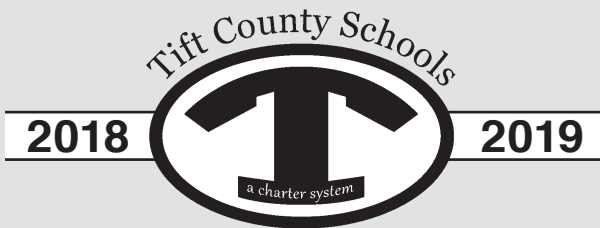


TIFT COUNTY SCHOOLS

CODE
of
STUDENT
CONDUCT



TIFT COUNTY SCHOOLS

The Tift County Board of Education is offering the ability to e-sign your student's Code of Conduct. This will verify that both you and your student have read and acknowledge the Student Code of Conduct.

To e-sign your student's Code of Conduct follow the steps below:

- Visit **www.tiftschools.com**
- Click on the top tab titled "Parents"
- On the right you will see "Code of Conduct Acknowledgement Form"
- Click the link and fill out the form.
- This information will be forwarded to your child's school.
- Link to actual form: **www.tiftschools.com/forms/code_of_conduct/index.jsp**

**You are still able to sign the paper copy and submit it to your child's school. This convenience of e-signing is being offered as a way to eliminate some of the forms you are returning to your school each year. Please provide any feedback on this process to the administration at your child's school.*

PARENT STATEMENT

I have read and I understand the policies and procedures in the Tift County Schools Code of Student Conduct.

Student's Name/Grade

Student's Signature

Parent/Guardian's Signature

Date

Comments: _____

English and Spanish versions of the Code of Conduct are available on-line at <http://www.tiftschools.com>.

Una versión del Código de Conducta en Español, está disponible en línea en <http://www.tiftschools.com>.

IMPORTANT: Remove this statement from the Code of Student Conduct booklet. **Sign it and return it to your child's school.**

Parental Opt-Out of Club and Activity Participation

I hereby acknowledge receipt of information through the school handbook regarding student clubs and activities that are scheduled to be operational at the school during the upcoming school year. I understand that if a club or activity for which information has not been provided is started during the school year, I will be provided the club or activity information at that time and my written permission will be required prior to my student's participation.

I wish to withhold permission for my child to participate in the following student clubs (please list).

Parent/Guardian's Signature

Student's Signature

Date

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Parents or eligible students have the right to:

- (a) inspect and review education records.
- (b) request the amendment of the student's education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights.
- (c) consent to disclosures of personally identifiable information contained in the student's education records, except when requested by a government agency. Identifiable information contains the following: student name, a parent name, address, personal identifier, list of personal characteristics or information that would make the student's identity easily traceable.
- (d) file complaints with the U.S. Department of Education.
- (e) review copy of the FERPA in the principal's office.

DIRECTORY INFORMATION (FERPA)

The Tift County School System has designated the following information as Directory Information:

- (1) Student's name;
- (2) Student's date and place of birth;
- (3) Student's participation in official school clubs and sports;
- (4) Weight and height of student if he/she is a member of an athletic team;
- (5) Dates of attendance at schools within the school district;
- (6) Honors and awards received during the time enrolled in the district's schools;
- (7) Photograph; and
- (8) Grade level.

Unless you, as a parent/guardian or eligible student, request otherwise, this information may be disclosed to the public upon request. You have the right to refuse to allow all or any part of the above information to be designated as Directory Information and to be disclosed to the public upon request. If you wish to exercise this right, you must notify, in writing, the principal of the school at which the student is enrolled within 10 days after the student's enrollment date.

You are also notified that from time to time students may be photographed, videotaped, or interviewed by the news media at school or some school activity or event or by school officials as part of school publications. If you, as a parent/guardian, object to your child being photographed, videotaped, or interviewed, the objection must be presented, in writing, to the principal of the school where your child is enrolled within 10 days after the student enters school.

PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

PPRA affords parent and eligible students (18 or older or emancipated minors) certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)
 1. Political affiliations or beliefs of the student or student’s parent;
 2. Mental or psychological problems of the student or student’s family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with who respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of –
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- Inspect, upon request and before administration or use –
 1. Protected information surveys of students;
 2. Instruments used to collect personal information from student for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

Parents and eligible students will be notified at the beginning of the school year if the school district has identified the specific or approximate dates during the school year when any of the activities listed above are expected to be scheduled. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys and be provided an opportunity to opt their child out of such activities and surveys. The Board of Education has developed and adopted policies, in conjunction with parents, regarding these rights as well as arrangement to protect student privacy in the administration of protected information surveys and the collection, disclosure,

or use of personal information for marketing, sales, or other distribution purposes. The district will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The district will also directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The district will also directly notify parents of students who are scheduled to participate in the specific activities or surveys and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey.

The school is required by federal law to give this notice to parents. However, the school does not have scheduled any such activities as are described above. If any such activities are initiated during the school year, parents will be notified accordingly and will be afforded all the rights described herein.

COMPLAINTS OF DISCRIMINATION/HARASSMENT

The School District does not discriminate on the basis of race, color, religion, national origin, disability or gender in employment decisions or educational programs and activities, including its athletic programs. Any student, employee, applicant for employment, parent or other individual who believes he or she has been subjected to harassment or discrimination by other students or employees of the School District based upon any of the factors listed above should promptly report the same to the principal of the school or the appropriate coordinator as listed below, who will implement the Board's discriminatory complaints or harassment procedures. Students may also report harassment or discrimination to their school counselor.

The Title VI Coordinator is:

Name or Title: Director of Special Education/Lee Watson
Office Address: 207 North Ridge Avenue, Tifton, GA 31794
Telephone Number: 229-387-2460

The Title IX and the Sports Equity Coordinator is:

Name or Title: Athletic Director/Rusty Smith
Office Address: Tift County High School
One Blue Devil Way, Tifton, GA 31794
Telephone Number: 229-445-0476

The Section 504 and Americans with Disabilities Act Coordinator is:

Name or Title: System 504 Coordinator/Michael Norman
Office Address: 207 North Ridge Avenue, Tifton, GA 31794
Telephone Number: 229-387-2400

Students and employees will not be subjected to retaliation for reporting such harassment or discrimination. A copy of the discriminatory complaints procedure under Policy JAA (Equal Educational Opportunities) or under Policy IDFA (Gender Equity in Sports) is located in the School District policy manual which is available in the school office, the central office or on the District website.

RIGHT TO KNOW

In compliance with the requirements of Every Student Succeeds Act the Tift County School District informs parents that you may request information about the professional qualifications of your student's teacher(s). The following information may be requested:

- Whether the teacher has met the Georgia Professional Standards Commission requirements for certification for the grade level and subject areas in which the teacher provides instruction;
- Whether the teacher is teaching under an emergency or other provisional status through which Georgia qualifications or certification criteria have been waived;
- The college major and any graduate certification or degree held by the teacher;
- Whether the student is provided services by paraprofessionals, and if so, their qualifications.
- Whether or not the teacher is "Professionally Qualified" as required by the state or LEA.

If you have any questions concerning your child's teacher's qualifications, please contact the principal at (school number).

STATEMENT OF AUTHORITY OF PRINCIPAL

The principal is the designated leader of the school and, along with the staff, is responsible for its orderly operation. In case of discipline violations not covered by prescribed disposition in this handbook, the principal may enact corrective measures which he/she feels are in the best interest of the school and student involved.

MISSION STATEMENT OF THE TIFT COUNTY BOARD OF EDUCATION

In its pursuit of educational excellence, the Tift County School System will provide learning opportunities for all students, will accommodate the needs of all students, will challenge all students to use their innate abilities, and will assist all students to live responsible, productive, and meaningful lives.

CODE OF STUDENT CONDUCT TIFT COUNTY SCHOOLS

I. Philosophy of Discipline

The process of educating our youth for citizenship in Tift County Public Schools is not confined to the classroom curriculum. Schools must teach by example the shared values of a civilized social order and develop a positive school climate. The students, parents, teachers, and community must work together toward promoting acceptable behavior.

Educational values we hold:

- ... Respect for the worth and dignity of every individual
- ... Respect for moral and spiritual values and ethical standards of conduct
- ... Equality of opportunity for all children
- ... Faith in mankind's ability to make rational decisions
- ... Shared responsibility for the common good
- ... Encouragement of variability

The Code of Student Conduct is critical to providing and maintaining a positive school environment that allows for expression of these values. The purpose of the Code of Student Conduct is to:

- Outline the role of parents, students, teachers, schools, and the community in establishing a positive learning environment.
- Specify offenses which disrupt the environment.
- Standardize disciplinary actions that schools use in responding to offenses, with sensitivity to age-appropriateness of such actions.
- List laws, policies, and procedures which are related to school conduct and impact on school climate.

II. Role of Student, Home, School, and Community

Standards of behavior are demonstrated by:

PARENTS/GUARDIANS WHO:

- Keep in regular contact with the school concerning their child's conduct and progress and offer assistance as necessary.
- Insure that their child is in daily attendance and report and explain any absence to the school.
- Provide their child with the resources needed to complete classwork.
- Attend conferences and meetings as invited/requested. The A Plus Education Reform Act of 2000 authorizes local boards of education, by petition to the juvenile court, to proceed against a parent or guardian for willful and

unreasonable refusal to participate in efforts to improve a chronic disciplinary problem student's behavior. If the court finds that the parent or guardian has willfully and unreasonably failed to attend a conference, 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.

- Assist their child in being well-groomed, neat, clean, and following the dress standard.
- Bring to the attention of school authorities any problems or conditions which affect their child or other children as members of the school community.
- Discuss report cards and work assignments with their child.
- Support the school by keeping the child in school throughout the entire school day.
- Inform the child of the school's rules, and support the administration of discipline for violations of the Code of Student Conduct.

STUDENTS WHO:

- Attend all classes daily and are on time.
- Are prepared to come to class with appropriate working materials.
- Are respectful to all individuals and property.
- Refrain from profane or inflammatory statements.
- Conduct themselves in a safe and responsible manner.
- Are well-groomed, clean, neat, and dress according to the dress standard.
- Are responsible for their own work.
- Abide by the rules and regulations set forth by the school and individual classroom teachers.
- Seek changes in an orderly and recognized manner.
- Participate in deciding appropriate discipline procedures.

