second and Additional Offenses:

Minimum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Maximum of ten (10) days out-of-school suspension with a recommendation for permanent expulsion
Contact Superintendent and School Resource Officer

b. Physical Violence Without Harm: No student shall intentionally make physical contact of an insulting or provoking nature with the person of a school employee, unless such contact was in self-defense, as provided in O.C.G.A. § 16-3-21.

Hearing: If a student commits an act of physical violence upon a school employee, a mandatory disciplinary hearing shall be held regardless of the recommended discipline, unless the hearing is waived. A disciplinary hearing regarding a recommendation for a short-term out of school suspension (10 days OSS or less) may be waived by the employee. A disciplinary hearing regarding a recommendation for a long- term out of school suspension (11 days OSS or more) may be waived only by agreement of both the employee and the parent/guardian/student over 18.

Consequences (Elementary School):

First Offense and Additional Offenses:

Minimum of one (1) day out-of-school suspension with mandatory disciplinary hearing
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed one (1) semester
Contact Superintendent and School Resource Officer

Consequences (Middle and High School):

First Offense:

Minimum of ten (10) days out-of-school suspension with mandatory disciplinary hearing
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Contact Superintendent and School Resource Officer

Second and Additional Offenses:

Minimum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters

Maximum of ten (10) days out-of-school suspension with a recommendation for permanent expulsion

Contact Superintendent and School Resource Officer

c. Physical Violence With Harm: No student shall intentionally make physical contact, which causes physical harm to a school employee unless such physical contacts or physical harms were in self- defense, as provided in O.C.G.A. § 16-3-21.

Hearing: If a student commits an act of physical violence that causes harm upon a school employee, a mandatory disciplinary hearing shall be held regardless of the recommended discipline, unless the hearing is waived. A disciplinary hearing regarding a recommendation for a long- term out of school suspension (11 days OSS or more) may only be waived by agreement of both the employee and the parent/guardian/student over 18.

**Consequences (Elementary School):
First Offense and Additional Offenses:**

Minimum of ten (10) days out-of-school suspension with a recommendation for permanent expulsion

Contact Superintendent and School Resource Officer

Reenrollment: If the student who commits an act of physical violence is in elementary school, then the Marietta City Schools Board of Education at its discretion and on the recommendation of the disciplinary hearing officer, panel, or tribunal may permit such a student to reenroll in the regular public school program for grades nine through 12. The local school board at its discretion may permit a student in kindergarten through grade six who has committed an act of physical violence as defined in O.C.G.A. § 20-2-751.6(a)(2) to reenroll in the public school system.

Consequences (Middle and High School):

Minimum of ten (10) days out-of-school suspension with a recommendation for permanent expulsion

Contact Superintendent and School Resource Officer

Reenrollment: The Marietta City Schools Board of Education at its discretion may permit the student to attend an alternative education program for the period of the student's expulsion. If the student who commits an act of physical violence is in sixth through eighth grade, then Marietta City Schools Board of Education at its discretion and on the recommendation of the disciplinary hearing officer, panel, or tribunal may permit such a student to reenroll in the regular public school program for grades nine through 12.

S. PRESCRIPTION DRUGS:

No student shall be in possession of prescription medication not prescribed for the student. All possession of prescription medication prescribed for a student must be in compliance with school rules and Policy JGCD. In addition, a student shall not sell, distribute, or possess with intent to distribute any prescribed medication on school property. **(Level 2-3)**

NOTE: If the prescription drug is a controlled substance under the Georgia Controlled Substances Act, the student shall be found to have violated Section II, Paragraph A, Alcohol/Illegal Drugs/Inhalants, and shall be disciplined according to that Section.

T. PROPERTY RELATED OFFENSES:

Note: Parents and/or students will be held responsible for restitution of the full value of any damaged or stolen property.

1. No student shall intentionally cause substantial damage to personal property belonging to a school employee or another student. **(Level 2-3)**
2. No student shall set fire to any private property or school property either while on school grounds or off school grounds during a school activity, function, or event. **(Level 2-3 and contact Superintendent and School Resource Officer)**
3. No student shall attempt to, threaten to, or actually damage, destroy, vandalize, or steal private property or school property on school grounds. **(Level 2-3 and contact Superintendent and School Resource Officer)**
4. No student shall attempt to, threaten to, or actually damage, destroy, vandalize, or steal private property or school property off school grounds during a school-related activity, function or event. **(Level 2-3 and contact Superintendent and School Resource Officer)**
5. No student shall possess stolen private property or school property on school grounds. **(Level 2-3 and contact Superintendent and School Resource Officer)**

U. SEXUAL OFFENSES:

Sexual offenses are prohibited against members of the same sex as well as members of the opposite sex.

