

Student  
Code of Conduct  
& Discipline  
Handbook

Fulton County Schools

For Students, Parents, & Staff

2020 - 2021

*F*ulton  
County Schools  
Where Students Come First





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August 2020

Dear Stakeholders:

The beginning of the 2020 - 2021 school year is upon us! We have many great accomplishments to celebrate from the previous school year. However, a new school year also presents us with many opportunities to improve the quality of our students' experiences, as well as opportunities to forge ahead with our new strategic plan.

School safety remains a top priority for us, and we take maintaining safe and secure learning environments extremely seriously. This year's Student Code of Conduct and Discipline Handbook contains some vital information that will help your child understand the expectations of the Fulton County School district. Additionally, this document provides information that will aid students and parents with questions about various services and rights afforded to all student throughout Fulton County Schools.

We all need to work together to provide a safe and nurturing environment for our students. A safe climate is something we must all own and never take for granted. We are asking everyone to help monitor the security of our students and communicate with us concerns or challenges you or others are facing.

We encourage you and your child to take some time to familiarize yourselves with the content of this student handbook. Teachers will spend the first days of school reviewing portions of the handbook with their students. All students and parents are asked to acknowledge receipt of the handbook and to confirm that you've read it. Your child's school will provide a link for you to complete this process.

It's going to take us all working collectively to ensure the safety of everyone who enters our schools. We are looking forward to an exciting, worthwhile 2020-2021 school year!

Sincerely,

Mike Looney, Ed. D

## What's New in the 2020-2021 Code of Conduct

The Code of Conduct is reviewed each year with feedback opportunities from the FCS District Superintendent, Administrators, FCS staff and parents while ensuring that any new legislation is included. Below you will see a list of new rules and rules where discipline consequences have increased.

It is also important to note that this year's Code of Conduct reflects the tier of severity by way of roman numerals. This allows for parents and students to quickly understand the severity of an infraction and its possible consequences. A list of the consequence ranges per tier level is included in the Student Code of Conduct & Discipline Handbook.

### For example:

- **Rule II.3a** is a tier two (*moderate*) infraction and falls under the *trespassing* rules (Rule 3- Unauthorized and Trespassing section)
- **Rule IV.23d** is a tier four (*severe*) infraction and falls under the *Threat* rules (Rule 23- Threats section)

<b><u>New Rules for 2020-2021</u></b>	
III.3d	Unauthorized Entry of an Unauthorized person(s)
IV.5e	Large Group Fights
III.5f	Stalking
I.6f	Teasing and Taunting
II.6g	Profanity towards an Employee, Volunteer, or Other Visitors
II.17a	Mooning and other related behavior
II.23a (level 1) III.23b (level 2) IV.23c (level 3)	Threats - to coincide with FCS Threat Assessment Protocol
II.24a III.24b III.24c IV.24d	Theft - to differentiate theft from a student vs theft from an employee

<b><u>Increased Consequences for 2020-2021</u></b>	
III.2c	Arson
III.3b	Breaking and entering private property
II.14a	Tobacco/Vaping
IV.23d	Bomb Threat
IV.24	Robbery of an employee or student

**Student Discipline and Code of  
Conduct**  
Board of Education Policy JD

The Board of Education supports all students' rights to learn. To do so, each student must be in a school climate that is satisfying and productive without disruptive behavior by any student infringing upon the rights of others.

Therefore, it is the policy of the Board of Education that each school within this District shall implement the District's age-appropriate student code of conduct which is designed to improve the student learning environment by improving student behavior and discipline. Schools may address discipline within student handbooks or similar publications, but these publications should be in compliance and consistent with the District student code of conduct and District policy. The student code of conduct will comply with state and federal law and state board of education rules and will include the following:

1. Standards for student behavior designed to create the expectation that all students will behave themselves in such a way so as to facilitate a learning environment for themselves and other students. The standards should be designed also to encourage students to respect each other, District employees and any other persons attending school functions, and to motivate students to obey student behavior policies adopted by this Board and to obey student behavior rules established at each school within this District;
2. Student support processes designed to consider, as appropriate in light of the severity of the behavioral problem, support services available at each school, the District and other public entities or community organizations which may assist students to address behavioral problems.
3. Progressive discipline processes designed to create the expectation that the degree of discipline imposed will be in proportion to the severity of the behavior leading to the discipline and will take into account the previous discipline history of the student and other relevant factors, while ensuring that each student receives the due process mandated by federal and state law;
4. Parental involvement processes designed to enable parents, guardians, teachers and school administrators to work together to improve and enhance student behavior and academic performance. The process should enable parents, guardians, and school employees to communicate freely their concerns about student behaviors which detract from the learning environment.

The code of conduct should require disciplinary action for infractions of the code. Also, parents should be involved in developing and updating a code of conduct.

The student code of conduct should be distributed to each student at the beginning of the school year and upon enrollment of each new student. The parents/guardians will be requested to sign an acknowledgment of the receipt of the code of conduct and promptly return the acknowledgment to the school. The student code of conduct should be available in the school office and each classroom.

## **Teacher Reporting Information**

A teacher has the authority, consistent with Board policy and applicable law, to manage his or her classroom, discipline students, and refer a student to the principal or designee to maintain discipline in the classroom.

Any teacher who has knowledge that a student has exhibited behavior which violates the student code of conduct and repeatedly or substantially interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of such student's classmates to learn should file a report of such behavior with the principal or designee. The principal and teacher should thereafter follow the procedures set forth in Georgia law, specifically O.C.G.A. 20-2-737-738.

Student behavior which violates state or federal laws as specified in O.C.G.A. 20-2-1184 will result in a report being filed with the police and district attorney.

The Superintendent and/or designee shall develop procedures and guidelines as necessary for implementation of this policy and law.

## **Reporting Inappropriate Behaviors**

The District adheres to the requirements found in O.C.G.A. § 20-2-751.7 and the Professional Standards Commission's state mandated process for students to follow reporting instances of alleged inappropriate sexual behavior by a school employee. Any student (or parent or friend of a student) who has been the victim of an act of abuse, sexual abuse, sexual misconduct, or other inappropriate behavior by a teacher, administrator or other District employee is urged to make an oral report of the act to any teacher, counselor or administrator at his/her school.

Pursuant to O.C.G.A. § 19-7-5, if a student has allegedly been abused a report of such allegation will be made immediately as provided in, Operating Guidelines JGEB, DFCS Protocol.

Any report of behavior contemplated in O.C.G.A. § 20-2-1184 will be made to the appropriate superintendent level administrator, and school resource officer and the Office of Student Discipline. The Chief of the Fulton County Schools Police or designee will report the matter to the district attorney's office.

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in Board Policy JAA.

## **Student Discipline and Code of Conduct**

### JD Operating Guideline

**NOTE:** Upon implementation of the Title IX revisions released on May 6, 2020, any discipline incident, or portion of a discipline incident, which involves a Title IX matter or incident will be subject to the Title IX Grievance Procedure as detailed at [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix).

A well-disciplined school promotes the ideal of each student working toward self-management and controlling his or her own actions. At the same time, the school recognizes that adult intervention is both desirable and necessary.

Schools have the goal of helping each student to learn appropriate behavior as he or she develops into a mature member of society. Social, emotional and life skills help students develop into mature members of society by providing the following benefits:

- Promotes character development through the exploration of ethical issues
- Develops a positive and moral climate by engaging the participation of students, teachers, and staff, parents, and communities.
- Teaches students how to solve conflicts fairly, creating safer schools that are freer of intimidation, fear and violence and are more conducive to learning.

The following character traits are essential for students to be competitive locally, nationally, and internationally. These traits should be modeled and maintained by adults and students. This student code of conduct is developed to meet these purposes.

#### **Respect**

Showing high regard for self, others, and property.

#### **Responsibility**

Being accountable for individual behavior that is positive and contributes to a conducive learning environment

#### **Honesty**

Being truthful in word and action.

#### **Caring**

Showing concern for the well-being of others.

#### **Fairness**

Demonstrating impartial, unbiased, and equitable treatment for all.

#### **Citizenship**

Being an informed, responsible, and caring participant in the community.

#### **Courage**

Intentionally/deliberately doing the right thing in the face of difficulty regardless of who is around.

#### **Perseverance**

Staying the course and not giving up while maintaining a positive attitude in completing tasks.

Many discipline problems can be minimized through prevention. Problem behavior should be handled quickly and decisively as teachers and administrators intervene and restore a supportive learning atmosphere. To maintain a positive school climate, the Board, the Superintendent, and/or their designees have established this code of conduct governing student behavior and discipline. Compliance with these requirements is mandatory. Parents and students will annually receive a summary of these discipline guidelines outlining standards of conduct, means of reporting misconduct, and possible disciplinary sanctions.

### **Positive Behavioral Support**

A variety of resources are available at every school to help address behavioral problems. The school discipline process should include appropriate consideration of support processes to help students resolve such problems.

Schools should make reasonable efforts to correct student misbehavior through school-based resources at the lowest possible level, and to support students in learning the skills necessary to enhance a positive school environment and avoid negative behavior. Positive behavior supports and interventions should be implemented to improve the learning environment by improving student behavior and discipline. Behavior supports and interventions may include, but are not limited to, Student Support Team, counseling with school counselor, school social worker, school police officer, and other staff, behavior, attendance, and academic contracts or plans, peer mediation, FCS' Drug & Alcohol Prevention Program, Choose 180 and Stopping Acts of Violence Through Education (SAVTE) Program.

Parents, guardians, teachers, administrators, and other staff are expected to work together to improve and enhance student behavior and academic performance and should freely communicate their concerns about and actions in response to student behavior that detracts from the learning environment.

In instances where there has been a report of sexual harassment pursuant to Title IX, see [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix) for more information about supportive measures.

### **Investigation**

When an administrator receives information of an alleged disciplinary rule violation, he/she should investigate to determine whether the charge or complaint has a basis in fact. Such investigation may include, but not necessarily be limited to, an interview with the charged student or students, interviews with witnesses, if any, and an examination of any relevant documents, including written statements from teachers, staff and student witnesses. Based on the evidence available, the administrator will determine whether a disciplinary rule(s) was violated. If the local school administration is uncertain as to the interpretation of the Code of Conduct, they are to contact the District's Office of Student Discipline.

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix).

### **Searches**

School officials are authorized to conduct reasonable searches of students, staff, and visitors pursuant

to applicable law. When reasonable suspicion exists, school officials may search students whom they believe have either violated particular laws or rules of the school. The scope of the search will be reasonably related to the purpose of the search and not excessively intrusive considering the age and gender of the student and the nature of the suspected infraction.

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of student vehicles on school property. Students should not expect their vehicles or vehicle contents to remain private if exercising the privilege of parking on campus.

School computers and school technology resources, as defined below, are not private and are open to school review at any time.

Student lockers, desks, and all school and classroom storage areas are school property and remain, at all times, under the control of the school. These areas are not private. Periodic general inspections of these areas may be conducted by school authorities for any reason at any time without notice, and without student consent

If a search yields illegal or unauthorized material, such materials should be turned over in person to the Chief of the Fulton County School Police or School Police Officer or proper legal authorities for ultimate disposition. See Operating Guideline FEE, Searches, for additional information.

### **Disciplinary Consequences**

Once it has been determined that a rule(s) was violated, the Principal or designee will afford the student oral or written notice of the charges. If the student denies the charges, he/she shall be given an explanation of the evidence the school authorities have and an opportunity to present his/her side of the story.

The administrator will follow a progressive discipline process. The degree of discipline to be imposed by each school administrator will be in proportion to the severity of the behavior of the student and will take into account the student's discipline history, the age of the student, and other relevant factors. Disciplinary consequences may include local interventions, in-school suspension (ISS), short-term suspension, long-term suspension, expulsion, and/or a referral for a disciplinary hearing. Disciplinary hearings may result in assignment to an alternative education program, long-term suspension, expulsion, or permanent expulsion from all Fulton County schools.

In addition to discipline, behaviors may also be reported to law enforcement at the District's discretion and as required by law, including O.C.G.A. §§ 20-2-1184 and 19-7-5. Major offenses including, but not limited to, drug and weapon offenses, can lead to schools being named as an Unsafe School according to the provisions of State Board Rule 160-4-8-.16.

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix).

### **Suspensions/Expulsion**

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in



If a student is removed from regular class assignments for more than one-half of the school day, written notice of this assignment to in-school suspension must be sent to the parent. The student's parent/guardian should be notified of in-school suspension and out-of-school suspension (OSS) as soon as possible. This notification should be confirmed in writing no later than two school days after the suspension begins. This notification should contain the charges, a description of the alleged acts, and the number of days and dates of the suspension. The written notification should be delivered to the student's parent/guardian either in person or by first class mail to the last known address of the parent/guardian. If notification is delivered in person, a written confirmation of delivery should be obtained. Students under suspension or expulsion shall not participate in or attend school activities on or off campus or be present on any Fulton County school campus without permission.

If less than the number of suspended days remains in the complete grading period or regular school year, the suspension/expulsion will continue into the next regular school year or complete grading period.

Even though there are generally no appeal rights guaranteed by law for students on short-term suspension (10 days OSS or less), the parent/guardian may call the Principal to discuss their child's discipline.

If the school recommends OSS for more than 10 school days, or alternative school, a disciplinary hearing is required and will be offered. Schools may recommend and/or the Disciplinary Hearing Officer may determine that students attend the alternative school during their suspension/expulsion. Upon this recommendation or determination, students may attend alternative school pursuant to strict academic, attendance, and behavior requirements. If students fail to comply with the strict requirements, they may forfeit the opportunity to attend the alternative school during the remainder of their suspension/expulsion. The Director of the District's Office of Student Discipline will determine whether the student has violated the strict requirements and whether the suspension/expulsion will be reinstated.

Suspension days for any student with an Individual Education Plan (IEP) or Section 504 Plan should conform to applicable legal requirements (including any legal limitations of cumulative suspension days).