A RESPONSIBLE SCHOOL THAT:

- Supports the teachers' plans for classroom control.
- Encourages use of good guidance procedures.
- Maintains an atmosphere conducive to good behavior.
- Exhibits an attitude of respect for students.
- Plans a flexible curriculum to meet the needs of all students.
- Promotes effective training or discipline based on fair and impartial treatment of all students.
- Develops a good working relationship among staff and with students.
- Endeavors to involve the entire community in order to improve the quality of life within the school.
- Supports and participates in community activities.

A RESPONSIVE COMMUNITY THAT:

- Assumes responsibility, in part, for developing positive attitudes among children and youth.
- Offers programs and activities that reinforce positive behavior and meaningful use of leisure time.
- Participates in the enforcement of the rules in the Code of Student Conduct as appropriate.

III. Student Support Process

The most appropriate disciplinary action taken by school officials is the LEAST EXTREME MEASURE that can resolve the discipline problem. Teachers and administrators use a variety student support services prior to and/or during disciplinary action. Early parent contact and involvement is expected. Some of these services include:

- Teacher-student conference
- Teacher-parent conference or contact
- Counselor-parent conference or contact
- Counselor-student conference
- Student program adjustment
- Home visit by teacher
- Referral to counselor, social worker
- Referral to Student Support Team/team meeting with student

IV. Progressive disciplinary actions recognized in the Code

The Code of Student Conduct recognizes many strategies which may be used as alternatives to home suspensions, or as follow-up to suspension or temporary removal from class:

REFERRAL TO ADMINISTRATOR: An administrator intervenes when informal actions fail or when violations are serious.

DETENTION: A school may elect to provide detention during, before, or after the school day as an alternative to suspension for certain conduct. Each school specifies those types of conduct for which detention may be assigned. A maximum of ten days of detention may be assigned for any one conduct problem. Due to problems of transportation and supervision, or special circumstances, detention may not be offered in all schools.

SCHOOL CHORES: A school may elect to provide the student with an opportunity to perform supervised activities, away from other students, related to the upkeep and maintenance of school facilities instead of suspension, not to exceed ten hours of work for any one conduct problem. The student and parent may request this alternative; however, the decision rests with the principal.

TIME-OUT: Temporary removal from the situation/activity where the student is having a problem. The time-out period varies from a few minutes to the length of the school day, depending on the infraction and the student's response to this disciplinary action. Time-out areas are monitored. Parent notification recommended.

IN-SCHOOL SUSPENSION (ISS): ISS is the removal of students from their regular classes for 1-10 days to an isolated area which is highly structured and supervised. Students who exhibit disruptive behavior and/or repeated offenses are assigned to ISS. Students can continue their regular classroom assignments during ISS. Remedial and/or enrichment activities are provided if needed. Parents are notified by phone or letter when students are assigned. Rules specific to ISS are provided to the student and parent when the ISS assignment is made. **First offense:** Administrative discretion may be used to determine if students can or cannot attend any school function, or can or cannot practice or participate in any activity during the period of suspension. **Second and subsequent offense(s): Students cannot attend any school function, nor practice or participate in any activity during the period of suspension.**

BUS SUSPENSION: Any short term, long term, or permanent removal of bus riding privileges.

HOME SUSPENSION: A school administrator may suspend a student from school for up to 10 days for chronic disobedience and/or gross misconduct. Principals take this action when they have at least considered other alternatives and rejected them as inappropriate in a given situation. Conferences to resolve the problem are scheduled with the parent, student, and appropriate administrator. **Students are not allowed on campus during the school day, nor are they allowed to attend, participate in, or practice at, any school function or activity during the period of suspension.**

BEHAVIOR CORRECTION PLAN: When a student's misbehavior warrants repeated suspensions, the parent will be invited to help write a Behavior Correction Plan. It will state: (1) expected behavior; (2) consequences for misbehavior; and (3) rewards/privileges for compliant behavior.

TEACHER AUTHORITY TO REMOVE A STUDENT FROM CLASS: A teacher shall have the authority to remove a student who repeatedly or substantially interferes with the teacher's ability to communicate effectively with the students in class or with the ability of the student's classmates to learn, where the student's conduct is in violation of the Code of Student Conduct. The teacher must have filed a previous discipline report on that student, or the teacher believes that the student poses an immediate threat to the safety of classmates or the teacher. A Placement Review Committee can meet to decide if the student should return to the teacher's class.

REFERRAL TO ALTERNATIVE PROGRAM: When less severe strategies seem inappropriate or when all school strategies have been exhausted, a principal may refer a student to the alternative program if age-appropriate. This referral is in lieu of recommendation for expulsion. Misbehavior at Alternative School can result in recommendation for expulsion.

CORPORAL PUNISHMENT: Corporal punishment may be administered by a member of the school faculty to a pupil for an infraction of school rules. Corporal punishment will always be administered in the presence of a witness who must be a member of the school faculty. Sound discretion will be exercised, and corporal punishment will not be excessive or unduly severe. Only a female faculty member is allowed to administer corporal punishment to a female student. In all cases involving corporal punishment a written report will be kept on file in the principal's office.

EXPULSION: A school principal may request the Superintendent to recommend the expulsion of a student. This is the most serious disciplinary step available. It denies the student attendance in any and all programs of the Tift County Schools for a period of time as designated in policy.

LAW ENFORCEMENT INVOLVEMENT: Law enforcement agencies can be contacted at the discretion of the school if criminal activity occurs on campus, if disruption is excessive, or if chronic truancy is a problem. Law enforcement agencies must be notified without exception in situations involving weapons, alcohol, drugs, battery, or sex offenses.

DISCIPLINARY ACTION PLAN

Disciplinary actions are progressive within plans regardless of the specific offense. **Students who repeatedly misbehave are subject to increasingly severe disciplinary actions.**

Plan A – Teacher Action

- Teacher-student conference
 - In-class disciplinary action
 - PARENT/GUARDIAN contact by teacher
- Each teacher will develop his/her own class discipline plan. Plans will vary. Each plan will be on file in the school office. Teachers will distribute plans to students at the beginning of the school year.

Plan B – Teacher Action

- TEACHER-STUDENT-PARENT conference
- Time out
- Home visit
- Corporal punishment or in-class disciplinary action (follow rules of the school)
- Removal of privileges
- Referral to Counselor/Social Worker
- Teacher/Team Detention Hall

Plan C – Administrator Action

- ADMINISTRATOR-STUDENT conference
- TEACHER-STUDENT-PARENT-ADMINISTRATOR conference
- Suspension or other alternatives (School Chores, Detention Hall, Corporal Punishment, Student Contract, ISS for 1-5 days, Home Suspension)
- Referral to Student Services – Counselor, Social Worker, etc.
- Restitution

Plan D – Administrator Action

- PARENT/GUARDIAN contact and 5-10 days ISS or Home Suspension
- Possible development of behavior correction plan (all grades)
- Possible recommendation for alternative program (grades 6-12)
- Possible referral to Law Enforcement
- Restitution
- Recommendation for expulsion

Plan E – Administrator Action

- All offenses involving controlled substances, weapons, aggravated assault or aggravated battery, and all sexual offenses must be reported to the Superintendent or the Superintendent's designee immediately. (*With regard to any offense involving any weapon, please refer to page 22.)
- PARENT/GUARDIAN-ADMINISTRATOR conference
- 5-10 days home suspension and/or recommendation for expulsion
- Referral to Law Enforcement
- Alternative School
- Enrollment in and completion of Anger Management/Drug and Alcohol Intervention Class

V. Disciplinary Policy and Procedures

The offenses and disciplinary actions listed below apply to all situations which occur on school campuses, during school activities, or during school-related functions, and en route to and from school on school buses. The school has the flexibility to implement the plan to best address the needs of the school and student. Any disability of the student must be taken into account when addressing misbehavior, in accordance with the requirements of Section 504 of the Rehabilitation Act of 1973, IDEA, and the Georgia Special Education rules. All actions for offenses are **minimum dispositions**. The age of the child and the severity of the offense are considered in the administration of these rules. **Repeated episodes of misconduct will result in increasingly severe disciplinary actions.**

OFFENSE	DISCIPLINARY ACTION
1. Academic Dishonesty: Receiving or providing unauthorized assistance on classroom projects, assignments or exams.	Plan B or C
2. Alcohol: Violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of intoxicating alcoholic beverages or substances represented as alcohol during the school year.	Plan D or E
3. Arson: Unlawful and intentional damage or attempted damage to any real or personal property by fire or incendiary device. Examples include firecrackers, fireworks, and trashcan fires if they are contributing factors to a damaging fire. Without a fire, firecrackers and fireworks are included in the incident type Weapons – Other.	Plan D or E (Notify law enforcement)
4. Attendance Related: Repeated or excessive unexcused absences or tardies; including failure to report to class, skipping class, leaving school without authorization, or failure to comply with disciplinary sanctions. (Refer to Board Policy JBD).	
A. Truancy: Skipping all day.	Plan C or D
B. Skipping class or required in-school activity. Any student who is more than 10 minutes late to class without a note is considered to be skipping.	Plan C or D
C. Leaving campus without permission.	Plan C or D
D. Skipping/misbehaving in detention.	Plan C or D
E. Tardiness: Students who are late up to 10 minutes for class are tardy.	Plan A

OFFENSE

DISCIPLINARY ACTION

4. *Attendance Related – Continued...*

- F. Repeated tardies show a failure to follow school rules, and a referral to a school administrator will be made.

Plan C

5. **Battery:** Actual and intentional touching or striking of another person against his or her will or intentionally causing bodily harm to an individual. For example, when one individual physically attacks or “beats up on” another individual. Includes an attack with a weapon or one that causes serious bodily harm to the victim. Includes the actual placement of a bomb or one sent through the mail, regardless of whether the bomb explodes. This code should be used only when the attack is very serious, serious enough to warrant calling the police or bringing in security, where the intent is do bodily harm to someone.

Plan E
(Notify law enforcement)

Battery: Battery on any **school system employee, student, or other person** on school property or off school property if school-related. This includes any school employee or other person hit during the process of breaking up a fight.