1. Sexual Misconduct:
 - a. No student shall be engaged in amorous kissing, or other inordinate displays of affection. **(Level 1-2)**
 - b. No student shall consent to and participate in any form of sexual activity. **(Level 2-3 and contact Superintendent and School Resource Officer)**
 - c. No student shall expose one's intimate body parts or "moon" in public. Intimate body parts include the primary genital area, anus, groin, inner thighs, or buttocks of a male or female and the breasts of a female. **(Level 2-3)**
 - d. No student shall commit any act of verbal, written, gesture-oriented, or physical sexual misconduct on school property, school buses, at school-sponsored events, or while using school technology resources. **(Level 2-3 contact Superintendent and School Resource Officer)**
2. Sexual Harassment. **(Level 2-3). If the harassment is a sexual offense under Georgia law (O.C.G.A. § 16-6-1 through 16-6-25), contact Superintendent and law enforcement.**
3. Sexual Battery:

Consequences (Elementary School): First Offense and Additional Offenses:

Minimum of one (1) day out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Contact Superintendent and School Resource Officer

Consequences (Middle and High School): First Offense:

Minimum of ten (10) days out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Contact Superintendent and School Resource Officer

Second and Additional Offenses:

Minimum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Maximum of ten (10) days out-of-school suspension with a recommendation for permanent expulsion
Contact Superintendent and School Resource Officer

4. Sexual Molestation:

Sexual molestation is defined as a student doing any immoral or indecent act to or in the presence of another person, without that person's consent, with the intent to arouse or satisfy the sexual desires of either the student or the other person. This includes a student forcing another person to make physical contact with the student's intimate body parts, which include the primary genital area, anus, groin, inner thighs, or buttocks of a male or female and the breasts of a female.

Consequences (Elementary School):

First Offense and Additional Offenses:

Minimum of one (1) day out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Contact Superintendent and School Resource Officer

Consequences (Middle and High School):

First Offense:

Minimum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for one (1) calendar year
Contact Superintendent and School Resource Officer

Second and Additional Offenses:

Minimum of ten (10) days out-of-school suspension with a recommendation for expulsion for one (1) calendar year
Maximum of ten (10) days out-of-school suspension with a recommendation for permanent expulsion
Contact Superintendent and School Resource Officer

V. STIMULANTS:

A student shall not consume, possess, sell, distribute, or possess with intent to distribute diet pills, caffeine pills, or other stimulants on school property. **(Level 1-3) NOTE:** If the stimulant is a controlled substance under the Georgia Controlled Substances Act, the student shall be found to have violated Section II, Paragraph A, Alcohol/Illegal Drugs/Inhalants, and shall be disciplined according to the Section.

W. TECHNOLOGY OFFENSES:

School technology cannot be used for other than school related purposes.

1. Students will not purposely look for security problems because such action may be considered an unauthorized attempt to gain access to school technology resources. **(Level 2-3 and contact Superintendent and School Resource Officer)**
2. Students will not attempt to or actually disrupt the school technology resources by destroying, altering or otherwise modifying technology. Hacking is strictly prohibited. **(Level 3 and contact Superintendent and School Resource Officer)**
3. Students will not use school technology resources to solicit business, advertise, or engage in any other selling activities in support of non-school related fund-raising or private business enterprises. **(Level 1-3)**
4. Students will not engage in any activity that monopolizes, wastes, or compromises school technology resources. **(Level 1-3)**
5. Students will not copy computer programs, software or other technology provided by the School System for personal use. Downloading unauthorized files is strictly prohibited. **(Level 1-3)**
6. No student shall attempt to, threaten to, or actually damage, destroy, vandalize, or steal private property, private copyrighted material, or school property while using school technology resources on or off school grounds. **(Level 2-3, restitution and contact Superintendent and School Resource Officer)**
7. Students will not use school technology resources to distribute or display inappropriate material. Inappropriate material does not serve an instructional or educational purpose and includes but is not limited to material that:
 - Is profane, vulgar, lewd, obscene, offensive, indecent, sexually explicit, pornographic or threatening;
 - Advocates illegal or dangerous acts;
 - Causes disruption to School System, its employees or students;
 - Advocates violence;
 - Contains knowingly false, recklessly false, or defamatory information; or
 - Is otherwise harmful to minors as defined by the Children's Internet Protection Act. **(Level 2-3 and contact Superintendent and School Resource Officer)**

X. TOBACCO:

Student possession or use of tobacco or tobacco product substitutes (e.g., tobacco look-alikes, such as "Bacoff") and cigarette look-alikes, electronic cigarettes or electronic hookahs on school property and at school-sponsored events is prohibited.

Consequences (Elementary School):

First Offense and Additional Offenses:

Level 1-2 discipline

Consequences (Middle and High School):

First Offense:

Level 1-2 discipline

Second Offense:

Suspension from school for three (3) school days.