### **Chronic Disciplinary Problem Student**

A "chronic disciplinary problem student" is defined by law as a student who exhibits a pattern of behavioral characteristics which interfere with the learning process of students around him or her and which are likely to recur. Any time a teacher or principal identifies a student as a chronic disciplinary problem student, the principal shall inform the parent or guardian of the student's disciplinary problem. Notification should be by either first-class mail or certified mail with return receipt requested and telephone call.

The principal should invite the parent or guardian to observe the student in a classroom situation. The principal should also request that at least one (1) parent or guardian attend a conference with the principal and/or teacher. The purpose of the conference would be to devise a disciplinary and behavioral correction plan.

Before any chronic disciplinary problem student is permitted to return from suspension or expulsion,

the school to which the student is to be readmitted should request by telephone call or by either certified mail with return receipt requested or first-class mail that at least one (1) parent or guardian schedule and attend a conference with the principal, or principal's designee, to devise a disciplinary and behavioral correction plan. At the discretion of the principal, a teacher, counselor, or other person may attend the conference. The principal will note the conference in the student's permanent file. Failure of the parent or guardian to attend shall not preclude the student from being readmitted to the school. The District may, by petition to the juvenile court, proceed against a parent or guardian of a chronic disciplinary problem student if District personnel believe the parent or guardian has willfully and unreasonably failed to attend a conference requested by a principal.

### **Teacher Classroom Management**

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix).

Teachers have the authority, consistent with District policy, procedures, and guidelines to manage the classroom, discipline students, and refer a student to the principal or the principal's designee to maintain discipline in the classroom. The principal or the principal's designee will respond when a student is referred by a teacher by employing appropriate discipline management techniques that are consistent with District policy, procedure, and guidelines.

#### a. Teacher Reporting

Teachers are required to file a report with the principal or principal's designee if he or she has a student that has exhibited behavior that repeatedly or substantially interferes with the teacher's ability to communicate effectively with the students in his or her class or with the ability of such student's classmates to learn, where such behavior is in violation of the student code of conduct. This report will be filed within one school day of the most recent occurrence of such behavior, will not exceed one page, and will describe the behavior. The principal or the principal's designee will, within one school day after receiving such a report from a teacher, send to the student's parents or guardian a copy of the report and information regarding how the student's parents or guardians may contact the principal or the principal's designee.

If student support services are utilized or if disciplinary action is taken in response to such a report by the principal or the principal's designee, the principal or the principal's designee will send written notification to the teacher and the student's parents or guardians of the student support services being utilized or the disciplinary action taken within one school day after the utilization or action and will make a reasonable attempt to confirm that such written notification has been received by the student's parents or guardians. Such written notification will include information regarding how the student's parents or guardians may contact the principal or the principal's designee.

#### b. Teacher Removal

Teachers have the authority to remove from the class a student who repeatedly or substantially interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn, where the student's behavior is in violation of the student code of conduct, provided that the teacher has previously filed a report pursuant to the Teacher Reporting section of this Code, or determines that such behavior of the student poses an immediate threat to the safety of the student's classmates or the teacher. Principals will implement the District's removal process and will fully support the authority of every teacher in his or her

school to remove a student from the classroom pursuant to Georgia law. Each school will establish one or more placement review committees, each of which is to be composed of three members, to determine the placement of a student when a teacher withholds his or her consent to the return of a student to the teacher's class. For each committee established, the faculty will choose two teachers to serve as members and one teacher to serve as an alternate member and the principal will choose one member of the professional staff of the school to serve as a member. The teacher withholding consent to readmit the student may not serve on the committee. The placement review committee will have the authority to return the student to the teacher's class upon determining that such placement is the best alternative or the only available alternative; or refer the student to the principal or the principal's designee for appropriate action consistent with the removal process. The District will provide training for members of placement review committees regarding the provisions of this process, including procedural requirements; policies, procedures and guidelines relating to student discipline; and the student code of conduct that is applicable to the school.

For a student with disabilities, including those with IEPs or 504 plans, the removal from class must be consistent with state and federal laws and regulations regarding students with disabilities. The Superintendent fully supports the authority of principals and teachers in the Fulton County School District to remove a student from the classroom pursuant to O.C.G.A. § 20-2-738.

School staff should refer to additional processes maintained by the Office of Student Discipline for more information regarding implementation of the Removal Process.

#### c. Attendance

Regular attendance in school is important for a student to make adequate academic progress. When a child is absent, parents, guardians, or other persons who have control of a child enrolled in the school district should follow Policy JBD, Attendance and Absences, as well as the local school rules to report reasons for absences. Georgia compulsory attendance law requires that after any student accrues five (5) days of unexcused absences in a given school year, the person, guardian, or other person who has control or charge of said child shall be in violation of O.C.G.A. § 20-2-690.1(b) and the child will be considered truant. The law also places notice requirements on Georgia school systems. The law provides for the penalties and notice as discussed below:

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

*Each day's absence from school in violation of this part after the child's District notifies the parent, guardian, or other person who has control or charge of a child of five (5) unexcused days of absence for a child shall constitute a separate offense. After two (2) reasonable attempts to notify the parent, guardian, or other person who has control or charge of a child of five (5) unexcused days of absence without response, the District shall send a notice to such parent, guardian, or other person by certified mail, return receipt requested. Public schools shall provide to the parent, guardian, or other person having control or charge of each child enrolled in the public school a written summary of possible consequences and penalties for failing to comply with compulsory attendance under this Code section for children and their parents, guardians, or other persons having control or charge of children. By September 1 of each school year or within 30 days of the student's enrollment in a District, the parent, guardian, or other person who has*

*control or charge of a child or children shall sign a statement indicating receipt of such written statement of possible consequences and penalties; children who are ten (10) years or older by September 1 shall sign a statement indicating receipt of such written statement of possible consequences and penalties.*

*After two (2) reasonable attempts by the school to secure such signature or signatures, the school shall be considered to be in compliance with this subsection if it sends a copy of the statement, via certified mail, return receipt requested, or first-class mail, to such parent, guardian, or other person who has control or charge of a child, or children. Public schools shall retain signed copies of statements through the end of the year.*

As stated in O.C.G.A. § 20-2-690.1(c), the District is entitled to file proceedings in court to enforce attendance requirements. A truant student may also face disposition as an unruly child pursuant to O.C.G.A. § 15-11-67.

Schools shall notify parents of students 14 years of age or older when the student has accumulated seven unexcused absences during the school year.

### **Drivers' Licenses**

In addition to the discipline specified in this Code of Conduct for attendance and selected conduct, students fifteen (15) through seventeen (17) years of age may find their eligibility for a Georgia instructional/learner's permit or driver's license impacted by their school enrollment and/or conduct. Students must obtain a Certification of Enrollment from their school stating that the student is enrolled in and not under expulsion to be eligible for a driver's license or learner's permit.

### **Clubs and Organizations**

"Clubs and organizations" mean clubs and organizations comprised of students who wish to organize and meet for common goals, objectives, or purposes and which are directly under the sponsorship, direction, and control of the school. This term shall include any activities reasonably related to such clubs and organizations but shall not include competitive interscholastic activities or events. "Competitive interscholastic activity" means functions held under the auspices or sponsorship of a school that involves its students in competition between individuals or groups representing two or more schools. This term shall include cheerleading, band, and chorus.

The name of each the club or organization, mission or purpose of the club or organization, name of the club's or organization's faculty advisor/custodian, and a description of past or planned activities is available from the individual school through the school's website, handbook or front office. All terms of the Code of Conduct apply to all school sponsored activities, including: Clubs and Sports.

### **Part I: Disciplinary Rules**

The following code provisions apply to student behavior AT ANY TIME while on school property, engaging in or attending a school-sponsored event, at all times during distance learning activities/lessons, while using school technology resources or, in some cases, off- campus (see Rule IV.21a and Rule III.6). The decision to charge a student for violation of this Code of Conduct shall be made by the administration of the local school. If the local school administration is uncertain as to the interpretation of the Code of Conduct, they are to contact the District's Office of Student

Discipline.

**Definitions:**

- **"Administrator"** means the principal or other designated person to whom authority has been delegated.
- **"Board"** means the Fulton County Board of Education.
- **"Detention"**, including Saturday school, by a teacher or an administrator requires a student to be at school for a limited period other than normal school hours or days. The student's parent or legal guardian should be notified at least on the day prior to the serving of detention or Saturday school.
- **"Disciplinary Hearing Officer or Hearing Officer"** means the individual(s) appointed to conduct a Disciplinary Hearing.
- **"Expulsion"** means suspension or expulsion of a student from school beyond the current school quarter or semester.
- **"In-school suspension"** is the removal of a student from his/her class for at least half a school day by the principal or a designee and assignment to a location supervised by appropriate personnel in another room on the school premises for a period not exceeding ten (10) consecutive school days. A student assigned to in-school suspension will be permitted to work on classroom assignments and will be counted present on the attendance register. If a student is removed from regular class assignments for more than one-half of the school day, written notice of this assignment to in-school suspension must be sent to the parent. A copy of the written notice ("suspension letter") must also be sent to the Exceptional Children Department if the student has an Individual Education Plan (IEP) and the visiting teacher/school social worker should be sent a copy of all suspension letters. The letter should clearly indicate that the suspension is "in-school." The administrator should make every effort to have a conference with the parent(s) and student before, or at the time the student returns to regular classes.
- **"Local school interventions"** include the use of student and/or parent conferences, student court, mediation, detention, in-school suspension, bus suspensions, Saturday school, out-of-school suspension, and forfeiture of the privilege of participation in extracurricular activities. (See also "Part III: Tiered Offenses and Disciplinary Responses).
- **"Long-Term suspension"** means the suspension of a student from school for more than ten
- school days, but not beyond the current school quarter or semester.
- **"Office of student discipline"** means the system office that is responsible for student discipline.
- **"Parent"** means the student's natural parent or court approved legal guardian.
- **"Permanent expulsion"** means expulsion from all Fulton County Schools for the remainder of the student's eligibility to attend school pursuant to Georgia law.
- **"President"** means the chair or president of the Fulton County Board of Education or another

member of the Board who has been designated as acting chairman or president for the purpose of these rules.

- **“School property”** includes, but is not limited to:
  1. The land and improvements which constitute the school.
  2. Any other property or building, including school bus stops, wherever located, and where any school sponsored/sanctioned function or activity is conducted.
  3. Any bus or other vehicle used in connection with school functions and activities, including but not limited to, school buses, buses leased by the Fulton County School District and privately-owned vehicles used for transportation to and from school activities.
  4. En route to and from school (Prior to imposing discipline regarding incidents occurring en route to and from school, school administration should consult with the District’s Office of Student Discipline.)
  5. School computers/devices issued to the student, computers/devices owned by the District, school technology resources wherever located including, but not limited to, all distance learning platforms, websites, and programs.
  
- **“School technology resources”** includes, but is not limited to:
  1. Electronic media systems such as computers, electronic networks, messaging, and Web site publishing, and
  2. The associated hardware and software programs used for purposes such as, but not limited to, developing, retrieving, storing, disseminating, and accessing instructional, educational, and administrative information.
  
- **“Short-Term suspension”** means the suspension of a student from school for ten (10) school days or less.
  
- **“Superintendent”** means the District's Superintendent or Chief Administrative Officer or other designated person to whom disciplinary authority has been delegated.
  
- **“Teacher”** means a classroom teacher, counselor, school assistant, substitute teacher or a student teacher who has been given authority over some part of the school program by the principal or a supervising teacher.
  
- **“Timeout”** includes the removal of a student from his/her class by the principal or a designee. The timeout is served in a cool-down location supervised by appropriate school personnel in a room on the school premises other than the student’s classroom for less than one-half day depending upon the nature of the behavior and the age/grade of the student.

## **Disciplinary Rules (Related Character Trait)**

**The following behaviors are a violation of this Code of Conduct:**

Rule	Description
1	Disruption and Interference with School
2	Damage, Alteration, or Theft of School Property or Private Property
3	Unauthorized Entry/Trespassing
4	Assault or Battery to a School Employee
5	Assault or Battery by a Student to any Person Other than a School Employee
6	Harassment, Bullying and other Derogatory Behavior
7	Insubordination
8	Misrepresentation
9	Honor Code Violation
10	Weapons and Dangerous Instruments/Hazardous Objects/Unauthorized Items
11	Alcohol and Other Drugs/Psychoactive Substances
12	Attendance
13	Dress and Grooming
14	Tobacco Use/Cigarette Products
15	Gambling
16	Sexual Harassment
17	Sexual Misconduct/Sexual Offenses
18	Technology Offenses
19	Gang Related Activity
20	Interference with School Bus
21	Off-Campus Misconduct
22	Encouraging Violations of Code of Conduct
23	Threat
24	Theft

\*\*\*Code Violations read as follows: Tier # (I, II, III or IV), followed by Rule # (1, 2, 3, etc.) \*\*\*

## **Tier I: Minor Acts of Misconduct**

\*\*\*Multiple infractions could lead to increased consequences\*\*\*

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix).

### **Disruption and Interference with School (Responsibility/ Respect/ Citizenship)**

<b>I.1d</b>	<b><i>Public Displays of Affection</i></b>	Engage in consensual amorous kissing or similar public or other displays of affection (PDA).
<b>I.1e</b>	<b><i>Horseplay, Rough or Boisterous Activities</i></b>	Engage in horseplay or rough or boisterous activities. School administrators will use discretion in determining acts of horseplay/rough or boisterous activities as opposed to other prohibited activities, such as intentional physical contact.

### **Harassment, Bullying, and other Derogatory Behavior (Respect/ Caring/ Fairness/Courage)**

<b>I.6c</b>	<b><i>Profane/Vulgar Language or Gestures towards a student</i></b>	Use of abusive words, profane or vulgar language (written or oral) or gestures (if directed at or towards a school employee then may result in increased consequences). Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a> .
<b>I.6f</b>	<b><i>Teasing/Taunting</i></b>	Engaging or encouraging teasing and/or taunting of another student, employee, volunteer, or visitor to provoke or make fun of someone, whether in a playful, insulting, or contemptuous manner.