- a. Simple battery – intentional physical contact
 - b. Battery on a school employee causing visible physical harm
6. **Bullying:** (Policy **JCDA**): A pattern of behavior, which may include written, verbal, or physical acts, that is so severe, persistent, or pervasive so as to have the effect of substantially interfering with a student’s education, threatening the educational environment, or causing substantial physical harm or visible bodily harm.
7. **Breaking & Entering – Burglary:** Unlawful entry into a building or other structure with the intent to commit a crime. This applies to school buildings or activities related to a school function.

Plan C, D or E – grades K-3
Plan D or E – grades 4-12
Plan E (felony)

Plan B, C or D;
3rd offense: Possible
Alternative School
placement

Plan D or E
(Notify law enforcement)

OFFENSE

8. **Bus Misconduct:** Refer to Transportation Rules and Pupil Responsibilities. The age of the child and the severity of the offense will be taken into consideration in the administration of disciplinary action.
9. **Class Disruption:** Behavior that interferes with student's learning or the educational process for others.
10. **Computer Trespass:** Unauthorized use of a computer or a computer network with the intention of deleting, obstructing, interrupting, altering, damaging, or in any way causing the malfunction of the computer, network, program(s), or data.
11. **Disorderly Conduct:** Any act that substantially disrupts the orderly conduct of a school function, substantially disrupts the orderly learning environment, or poses a threat to the health, safety, and/or welfare of students, staff, or others.
12. **Dress Standard Violations** – Refer to Dress Standards.
13. **Drugs, Except Alcohol and Tobacco** (Policy JCDAC): Unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation, or importation of any controlled drug or narcotic substance, or equipment or devices used for preparing or using drugs or narcotics. Includes being under the influence of drugs or substances represented as drugs. Code includes over-the-counter medications if abused by the student. Code does not include alcohol and tobacco.
14. **Electronic Devices:** Refer to Possession/Use of Personal Electronic Communication Devices by Students.
15. **Fighting:** Mutual participation in a fight involving physical violence where there is no one main offender and no major injury. This does not include verbal confrontations, tussles, or other minor confrontations.

DISCIPLINARY ACTION

Discipline for bus misconduct will be handled with a progressive plan of discipline that may include any of the following: bus contracts with parental involvement, assigned seating, suspension or denial of bus riding privileges.

Plan A, B or C

Plan C or D

Plan C, D, or E

Plan B or C

Plan E

Plan B, C, D

Plan B, C, D

Plan C, D or E
(Law enforcement involvement at administrative discretion.)

OFFENSE**DISCIPLINARY ACTION**

- | | |
|--|----------------------------------|
| 16. Gang Activity/Secret Societies: Any group of three or more students with a common name or common identifying signs symbols, tattoos, graffiti, or attire which engage in school disruptive behavior. Involvement in or promotion of any activity that might be considered gang-related, such as, but not limited to, the use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory or manner of grooming which, by virtue of its color, arrangement, trademark, symbol, or any other attribute that indicates or implies membership or affiliation with such a group, is prohibited on school grounds and/or at school activities. Incidents involving initiations, hazing, intimidation, and/or related activities of such group affiliations, which could cause bodily danger, physical harm, or personal degradation or disgrace resulting in mental harm to students, are prohibited. | Plan C, D, or E |
| 17. Homicide: Murder and non-negligent manslaughter, killing of one human being by another, killing a person through negligence. | Plan E |
| 18. Kidnapping: Unlawful seizure, transportation, and/or detention of a person against his/her will, or of a minor without the consent of his/her custodial parents or legal guardian. | Plan E |
| 19. Larceny/Theft: Unlawful taking, carrying, leading, or riding away of property of another person without threat, violence, or bodily harm. This includes pocket-picking, purse or backpack-snatching if left unattended, theft from a building, theft from a motor vehicle, theft from a coin-operated machine, and all other types of larcenies. The code should only be used when theft is serious enough to warrant calling the police or bringing in security. | Plan B, C, or D plus restitution |
| 20. Motor Vehicle Theft: Theft or attempted theft of a motor vehicle. Code includes theft of car, truck, motorcycle, dune buggy, RV, or anything that is self-propelled. | Plan E |

OFFENSE

21. **Off-Campus Conduct: (Policy JCDA)**
A student who has committed a criminal act while off campus is subject to action and may be excluded from school if disciplinary his/her presence on school property may endanger the welfare and/or safety of other students or staff, or whose presence may cause substantial disruption at school.
22. **Parking/Traffic Violations on school property:** Each student who chooses to park or operate a vehicle on school property must follow the rules and regulations of the Tift County School system as outlined. Student parking by permit only.
23. **Possession of Unapproved Items:** The use or possession of any unauthorized item disruptive to the school environment.
24. **Repeated Offenses:** Collection of state reportable offenses that occur on multiple school days that leads to a state reportable disciplinary action.
25. **Robbery:** Taking or attempting to take, anything of value that is owned by another person or organization, under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear.
26. **Sexual Battery:** Oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object, or attempts forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of temporary or permanent mental capacity. Included rape, fondling which includes touching of private body parts of another person (either through human contact or using an object), indecent liberties, child molestation, sodomy. This code should be used only when the incident is severe enough to warrant calling in law enforcement.

DISCIPLINARY ACTION

Plan D – will be implemented according to administrative discretion.

Plan C or D plus possible towing or use of immobilization device.

Plan C, D, or E

Plan B, C, or D

Plan B, C, or D plus parent notification and restitution.
(Notify law enforcement)

Plan E

OFFENSE

27. **Sexual Harassment:** Deliberate, repeated, and unsolicited physical actions, gestures, or verbal or written comments of a sexual nature, when such conduct has the purpose or effect of interfering with a student's academic performance or creating an intimidating, hostile, or offensive learning environment. Examples include behaviors such as leering, pinching, grabbing, suggestive comments, suggestive jokes, or pressure to engage in sexual activity.
28. **Sex Offenses:** Sexual intercourse, sexual contact, or other unlawful behavior or contact intended to result in sexual gratification without force or threat of force and where the victim is capable of giving consent. Includes indecent exposure and obscenity. Examples include entering or downloading pornographic content onto school computers.
29. **Serious Bodily Injury:** The term "serious: bodily injury" means bodily injury which involves a substantial risk or death, extreme physical pain, protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
30. **Student Incivility:** Insubordination or disrespect to staff members or other students; includes but is not limited to refusal to follow school staff member instructions, use of vulgar or inappropriate language, and misrepresentation of the truth.
31. **Threat/Intimidation:** Unlawfully placing another person in fear of bodily harm through verbal threats without displaying a weapon or subjecting the person to a physical attack.
32. A. Throwing inappropriate objects/or
B. Possession of dangerous objects. Can include rocks, pencils, pens, staples, etc.

DISCIPLINARY ACTION

Disposition: Administrative investigation followed by age-appropriate disciplinary action, parent notification, possible expulsion and law enforcement involvement if criminal activity is reported.

Disposition: Administrative discretion, with possible expulsion and notification of parents and law officials.

Plan E

Plan A, B, C or D

Plan B, C, or D

Plan A, B, C, or D

OFFENSE

DISCIPLINARY ACTION

33. **Tobacco:** Possession, use, distribution, or sale of tobacco products on school grounds, at school-sponsored events and on transportation to or from school. This includes lighters, matches, and any tobacco paraphernalia including electronic cigarettes.
34. **Trespassing:** Entering or remaining on a public school campus or School Board facility without authorization or invitation and with no lawful purpose for entry. This includes students under suspension or expulsion, and unauthorized persons who enter or remain on a campus after being directed to leave by the chief administrator or designee.
35. **Vandalism:** The willful and/or malicious destruction, damage, or defacement of public or private property, real or personal, without the consent of the owner or the person having custody or control of it. Examples include graffiti, carving initials or words in desktops, or spray-painting on the walls.
36. **Weapons – Knife:** The possession, use, or intention to use any type of knife, including a pocket or penknife, to inflict harm on another person, or to intimidate any person.
37. **Weapons – Handgun:** Possession of a firearm that has a short stock and is designed to be held and fired by the use of a single hand; and any combination of parts from which a firearm described above can be assembled. (NOTE: This definition does not apply to items such as toy guns, cap guns, bb guns, and pellet guns.)
38. **Weapons – Rifle/Shotgun:** The term “rifle” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger. The term “shotgun” means a weapon designed or redesigned, made or remade, and intended to be fired from the

Plan C, D or E
Confiscation for all offenses

Warning first, then referral to law enforcement

Plan C, D or E

Plan D or E,
Other: Administrative discretion

Plan E

Plan E

OFFENSE**DISCIPLINARY ACTION**

38. *Weapons – Rifle/Shotgun – Continued...*
 shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire through a smooth bore either a number of ball shot or single projectile for each single pull of the trigger.
39. **Weapons – Other:** The possession, use, or intention to use any instrument or object to inflict harm on another person, or to intimidate any person. Included in this code are chains, pipes, razor blades, ice picks, dirks, nunchakus, brass knuckles, Chinese stars, billy clubs, tear gas guns, toy guns, cap guns, bb guns, pellet guns, electrical weapons or devices, explosives, or propellants. Firecrackers and other fireworks are also included if fire is not involved. Plan E
40. **Other Firearms:** Firearms other than handguns, rifles, or shotguns as defined in 18 USC 921. Includes any weapon (including starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive; the frame or receiver of any weapon described above; any firearm muffler or firearm silencer; any destructive device, which includes any explosive, incendiary, or poison gas (i.e. bomb, grenade, rocket having a propellant charge more than 4 ounces, missile having an explosive or incendiary charge of more than ¼ ounce, mine, or similar device); any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than ½ inch in diameter; any combination or parts either designed or intended of use in converting any device into any destructive device described above, and from which a destructive device may readily be assembled. (NOTE: This does not include toy guns, cap guns, bb guns, pellet guns, or Class-C common fireworks.) Plan E

NOTICE

Pursuant to O.C.G.A. §16-11-127.1, it is unlawful for students and certain others to carry, possess or have under control any weapon or explosive compound within a school safety zone or at a school building, school function, or on school property or on a bus or other transportation furnished by the school.