Third and Additional Offenses:

Suspension from school for five (5) school days.

Y. WEAPONS:

A student who wishes to display a weapon or look-alike weapon in an exhibit, presentation, or activity in a classroom or at a school-sponsored event must comply with the following requirements:

- Verbal approval of the teacher in whose class the weapon will be used;
- Prior written permission from the principal which includes a description of the weapons authorized and the time period during which the weapons may be on campus;
- Transport of the weapon or look-alike weapon to and from the school by the parent or guardian of the student making the request; and
- The teacher or school administration storing the weapon or look-alike weapon in a secure location when it is not being used in the above classroom activities.

Prohibition: A student shall not possess, handle, transmit, or cause to be transmitted; use or threaten to use; sell, attempt to sell, or conspire to sell a dangerous weapon, firearm or hazardous object either concealed or open to view, on school property. All dangerous weapons, firearms or hazardous objects shall be confiscated and given to law enforcement agencies as appropriate. The disposition of these confiscated items shall be determined by the Superintendent or his/her designated school official, in conjunction with law enforcement.

Note: The definition of "dangerous weapon", "firearm" and "hazardous object" for purposes of this Code of Conduct is one that includes, but is not limited to, the following items:

1. Dangerous Weapon or Firearm:

"Dangerous weapon" means any weapon commonly known as a "rocket launcher," "Bazooka," or "recoilless rifle" which fires explosive or nonexplosive rockets designed to injure or kill personnel or destroy heavy armor, or similar weapon used for such purpose. The term shall also mean a weapon commonly known as a "mortar" which fires high explosive from a metallic cylinder and which is commonly used by the armed forces as an antipersonnel weapon or similar weapon used for such purpose. The term shall also mean a weapon commonly known as a "hand grenade" or other similar weapon which is designed to explode and injure personnel or similar weapon used for such purpose. "Firearm" means a handgun, rifle, shotgun or other weapon which will or can be converted to expel a projectile by the action of an explosive or electrical charge.

First and Additional Offenses (Elementary School):

The penalty for any student possessing a dangerous weapon or loaded or unloaded firearm on school property is ten (10) days out-of-school suspension and a recommendation for expulsion for a specified time that will be no less than one calendar year as provided for in Georgia law and may include permanent expulsion. The hearing officer, tribunal, panel, administrator, superintendent or Board of Education have the authority to modify these expulsion requirements on a case-by-case basis. Contact Superintendent and School Resource Officer

First and Additional Offenses (Middle and High School):

The penalty for any student possessing a dangerous weapon or a loaded or unloaded firearm on school property is ten (10) days out-of-school suspension and a recommendation for expulsion for a specified time that will be no less than one calendar year as provided in Georgia law and may include permanent expulsion. The hearing officer, tribunal, panel, administrator, superintendent or Board of Education have the authority to modify these expulsion requirements on a case-by-case basis. Contact Superintendent and School Resource Officer

2. Hazardous Object:

“Hazardous object” means any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, knuckles, whether made from metal, thermoplastic, wood, or other similar material, blackjack, any bat, club or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any instrument of like kind, any nonlethal air gun, and any stun gun or taser as defined in O.C.G.A. § 16-11-106(a). Such term shall not include any of these instruments used for classroom work authorized by the teacher.

First and Additional Offenses (Elementary School):

Minimum of one (1) day out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed one (1) semester
Contact Superintendent and School Resource Officer

Consequences (Middle and High School):

First Offense:

Minimum of five (5) days out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Contact Superintendent and School Resource Officer

Second and Additional Offenses:

Minimum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed two (2) semesters
Maximum of ten (10) days out-of-school suspension with a recommendation for permanent expulsion
Contact Superintendent and School Resource Officer

3. Category III Weapon:

Any knife or instrument having a blade of less than two inches, any "look-alike" firearm, or plastic disposable razor or sling shot.

First and Additional Offenses (Elementary School):

Minimum of one (1) day out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed one (1) semester
Contact Superintendent

Consequences (Middle and High School):

First Offense:

Minimum of three days out-of-school suspension
Maximum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed one semester
Contact Superintendent and School Resource Officer

Second and Additional Offenses:

Minimum of ten (10) days out-of-school suspension with a recommendation for expulsion for a specified time; not to exceed one semester

Maximum of ten (10) days out-of-school suspension with a recommendation for permanent expulsion

Contact Superintendent and School Resource Officer

Section III. CLUBS AND ORGANIZATIONS:

The names of student clubs and organizations, the mission or purpose of such clubs or organizations, the names of the club's or organization's contacts or faculty advisors, and a description of past or planned activities will be available in student handbooks, school-provided information and/or on school websites for each school. This information is updated periodically throughout the year and is available on the school's Website, which may be accessed at www.marietta-city.org, and/or the school's administrative office.