### **Insubordination (Responsibility/ Respect/ Perseverance)**

<b>I.7a</b>	<b><i>Fail to Follow Rules/Laws or Blatant Defiance of an Employee</i></b>	Failure to comply with local school rules, and/or reasonable directions or commands of teachers, student teachers, substitute teachers, school assistants, administrators, school bus drivers or other authorized school personnel, including refusing to identify one's self upon request of any School District employee/designee; or engaging in verbal altercations with another person.
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### **Honor Code Violation (Honesty)**

<b>I.9a</b>	<b><i>Honor Code</i></b>	<p>The expectation is that each student will be honest and submit his/her own work. Cheating, plagiarism and other Honor Code violations are strictly prohibited. Examples of violations of this rule include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• copying or "borrowing" from another source and submitting it as one's own work</li> <li>• seeking or accepting unauthorized assistance on tests, projects or other assignments</li> <li>• fabricating data or resources</li> <li>• providing or receiving test questions in advance without permission</li> <li>• working collaboratively with other students when individual work is expected</li> </ul>
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*See Policy JCD, Student Academic Integrity, and the school's Honor Code for more information.*



<b>Attendance (Responsibility/ Citizenship/ Perseverance)</b>	
<b>I.12a</b>	<b>Excessive Tardies/Class Cuts</b>
	"Skipping" or missing any class or activity or any portion of a class or activity or being tardy for a class or activity for which he or she is enrolled without a valid excuse.
<b>I.12c</b>	<b>Failure to attend Detention/ISS/Saturday School</b>
	Failure to attend detention, Saturday school or ISS.
<b>Dress and Grooming (Responsibility/ Respect)</b>	
<b>I.13a</b>	<b>Improper Dress</b>
	Students in the school system are expected to dress and groom themselves in such a way as to reflect neatness, cleanliness and safety. All students shall dress appropriately so as not to disrupt or interfere with the educational program or the orderly operation of the school. Examples of inappropriate dress and grooming include lack of cleanliness in person or dress; shoelessness; "short-short" clothing; bare midriffs; "tank tops"; "see-through" clothing or apparel which designates gangs or similar organizations or any dress that is disruptive to the educational process. Designated dress involving school activities approved by the principal shall be acceptable. The principal or other duly authorized school official shall determine whether any particular mode of dress or grooming results in a violation of the spirit and/or the intent of this rule.
<b>Gambling (Responsibility)</b>	
<b>I.15a</b>	<b>Gambling</b>
	Gamble or participate in gambling activity or solicit others to gamble or participate in gambling activity. Gambling includes, but is not limited to, betting on any game or event, shooting dice, matching or other games of chance for money and/or things of value.  Participating in a raffle or bingo game sponsored by a school-related support group such as a PTA or booster club will not violate this rule when the student is accompanied by his or her parent or guardian or by another parent who has permission in writing from the student's parent or guardian to supervise that student at the fundraiser or the fundraiser has been pre-approved by administration.
<b>Technology Offenses (Respect/ Honesty/ Citizenship)</b>	
	The school is not responsible for personal electronic devices on school property or at school sponsored events. Electronic devices may be confiscated by the school administrator or designee. See Rule II.20a, for specific rules relating to use of electronic equipment, including cellular phones, and other items while on the school bus. Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a> .
<b>I.18e</b>	<b>Cell Phone/Electronic Devices/Recording Devices</b>
	Refusing to comply with reasonable directions or commands of school staff regarding responsible use of technology, and/or use audio or visual recording devices without permission of a school administrator (including but not limited to Policy and Operating Guideline IFBGA Responsible Use of Enterprise Technology).

	Use of recording devices to record misbehaviors or to violate the privacy of others may also result in a violation of Rule II.22a.
	School Administration may confiscate cell phones or other electronic devices from students who are found in violation of this Rule. Neither the District nor District employees will be responsible for devices that are lost, damaged or destroyed. Students bring personal electronic devices onto District campuses at their own risk.
<b>I.18g</b>	<b><i>Violate District Responsible Use Agreement</i></b> Violate the District's Responsible Use Agreement (Operating Guideline IFBGA) in any other way.

## **Tier II: Intermediate Acts of Misconduct**

\*\*\*Multiple infractions could lead to increased consequences\*\*\*

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix).

### **Disruption and Interference with School (Responsibility/ Respect/ Citizenship)**

<b>II.1a</b>	<b><i>Block Property/Traffic</i></b> Occupy or block any school building, part of school grounds, entrance, exit, or normal pedestrian/vehicular traffic on school grounds or adjacent grounds to deprive others of access.
<b>II.1b</b>	<b><i>Disruption/Disruptive Behavior</i></b> Use of violence, force, noise, coercion, intimidation, fear, passive resistance, false statements, or any other conduct that causes, may or attempts to cause the disruption of any mission or function of the school, student learning has been interrupted/interruption of academic day, or poses a threat to the health, safety and/or welfare of students, staff or others.

### **Damage and/or Alteration of School Property or Private Property (Responsibility/ Respect/ Citizenship)**

<b>II.2a</b>	<b><i>Damage School/Private Property</i></b> Cause or attempt to cause damage to or deface school or private property.
<b>II.2b</b>	<b><i>Alter School or Private Property</i></b> Alter or attempt to alter school or private property.
<b>II.2d</b>	<b><i>Possess/Distributes Items (non-drug items).</i></b> Possess or distribute items, without appropriate school/school system authorization. (e.g. selling/distributing food, bodily fluids, computer technology, personal items, and other non-drug related items) (Severity of consequences may increase based upon the value of property at issue or if the goods are determined to be stolen). An exchange of money for goods and/or services is not required.

### **Unauthorized Entry/Trespassing (Citizenship/Respect)**

<b>II.3a</b>	<b><i>Trespass School Property</i></b> Unauthorized forceful entry into a school building or vehicle (with or without intent to commit theft).
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II.3c	Unauthorized Area	Being on or remaining on a public-school campus, school property and/or school related event/extended location without authorization or invitation.
<b>Physical or Verbal Assault or Battery by a Student to any Person Other Than a School Employee (Responsibility/Respect/Caring)</b>		
II.5d	Consensual Hazing, initiation, or bodily modifications	Participate in consensual physical hazing/initiation or bodily modifications (e.g. tattooing, branding, piercing).
<b>Harassment, Bullying, and other Derogatory Behavior (Respect/Caring/Fairness/Courage)</b>		
II.6g	Profanity/verbal abuse of an employee, staff, or visitor	Use of abusive words, profane or vulgar language (written or oral) or gestures towards an employee, volunteers and other visitors
<b>Misrepresentation (Honesty)</b>		
II.8a	Misrepresentation	Knowingly and willfully make false reports or statements, whether orally or in writing (e.g., making false calls to emergency services and making false fire alarm or emergency reports which must be reported to the local school police officer, falsely accusing others of wrong actions, falsifying school records, forging signatures, etc.).
<b>Weapons and Dangerous Instruments/Hazardous Objects/Unauthorized Items (Responsibility/ Caring)</b>		
<b>Reporting Requirements:</b> The possession of any dangerous weapon, hazardous object, or firearm in violation of O.C.G.A. § 16-5-21; 16-5-24; 16-11-127; 16-11-127.1; or 16-11-132 will trigger the reporting requirements of O.C.G.A. § 20- 2- 1184. The incidents will be reported to the school police, the Area Superintendent, and the system office of student discipline. The Chief of Fulton County Schools Police, or designee, will notify the district attorney.		
<b>Confiscation:</b> All items prohibited under this rule should be confiscated and given to the local school resource officer or other law enforcement agencies as appropriate. The disposition of items prohibited under this rule should be determined by the Superintendent or his/her designated school official, in conjunction with law enforcement.		
<b>Prohibition:</b> A student shall not possess, handle, transmit, or cause to be transmitted; use or threaten to use; sell, attempt to sell, or conspire to sell a firearm, a dangerous weapon or dangerous instrument/hazardous object/unauthorized item, either concealed or open to view, on school property. There is no exception for students who have a valid legal license to carry a weapon.		
<i>NOTE: The definition of "weapon" for purposes of this Code of Conduct is one that includes, but is not limited to, the following items:</i>		
II. 10c (Cat III)	Category III Weapon/Dangerous Instrument/Unauthorized Items	Any knife or instrument having a blade of less than two inches, any "look-alike" firearm, or plastic disposable razor or sling shot.

	<p>The local school police officer must be notified of such incidents.</p> <p><b><u>Dangerous Instrument/Unauthorized Weapons:</u></b></p> <p>Students shall not possess ammunition, BBs, paint pellets, fireworks (other than "snap its", "poppers", or "pop-its" which may be addressed as a disruptive behavior), matches, lighters, stink bombs, pepper spray, mace or similar instruments /items. These instruments/items are disruptive to the function of the school and may pose a safety risk.</p>
<b>Attendance (Responsibility/Citizenship/Perseverance)</b>	
<b>II.12b</b>	<p><i>Attendance</i></p> <p>Leave school grounds during the course of the regularly scheduled school day without the permission of a parent and school principal or designee. Students must follow the established procedures for checking in or out of school.</p>
<b>Tobacco Use/Cigarette Products including: E-Cigarettes, Juling &amp; Vaping (Responsibility/Citizenship)</b>	
<b>II. 14A</b>	<p><i>Tobacco/Vaping use/possession</i></p> <p>Possess, distribute, or use, cigarettes, electronic cigarettes (a.k.a., e-cigarettes, e-cigs), Hookah, Vapes, Juuls or like products, or related tobacco products of any kind, including cigarette wrapping paper or containers for such products. First offenders may be referred to attend a tobacco use program, in addition to any other disciplinary action deemed appropriate. Multiple offenses of this rule within the same school year may result in increased discipline. Multiple incidents may result in the offense being elevated to a Tier III discipline incident.</p>
<b>Sexual Misconduct/Sexual Offenses (Respect/ Caring)</b>	
<p>The Georgia General Assembly requires the District to encourage parents to inform students of the consequences, including potential criminal penalties, of underage sexual conduct. The consequences can include the student being tried as an adult in criminal court. Any behavior which a violation of Chapter 6 of Title 16 of Georgia law must be immediately reported to the school police, the Area Superintendent and the system office of student discipline. The Chief of Fulton County Schools Police, or designee will then notify the District Attorney. Sexual offenses are prohibited regardless of the gender of the involved parties.</p>	
<p><b><u>Victims of Sexual Offenses:</u></b> Any alleged victim of a sexual offense may request to have his/her schedule changed, subject to the principal's approval. See also Policy JB CD, Transfers and Withdrawals, for more information about transfer options for victims of violent offenses.</p>	

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix). Both student complainants and student respondents may be provided Supportive Measures.

As used in this Rule, “intimate body parts,” include “the primary genital area, anus, groin, inner thighs, or buttocks of a male or female and the breasts of a female.”

<b>II.17a</b>	<b><i>Mooning/Related Behavior</i></b>	<p>“Mooning”, “panting”, or exposing one’s intimate body parts, or the intimate body parts of another, with no sexual intent.</p> <p>Students exposing intimate body parts of another will result in increased discipline and may be treated as a Tier III or Tier IV discipline incident.</p>
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**Interference with School Bus (Responsibility/ Respect/ Citizenship)**

<b>II.20a</b>	<b><i>Bus Interference</i></b>	<p>All code of conduct rules applies on school provided transportation and at school bus stops. Students may not violate any direction of the school bus driver.</p> <p>Students may not disrupt the environment of the bus or bus stop in any manner, including but not limited to loud or boisterous behavior; failure to remain silent at railroad crossings; using emergency exits improperly; riding an unauthorized bus; disembarking at an unauthorized stop; throwing objects in the bus, or into or out of the bus; extending body parts or objects outside of the bus; drinking/eating/chewing gum; interference with District recording equipment; [failure to wear seatbelts where fitted on buses, or unbuckling of seatbelts before reaching the destination,] and failure to remain seated.</p> <p>Additionally, students are prohibited from using items during the operation of a school bus in a manner which might interfere with the school bus communications equipment or the school bus driver’s operation of the bus. These items include but are not limited to cell phones; pagers; audible radios; tape or compact disc players without headphones; mirrors; lasers, or flash cameras. (Consequences may include confiscation of device.) Cell phone use will not be allowed during the operation of the bus because it interferes with the operational technology. However, cell phones may be used with the special permission of the principal, supervising teacher, or bus driver while the student is on the bus waiting to depart the starting location or when the bus returns to its final destination after athletic events, field trips, or other special situation deemed appropriate by the principal, supervising teacher, or bus driver. (See also Procedure EDCB, Bus Conduct)</p>
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**Encouraging Violations of Code of Conduct Responsibility/ Respect/ Caring**

<b>II.22a</b>	<i>Encouraging Misconduct</i>	Possess, distribute, or use, cigarettes, electronic cigarettes (a.k.a., e-cigarettes, e-cigs), or related tobacco products of any kind, including cigarette wrapping paper or containers for such products. First offenders may be referred to attend a tobacco use program, in addition to any other disciplinary action deemed appropriate.
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**Verbal/Written Explicit and/or Implied Threat (Responsibility/Respect/Citizenship)**

<b>Title IX:</b> Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a> . Both student complainants and student respondents may be provided Supportive Measures.	<p>***Threat levels are determined at the local school level. The list below is not exhaustive or all-inclusive***</p> <p>A threat is defined as any expression of intent to harm someone. Threats can be spoken, written, emailed, posted or expressed in some other way. Threats can be expressed or implied. All employees are required to report any threats to school administration.</p> <p>Employees should act promptly to protect students, employees and visitors. Employees should supervise the accused student.</p> <p>Notify school Police Officer and Zone Superintendent for Level 2 and 3 threats.</p>	
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<b>II.23a</b>	<i>Level 1 Threat</i>	<p>Level 1 Threats are determined by School Administration, taking into account the following factors (please note, these factors are not all-inclusive and need not be met to determine a Level 1 threat):</p> <ul style="list-style-type: none"> <li>• Intent to harm is not clear or apparent</li> <li>• No evidence of motive</li> <li>• No ability to carry through with threat</li> <li>• No evidence of planning</li> <li>• Expressions of anger or frustration dissipate quickly</li> <li>• Threats of a fight without specificity of violence</li> <li>• No specific person, place or object targeted</li> <li>•</li> </ul>
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**Theft (Responsibility/Respect/Citizenship)**

<b>II.24a</b>	<i>Theft of Student, School or Private Property – Any Amount</i>	Steal or attempt to steal student, school or private property of any amount [includes, but is not limited to the use of counterfeit money, committing cybercrimes, theft by deception, selling or disposing of school- issued devices/materials, etc.]
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## Tier III: Moderate Acts of Misconduct

\*\*\*Multiple infractions could lead to increased consequences\*\*\*

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix).