The term “weapon” may include but is not limited to:

1. Any pistol, revolver, handgun, firearm, rifle, shotgun, machine gun, any weapon designed or intended to propel a missile of any kind, or any weapon which will or can be converted to expel a projectile by the action of an explosive or electrical charge; any explosive compound or incendiary device; or, any other dangerous weapon as defined in OCGA sec 16-11-121, including a rocket launcher, bazooka, recoilless rifle, mortar, or hand grenade, and

2. Any hazardous object, including 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 chankha, nunchuck, 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, oriental dart, or any instrument of like kind, and any stun gun or taser as defined at O.C.G.A. § 16-11-106(a). (See O.C.G.A. § 16-11-127.1)(a)(2).

The term “weapon” shall not include any baseball bats, golf clubs or other sports equipment possessed by competitors for legitimate athletic purposes, nor any firearms possessed by participants in school organized sport shooting events or firearm training courses, or persons participating in military training programs conducted by or on behalf of the armed forces of the United States or the Georgia Department of Defense.

Any violation of O.C.G.A. § 16-11-127.1 by a student may result in expulsion from school for one year and/or criminal prosecution. A juvenile who violates O.C.G.A. §16-11-127.1 may have a juvenile complaint filed against him or her and be subject to the provisions of O.C.G.A. § 15-11-63.

Any employee who has reasonable cause to believe that a student possesses or possessed a weapon as defined in paragraph 1 above, is involved in an assault using a weapon as defined in paragraph 2, or is involved in a second offense with a weapon on campus must report such violations to the principal or assistant principal of the school. If the principal has reasonable cause to believe that such report is valid, he/she must immediately make an oral report to the Superintendent and to the appropriate law enforcement authority and district attorney.

The student’s parents or guardian shall be notified immediately of his/her child’s involvement in any activity involving weapons.

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- All incidents listed in **bold type** are subject to inclusion in annual discipline reports to the Georgia Department of Education.

BOARD POLICY – JBD ABSENCES AND EXCUSES

The Tift County Board of Education expects students to be in attendance at school each day. The following requirements define Tift County's expectations in accordance with state law:

Requirements for K-12 students:

Excused Absences

It is the policy of the Board to excuse students from school for the following reasons:

1. Personal illness or when attendance in school endangers a student's health or the health of others.
2. A serious illness or death in a student's immediate family necessitating absence from school.
3. A court order or an order by a governmental agency, including pre-induction physical examinations for service in the armed forces, mandating absence from school.
4. The observance of religious holidays, necessitating absence from school.
5. Conditions rendering attendance impossible or hazardous to student health or safety.
6. Registering to vote or voting in a public election, which shall not exceed one day.
7. A student whose parent or legal guardian is in military service in the U.S. armed forces or National Guard, and such parent has been called to duty for or is on leave from overseas deployment to a combat zone or combat support posting, will be granted up to 5 days of excused absences per school year to visit with his or her parent prior to the parent's deployment or during the parent's leave.
8. Any other absence not explicitly defined in this policy but deemed to have merit based on circumstances as determined by the Superintendent or his/her designee.

Students Counted Present

Students shall be counted present under the following circumstances:

1. When they are serving as pages of the Georgia General Assembly.
2. A foster care student who attends court proceedings relating to his or her foster care shall be counted present and shall not be counted absent, either excused or unexcused, for any day or portion of a day missed from school.
3. A student who successfully participates in the Student Teen Election Participant (STEP) program shall be counted present and given full credit for the school day in which he or she served as a volunteer poll worker, up to two school days per school year.

Students with excessive absences will be referred to the School Social Worker. Student and parent(s)/guardian(s) will be notified by School Social Worker of their responsibilities relating to school attendance.

Tift County Schools shall not release students to individuals other than custodial parent(s)/guardian(s) without written permission from the custodial parent(s)/guardian(s). It is the responsibility of the custodial parent(s)/guardian(s) to notify

the school when their child will be picked up by anyone other than those filed in the child's records.

In accordance with the above policy requirements, the Tift County Board of Education shall establish administrative regulations to administer these expectations.

An Appeals Process shall be established by the administrative staff to consider extenuating circumstances which may need to be addressed based on individual needs.

REGULATION – JBD-R(1) ABSENCES AND EXCUSES

The following administrative procedures shall be followed by the school, students and parents/guardians as students return to school after an absence:

Definitions for Student Attendance Protocol

Tardy

Tardy to Class – A student is “tardy to class” when he/she arrives to class after the tardy bell.

Excused Tardy – Includes events that are physically out of your control such as: a verifiable accident, road closed due to an accident, power outage, sickness when verbally verified by parent, doctor appointment when verified by doctor's office visit slip, etc.

Unexcused Tardy – Over-sleeping, traffic too heavy, errand for parents, delayed at train crossing, out of gas, car trouble, missed bus, personal business, out of town, etc.

Truant

Any child subject to compulsory attendance who, during the school calendar year, has more than five days of unexcused absences.

Exception for suspension

School days missed as a result of an out of school suspension shall count as excused days for the purpose of determining student truancy.

Excused Absences

1. Personal illness or when attendance in school endangers a student's health or the health of others.
2. A serious illness or death in a student's immediate family necessitating absence from school.
3. A court order or an order by a governmental agency, including pre-induction physical examinations for service in the armed forces, mandating absence from school.
4. The observance religious holidays, necessitating absence from school.
5. Conditions rendering attendance impossible or hazardous to student health or safety.

6. Registering to vote or voting in a public election, which shall not exceed one day.
7. A student whose parent or legal guardian is in military service in the U.S. armed forces or National Guard, and such parent has been called to duty for or is on leave from overseas deployment to a combat zone or combat support posting, will be granted up to 5 days of excused absences per school year to visit with his or her parent prior to the parent's deployment or during the parent's leave.
8. Any other absence not explicitly defined in this policy but deemed to have merit based on circumstances as determined by the Superintendent or his/her designee.

Students Counted Present

Students shall be counted present under the following circumstances:

1. When they are serving as pages of the Georgia General Assembly.
2. A foster care student who attends court proceedings relating to his or her foster care shall be counted present and shall not be counted absent, either excused or unexcused, for any day or portion of the day missed from school.
3. A student who successfully participates in the Student Teen Elections Participant (STEP) program shall be present and given full credit for the school day in which he or she served as a volunteer poll worker, up to two school days per school year.

Grade and Absences

Course grades of students shall not be penalized because of absences if the following conditions are met:

1. Absences are justified and validated for excusable reasons.
2. Make-up work was completed satisfactorily.
3. In the event of prolonged absences due to extenuating circumstances, the student, parent or guardian may request the case be reviewed by the Attendance Appeals Committee. (See Attendance Appeals Committee.)
4. Make-up work for unexcused absences may be approved by the building principal for extenuating circumstances. This request for make-up work must be made PRIOR TO the unexcused absence. Students will be granted three (3) days to make arrangements to make up work missed.

Procedures for Absences: Notification

1. A written excuse from a physician, parent or guardian, stating days missed and reason for absence, shall be provided to the designated person at each school on the third day the student returns to school after an absence. Only three (3) written excuses and/or emails from a parent/guardian will be accepted per 9 weeks. Also, school officials will accept faxed notes from the doctor once the student returns to school. School officials will ONLY EXCUSE the note(s) provided with the date(s) from the physician, parent or guardian.
2. Parents of students from ages 6-15 (including kindergarten students which have been enrolled 20 consecutive school days) who have five (5) unexcused absences will receive notification from the Tift County School Attendance Support team for an attendance hearing with the parent or legal guardian. Upon the next

unexcused absence following the attendance hearing, a warrant will be taken out against the parent or legal guardian. At such time, the student and parent/guardian will be expected to appear before the Magistrate Judge and the Judge of State Court, to show cause for the six (6) or more unexcused absences.

Attendance and Tardies/Early Dismissals for Students in Grades K-12:

K-5th Grades:

1. Students are expected to be on time and in attendance daily. Students must be present at least 1/2 of the school day to be counted present.
2. Parents are responsible for getting students to school on time and should not make a habit of taking students out of school prior to official dismissal time.
3. Students will be referred to the Attendance Support Team (AST) when they have received excessive tardies/early dismissals. The AST will determine whether the tardies/early dismissals are excused or unexcused. For students who have acquired 20 unexcused tardies/early dismissals, the school social worker will file a CHINS petition with the Juvenile Court Judge.

6th-8th Grades:

1. Students are expected to be on time and in attendance daily. Students must be present at least 1/2 of the school day to be counted present.
2. Parents are responsible for getting students to school on time and should not make a habit of taking students out of school prior to official dismissal time.
3. Students will be referred to the Attendance Support Team (AST) when they have received excessive tardies/early dismissals. The AST will determine whether the tardies/early dismissals are excused or unexcused. For students who have acquired 20 unexcused tardies/early dismissals, the school social worker will file a CHINS petition with the Juvenile Court Judge.
4. Students who arrive after the tardy bell (to school) must go directly to the front office and SIGN IN. Tardy passes are issued by the front official until 8:20 a.m. After 8:20 a.m., tardy students are recorded as absent for 1st period and issued an admit pass to take to class.
5. Students must see the principal's designee to obtain a tardy pass to enter the classroom after the tardy bell rings. Excessive tardiness will result in progressive punishment using steps B-D of the disciplinary action plan.
6. Students who are tardy to class by more than 25 minutes (1/2 of the period) are required to have an admit pass and are recorded absent for that class.
7. Parents/guardians or other persons approved to check-out students during the day must report to the Front Office. After the checkout is verified and approved by the school official, the student will be cleared to check-out at the end of the instructional period. Students who miss class for more than 25 minutes (1/2 of the period) due to early dismissal will be recorded as absent.
8. Upon returning to school the following day, the Early Dismissal Pass must be shown to all teachers whose classes the student missed the previous day. The Early Dismissal Pass serves as the student's admit pass.
9. Students' Illness During the Day: Students who become ill during the day must

have a pass from the school nurse to come to the Front Office. Students may be checked out of school only by their legal guardian or by persons authorized on the student's Medical Authorization and Emergency Release Form. Parents/guardians must be available by telephone.