### **Disruption and Interference with School (Responsibility/ Respect/ Citizenship)**

<b>III.1c</b>	<b><i>False Fire Alarm</i></b>	Pull a fire alarm without authorization or without the belief that a true emergency exists. (See Rule II.8a for false fire alarm report);
<b>III.1f</b>	<b><i>Sexual Activity</i></b>	Willing participation in any form of sexual activity. (The local school police officer must be notified of such incidents.)

### **Damage and/or Alteration of School Property or Private Property (Responsibility/ Respect/ Citizenship)**

<b>III.2c</b>	<b><i>Arson of School or Private Property</i></b>	Set fire to or attempt to set fire to school or private property
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### **Unauthorized Entry/Trespassing (Citizenship/ Respect)**

<b>III.3b</b>	<b><i>Breaking/Entering Private Property</i></b>	Unauthorized forceful entry into a school building or vehicle (with or without intent to commit theft therein).
<b>III.3d</b>	<b><i>Unauthorized Entry of Unauthorized person(s)</i></b>	<p>Allowing non-authorized person(s) into a school building or school sponsored event without authorization with the intent to cause harm or disruption.</p> <p>Students who knowingly allow a person in building with the intent to cause harm or disruption will face increased discipline.</p> <p>For purposes of this rule authorized person(s) include employees/staff with a District ID and law enforcement officials (police, fire-fighters, paramedics, etc.)</p>

### **Physical or Verbal Assault or Battery by a Student to any Person Other Than a School Employee (Responsibility/ Respect/ Caring)**

School administrators will use discretion in determining acts of intentional physical contact as opposed to other prohibited activities, such as horseplay/rough or boisterous activities (Rule I.1e).

Offenses are cumulative at the elementary, middle and high school levels.

At the discretion of the local school administration, the student and the parent may be offered the opportunity to attend a violence prevention program

If a student is found to have engaged in bullying or in physical assault or battery of another person on the school bus, a meeting shall be scheduled involving the parent or guardian of the student and appropriate school district officials to form a school bus behavior contract for the student.

Such contract shall provide for progressive age-appropriate discipline and restrictions for student misconduct on the bus. Contract provisions may include but shall not be limited to assigned seating, ongoing parental involvement, and suspension from riding the bus. This paragraph does not in any way limit or restrict the school system's ability to take additional action, including imposing disciplinary sanctions through and including permanent expulsion from the school system, as a result of the student's behavior.

**Title IX:**

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix). Both student complainants and student respondents may be provided Supportive Measures.

<p><b>III.5a</b></p>	<p><i><b>Battery Student/Other with or without Injury; serious injury</b></i></p>	<p>Intentionally make physical contact of an insulting or provoking nature with another person. (Battery) Physical contact which causes harm may result in increased consequences. Harm may include, but is not limited to, significant injuries such as swelling, bleeding, concussions, broken bones, sprains, or where medical attention was sought for a significant injury.</p>
<p><b>III.5b</b></p>	<p><i><b>Fight Student/Other</b></i></p>	<p>Mutually participate or initiating a physical altercation (Fight)</p>
<p><b>III.5c</b></p>	<p><i><b>Assault/Threaten another person</b></i></p>	<p>Attempt to cause physical injury, threaten bodily harm, or commit an act which places a person in reasonable apprehension of receiving physical injury. Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a>.</p>
<p><b>III.5f</b></p>	<p><i><b>Stalking</b></i></p>	<p>Following, contacting, or placing another person under surveillance without consent for the purpose of harassing and intimidating, which includes behavior that would cause a reasonable person to: (a) fear for his or her safety of the safety of others; or (b) suffer substantial emotional distress.</p> <p>Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a>.</p>

**Harassment, Bullying, and other Derogatory Behavior (Respect/ Caring/ Fairness/ Courage)**

**Victims:** Any alleged victim of harassment or bullying may request to have his/her schedule changed, subject to the principal's approval - (See also Policy JBCD, Transfers and Withdrawals, for more information about transfer options for victims of violent offenses. Students with disabilities may be entitled to additional protections and considerations that may not be contained in this Rule or this Code of Conduct. If a parent/guardian has a question about a student with a disability, he or she should contact the school principal or Services for Exceptional Children.

**Title IX:**

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix). Both student complainants and student respondents may be provided Supportive Measures.



**Reporting:** Staff members are expected to report instances of these behaviors to the school principal or designated administrator immediately so that administrators may investigate them in a timely manner. Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix).

Parents/guardians/persons that have control of charge of students who are victims of bullying or are found to have committed bullying will be notified via telephone/personal conference or letter/referral.

Employees, volunteers, students and parents/guardians/other persons that have control of students may report or otherwise provide information on bullying activity to a school administrator anonymously if they choose. No person who reports bullying behaviors will be retaliated against by any school employee. Students who retaliate against others for reports of bullying behavior are subject to discipline which may include enhanced consequences. Students who knowingly file a false report of bullying will also be disciplined.

**Community Incidents:** It is beneficial for the school to be notified of community situations that may impact the school environment. However, individuals who are subject to harassment, bullying, “cyberbullying”, or other acts of crime or violence in the community should contact their local, jurisdictional police department for action, as the school may have limited or no jurisdiction to discipline (OSS, ISS, etc.) for events that occur in the community. (See Rule II.22a)

**Definition/Jurisdiction:** Bullying applies to acts which occur on school property or through school technology resources, and also applies to acts which occur through the use of electronic communication, whether or not that communication originated on school property or with school technology resources, if the electronic communication (1) is directed specifically at students or school personnel, (2) is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school, and (3) creates a reasonable fear of harm to the students' or school personnel's person or property or has a high likelihood of succeeding in that purpose. Electronic communication includes but is not limited to any transfer of signs, signals, writings, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system. (See also Rule 18 Technology Offenses)

**Prohibition:** No student shall bully another student or students or school personnel.

**Grades 6 Through 12:** Upon a finding by a Disciplinary Hearing Officer that a student in grades six (6) through twelve has committed the offense of bullying for the third time in a school year, such student shall be assigned to an alternative education program.

**Bus Incidents:** If a student is found to have engaged in bullying or in physical assault or battery of another person on the school bus, a meeting shall be scheduled involving the parent or guardian of the student and appropriate school district officials to form a school bus behavior contract for the student. Such contract shall provide for progressive age- appropriate discipline and restrictions for student misconduct on the bus. Contract provisions may include but shall not be limited to assigned seating, ongoing parental involvement, and suspension from riding the bus. This does not in any way limit or restrict the school system's ability to take additional action, including imposing disciplinary sanctions through and including permanent expulsion from the school system, as a result of the student's behavior.

<p><b>III.6a</b></p>	<p><i>Harassment: Disability/Race/Color/National Origin/Religion/Sexual Orientation</i></p>	<p><b>Harassment is strictly prohibited.</b> Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a>. Harassment includes behavior that creates an unpleasant or hostile situation by uninvited and unwelcome verbal or physical conduct, teasing, or taunting. Harassing behaviors may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>○ Committing any act of bigotry directed toward another person's race, ethnic heritage, national origin, religion, age, sex, gender or disability</li> <li>○ Racial, sexual, or ethnic slurs</li> <li>○ Derogatory comments, insults, and jokes</li> <li>○ Physical harassment, such as offensive touching, and visual harassment, such as racially, sexually, or ethnically offensive posters, graffiti, drawings, clothing, or gestures</li> <li>○ Harassing behaviors based on actual or perceived race, creed, color, ethnic heritage, national origin, religion, sex, age, disability, sexual orientation, gender, gender identity or a physical characteristic</li> </ul>
<p><b>III.6b</b></p>	<p><b>Bullying</b></p>	<p><b>Bullying is strictly prohibited. Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a>.</b></p> <p><b>Bullying includes the following:</b></p> <ol style="list-style-type: none"> <li>1. Willful attempt or threat to inflict injury on another person, when accompanied by an apparent present ability to do so; or</li> <li>2. Intentionally exhibiting a display of force such as would give the victim reason to fear or expect immediate bodily harm; or</li> <li>3. Any intentional written, verbal, or physical act, which a reasonable person would perceive as being intended to threaten, harass or intimidate that:       <ol style="list-style-type: none"> <li>a. Causes substantial physical harm or bodily harm capable of being perceived by a person other than the victim and may include, but is not limited to, substantially blackened eyes, substantially swollen lips or other facial or body parts, or substantial bruises to body parts;</li> <li>b. Has the effect of substantially interfering with the victim student's education;</li> <li>c. Is so severe, persistent or pervasive that it creates an intimidating or threatening educational environment; or</li> </ol> </li> </ol>

		d. Has the effect of substantially disrupting the orderly operation of the school.
<b>III.6d</b>	<b>Offensive Material (Non-Technology)</b>	Possessing, displaying, or distributing profane, vulgar, pornographic, obscene, or ethnically offensive materials.
<b>III.6e</b>	<b>Forcefully abduct, transport, detain a person</b>	Forcefully abduct, transport and/or detain a person against his/her will
<b>Weapons and Dangerous Instruments/Hazardous Objects/Unauthorized Items (Responsibility/ Caring)</b>		
<p><b>Prohibition:</b> A student shall not possess, handle, transmit, or cause to be transmitted; use or threaten to use; sell, attempt to sell, or conspire to sell a firearm, a dangerous weapon or dangerous instrument/hazardous object/unauthorized item, either concealed or open to view, on school property. All items prohibited under this rule should be confiscated and given to the local school resource officer or other law enforcement agencies as appropriate. The disposition of items prohibited under this rule should be determined by the Superintendent or his/her designated school official, in conjunction with law enforcement. The possession of any dangerous weapon, hazardous object, or firearm in violation of O.C.G.A. § 16-5-21; 16-5-24; 16-11-127; 16-11-127.1; or 16-11-132 will trigger the reporting requirements of O.C.G.A. § 20-2-1184. The incidents will be reported to the school police, the Area Superintendent, and the system office of student discipline. The Chief of Fulton County Schools Police, or designee, will notify the district attorney. There is no exception for students who have a valid legal license to carry a weapon.</p> <p><b>Curriculum Display of a Weapon or Dangerous Instrument/Unauthorized Item</b> - Any individual wishing to bring a weapon, look-alike weapon or dangerous instrument/unauthorized item to school or use a Category I or II type weapon for the purposes of a curriculum display or as an educational tool must have prior permission. Specifically, the individual must have verbal approval of the teacher in whose class the weapon or dangerous instrument/unauthorized item will be displayed, as well as prior written permission from the principal which includes a description of the weapon(s) and/or dangerous instrument(s)/item(s) authorized and the time period during which the weapon(s) and/or dangerous instrument(s)/item(s) may be on campus.</p> <p>Transport of the weapon, look-alike weapon or dangerous instrument/item to and from the school must be by the approved parent, guardian or other approved individual 21 years of age. The transporting individual should remove the weapon or dangerous instrument/item from the school immediately upon completion of the educational session. When necessary, the teacher or school administration will store the weapon, look-alike weapon or dangerous instrument/item in a secure location when it is not being used in the above approved classroom activities. The weapon or dangerous instrument must be unloaded and must not contain any explosive material.</p>		
<p><i>NOTE: The definition of "weapon" for purposes of this Code of Conduct is one that includes, but is not limited to, the following items:</i></p>		
<b>III.10b (Category II)</b>	<b>Category II Weapon: Hazardous Object</b>	Any pellet gun, paint pellet gun, or BB gun, antique firearm, nonlethal air gun, stun gun, taser, or any similar weapon that does not meet the definition of a Category I weapon; an Bowie, Dirk, machete, switchblade knife, ballistics knife, any other knife having a blade of two or more inches; any razor blade (e.g., straight, regular, retractable, etc.); boxcutter; any bludgeon (e.g. billy club, PR-24, night stick, spring stick, blackjack, club); any firearm muffler or firearm silencer; "look-alike" bomb; any

	<p>"martial arts" device or flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely (e.g., nunchakus, nun chuck, nun chahka, shuriken, or fighting chain, etc.); any disc of whatever configuration with at least two points or pointed blades which is designed to be thrown or propelled (e.g., Chinese star, oriental dart, throwing star, etc.); miscellaneous devices such as swords, sword/knife canes, ice picks, chains, bow and arrows, knuckles made of metal, thermoplastic, wood or other similar material, objects placed on fingers, in hands, or on fists or knuckles to provide a "loaded fist," etc., or any tool or instrument which the school administration could reasonably conclude as being used as a weapon or intended by the student to be used as a weapon and thus a violation of the intent of this Code of Conduct.</p> <p>In addition to the above, Category II weapons include any item defined as a weapon or hazardous object as defined by O.C.G.A. § 16-11-127.1 and 20-2-751, except for firearms and dangerous weapons (See Category I).</p> <ul style="list-style-type: none"> <li>The local school police officer must be notified of such incidents. Notify the system office of student discipline and Area Superintendent.</li> </ul>
<b>Alcohol and Other Drugs/Pschoactive Substances (Responsibility/ Citizenship)</b>	
<p>Offenses are cumulative at the elementary, middle and high school levels. A student shall not:</p>	
<b>III.11a</b>	<p><i>Alcohol/Drug Possession</i></p> <p>Possess, consume (eat, digest, inject, inhale, etc.), receive, purchase, transmit, store, or be under any degree of influence of alcoholic beverages and/or illegal drugs, narcotics, hallucinogens, amphetamines, barbiturates, marijuana/marijuana oils, edibles, synthetic cannabinoid drugs, synthetic cathinone drugs (e.g. bath salts) or any other substance listed under the Georgia Controlled Substances Act or any substance believed by the student to be alcohol or an illegal drug. Legal intoxication is not required for violation of this rule.</p> <p>First- time offenders may be required to attend a drug intervention program in addition to any other disciplinary action deemed appropriate.</p>
<b>III.11b</b>	<p><i>Drug Paraphernalia</i></p> <p>Possess, transmit, store, buy, sell, or otherwise distribute or possess with intent to sell, or otherwise distribute any drug-related paraphernalia, which may include, but is not limited to, vaporizers (For electronic cigarettes, see Rule II.14a, Tobacco Use/Cigarette Products), pipes, needles, rolling papers, baggies or other packaging materials, prescription bottles, scales, or any device used for ingesting drugs.</p>

III.11c	<b><i>False Identification Drug/Alcohol</i></b>	Falsely present or identify a substance to be alcohol or an illegal drug or use/consume/buy/sell/distribute/possess/transmit compounds or substances meant to mimic the effects of drugs or alcohol.
III.11e	<b><i>Influence of Inhalants/Other</i></b>	Sniff or be under the influence of inhalants and/or other substances.
III.11f	<b><i>Over the Counter Medication</i></b>	Over-The-Counter Medication: Possession of all over-the-counter medication on school property must be pursuant to Operating Guideline JGCD – Medication Administration and Storage. A student is prohibited from selling, distributing, or possessing with intent to distribute any over-the-counter medication. Over the counter medications specifically include, but are not limited to, stimulants (e.g., diet pills, caffeine pills, etc.), nicotine replacement therapies such as nicotine gum and candy, nicotine lozenges, nicotine patches, nicotine inhalers, nicotine nasal sprays and the like. <i>For electronic cigarettes, see Rule II.14a, Tobacco Use/Cigarette Products</i>
III.11g	<b><i>Prescription Drugs</i></b>	Prescription Drugs: Possess prescription medication not prescribed for the student or possession of medication prescribed to a student out of compliance with Operating Guideline JGCD. All prescription medication prescribed for a student must be in compliance with written parent authorization and adherence to Operating Guideline JGCD – Medication Administration and Storage. In addition, a student shall not sell, distribute, or possess with intent to distribute any prescribed medication on school property. If the prescription drug is a controlled substance under the Georgia Controlled Substances Act, the student shall be found to have violated the appropriate portions of Paragraphs A through E above
<b>Sexual Harassment (Respect/ Caring)</b>		
III.16a	<b><i>Sexual Harassment</i></b>	NOTE: Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a> .  A student shall not harass another person through unwelcome conduct or communication of a sexual nature whether explicit or implied. Prohibited acts of sexual harassment include, but are not limited to, verbal or written harassment, such as sexual jokes or comments about an individual or his/her physical characteristics; physical harassment such as unwanted touching or gestures; visual harassment such as the display of, or encouraging/participating in the display of,

sexually suggestive objects or pictures; or requests or demands for sexual involvement, accompanied by implied or explicit threats.

The local school police officer must be notified of such incidents where the behavior involves a sexual offense (as defined in Chapter 6 of Title 16 of Georgia law) including, but not limited to, sexual battery, rape, and molestation. Any alleged victim of such offense may request to have his/her schedule changed, subject to the principal's approval. (See also Policy JBCD, Transfers and Withdrawals, for more information about transfer options for victims of violent offenses)

Staff members should report instances of behaviors referenced in this Rule to school administration within a reasonable time period so that administrators may review them in a timely manner.

*Any student (or parent or friend of a student) who has been the victim of an act of abuse, sexual harassment/misconduct, or other inappropriate behavior is urged to make an oral report of the act to any teacher, counselor or administrator at his/her school.*

### **Sexual Misconduct/Sexual Offenses (Respect/ Caring)**

The Georgia General Assembly requires the District to encourage parents to inform students of the consequences, including potential criminal penalties, of underage sexual conduct. The consequences can include the student being tried as an adult in criminal court. Any behavior which a violation of Chapter 6 of Title 16 of Georgia law must be immediately reported to the school police, the Area Superintendent and the system office of student discipline. The Chief of Fulton County Schools Police, or designee will then notify the District Attorney. Sexual offenses are prohibited regardless of the gender of the involved parties.

**Victims of Sexual Offenses:** Any alleged victim of a sexual offense may request to have his/her schedule changed, subject to the principal's approval. See also Policy JBCD, Transfers and Withdrawals, for more information about transfer options for victims of violent offenses.

As used in this Rule, "intimate body parts," include "the primary genital area, anus, groin, inner thighs, or buttocks of a male or female and the breasts of a female."

### **Title IX:**

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix). Both student complainants and student respondents may be provided Supportive Measures.

<b>III.17b</b>	<b>Sexual Battery</b>	<p>Sexual battery is defined as a student intentionally making physical contact with the intimate body parts of another person without the consent of that person. No student shall commit any act of sexual battery on school property, school buses, or at school-sponsored events.</p> <ul style="list-style-type: none"> <li>• The local school police officer must be notified of such incidents. The Chief of Fulton County Schools Police, or designee, will notify the district attorney. (See O.C.G.A. § 20-2- 1184)</li> <li>• Notify the system office of student discipline and Area Superintendent.</li> </ul> <p>Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a>. Both student complainants and student respondents may be provided Supportive Measures.</p>
<b>Technology Offenses (Respect/ Honesty/ Citizenship)</b>		
<p>The school is not responsible for personal electronic devices on school property or at school sponsored events. Electronic devices may be confiscated by the school administrator or designee. See Rule II.20a, for specific rules relating to use of electronic equipment, including cellular phones, and other items while on the school bus.</p>		
<p><b>Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a>.</b></p>		
<b>III. 18a</b>	<b>Technology/Computer Misuse</b>	<p>Purposely look for security problems, attempt to disrupt school technology resources, or engage in any activity that monopolizes or compromises school technology resources.</p>
<b>III.18b</b>	<b>Unauthorized Copy Computer Software</b>	<p>Copy computer programs, software or other technology provided by the District for personal use; download unauthorized files; or use school technology resources for personal gain or private business enterprises.</p>
<b>III.18c</b>	<b>Threat/Damage Property Using Tech</b>	<p>Attempt to, threaten to, or damage, destroy, vandalize, or steal private property or school property while using school technology resources on or off school grounds (The local school police officer must be notified of such incidents).</p>
<b>III.18d</b>	<b>Display Inappropriate Material Using Tech</b>	<p>Use or participate in using personal or school technology resources to distribute, display, or record inappropriate material. Inappropriate material does not serve an instructional or educational purpose and includes, but is not limited to, the following (See Rule III.6b for bullying using technology):</p> <p>If sexual in nature, refer to Rule III.18h</p> <ul style="list-style-type: none"> <li>o Is profane, vulgar, lewd, obscene, offensive, indecent, or threatening</li> </ul>

		<ul style="list-style-type: none"> <li>o Advocates illegal or dangerous acts</li> <li>o Causes disruption to Fulton County School District, its employees or students</li> <li>o Advocates violence</li> <li>o Contains knowingly false, recklessly false, or defamatory information; or</li> </ul> <p>Is otherwise harmful to minors as defined by the Children’s Internet Protection Act. (The local school police officer must be notified of such incidents.)</p> <p><b>Title IX:</b> Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a>. Both student complainants and student respondents may be provided Supportive Measures.</p>
<b>III.18f</b>	<b><i>Tamper/Phish/Hack District Network</i></b>	<p>Gain or attempt to gain unauthorized access to the District’s computer data, network, system, Internet connections, e-mail accounts, or intranet or to any third party’s computer system, data, or network, such as:</p> <ul style="list-style-type: none"> <li>o Malicious tampering, phishing, or hacking activities</li> <li>o Intentionally seeking information about passwords belonging to other users</li> <li>o Disclosing a user’s password to the District’s computer network, system, Internet connections, e-mail accounts, or intranet to other individuals. Students, however, may share their passwords with their parents.</li> <li>o Modifying passwords belonging to others</li> <li>o Attempting to log in through another person’s account</li> <li>o Attempting to gain access to material that is blocked or filtered by the District</li> <li>o Accessing, copying, or modifying another user’s files without authorization</li> <li>o Disguising a user’s identity</li> <li>o Using the password or identifier of an account that does not belong to the user; or</li> <li>o Engaging in uses that jeopardize access into others’ accounts or other computer networks or systems.</li> </ul> <p>Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a>. Both student complainants and student respondents may be provided Supportive Measures.</p>
<b>III.18h</b>	<b><i>Sexually Explicit or Pornographic Material Using Technology</i></b>	<p>Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a>. Both student complainants and student respondents may be provided Supportive Measures.</p>
<b>Gang Related Activity (Responsibility/ Caring/ Fairness)</b>		
<i>(Contact system office of student discipline and local school resource officer)</i>		



A “gang” is defined as any group of three or more people with a common name or common identifying signs, symbols, tattoos, graffiti, attire or other distinguishing characteristics which engage in any of the following: commission, attempted commission, conspiracy to commit, or solicitation, coercion, or intimidation of another person to commit offenses such as, but not limited to, rape, aggravated sexual battery, violence, possession or use of a weapon, or trespass or damage to property resulting from any act of gang related painting on, tagging, marking on, writing on, or creating any form of graffiti on school or personal property.

Students will not engage in acts of gang-related activities and affiliations. Prohibited acts include wearing or possessing gang-related apparel, conveying membership or affiliation with a gang, gang-related solicitation, violence, threats, defacement of school or personal property by painting, tagging, marking, writing, or creating any form of graffiti, etc.

**Title IX:**

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix). Both student complainants and student respondents may be provided Supportive Measures.

<b>III.19a</b>	<b><i>Gang Activity</i></b>	<i>A student shall not engage in gang activity.</i>
<b>III.19b</b>	<b><i>Intentional Display Gang Tattoos, Paraphernalia, Graffiti, etc.</i></b>	<i>A student shall not hold himself or herself out as a member of a gang, which may include, but is not limited to verbal identification, displaying gang identified tattoos or other gang related paraphernalia, or participating in creating or displaying gang related graffiti.</i>
<b>III.19c</b>	<b><i>Gang Solicitation</i></b>	<i>A student shall not recruit or solicit membership in any gang or gang-related organization.</i>

**Verbal/Written Explicit and/or Implied Threat (Responsibility/Respect/Citizenship)**

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix). Both student complainants and student respondents may be provided Supportive Measures.

<b>III.23b</b>	<b><i>Level 2 Threat</i></b>	<p>Level 2 Threats are determined by School Administration, taking into account the following factors (please note, these factors are not all-inclusive and need not be met to determine a Level 2 threat):</p> <ul style="list-style-type: none"> <li>○ Intent to harm is somewhat revealed</li> <li>○ Some evidence of motive</li> <li>○ No ability at this time</li> <li>○ Expressions of anger or frustration linger</li> <li>○ Evidence of some planning</li> <li>○ Specific person, place or object targeted</li> </ul>
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<b>Theft of School or School Affiliated Property (Responsibility/Respect/Citizenship)</b>	
<b>III.24b</b>	<i>Theft of Student, School or Private Property over \$100.00 value</i> Steal or attempt to steal student, school or private property over \$100.00 value; [includes, but is not limited to the use of counterfeit money, committing cybercrimes, theft by deception, selling or disposing of school- issued devices/materials, etc.]
<b>III.24c</b>	<i>Theft of Employee Property any value</i> Steal or attempt to steal employee property of any value [includes, but is not limited to the use of counterfeit money, committing cybercrimes, theft by deception, selling or disposing of school- issued devices/materials, etc.]

### **Tier IV: Serious Acts of Misconduct**

\*\*\*Multiple infractions could lead to increased consequences\*\*\*

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix).

### **Physical or Verbal Assault or Battery or Abusive Language to a School Employee (Responsibility/ Respect/ Caring)**

If a student commits a violation of IV.4a, IV.4b, or IV.4c, a mandatory disciplinary hearing shall be held regardless of the recommended discipline, unless waived. The hearing may only be waived by agreement of the employee and the student's parent/guardian/student age 18 or older. If the employee is not available, in the opinion of the Director of the system office of student discipline, the school principal may waive the hearing on the employee's behalf.

#### **IV.4a Battery Employee with Physical Harm**

Intentionally make physical contact which causes physical harm to a school employee unless such physical contacts or physical harms were in self-defense as provided by O.C.G.A. § 16-3-21. (Battery) Physical harm may include, but is not limited to, significant injuries such as swelling, bleeding, concussions, broken bones, sprains, etc. or where medical attention was sought for a significant injury. Where physical harm is not present, students may be charged and disciplined in accordance with Rule IV.4b, below.

#### **Elementary School Discipline:**

- o 1-10 days OSS, with a hearing referral for long-term suspension and/or expulsion.
- o If expelled, upon recommendation of the hearing officer, an elementary school student may be readmitted to a traditional school for grades 9-12. If there is not an alternative education program for students in elementary school, then the student may be permitted to reenroll in the elementary school as permitted by the hearing officer. (O.C.G.A. § 20-2-751.6).