9th-12th Grades:

1. Students are expected to be on time and in attendance daily. Students must be present at least 1/2 of the school day to be counted present. Students must be present at least 1/2 or more of the class period to be counted present for that class.
2. Parents are responsible for getting students to school on time and should not make a habit of taking students out of school prior to official dismissal time.
3. For students who have acquired 20 unexcused tardies/early dismissals, the school social worker will file a CHINS petition with the Juvenile Judge.
4. Students who arrive after the tardy bell (to school) must go directly to the attendance office and SIGN IN. Tardy passes are issued by the attendance official until 8:18 a.m. After 8:18 a.m., tardy students are recorded as absent for 1st period and issued an admit pass to take to class.
5. Students may not have more than 3 tardies to class per semester. Upon the 4th tardy the teacher will write an administrative discipline referral.
6. Students must see the principal's designee to obtain a tardy pass to enter the classroom after the tardy bell rings. Excessive tardiness will result in progressive punishment using steps B-D of the disciplinary action plan.
7. Students who are tardy to class by more than 23 minutes (1/2 of the period) are required to have an admit pass and are recorded absent for that class.
8. Parents/guardians or other persons approved to check-out students during the day must report to the Attendance Office. After the checkout is verified and approved by the attendance official, the student will be cleared to check-out at the end of the instructional period. Students who miss class for more than 23 minutes (1/2 of the period) due to early dismissal will be recorded as absent.
9. Pre-Approved Early Dismissal (Check-Out): Students who need to leave school during the school day must take their note to the Attendance Office before 1st period. The student should present a note from the parent/guardian authorizing the student's early release. The note must include a parent contact number. When this note is presented and verified by the attendance official, an Early Dismissal Pass will be issued to the student. If a parent/guardian cannot be reached, the student will not be allowed to check-out. The Early Dismissal Pass must be presented to the teacher of the class in session when the student leaves during the day. The student must report to the Attendance Office and sign-out before leaving campus. Verification/authorization for sign-outs must occur prior to the students' leaving campus. If the student is being checked out for a doctor's appointment, documentation regarding the appointment must be presented in order for the absence to be excused. If the parent/guardian picks up the student from the nurse's office, the absence/early check-out will be counted as excused for the remainder of the day.
10. Upon returning to school the following day, the Early Dismissal Pass must be

shown to all teachers whose classes the student missed the previous day. The Early Dismissal Pass serves as the student's admit pass.

11. Students Illness During the Day: Students who become ill during the day must have a pass from the school nurse to come to the Attendance Office. Students may be checked out of school only by their legal guardian or by persons authorized on the student's Medical Authorization and Emergency Release Form. Parents/guardians must be available by telephone to verify student release if they do not personally check-out the student.

Attendance Appeals Process: Grades K-12

1. An Attendance Appeals Committee shall be established by the building administrator.
2. The Attendance Appeals Committee in each school shall be comprised of an administrator, counselor, school social worker, teacher, or any other person the principal feels necessary who has information for the Committee to consider.
3. The Attendance Appeals Committee shall meet as the building administrator deems it necessary. (The Attendance Appeals Committee must meet upon the request of a parent or student.) Minutes are to be kept of all attendance hearings.
4. Parents/guardians must be advised of their right of appeal to the Superintendent. This advice must be recorded.

HEAD LICE

Tift County Schools are following a "no-nit" policy. Your child can return to school only when all head lice and nits are removed from the child's head. Your child will be rechecked by the clinic aide/school personnel before being allowed to return to class. If nits are found, the child will not be allowed to return to class. The student will be allowed up to two excused absences for head lice treatment. Any days after those two days will be counted as unexcused absences.

BOARD POLICY – JCDA 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 which occurs on school property, on school vehicles, at designated school bus stops, or at 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, 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 harms 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 also applies to acts of cyberbullying 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 student's 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.

Each school shall encourage teachers or other school employees, students, parents, guardians, or other persons who have 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 principal.

Any report will be 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.

Schools should clearly communicate to all parties that retaliation following a report of bullying is strictly prohibited and may result in strong disciplinary action.

Acts of bullying shall be punished by a range of consequences through the progressive discipline process, as stated in the Code of Conduct. Such consequences shall include, at a minimum and without limitation, disciplinary action, as appropriate under the circumstances. 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 education program.

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.

Student 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.

OCGA 20-2-751.4

BOARD POLICY – JCDA OFF-CAMPUS CONDUCT

The Tift County Board of Education and the institutions under its jurisdiction shall have authority to control the conduct of students under the general power to provide for control and management of the school system. It is the duty of the Board of Education to make necessary rules and policies to regulate student conduct for the purpose of maintaining good order and discipline in the school. The Board has a responsibility to provide protection for students and employees and to provide and maintain a safe and orderly environment for education to take place.

Administrators are authorized to take disciplinary action for conduct which occurs: (a) on the school grounds during or immediately before or immediately after school hours; (b) on the school grounds at any other time; (c) off the school grounds at a school activity, function or event; (d) en route to and from school or school activity.

Authority to take disciplinary action also extends to any off-campus non-school related actions by students which have a direct and immediate impact on school discipline, the educational function of the school or the welfare of the students and staff. A student who has been formally charged with violation(s) of criminal law, whether or not the case has been adjudicated, and whose presence on school property may endanger the welfare and/or safety of other students or staff, or whose presence may cause substantial disruption at school is subject to disciplinary action. Off-campus, non-school related misconduct may be considered as a sufficient basis for suspension, exclusion from school. Other appropriate disciplinary action including but not limited to in-school suspension and assignment to an alternative educational program or site may be taken.

School officials shall contact proper authorities to verify any and all allegations that a student has been arrested or charged. The Superintendent and staff shall cooperate with the probation office or courts in order to allow for that office to conduct a proper investigation. If the matter involves a juvenile, the Superintendent and staff shall cooperate with the Juvenile Court concerning the student's conduct and record in school.

Any suspension, expulsion, or exclusion from enrollment under this policy shall not waive the student's rights to a due process hearing as set out in Board policy relating to suspension or expulsion.

STUDENTS – INTERROGATIONS AND SEARCHES

Search of School Property

Any property owned by, loaned to, or otherwise entrusted to the Board may, even though possession thereof has been assigned by school employees to individual students, be searched by school officials where there exists reasonable cause to

believe that such property contains or otherwise conceals items, the possession of which is prohibited by either rules adopted by the Board or criminal laws.

Search of Private Property, and the Person of Students

On reasonable cause that private property brought onto school property by a student or that the person of a student while on school property contains or conceals items described in the Code of Student Conduct, school officials may search such property or person. Upon the failure of any student to grant such permission, school officials may detain such student until such time as the school day ends, the school receives permission of the student's parent or guardian for such search, or a warrant is issued authorizing such search, whichever event shall first occur.

Seizure

Notwithstanding any other provisions of these rules, school officials may seize and retain custody of any item referred to in the Code of Student Conduct upon the discovery of the existence of any such item either in or on any school property, in or on any private property brought onto school property by a student, or on the person of a student while on school property.

BOARD POLICY – JCDAC STUDENTS ALCOHOL/DRUG ABUSE

Student Drug Use:

It shall be the policy of this Board to take positive action through education, counseling, parental involvement, intervention, medical referral, and police referral in the handling of incidents in the schools involving the possession, sale, and/or use of behavior affecting substances.

It shall further be the policy of the Board for all students in the system to be provided age appropriate, developmentally based drug and alcohol education and prevention programs, which address the legal, social, and health consequences of drug and alcohol use, and to be provided with information about effective techniques for resisting peer pressure to use illicit drugs and alcohol. These programs shall also provide information about any drug and alcohol counseling, rehabilitation, and re-entry programs available to students.

Narcotics, Alcoholic Beverages, Stimulant Drugs:

A student shall not possess, sell, use, distribute, or be under the influence of any legal or illegal drug in any form whatsoever, including but not limited to, any narcotic drug, inhalants, hallucinogenic drug, amphetamine, barbiturate, cocaine, marijuana, other controlled substance, alcoholic beverage, anabolic steroids, intoxicant of any kind, or any substance represented to be or reasonably appearing to be any type of drug:

- 1) at school or on school property at any time;
- 2) off the school grounds at a school-sponsored activity, function, or event; and/or
- 3) en route to and from school.

A student shall not attend school or any school event after having consumed any

quantity of alcohol or illegal substance. Use may be detected by observation, odor or other means.

A student shall not have on his/her person, or in any way be in possession or control of drug related paraphernalia.

A student shall be deemed to be in possession of substances or paraphernalia prohibited by this policy if such substances or paraphernalia are found in cars, lockers, book bags, desks or other personal effects of students.

Discipline Action and Procedures:

All employees must report violations of this policy to the principal or assistant principal of the school where the violation occurred. If the principal has reasonable cause to believe that a report is valid, he/she must immediately make an oral report to the Superintendent and to the police and district attorney.

The student's parents or guardian will be notified immediately of his/her child's involvement in any illegal drug activity.

Students will be given a copy of the Code of Conduct, which includes a statement of prohibited conduct with regard to drugs and alcohol and possible disciplinary actions.

Compliance with this policy and its rules is mandatory.

PROCEDURES FOR STUDENT REPORTING OF ACTS OF SEXUAL ABUSE OR SEXUAL MISCONDUCT

- A. Any student (*or parent or friend of a student*) who has been the victim of an act of sexual abuse or sexual misconduct by a teacher, administrator, or other school system employee is urged to make an oral report of the act to any teacher, counselor, or administrator at his/her school.
- B. Any teacher, counselor, or administrator receiving a report of sexual abuse or sexual misconduct of a student by a teacher, administrator, or other employee shall make an oral report of the incident immediately by telephone or otherwise to the school principal or principal's designee, and shall submit a written report of the incident to the school principal or principal's designee within 24 hours. *If the principal is the person accused of the sexual abuse or sexual misconduct, the oral and written reports should be made to the superintendent or the superintendent's designee.*
- C. Any school principal or principal's designee receiving a report of sexual abuse as defined in O.C.G.A. 19-7-5 shall make an oral report immediately, but in no case later than 24 hours from the time there is reasonable cause to believe a child has been abused. The report should be made by telephone and followed by a written report in writing, if requested, to a child welfare agency providing protective services, as designated by the Department of Human Resources, or, in the absence of such agency, to an appropriate policy authority or district attorney.

Reports of acts of sexual misconduct against a student by a teacher, administrator, or other employee not covered by O.C.G.A. 19-7-5 or 20-2-1184 shall be investigated immediately by school or system personnel. If the investigation of the allegation of sexual misconduct indicates a reasonable cause to believe that the report of

sexual misconduct is valid, the school principal or principal's designee shall make an immediate written report to the superintendent and the Professional Standards Commission Ethics Division.