		<p><b>Middle and High School Discipline:</b></p> <ul style="list-style-type: none"> <li>o 10 days OSS with a hearing referral and a minimum recommendation for permanent expulsion.</li> <li>o The hearing officer may allow an expelled student to attend the alternative education program under strict academic, attendance and behavior requirements</li> <li>o Upon recommendation of the hearing officer, a middle school student may be readmitted to a traditional school for grades 9-12. (O.C.G.A. § 20-2-751.6).</li> </ul>
<b>IV.4b</b>	<b>Battery Employee Without Physical Harm</b>	Intentionally make physical contact of an insulting or provoking nature with a school employee, unless such physical contact was in self-defense as provided by O.C.G.A. § 16-3-21. (Battery)
<b>IV.4c</b>	<b>Assault/Threaten Employee</b>	Attempt to cause physical injury, threaten bodily harm, or commit an act which places an employee in reasonable apprehension of receiving physical injury
<b>Physical or Verbal Assault or Battery by a Student to any Person Other Than a School Employee (Responsibility/ Respect/ Caring)</b>		
<p>School administrators will use discretion in determining acts of intentional physical contact as opposed to other prohibited activities, such as horseplay/rough or boisterous activities (Rule I.1e).</p> <p>Offenses are cumulative at the elementary, middle and high school levels.</p> <p>At the discretion of the local school administration, the student and the parent may be offered the opportunity to attend a violence prevention program</p> <p>If a student is found to have engaged in bullying or in physical assault or battery of another person on the school bus, a meeting shall be scheduled involving the parent or guardian of the student and appropriate school district officials to form a school bus behavior contract for the student. Such contract shall provide for progressive age-appropriate discipline and restrictions for student misconduct on the bus. Contract provisions may include but shall not be limited to assigned seating, ongoing parental involvement, and suspension from riding the bus. This paragraph does not in any way limit or restrict the school system's ability to take additional action, including imposing disciplinary sanctions through and including permanent expulsion from the school system, as a result of the student's behavior.</p> <p><b>Title IX:</b> Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a>. Both student complainants and student respondents may be provided Supportive Measures.</p>		
<b>IV.5e</b>	<b>Group Fight</b>	Mutually engaging or participating in a fight with 3 or more people.

**Weapons and Dangerous Instruments/Hazardous Objects/Unauthorized Items (Responsibility/ Caring)**

**Prohibition:** A student shall not possess, handle, transmit, or cause to be transmitted; use or threaten to use; sell, attempt to sell, or conspire to sell a firearm, a dangerous weapon or dangerous instrument/hazardous object/unauthorized item, either concealed or open to view, on school property. All items prohibited under this rule should be confiscated and given to the local school resource officer or other law enforcement agencies as appropriate. The disposition of items prohibited under this rule should be determined by the Superintendent or his/her designated school official, in conjunction with law enforcement. The possession of any dangerous weapon, hazardous object, or firearm in violation of O.C.G.A. § 16-5-21; 16-11-127; 16-11-127.1; or 16-11-132 will trigger the reporting requirements of O.C.G.A. § 20-2-1184. The incidents will be reported to the school police, the Area Superintendent, and the system office of student discipline. The Chief of Fulton County Schools Police, or designee, will notify the district attorney. There is no exception for students who have a valid legal license to carry a weapon.

**Curriculum Display of a Weapon or Dangerous Instrument/Unauthorized Item** - Any individual wishing to bring a weapon, look-alike weapon or dangerous instrument/unauthorized item to school or use a Category I or II type weapon for the purposes of a curriculum display or as an educational tool must have prior permission. Specifically, the individual must have verbal approval of the teacher in whose class the weapon or dangerous instrument/unauthorized item will be displayed, as well as prior written permission from the principal which includes a description of the weapon(s) and/or dangerous instrument(s)/item(s) authorized and the time period during which the weapon(s) and/or dangerous instrument(s)/item(s) may be on campus.

Transport of the weapon, look-alike weapon or dangerous instrument/item to and from the school must be by the approved parent, guardian or other approved individual 21 years of age. The transporting individual should remove the weapon or dangerous instrument/item from the school immediately upon completion of the educational session. When necessary, the teacher or school administration will store the weapon, look-alike weapon or dangerous instrument/item in a secure location when it is not being used in the above approved classroom activities. The weapon or dangerous instrument must be unloaded and must not contain any explosive material.

*NOTE: The definition of "weapon" for purposes of this Code of Conduct is one that includes, but is not limited to, the following items:*

<p><b>IV.10a (Cat I)</b></p>	<p><b>Category I Weapon: Firearm/Dangerous Weapon</b> <b>*Minimum Recommendation: expulsion for one (1) calendar year.</b></p>	<p>Any loaded or unloaded firearm or a dangerous weapon.</p> <p>A firearm includes a handgun, rifle, shotgun, or other weapon which will or can be converted to expel a projectile by the action of an explosive or electrical charge.</p> <p>A dangerous weapon includes any weapon commonly known as a "rocket launcher," "bazooka," or "recoilless rifle" which fires explosive or nonexplosive rockets designed to injure or kill personnel or destroy heavy armor, or similar weapon used for such purpose. The term shall also mean a weapon commonly known as a "mortar" which fires high explosive from a metallic cylinder, and which is commonly used by the armed forces as an antipersonnel weapon or similar</p>
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	<p>weapon used for such purpose. The term shall also mean a weapon commonly known as a "hand grenade" or other similar weapon which is designed to explode and injure personnel or similar weapon used for such purpose.</p> <p><b>Discipline for First and Additional Offenses:</b></p> <p><b>Loaded or Unloaded Firearm or Dangerous Weapon:</b> The discipline for any student possessing a loaded or unloaded firearm or dangerous weapon on school property is ten (10) days out-of-school suspension and a recommendation for expulsion for a specified time that will be no less than one calendar year as provided in Georgia law and may include permanent expulsion.</p> <p>The Board of Education has the authority to modify these expulsion requirements on a case-by-case basis.</p> <p><i>Notify the system office of student discipline and Area Superintendent. The local school police officer must be notified of such incidents.</i></p>
<p><b>Alcohol and Other Drugs/Psychoactive Substances (Responsibility/ Citizenship)</b></p>	
<p>Offenses are cumulative at the elementary, middle and high school levels. A student shall not:</p>	
<p><b>IV.11d</b></p> <p><i>Alcohol or Drug Sale/Distribution</i></p>	<p>Sell, or otherwise distribute or possess with intent to distribute or attempt to buy, sell, or otherwise distribute or possess with intent to distribute alcoholic beverages, illegal drugs, narcotics, hallucinogens, amphetamines, barbiturates, or marijuana/marijuana oils, edibles or any other substance listed under the Georgia Controlled Substances Act, or any substance falsely identified as such, or is believed by the purchaser to be an alcoholic beverage or illegal drug, narcotics, hallucinogens, amphetamines, barbiturates, or marijuana, synthetic cannabinoid drugs, synthetic cathinone drugs or any other substance listed under the Georgia Controlled Substances Act. There is no requirement that there be an exchange of money, goods, and/or services to find a violation of this rule.</p>
<p><b>Sexual Misconduct/Sexual Offenses (Respect/ Caring)</b></p>	
<p><b>IV.17c</b></p> <p><i>Sexual Molestation</i></p>	<p>Sexual molestation is defined as a student doing any immoral or indecent act to or in the presence of another person, without that person's consent, with the intent to arouse or satisfy the sexual desires of either the student or the other person. This includes a student forcing another person to make physical contact with the student's intimate body parts, such as having another student perform sex acts.</p> <p>No student shall commit any act of sexual molestation or the attempts thereof on school property, school buses, or at school-sponsored events.</p>

		<ul style="list-style-type: none"> <li>The local school police officer must be notified of such incidents. The Chief of Fulton County Schools Police, or designee, will notify the district attorney. (See O.C.G.A. § 20-2- 1184)</li> <li>Notify the system office of student discipline and Area Superintendent.</li> </ul> <p><b>Title IX:</b> Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a>. Both student complainants and student respondents may be provided Supportive Measures.</p>
<b>Off-Campus Misconduct (Responsibility/ Citizenship)</b>		
<b>IV.21a</b>	<b>Off Campus Misconduct</b>	<p>Off-campus misconduct for which a student may be disciplined includes, but is not limited to, any off- campus conduct which could result in the student being criminally charged with a felony, or felonious conduct for which a student has been arrested, criminally charged/indicted, adjudicated to have committed, or convicted; and conduct which makes the student's continued presence at school a potential danger to persons or property at the school or which disrupts the educational process.</p> <p><i>(Contact system office of student discipline and local school police officer.)</i></p>
<b>Verbal/Written Explicit and/or Implied Threat (Responsibility/Respect/Citizenship)</b>		
Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in <a href="http://www.fultonschools.org/titleix">www.fultonschools.org/titleix</a> . Both student complainants and student respondents may be provided Supportive Measures.		
<b>IV.23c</b>	<b>Level 3 Threat</b>	<p>Level 3 Threats are determined by School Administration, taking into account the following factors (please note, these factors are not all-inclusive and need not be met to determine a Level 3 threat):</p> <ul style="list-style-type: none"> <li>Intent to harm is revealed</li> <li>Motive exists</li> <li>Ability to carry out the plan exists</li> <li>Expressions of anger are pervasive</li> <li>Clear evidence of plan/planning</li> <li>Specific person, place or object targeted</li> <li>The threat has been repeated over time or communicated to multiple persons</li> </ul>

IV.23d	<b><i>Bomb/Explosive Threat</i></b>	<ul style="list-style-type: none"> <li>o The student has an accomplice(s) or has attempted to recruit Threaten to plant a bomb or falsely inform others that a bomb or other explosive has been planted on school property or at a school-sponsored event. The local school police officer must be notified of such incidents;</li> </ul>
<b>Theft of School or School Affiliated Property (Responsibility/Respect/Citizenship)</b>		
IV.24d	<b><i>Theft of Employee over \$100.00 value</i></b>	Steal or attempt to steal employee property over \$100.00 value; [includes, but is not limited to the use of counterfeit money, committing cybercrimes, theft by deception, selling or disposing of school- issued devices/materials, etc.]
IV.24e	<b><i>Robbery</i></b>	Steal or attempt to steal anything of value under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear.

## **Part II: Disciplinary Hearing Process**

- a. NOTE: Upon implementation of the Title IX revisions released on May 6, 2020, any discipline incident, or portion of a discipline incident, which involves a Title IX matter or incident will be subject to the Title IX Grievance Procedure as detailed at [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix).

### **Discipline Team Meeting (DTM)**

When a Principal recommends a long-term out of school suspension/expulsion, and the disciplinary hearing may potentially be waived, a Discipline Team Meeting (DTM), which consists of the principal/designee, the student behavioral specialist, and/or another representative from the District's Office of Student Discipline, and the parent/guardian, will be offered to the parent/guardian within 5 school days of the first day of suspension. The student may be invited where practicable. The principal/designee will notify the office of the Student Behavior Specialist, or Superintendent's designee, as soon as practicable after the investigation of the occurrence. The principal/designee should furnish the following documents to the Student Behavior Specialist or Superintendent's designee, before or at the time of the Discipline Team Meeting: *witness/student statements; a current copy of the student's permanent record; a copy of the student's test record card; current status of the student's academic and conduct grades in all classes (progress reports); days present and absent (excused and unexcused absences); number of tardies and class cuts; detention assignments with reasons; anecdotal report citing discipline, attendance and academic records, and interventions offered at the local school including SST referral, counseling sessions, and parent/guardian conferences with dates, reasons, and results; copy of police report; special education, Section 504 or SST status (active enrollment or referral for any of these programs); SST reports; copy of the currently approved suspension letter that includes the school administrations' recommendation for consequences, and any other information or evidence relevant to the incident.*

The purpose of this meeting is for the team to discuss the investigation completed by the school, the discipline procedures afforded, and any information provided by the student and/or the parent/guardian. As this is a parent conference, the student's or parents' legal counsel may not attend. The student behavioral specialist and/or another representative from the District's Office of Student Discipline may set a reasonable time limit for the DTM and may end the DTM if it is evident that resolution is not imminent. If the parent/guardian and school can reach an agreement about the disciplinary outcome and the parent/guardian waives the hearing in writing, then the hearing will be canceled. If the parent/guardian disagrees with the disciplinary outcome and the result of the DTM, or the parent/guardian does not attend the DTM, then the hearing will proceed as scheduled.

Discipline Team Meetings can be conducted using various modes of communication. If the DTM does not occur or does not occur as discussed in this Code, the hearing will proceed as scheduled.

### **b. Disciplinary Hearing**

Hearings will be held as noted in this procedure and/or as required by applicable authority. Any recommendation of long-term suspension/expulsion/ alternative school will result in a hearing being scheduled for a student. The hearing should be held within ten (10) school days after the first day of suspension.

Any confiscated drugs, weapons, or other criminal evidence should be transferred to the Chief of the Fulton County School Police for use during a disciplinary hearing and/or criminal case.

**Group Hearing:** When students are charged with violating the same rule(s) and have acted in concert, and the facts are basically the same for all students, a group hearing may be conducted for them if the Director of the District's Office of Student Discipline believes that the following conditions exist:



- A single hearing will not likely result in confusion and
- No student will have his/her interests substantially prejudiced by a group hearing.

Any student who objects to participation in a group hearing should notify the Districts Office of Student Discipline in writing no less than 48 hours before the hearing.

If during the disciplinary hearing, the hearing officer finds that a student's interests will be substantially prejudiced by the group hearing, he/she may order a separate hearing for that student.

**Written Notice of Hearing:** When long-term suspension/expulsion and/or alternative school is recommended by the school, a disciplinary hearing is required. The school or District shall provide written notice of the relevant procedures to the student's parent/guardian/student age 18 or older. The notification shall include the following:

1. A brief statement of the act(s) student is alleged to have committed, along with the portion of the Code of Conduct allegedly violated.
2. The maximum penalty which may be administered for the alleged misconduct, and a recommendation for discipline.
3. A copy of this document.
4. The date, time, and place of the hearing.
5. The names of witnesses expected to be called at the hearing and a short summary of evidence that may be presented.
6. A statement that a hearing is required unless the parent/guardian/student 18 years old or older waives the hearing.
7. A statement that at the hearing the student is entitled to be represented by an advocate (spokesperson) of his/her choice, including an attorney if so desired; and that the student may subpoena witnesses and utilize other compulsory process upon request.
8. A statement that all parties are afforded an opportunity to present and respond to evidence and to examine and cross-examine witnesses.

**Delivery of Notification:** The notice of hearing shall be delivered to the student and his/her parent/guardian either in person, by priority mail, certified mail return receipt requested, and/or delivery confirmation, in conjunction with electronic mail where available and deemed appropriate by the district, to the last known address of the parent or guardian. If notice is delivered in person, a written confirmation of delivery should be obtained by the person delivering the notice to the parent/guardian. Service shall be deemed to be perfected when the notice is deposited in the United States mail with enough postage addressed to the last known address of the parent/guardian.

**Continuance:** If good and sufficient cause exists, the District's Office of Student Discipline may reschedule a hearing. Upon rescheduling, written notice of the rescheduled date and time of the hearing will be sent to the student's parent/guardian/representative/attorney/ student age 18 or older either in person, by priority mail, certified mail return receipt requested, and/or delivery confirmation, in conjunction with electronic mail where available and deemed appropriate by the District.

The student's parent/guardian/representative/attorney/student age 18 or older may request a continuance of the hearing from the District's Office of Student Discipline. Continuances should be requested no later than 24 hours in advance of the scheduled hearing date and time. Extenuating circumstances should be presented to the District's

Office of Student Discipline for approval. If a continuance is requested or caused by the parent/guardian/student age 18 or older/student's representative, the student will continue to serve his/her recommended school level discipline (ISS or OSS) during the time of the continuance and until the hearing is conducted and the Hearing Officer has rendered a decision.

**Waiver of Hearing:** If the student's parent/guardian/representative/ attorney/student age 18 or older waives the hearing, they may do so by requesting a waiver from the District/school prior to the notified date and time of the hearing. If no waiver request is received, or if the hearing may not be waived by the student's parent/guardian/representative/attorney/ student age 18 or older, the hearing will be held as scheduled, whether the student/parent/guardian/representative/attorney chooses to participate.

**Record of Proceedings:**

- a. A verbatim record of the hearing shall be made and shall be available to all parties upon request. The cost of recording shall be borne by the District. Parents/guardians/student's legal counsel may request a copy of the recording.
- b. A written transcript will be prepared by the District if the Board so requests; or if the decision the Board is appealed to the State Board of Education. If a written transcript is not prepared by the District, the parent/guardian/ student may obtain a written transcript at their own expense.

**Burden of Proof:** The burden of proof is a preponderance of the evidence (more likely than not) and shall be on the school.

**Legal Representation/Involvement of an Attorney at the Disciplinary Hearing:** If the student is represented by an attorney, the Board attorney may be present. The Board attorney shall advise the Hearing Officer as necessary. The student/parent/guardian must notify the District's Office of Student Discipline not less than 48 hours prior to the hearing if the student may be represented by an attorney. Failure to give such notice can result in the hearing being continued so the Board's attorney may be present.

**Presentation of Evidence:** The evidence for the school and student/student representative (if present) shall be presented to the Hearing Officer. The administrator representing the school, the Board attorney, the student's representative, the Hearing Officer, and the Hearing Facilitator are entitled to question witnesses about any matters which are relevant to the charges against the student or the appropriate discipline. The Hearing Officer or Hearing Facilitator has the authority to limit unproductively long or irrelevant questioning.

**Procedural Objections:** Objection to the sufficiency of the notice and/or other procedural objections shall be waived unless written notice thereof is filed with the District's Office of Student Discipline no less than 24 hours prior to the time the hearing is scheduled to begin. The hearing may be postponed until such defects have been removed or remedied.

**Hearing Officers and Hearing Facilitators:** Disciplinary Hearings may be conducted by a Student Discipline Hearing Officer or Hearing Facilitator (which may include the director of the District office that is responsible for student discipline or designee).

Notwithstanding any language in this Code of Conduct, Hearing Officers and Hearing Facilitators will possess minimum qualifications as set by the State Board of Education and will receive initial training and ongoing continuing education as required by the State Board of Education.

The Hearing Officer will serve as the presiding officer and may rule on issues of procedure and admissibility of evidence presented during the hearing, if no Hearing Facilitator is present. A Hearing Facilitator, if present, may

serve as the presiding officer and may rule on issues of procedure and admissibility of evidence presented during the hearing.

The Disciplinary Hearing Officer after conducting the hearing and receiving all evidence, shall render a decision based solely on the evidence received at the hearing and shall determine what, if any, disciplinary action shall be taken. Such action may include, but is not limited to, assignment to alternative school, short-term suspension, long-term suspension, expulsion, or permanent expulsion.

**Appeals:** Any party may appeal the hearing decision to the Board by filing a written notice of appeal within twenty (20) calendar days of the date of decision. The appeal should be addressed to the attention of the Superintendent and delivered to the District's Office of Student Discipline. Appeals via email alone may be accepted but appealing parties must confirm receipt with the District's Office of Student Discipline within the 20-calendar day appeal timeline. Appeals by administration must be approved by the Superintendent. The Superintendent shall have the authority to suspend the decision of the disciplinary hearing officer, during the period of appeal to the Board. Upon the appeal of a decision of the disciplinary hearing officer to the Board, the Board will render its decision within 10 days, excluding weekends and public and legal holidays, from the date the Board receives notice of the appeal, unless all parties agree to a different date. The decision shall be in writing and a copy shall be provided to the student/parent/guardian, the Principal, and Superintendent.

The Board will discuss the appeal in Executive Session. The parties shall have the right to be represented by legal counsel during the appeal. The Board's review will be based solely on the record and written arguments submitted by the student and the District's Office of Student Discipline if briefs are submitted. The Board shall not hear any oral arguments as part of any appeal, nor shall it consider any evidence that was not presented at the disciplinary hearing. The Board may take any action it deems appropriate. Any party may appeal the Board's decision to the State Board of Education pursuant to O.C.G.A. § 20-2-1160 (b) through (f) and regulations of the Georgia Board of Education governing such appeals. If an appeal to the State Board is requested, a written transcript of the disciplinary hearing will be prepared and submitted to the State Board. The decision of the Board will not be suspended during the State Board appeal period.

## **STUDENTS WITH DISABILITIES**

Nothing in this Code of Conduct shall be construed to infringe on any right provided to students pursuant to the federal Individuals with Disabilities Education Act, Section 504 of the Federal Rehabilitation Act of 1973, or the federal Americans with Disabilities Act of 1990.

An IEP or Section 504 committee shall be convened for determining if the behavior of a student receiving special education services or who has been identified as a student with a disability under the Individuals with Disabilities Act (IDEA) or Section 504 of the Rehabilitation Act, is a manifestation of his/her disability.

Any student who is receiving special education services or has been identified as a student with a disability under the Individuals with Disabilities Act (IDEA) or Section 504 of the Rehabilitation Act, and whose acts are determined by the disciplinary hearing officer to have violated any of the rules, regulations or laws as alleged, shall be referred to an IEP or Section 504 committee as appropriate.

If the IEP or Section 504 committee determines that the student's conduct is a manifestation of the student's disability, the discipline ordered by the disciplinary hearing officer will not be carried out, or the disciplinary hearing may be rescinded altogether.

The IEP or Section 504 committee determines that the student's conduct is not a manifestation of the student's disability, it shall determine what services the student shall receive during the student's discipline as determined by the disciplinary hearing officer. If the Section 504 committee determines that the student's conduct is not a

manifestation of the student’s disability, the student’s 504 Plan will be implemented at the new location of educational services if the Disciplinary Hearing Officer recommends alternative school placement. The IEP or Section 504 committee shall also have the authority to consider, recommend and implement any changes in the student’s IEP or 504 Plan or educational placement. Nothing in this rule shall alter or adversely affect the rights of students with disabilities under applicable federal and state laws.

Behaviors that implicate Title IX regulations (as implemented) will be managed as discussed in [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix).

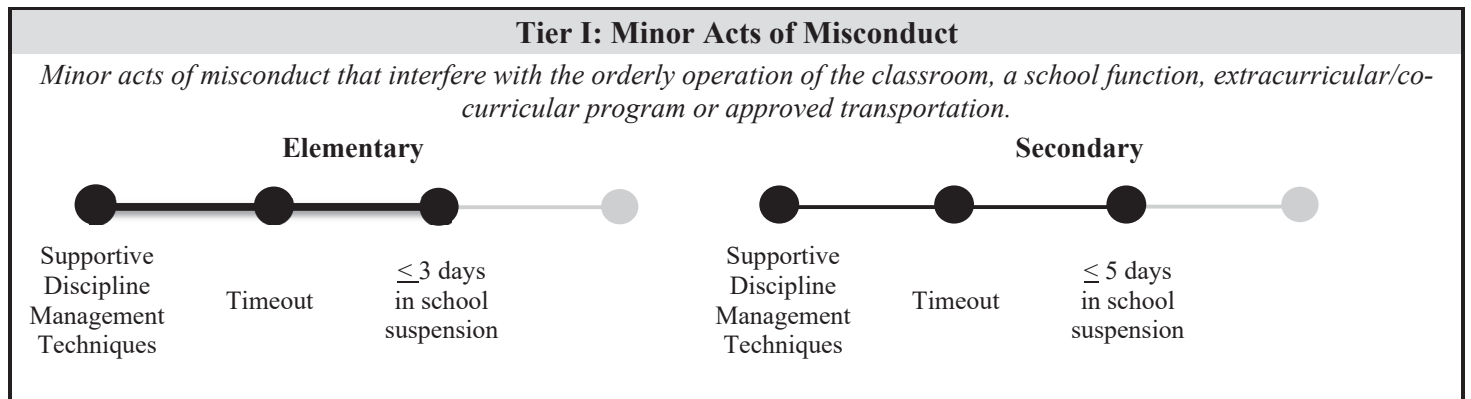
**Part III: Tiered Offenses and Disciplinary Responses:**

**Tiered Offenses:**

The responsibility cycle included in the code of conduct handbook covers discipline for some more commonly known infractions of the student behavior code. However, parents and school administrators should refer to the remainder of the student code of conduct for more information about specific offenses and should contact the system office of student discipline with questions or concerns.

This cycle cannot anticipate all possible misbehaviors. Typical Infractions of student behavior are tiered and school administrators should consider the tier’s range of discipline when making discipline decisions. Unique, serious or multiple offenses may result in more severe consequences. If a student’s behavior is a violation of more than one rule, the student may face more severe or “stacked” discipline to reflect these multiple offenses.

<b>Tier I: Minor Acts of Misconduct</b>	
<i>Tier I offenses are minor acts of misconduct that interfere with the orderly operation of the classroom, a school function, extracurricular/co-curricular program or approved transportation. The school district employee involved should intervene in the misconduct. If further action is necessary, the school district employee should refer the student to the school administrator for disciplinary action. After hearing the student’s explanation, consulting with staff members as needed and doing any other investigation deemed necessary, the administrator will decide on disciplinary action.</i>	
<b>I.1d: Public Displays of Affection</b>	<b>I.12a: Excessive Tardies/Class Cuts</b>
<b>I.1e: Horseplay, Rough or Boisterous Activities</b>	<b>I.12c: Failure to attend Detention/ISS/Saturday School</b>
<b>I.6c: Profane/Vulgar Language or Gestures towards a student</b>	<b>I.13a: Improper Dress</b>
<b>I.6f: Teasing/Taunting</b>	<b>I.15a: Gambling</b>
<b>I.7a: Fail to Follow Rules/Laws or Blatant Defiance of an Employee</b>	<b>I.18e: Cell Phone/Electronic Devices/Recording Devices</b>
<b>I.9a: Honor Code</b>	<b>I.18g: Violate District Responsible Use Agreement</b>



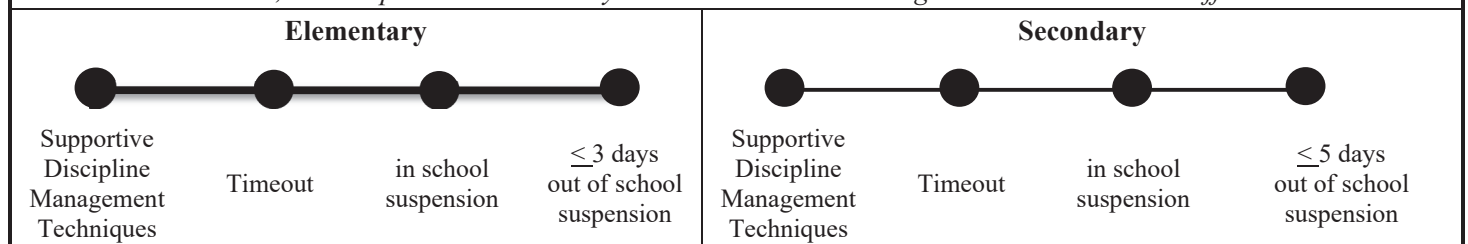
**Tier II: Intermediate Acts of Misconduct**

*Tier II offenses are intermediate acts of misconduct that may include repeated acts of misconduct from Tier I, acts directed against people or property that do not seriously endanger the health or safety of others and serious disruptions of school order. Unique, serious, or multiple offenses may result in the offense being considered a Tier III offense.*

<b>II.1a: Block Property/Traffic</b>	<b>II.8a: Misrepresentation</b>
<b>II.1b: Disruption/Disruptive Behavior</b>	<b>II.10c: Category III Weapon/Dangerous Instrument/Unauthorized Item</b>
<b>II.2a: Damage School/Private Property</b>	<b>II.12b: Attendance</b>
<b>II.2b: Alter School or Private Property</b>	<b>II.14a: Tobacco/Vaping use/possession</b>
<b>II.2d: Possess/Distributes on School or Private (non-drug items)</b>	<b>II.17a: Mooning/Related Behavior</b>
<b>II.3a: Trespass School Property</b>	<b>II.20a: Bus Interference</b>
<b>II.3c: Unauthorized Area</b>	<b>II.22a: Encouraging Misconduct</b>
<b>II.5d: Consensual Hazing, initiation or body modifications</b>	<b>II.23A: Level 1 Threat</b>
<b>II.6g: Profanity towards an employee/verbal abuse of employee, staff, or visitor</b>	<b>II.24a: Theft of Student, School or Private Property any amount</b>

**Tier II: Intermediate Acts of Misconduct**

*Intermediate acts of misconduct that may include repeated acts of misconduct from Tier I, acts directed against people or property that do not seriously endanger the health or safety of others and serious disruptions of school order. Unique, serious, or multiple occurrences may result in the incident being escalated to a Tier III offense.*