BUS CONDUCT

The Superintendent of Schools will insure that all bus drivers know and understand their responsibilities for establishing and maintaining appropriate student behavior on school buses. The administrative procedure for Bus Conduct will be included in each driver's Transportation Handbook.

Discipline

Self-control on the part of the student is necessary for the safe operation of any school bus. Students are expected to conform to the same standards of behavior as required during regular school activities.

Students who fail to conform to reasonable behavior expectations may expect to receive disciplinary measures. Repeated or serious violations will result in short or long term loss of bus privileges, and subject to all other provisions contained in Code of Student Conduct.

Safety

All drivers will emphasize safety instructions and emergency evacuation procedures during the first week of school. An annual emergency drill will be conducted.

Students are expected to follow safety procedures concerning loading, unloading, seating and emergency evacuation as directed by their driver, teacher and principal.

Violation of safety measures is considered a serious offense; appropriate disciplinary measures will result.

TRANSPORTATION RULES AND PUPIL RESPONSIBILITIES

School Bus Rules and Pupil Responsibilities

1. The driver is in charge of the bus and all pupils aboard. Obey the driver promptly and cheerfully.
2. Student must be at bus stop a minimum of 5 minutes prior to scheduled pick-up time; the driver cannot wait beyond his or her regular schedule for those who are tardy.
3. Wait in an orderly line off the street or road. (Minimum: 12 Feet)
4. Cross in front of the bus only when the road is clear and at a safe distance in front of the bus in order to be seen by the driver. (Minimum: 12 Feet)
5. Do not run toward a school bus while it is in motion.
6. Ride only the bus assigned by school officials. Student must get on and off at the stop assigned by school officials.
7. Do not try to get on or off the bus or move about within the bus while it is in motion.

8. Pupils must remain seated while the bus is moving. Ride three in a seat, if necessary, and do not exchange seats unless given permission by the driver. If all seats are taken, stand to the rear while the bus is in motion.
9. Behave on the bus as you are expected to behave in the classroom. Any acts of physical violence, bullying, physical assault or battery of other persons on the bus, disrespectful conduct toward the school bus driver or other persons on the bus and other unruly behavior is prohibited. Physical violence is defined as intentionally making physical contact of an insulting or provoking nature with another or intentionally making physical contact that causes physical harm to another unless such physical contacts or harms were in self-defense.
10. Do not engage in any activity which might divert the driver's attention and cause an accident such as:
 - (a) Loud talking or laughing, or unnecessary confusion.
 - (b) Unnecessary conversation with the driver.
 - (c) Extending any part of the body out of the bus windows or doors.
11. The usage of mirrors, lasers, flash camera, or any other lights or reflective devices in a manner that might interfere with the school bus driver's operation of the school bus is prohibited.
12. The usage of any electronic devices during the operation of a school bus that might interfere with the school bus communications equipment or the school bus driver's operation of the bus is prohibited.
13. Pupils are not to open or close bus doors at any time nor shall they regulate or operate any part of the bus.

Students must be able to hold items carried on the bus in his/her lap. This does not include prohibited items.
14. Do not engage in any activity which might damage, cause excessive wear or litter to the bus or other property. The following activities are prohibited at all times:
 - (a) Smoking, eating, possession or use of alcoholic beverages on the bus.
 - (b) Spitting or throwing anything in or from the bus.
 - (c) Possessing knives or sharp objects on the bus.
 - (d) Bringing animals, baseball bats, skateboards, or any other item deemed inappropriate by the Director of Transportation.
15. Pupils will not leave the bus on the way to school or home without a written request from the parent/guardian except in cases of personal emergency or if approved by the principal or transportation director.
16. Pupils must be courteous to driver, to fellow students, and to passersby at all times.
17. Report promptly to the driver any damage done to the bus. Persons causing damage shall be expected to defray its full cost.
18. All School Board Policies governing Student Discipline and Conduct will be observed.

Violations

Discipline for bus misconduct will be handled with an age appropriate, progressive plan of discipline that may include any of the punishments listed in the disciplinary action plan. In addition to these punishments, bus conduct will also be subject to bus contracts, assigned seating, and short-term, long-term, or permanent removal of bus riding privileges. **Automatic suspension of bus riding privileges can be implemented for the following offenses: fighting, cussing, vulgar language, obscene gestures, bullying, or other behavior deemed inappropriate by the school administration or Director of Transportation.**

When a student is removed from a bus, they are not allowed to ride any Tift County bus. During any bus suspension, the parent/student is responsible for school attendance, unless he/she has been suspended from school.

K-5

1st Offense: Discretion of administrator.

2nd Offense: Suspension of bus privileges for 2 days.

3rd Offense: Suspension of bus privileges for 3 days.

4th Offense: Suspension of bus privileges for 4 days.

5th Offense: Suspension of bus privileges for 5 days.

6 or more Offenses: Suspension of bus privileges for a minimum of 10 days.

Automatic Suspension: Suspension of bus privileges for a minimum of 10 days.

6-12

1st Offense: Discretion of administrator.

2nd Offense: Suspension of bus privileges for 3 days.

3rd Offense: Suspension of bus privileges for 6 days.

4th Offense: Suspension of bus privileges for 9 days.

5th Offense: Suspension of bus privileges for 15 days.

6 or more Offenses: Suspension of bus privileges for a minimum of 30 days.

Automatic Suspension: Suspension of bus privileges for a minimum of 30 days.

POSSESSION/USE OF PERSONAL ELECTRONIC COMMUNICATION DEVICES BY STUDENTS

BACKGROUND

Use of Cell Phones or Other Electronic Devices

Electronic devices have become an integral part of the educational process. Electronic devices enhance the learning experience providing access and tools for all students. With the Bring Your Own Device (BYOD) initiative, Tift County Board of Education encourages the appropriate use of electronic devices in the classroom or other school settings. The personal use of electronic devices must not endanger persons or property, disrupt the educational process, or violate a publicized policy of the school. Devices may not be used to record audio or video of an individual without their permission. The behavior of the student using the device is addressed rather than the possession of the device.

Use in the Classroom

Appropriate use of electronic devices and systems can enrich the teaching and learning process by permitting access to external references and learning tools including on-line texts, interpretations, and other resources thereby connecting the classroom to the world. Use of electronic devices is inextricably linked to greater success in the acquisition of skills and competencies and prepares students for post-secondary education, the workplace and life.

Classroom use of electronic devices is subject to regulation by the teacher and the TCBOE Student Acceptable Use Agreement. Prior to using an electronic device on TCBOE campuses, students must have a completed Student Acceptable Use Agreement on file, signed by both student and parent/guardian.

APPROVED USAGE

The possession and use of Electronic Devices (E-Devices) is a privileged part of the educational experience. Each individual school administration may revoke the privilege of possessing and using E-Devices at their sole discretion. E-Devices include devices used to communicate, receive, send, store, record or listen to voice, text, digital, audio, video, photo, electronic or internet/cyberspace data, images and/or information which shall include but not be limited to pagers, cellular phones, iPods, Personal Digital Assistants, MP3 players, portable music players, laptops, CD players, game players, cameras, video cameras, GPS, etc. The school is not responsible for lost, damaged, or stolen E-Devices, its programs or its contents¹.

- E-Devices may be carried by the student during the school day but must be carried in the off or silent mode. E-Devices MAY be used, viewed, or listened to by students before and after school and during the student's lunch period, where approved by school administration. Additionally E-Devices may be used in the classroom for academic purposes/note taking at the discretion of the teacher.
- During the operation of a school bus, students riding therein are prohibited from use of ANY E-Device in a manner that might interfere with the school bus communications equipment or the school bus driver's operation of the school bus. Rider's usage is strictly limited to headphone usage, where the noise level is not a distraction to other students or the driver.
- Usage without a completed Student Acceptable Use Agreement on file is strictly prohibited and devices will be collected by the administration.
- The Student Acceptable Use Agreement details and contains additional guidelines for usage during the school day, leaving all authority to the individual school administration for both changes and discipline.

¹ Responsibility to keep the device secure rests with the individual owner. **Neither the school system nor its staff or employees, are liable for any device stolen or damaged on campus.** If a device is stolen or damaged, it will be handled through the administrative office similar to other personal artifacts that are impacted in similar situations. It is recommended that serial numbers be recorded and that skins (decals) and other custom touches are used to physically identify your device from others. Serial numbers will be used to identify "found" items. Additionally, protective cases for devices are encouraged.

GENERAL STUDENT DRESS STANDARD

The **rationale** for dress standards is to foster good citizenship and the school's ability to achieve its academic and instructional purposes. The **goal** is to promote student learning, safety, and behavior by assisting students in making choices about appropriate school attire. The **expectation** is for students to dress in a clean, modest, and dignified manner reflecting self-respect and respect for others.

GENERAL GUIDELINES:

- Clothing must be worn with appropriate undergarments, and the undergarments must not be exposed or visible.
- Clothing must not expose cleavage, midriffs, or low back.
- Clothing must not have holes or tears exposing skin.
- Clothing must fit appropriately; excessively loose or tight clothing is not permitted.
- Clothing, body, and hair should be clean.
- **Clothing with words or graphics depicting or alluding to any of the following are strictly prohibited:**
 - *violence
 - *weapons
 - *gang affiliation
 - *sex
 - *profanity
 - *drug use
 - *alcohol
 - *tobacco
 - *intimidation
 - *bullying
 - *self-destructive behavior
 - *negative/inappropriate messages
- Any attire deemed by the administration to be a threat to the safety and security of the campus or a distraction to the learning environment will not be permitted.

BASIC INFORMATION:

- Hair (including facial hair) should not be worn in such a manner as to cause a distraction to the learning process or draw attention to the student. The administrator reserves the right to make judgments about questionable violations; however, an example of nonconformance DOES include hair dyed inappropriate or odd colors.
- Hats and hoods (both unattached and attached to a shirt, sweatshirt, or jacket) are NOT to be worn on the head inside the building.
- Bandanas are not to be worn on ANY part of the body unless special permission has been granted by administration.
- Undergarments must be worn at all times and may not show through plunging necklines or tears/cuts that alter the original design of the garment.
- Hemmed shirts, tops, and blouses may be worn out and may fall no lower than the length of the hips (unless it is a tunic designed to be worn longer by females).
- Pants and shorts must fit appropriately (no sagging). Shorts must be no shorter than 3 inches above the bend behind the knee.
- Dresses, skirts, skorts, and shorts must be no shorter than 3 inches above the bend behind the knee.

- **The following are not appropriate for school:**

- *Visible piercings in any place other than the ears
- *Earring on males
- *Head gear such as hats, caps, and bandanas
- *Sunglasses
- *Picks or combs worn in the hair
- *Muscle shirts, net shirts, and sleeveless shirts
- *Any top that allows the abdomen to be exposed when the arms are raised OR any top that allows the back to be exposed while the student is in the sitting position
- *Tank tops, tube tops, halter tops, tops exposing cleavage, bare-midriff tops, low back/backless tops, or sheer clothing
- *Flannel or cotton pajama-type pants; drop crotch or exercise pants; and athletic pants or shorts, except in the gym
- *Bedroom shoes/slippers, roller-skate shoes/heelys
- *Clothing with crude or suggestive messages where the effect is to distract the attention of other students or otherwise interfere with the normal operation of the school

QUICK GUIDE DRESS CODE

Pants:

- All must be appropriately fitted, not baggy, not excessively large or tight, and worn and fastened at the waist (no sagging).
- Athletic, sweat, or sheer silky pants are NOT allowed except in the gym.
- Pants in the style of joggers, drop-crotch, draw-strings, exercise pants, and similar are NOT allowed.

Shorts and Skorts:

- All must be appropriately fitted, not baggy, not excessively large or tight, and worn and fastened at the waist (no sagging).
- All must be no shorter than 3 inches above the bend behind the knee.
- Athletic, sweat, or sheer silky shorts are NOT allowed except in the gym.

Skirts and Dresses:

- All must be no shorter than 3 inches above the bend behind the knee.
- Skirts must be fastened securely at waist.
- Dresses must have sleeves (or covered by jacket/shirt/sweater).

Shirts and Tops (including tops of dresses)

- All must be buttoned and worn so that no cleavage, midriff, or low back is showing.
- All must have sleeves; a jacket, blazer, shirt, or sweater may be worn to cover a sleeveless top.
- If worn untucked, shirts must be hemmed and may not exceed length of hips.
- Shirts that exceed length of hips must be tucked in except tops styled as a “tunic” (for females).

Shoes and Footwear:

- Shoes must be worn at all times and properly secured.
- Appropriate footwear is required for science labs, vocational shop classes, P.E., and other classes as deemed by administration.
- Bedroom shoes/slippers and roller-skate shoes/heelys are NOT allowed.

Accessories:

- Leggings, jeggings, or tights can only be worn under a skirt or dress that is no shorter than 3 inches above the bend behind the knee.
- Bandanas are not allowed.
- Undergarments must be worn and should not be exposed or visible.
- Glasses should only be worn for prescription. Sunglasses cannot be worn inside building.
- All headwear, including hats, caps, and hoods, must be removed upon entering the building.
- No piercings may be visible other than in the ears.
- Male students are not allowed to wear earrings.
- Other accessories must be worn in a non-distracting manner and must be deemed appropriate by school level administration or must be removed.
- **Insignias that are deemed offensive to a given sector of the school population or cause a disruption to the school's routines or the smooth operation of its educational process are not allowed.**

Hair:

- Hair should not be worn in an excessive or distractive style and should not be dyed inappropriate or odd colors.
- Hair bands/hair pins designed to secure hair from eyes are allowed; no picks/combs in hair.

UNIFORM DRESS CODE FOR 6TH STREET ACADEMY

- Khaki pants and white collar shirt

UNIFORM DRESS CODE FOR STUDENTS IN GRADES K-5 (including Pre-K students attending Omega Elementary School)

Students will be required to wear solid white, gray or navy/dark blue collared shirts and khaki, navy/ dark blue or gray bottoms. All uniforms shall adhere to current general dress code standards.

BOARD POLICY – JGF(2)**SECLUSION OR RESTRAINT OF STUDENTS**

The Board of Education shall require that all schools and programs within the district comply with State Board of Education Rule 160-5-1-.35 concerning “seclusion” and “restraint,” as those terms are defined within the rule.

This policy is not intended to prevent the use of physical restraint in limited circumstances where a student exhibits behaviors that place the student or others in imminent danger and the student is not responsive to verbal directives or less intensive techniques. The Board of Education recognizes that in determining when

and how to implement this policy and any procedures related to it, educators will have to exercise their professional judgment and discretion. Therefore, the policy is not to be construed as imposing ministerial duties on individual employees. Further, it is not intended to interfere with the duties of law enforcement or emergency medical personnel.

For schools and programs within the district that use physical restraint as defined within SBOE rule, the Superintendent or designee shall develop and implement written procedures governing its use, which shall include the following provisions:

1. Staff and faculty training on the use of physical restraint;
2. Written parental notification within a reasonable time, not to exceed one school day from the use of restraint, when physical restraint is used to restrain a student;
3. Procedures for observing and monitoring the use of physical restraint;
4. Documentation by staff or faculty participating in or supervising the restraint for each student in each instance in which the student is restrained;
5. Periodic review of the use of restraint and the documentation described in item 4.

BOARD POLICY – IDFA GENDER EQUITY IN SPORTS

It is the policy of Tift County Board of Education to prohibit discrimination based on gender in its elementary and secondary school athletic programs. As a part of achieving this goal, the Tift County School District annually shall notify all of its students of the name, office address, and office telephone number of the employee(s) who coordinate efforts to comply with and carry out the provisions of state law. This notification shall be included in a student handbook containing the code of conduct and distributed to all students.

An equity in sports grievance procedure is hereby adopted which provides for prompt and equitable resolution of written student complaints, including those brought by a parent or guardian on behalf of his or her minor child who is a student, alleging any action which would be a violation of the pertinent Code section. The grievance procedure shall be as follows:

1. The employee designated as the person who coordinates efforts to comply shall render his or her decision in writing no later than 30 days after receipt of the complaint, and such decision shall set forth the essential facts and rationale for the decision;
2. A copy of such decision shall be provided to the complainant within five days of the date of the decision; and
3. A complainant shall have a right to appeal such a decision to the local board within 35 days of the date of the decision.
4. A complainant may appeal a decision of the Board in accordance with the procedures specified in O.C.G.A. §20-2-1160.

The Superintendent shall annually appoint Equity in Sports Coordinator whose responsibility is to coordinate efforts to comply with and carry out requirements in regard to Equity in Sports.

The Equity in Sports Coordinator shall investigate any complaints communicated to the school system in regard to Equity in Sports.

Tift County Public Schools

Patrick Atwater, Jr., *Superintendent*

207 North Ridge Avenue • P.O. Box 389

Tifton, Georgia 31793-0389

Telephone 229-387-2400 • Fax 229-386-1020

Notice of Rights of Students and Parents Under Section 504

Section 504 of the Rehabilitation Act of 1973, commonly referred to as “Section 504,” is a nondiscrimination statute enacted by the United States Congress. The purpose of Section 504 is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

For more information regarding Section 504, or if you have questions or need additional assistance, please contact your local system’s Section 504 Coordinator at the following address:

System 504 Coordinator
207 North Ridge Ave.
Tifton, GA 31794
229-387-2400

The implementing regulations for Section 504 as set out in 34 CFR Part 104 provide parents and/or students with the following rights:

1. Your child has the right to an appropriate education designed to meet his or her individual educational needs as adequately as the needs of non-disabled students. 34 CFR 104.33.
2. Your child has the right to free educational services except for those fees that are imposed on non-disabled students or their parents. Insurers and similar third parties who provide services not operated by or provided by the recipient are not relieved from an otherwise valid obligation to provide or pay for services provided to a disabled student. 34 CFR 104.33.
3. Your child has a right to participate in an educational setting (academic and nonacademic) with non-disabled students to the maximum extent appropriate to his or her needs. 34 CFR 104.34.
4. Your child has a right to facilities, services, and activities that are comparable to those provided for non-disabled students. 34 CFR 104.34.
5. Your child has a right to an evaluation prior to a Section 504 determination of eligibility. 34 CFR 104.35.
6. You have the right to not consent to the school system’s request to evaluate your child. 34 CFR 104.35.
7. You have the right to ensure that evaluation procedures, which may include testing, conform to the requirements of 34 CFR 104.35.
8. You have the right to ensure that the school system will consider information from a variety of sources as appropriate, which may include aptitude and achievement tests, grades, teacher recommendations and observations, physical conditions, social or cultural background, medical records, and parental recommendations. 34 CFR 104.35.

9. You have the right to ensure that placement decisions are made by a group of persons, including persons knowledgeable about your child, the meaning of the evaluation data, the placement options, and the legal requirements for least restrictive environment and comparable facilities. 34 CFR 104.35.
10. If your child is eligible under Section 504, your child has a right to periodic reevaluations, including prior to any subsequent significant change of placement. 34 CFR 104.35.
11. You have the right to notice prior to any actions by the school system regarding the identification, evaluation, or placement of your child. 34 CFR 104.36.
12. You have the right to examine your child's educational records. 34 CFR 104.36.
13. You have the right to an impartial hearing with respect to the school system's actions regarding your child's identification, evaluation, or educational placement, with opportunity for parental participation in the hearing and representation by an attorney. 34 CFR 104.36.
14. You have the right to receive a copy of this notice and a copy of the school system's impartial hearing procedure upon request. 34 CFR 104.36.
15. If you disagree with the decision of the impartial hearing officer (school board members and other district employees are not considered impartial hearing officers), you have a right to a review of that decision according to the school system's impartial hearing procedure. 34 CFR 104.36.
16. You have the right to, at any time, file a complaint with the United States Department of Education's Office for Civil Rights.

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Section 504 Procedural Safeguards

1. **Overview:** Any student or parent or guardian (“grievant”) may request an impartial hearing due to the school system’s actions or inactions regarding your child’s identification, evaluation, or educational placement under Section 504. Requests for an impartial hearing must be in writing to the school system’s Section 504 Coordinator; however, a grievant’s failure to request a hearing in 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.
2. **Hearing Request:** The Request for the Hearing must include the following:
 - a. The name of the student.
 - b. The address of the residence of the student.
 - c. The name of the school the student is attending.
 - d. The decision that is the subject of the hearing.
 - e. The requested reasons for review.
 - f. The proposed remedy sought by the grievant.
 - g. The name and contact information of the grievant.

Within 10 business days from receiving the grievant’s Request for Hearing, the Section 504 Coordinator will acknowledge the Request for Hearing in writing and schedule a time and place for a hearing. If the written Request for Hearing does not contain the necessary information noted above, the Section 504 Coordinator will inform the grievant of the specific information needed to complete the request. All timelines and processes will be stayed until the Request for Hearing contains the necessary information noted above.

3. **Mediation:** The school system may offer mediation to resolve the issues detailed by the grievant in his or her Request for Hearing. Mediation is voluntary and both the grievant and school system must agree to participate. The grievant may terminate the mediation at any time. If the mediation is terminated without an agreement, the school system will follow the procedures for conducting an impartial hearing without an additional Request for Hearing.
4. **Hearing Procedures:**
 - a. The Section 504 Coordinator will obtain an impartial review official who will conduct a hearing within 45 calendar days from the receipt of the grievant’s Request for Hearing unless agreed to otherwise by the grievant or a continuance is granted by the impartial review official.

- b. Upon a showing of good cause by the grievant or school system, the impartial review official, at his or her discretion, may grant a continuance and set a new hearing date. The request for a continuance must be in writing and copied to the other party.
- c. The grievant will have an opportunity to examine the child's educational records prior to the hearing.
- d. The grievant will have the opportunity to be represented by legal counsel at his or her own expense at the hearing and participate, speak, examine witnesses, and present information at the hearing. If the grievant is to be represented by legal counsel at the hearing, he or she must inform the Section 504 Coordinator of that fact in writing at least 10 calendar days prior to the hearing. Failure to notify the Section 504 Coordinator in writing of representation by legal counsel shall constitute good cause for continuance of the hearing.
- e. The grievant will have the burden of proving any claims he or she may assert. When warranted by circumstances or law, the impartial hearing officer may require the recipient to defend its position/decision regarding the claims (i.e. A recipient shall place a disabled student in the regular educational environment operated by the recipient unless it is demonstrated by the recipient that the education of the person in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. 34 C.F.R. §104.34). One or more representatives of the school system, who may be an attorney, will attend the hearing to present the evidence and witnesses, respond to the grievant testimony and answer questions posed by the review official.
- f. The impartial review official shall not have the power to subpoena witnesses, and the strict rules of evidence shall not apply to hearings. The impartial review official shall have the authority to issue pre-hearing instructions, which may include requiring the parties to exchange documents and names of witnesses to be present.
- g. The impartial review official shall determine the weight to be given any evidence based on its reliability and probative value.
- h. The hearing shall be closed to the public.
- i. The issues of the hearing will be limited to those raised in the written or oral request for the hearing.

Witnesses will be questioned directly by the party who calls them. Cross-examination of witnesses will be allowed. The impartial review official, at his or her discretion, may allow further examination of witnesses or ask questions of the witnesses.
- k. Testimony shall be recorded by court reporting or audio recording at the expense of the recipient. All documentation related to the hearing shall be retained by the recipient.
- l. Unless otherwise required by law, the impartial review official shall uphold the action of school system unless the grievant can prove that a preponderance of the evidence supports his or her claim.

- m. Failure of the grievant to appear at a scheduled hearing unless prior notification of absence was provided and approved by the impartial review official or just cause is shown shall constitute a waiver of the right to a personal appearance before the impartial review official.
5. **Decision:** The impartial review official shall issue a written determination within 20 calendar days of the date the hearing concluded. The determination of the impartial review official shall not include any monetary damages or the award of any attorney's fees.
6. **Review:** If not satisfied with the decision of the impartial review official, any party may pursue any right of review, appeal, cause of action or claim available to them under the law or existing state or federal rules or regulations.

PROCEDURES WHEN DISCIPLINING CHILDREN WITH DISABILITIES

School personnel may, for not more than ten school days in a row, remove a child with a disability who violates the code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension without consulting the student's IEP team. School personnel may also impose additional removals of not more than ten days for separate incidents of misconduct, as long as those removals do not constitute a change of placement.

Once a child has been removed from his or her current placement for a total of ten, consecutive or not consecutive, school days in the same school year, the school system must, during any subsequent days of removal in that school year, provide services that enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

Within ten school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct (except for a removal that is less than ten school days and is not a change in placement), the school system, the parent and relevant members of the IEP team must review all relevant information in the student's file, in the IEP, any teacher observations and any relevant information provided by the parent to determine:

- a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b. If the conduct in question was direct result of the school systems failure to implement the child's IEP.

If the relevant members of the IEP team determine that either of these conditions was met, the conduct must be determined to be a manifestation of the child's disability. If the conduct was the result of the school system's failure to implement the IEP, the school system must take immediate action to remedy those deficiencies.

When the conduct is a manifestation of the student's disability the IEP team must

conduct (or review if already in place) the Functional Behavioral Assessment (FBA) and develop and implement (or review and modify) a behavioral intervention plan (BIP) for the student to address the behavior so as to prevent it from occurring in the future.

1. If your child carries a weapon to school or to a school function; if your child knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function; or if your child inflicts serious bodily injury on another person while at school, on school premises or at a school sponsored function, school system personnel may order a change in placement of your child to (a) an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 school days (to the extent such alternatives would be applied to children without disabilities), or to (b) an appropriate interim alternative educational setting for the same amount of time that a child without a disability would be subject to discipline, but for not more than 45 days without regard to whether or not the behavior was a manifestation of disability. The alternative education setting shall be determined by the IEP team.
2. School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate.
3. An ALJ/hearing officer may order a change in placement of your child to the IEP-determined appropriate interim alternative educational setting for not more than 45 days if the ALJ/hearing officer determines that maintaining the current placement of your child is substantially likely to result in injury to your child or to others; and determines that the interim alternative educational setting meets the requirements of paragraph (5).
4. Any interim alternative educational setting in which your child is placed pursuant to paragraph (1) or paragraph (4) in this section shall: (a) be selected so as to enable your child to continue to receive educational services in order to participate in the general curriculum, although in another setting, and to continue to progress toward the goals set out in the IEP; and (b) receive the services and modifications of a functional behavioral assessment and behavior intervention plan designed to address the behavior so that it does not recur.
5. If a disciplinary action is contemplated as described in paragraph (1) or paragraph (4) of this section for the behavior of your child, you shall be notified of that decision and of all procedural safeguards accorded under this section no later than the date on which the decision to take that action is made, and immediately, if possible, but in no case later than 10 school days after the date on which the decision to take that action is made, the school system, the parent and relevant members of the IEP team shall conduct a review of the relationship between your child's disability and the behavior subject to the disciplinary action.
6. In carrying out a review described in paragraph (6) of this section, the school system, the parent and relevant members of the IEP team (as determined by the parent and the school system) shall review all relevant information in the student's file, including the child's IEP, and teacher observations, and any relevant information provided by the parents to determine (1) if the conduct

in question was caused by, or had a direct and substantial relationship to the child's disability; or (2) if the conduct in question was the direct result of the school systems failure to implement the IEP. When the school system, the parent and the relevant members of the IEP determine that either (a) or (b) is applicable, the conduct is a manifestation of the disability.

7. If the determination is that the behavior of your child was not a manifestation of his or her disability, the relevant disciplinary procedures applicable to children without disabilities may be applied to your child in the same manner in which they would be applied to children without disabilities except that the child: (a) must continue to receive educational services so as to enable the child to continue to participate in the general education curriculum, although in another setting and to progress toward meeting the goals set out in the child's IEP; and (b) receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.
8. If the determination is made that the conduct was a manifestation of the disability, then the IEP team shall conduct a functional behavioral assessment and implement the behavior intervention plan or review such and revise as necessary if already in place. The child shall be returned to the placement from which he or she was removed, unless the parent and the school system agree to a change of placement as part of the modification of the behavioral intervention plan. For circumstances described in paragraph (1) or (4) an interim alternative setting may be used as determined by the IEP team.
9. If you request an expedited due process hearing regarding a disciplinary action described in paragraph (1)(b) or paragraph (3) to challenge the interim alternative educational setting or the manifestation determination, your child shall remain in the interim alternative educational setting pending the decision of the ALJ/hearing officer or until the expiration of the time period provided for in paragraph (1)(b) or paragraph (3), whichever occurs first, unless you and the State or the school system agree otherwise. Such expedited due process hearing must occur within 20 school days of the date the hearing is requested and must result in a determination within 10 school days after the hearing; a resolution session meeting must occur within seven days of the date the hearing is requested and the hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 days of receipt of the hearing request. The decision of an expedited due process hearing may be appealed.
10. When an expedited due process hearing has been requested regarding placement as a result of a violation of code of conduct, the child shall remain in the interim alternative educational setting pending the decision of the ALJ/hearing officer or until the expiration of the time period defined, whichever occurs first, unless the parent and the State or local agency agree otherwise.
11. If a child has not been determined eligible for special education and related services and violated a code of student conduct, but the school system had knowledge before the behavior occurred that the child may be a child with a disability, then the child may assert the protections described in this notice. A school system has knowledge that the child may be a child with a disability if:
 - a. The parent of the child has expressed concern in writing that the child

is in need of special education and related services to supervisory or administrative personnel or the teacher of the child.

- b. The parent requested an evaluation related to eligibility for special education and related services under the IDEA.
- c. The child's teacher or other system personnel expressed specific concerns about a pattern of behavior demonstrated by the child directly to the school system's director of special education or to other supervisory personnel of the school system.

A school system does not have knowledge if:

- a. The child's parent has not allowed an evaluation of the child.
- b. Has refused special education and related services.
- c. Has revoked consent for the delivery of special education and related services or;
- d. The child has been evaluated and determined not to be a child with a disability eligible for services under the IDEA.

If you would like a further explanation of any of these rights, you may contact the special education director for your local school system.

NOTICE

Search & Seizure Warning

**All Persons, Vehicles and
Personal Belongings
on School Property Are
Subject to Search by
School Administrators
and/or
School Resource
Officers.**

**If You Suspect a Weapon
in Your School, Call
1-877-SAY STOP
(1-877-729-7867)**

Tift County Public Schools

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