**Tier III: Moderate Acts of Misconduct**

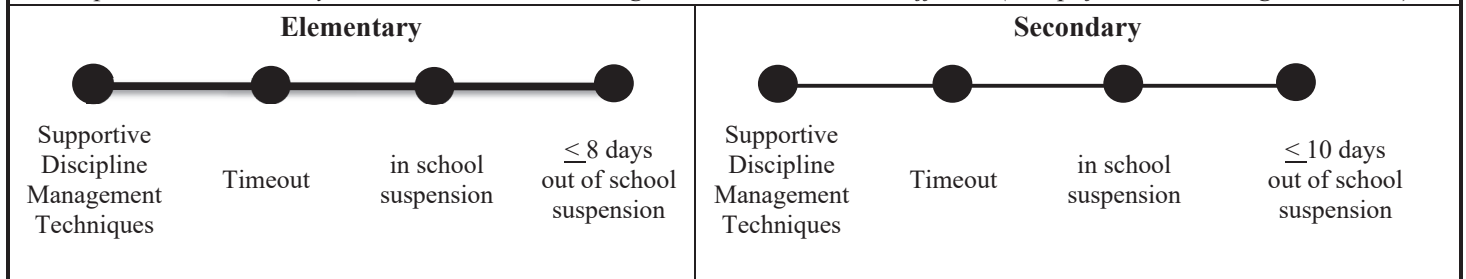
*Moderate acts of misconduct that place students or staff at risk of emotional or physical harm which may include threats to the health, safety, and/or property of others, and other acts of moderate or repeated misconduct. Unique, serious, or multiple occurrences may result in the incident being escalated to a Tier IV offense. (except for students in grades K – 2).*

<b>III.1c: False Fire Alarm</b>	<b>III.17b: Sexual Battery</b>
<b>III.1f: Sexual Activity</b>	<b>III.11e: Influence of Inhalants/Other</b>
<b>III.2c: Arson of School or Private Property</b>	<b>III.11f: Over the Counter Medication</b>
<b>III.3b: Breaking/Entering Private Property</b>	<b>III.11g: Prescription Drugs</b>
<b>III.3d: Unauthorized Entry of Unauthorized person(s)</b>	<b>III.16a: Sexual Harassment</b>
<b>III.5a: Battery Student/Other with or without Injury; serious injury</b>	<b>III.18a: Technology/Computer Misuse</b>
<b>III.5b: Fight Student/Other</b>	<b>III.18b: Unauthorized Copy Computer Software</b>
<b>III.5c: Assault/Threaten another person</b>	<b>III.18c: Threat/Damage Property Using Tech</b>
<b>III.5e: Stalking</b>	<b>III.18d: Display Inappropriate Material Using Tech</b>
<b>III.6a: Harassment: Disability/Race/Color/National Origin/Religion/Sexual Orientation</b>	<b>III.18f: Tamper/Phish/Hack District Network</b>
<b>III.6b: Bullying</b>	<b>III.18h: Sexually Explicit or Pornographic Material Using Technology</b>
<b>III.6d: Offensive Material (Non-Technology)</b>	<b>III.19a: Gang Activity, Intentional Display Gang Tattoos, Paraphernalia, Graffiti, etc.</b>
<b>III.6e: Forcefully abduct, transport, detain a person</b>	<b>III.19b: Intentional Display Gang Tattoos/Paraphernalia, Graffiti</b>

<b>III.10b: Category II Weapon/Hazardous Object</b>	<b>III.19c: Gang Solicitation</b>
<b>III.11a: Alcohol/Drug possession</b>	<b>III.23b: Level 2 Threat</b>
<b>III.11b: Drug Paraphernalia</b>	<b>III.24b: Theft of Student/School/Private Property over \$100 value</b>
<b>III.11c: False Identification Drug/Alcohol</b>	<b>III.24c: Theft of Employee Property any value</b>

**Tier III: Moderate Acts of Misconduct**

*Moderate acts of misconduct that place students or staff at risk of emotional or physical harm which may include threats to the health, safety, and/or property of others, and other acts of moderate or repeated misconduct. Unique, serious, or multiple occurrences may result in the incident being escalated to a Tier IV offense. (except for students in grades K – 2).*



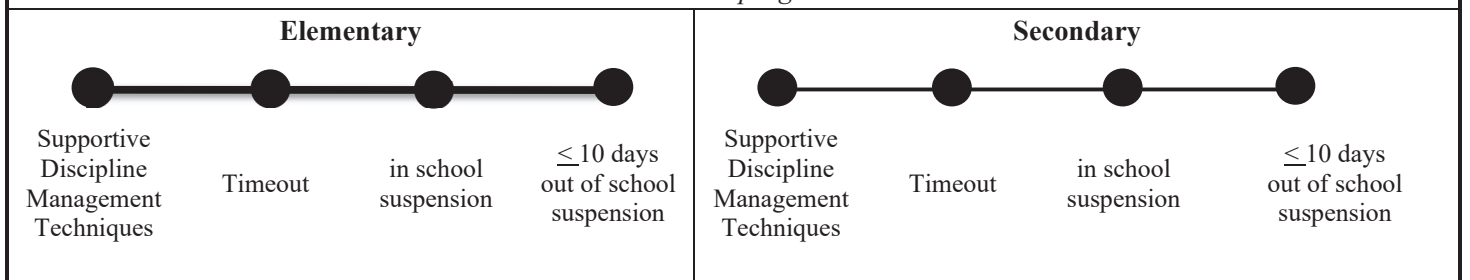
**Tier IV: Serious Acts of Misconduct**

*Serious acts of misconduct that place students or staff at risk of emotional or physical harm which may include threats to the health, safety, and/or property of others, and other acts of serious and repeated misconduct. Consequences may include out of school suspension and a Disciplinary Hearing Referral with a recommendation for further actions such as long-term suspension, expulsion, and/or assignment to an alternative education program.*

<b>IV.4a: Battery Employee with Physical Harm</b>	<b>IV.17c: Sexual Molestation</b>
<b>IV.4b: Battery Employee W/out Physical Harm</b>	<b>IV.21a: Off Campus Misconduct</b>
<b>IV.4c: Assault/Threaten Employee</b>	<b>IV.23c: Level 3 Threat</b>
<b>IV.5e: Group Fight</b>	<b>IV.23d: Bomb/Explosive Threat</b>
<b>IV.10a: Category I Weapons Firearm/Dangerous Weapon *Minimum Recommendation: Expulsion for one (1) calendar year.</b>	<b>IV.24d: Theft of Employee over \$100.00 value</b>
<b>IV.11d: Alcohol or Drug Sale/Distribution</b>	<b>IV.24e: Robbery</b>

**Tier IV: Serious Acts of Misconduct**

*Serious acts of misconduct that place students or staff at risk of emotional or physical harm which may include threats to the health, safety, and/or property of others, and other acts of serious and repeated misconduct. Consequences may include out of school suspension (as outlined below) and a Disciplinary Hearing Referral or Title IX Grievance Process (as applicable) with a recommendation for further actions such as long-term suspension, expulsion, and/or assignment to an alternative education program.*



**Positive behavior support and discipline management techniques:**

Where appropriate, Schools should implement positive behavioral supports, as discussed in this code of conduct, and supportive discipline management techniques designed to improve the learning environment by improving student behavior and discipline. This may include the following and is not limited to:

- **Classroom Interventions (assigned seats, etc.)**
- **Replacement or Payment for any Damaged Property**
- **Reflective Essay or other Reflective Activity**
- **Written Apology**
- **Role-Playing/Teaching of Expectations and Skills**
- **Participation in a School-Service Project**
- **Confiscation of Devices**
- **Conference w/Student, Caregiver(s), & Staff in Attendance**
- **Mediation**
- **Conference with School Police Officer**
- **Saturday School**
- **Before or After School Detention**
- **Restorative Practices**
- **Administration Change of Class Schedule**
- **Behavior Expectation Contract**
- **Create a plan for Increased Supervision of Student**
- **Revocation of privilege to participate in social/extracurricular activities/ceremonies**
- **Digital Citizenship Activity**
- **School Counselor/Social Worker intervention related to the infraction**
- **Creation or review of a Tier II/Tier III academic/behavior plan**
- **Referral to Counselor/Social Worker/Psychologist for risk protocol**
- **Referral to Stopping Acts of Violence Through Education (SAVTE) *MS & HS students only***
- **Referral to FCS Drug and Alcohol Education program, Choose 180 *MS & HS students only***
- **Suspension from the bus *Students must attend school and parent(s) must provide transportation***
- **Modification of FBA/BIP/IEP/504 (if applicable)**
- **Referral to community agency/provider**
- **Lunch Detention**
- **Temporary assignment to another classroom**
- **Tobacco Cessation program referral**
- **Time out (Up to a one-half school day)**

## **AN ADDITIONAL NOTE REGARDING STUDENTS IN PRE-K THROUGH THIRD GRADE**

Pursuant to O.C.G.A. 20-2-742: Students in Pre-K through 3rd grade will not be expelled or suspended from school for more than five consecutive or cumulative days during a school year without first receiving a multi-tiered system of supports, such as response to intervention. Multi-tiered system of supports' or 'MTSS' also may include a systemic, continuous-improvement framework in which data based problem-solving and decision making is practiced across all levels of the educational system for supporting students at multiple levels of intervention.

If such student is receiving or has received a multi-tiered system of supports, the school has met these requirements.

This requirement does not apply if:

- the student possessed a weapon/ dangerous instrument (including Rule 10) or illegal drugs (including Rule 11); and/or
- the student's behavior endangers the physical safety of other students or school personnel.

In addition, if student has an Individualized Education Program (IEP) or a Section 504 plan, prior to assigning any student in Pre-K through 3rd grade out-of-school suspension for more than five consecutive or cumulative days during a school year, the school or program shall also convene an IEP or Section 504 meeting to review appropriate supports being provided as part of such IEP or Section 504 plan.

### **Title IX and Equal Educational Opportunities for Students**

For detailed information regarding Title IX reporting (including reports of sexual harassment), formal complaint procedures, grievance process/procedures, supportive measures, investigation, available relief, appeal rights, or for any other information regarding Title IX, please visit [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix).

In accordance with the provisions of Title IX of the Educational Amendments of 1972, the Board of Education does not discriminate against students on the basis of gender in the educational programs and activities that it operates. No student shall, on the basis of gender, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, or other educational program or activity operated by this District.

The Board of Education believes that all students should be able to enjoy an educational environment free from all forms of gender discrimination, including sexual harassment. Sexual harassment undermines the integrity of the educational environment. It is a form of sex discrimination prohibited by Title IX. The District is committed to upholding these laws and takes discriminatory behaviors seriously. Therefore, Board policy prohibits even acts of sexual harassment that may not rise to the level of a violation of federal law.

### **CIVIL RIGHTS CONCERNS:**

The Fulton County School District requires full compliance with all federal and state non-discrimination laws, including but not limited to: Title VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Equal Pay Act of 1963, Pregnancy Discrimination Act, Age Discrimination Act of 1975 (Age Act), Age Discrimination and Employment Act (ADEA), Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, Boy



Scouts of America Equal Access Act of 2001, and Public Law 101-476, Individuals with Disabilities Education Act (IDEA).

These laws prohibit, and the District forbids, discrimination on the basis of age, race, color, national origin, religion, gender, disability, pregnancy, and veteran status in all Fulton County School District (District) programs and activities. This includes District academic, extracurricular, athletic, and other District programs, as well as on District buses, during field trips, and in District classes or training programs that take place off school grounds. Sexual harassment is a form of sex discrimination prohibited by Title IX. The District is committed to upholding these laws and takes discriminatory behaviors seriously. For detailed information regarding Title IX reporting (including reports of sexual harassment), formal complaint procedures, grievance process/procedures, supportive measures, investigation, available relief, appeal rights, or for any other information regarding Title IX, please visit: [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix).

The Chief of Human Resources (also referred to as the Chief Talent Officer), handles inquiries or concerns regarding the District's non-discrimination policies. Alternatively, a parent or student may contact his/her principal or Area Superintendent to share concerns. The Chief of Human Resources/Chief Talent Officers' contact information is:

Chief of Human Resources/Chief Talent Officer  
6201 Powers Ferry Road, NW Atlanta, GA 30339  
470-254-4585  
TTY 1-800-255-0135

Finally, discrimination complaints may also be filed directly with the Equal Employment Opportunity Commission, Sam Nunn Atlanta Federal Center, 100 Alabama Street, SW, Suite 4R30, Atlanta, GA 30303 or the U.S. Department of Education, Atlanta Office for Civil Rights, 61 Forsyth St. S.W., Suite 19T70, Atlanta, GA 30303.

### **PARENTS' RIGHT TO KNOW**

In compliance with the requirements of Every Student Succeeds Act, Fulton County School District informs parents that you may request information regarding the professional qualifications of your student's teacher(s) and/or paraprofessional(s). The following information may be requested:

1. Whether the student's teacher—
  - has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction; and
  - is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and,
  - is teaching in the field of discipline of the certification of the teacher.
2. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

If you wish to request information concerning your child's teacher's or paraprofessional's qualifications, please contact your child's principal or the district's Talent office at 470-254- 0370.

### **A NOTE FOR PARENTS REGARDING TECHNOLOGY USE**

#### **Cell Phone/Smart Phone Use**

Please review the cell phone use policy contained in Rule I.18e and Rule II.20a of the Student Code

of Conduct, Operating Guideline JD. While cell phones can be an important communication and safety device for families, their use during the school day may be prohibited and can be quite disruptive.

Cell phones/smart phones containing evidence of potential criminal activity, including types of pornography, may be permanently confiscated, and provided to law enforcement. Students who use cell phones or visual recording devices to participate in inappropriate behavior or film inappropriate activity at school or to violate someone's privacy may also be charged with a violation of the Student Code of Conduct. (See, e.g., Rule II.1b, III.18d, III.18h and II.22a) Behaviors that could result in disciplinary action include but are not limited to: sending or showing an inappropriate picture/video to another (other than a staff member); sending or showing a picture/video of a student's misconduct to another (other than a staff member); or knowingly viewing an inappropriate picture/video on another's device. Students charged with violating the Student Code of Conduct, may have the device confiscated by the school administrator or designee. The school is not responsible for electronic devices on school property or at school sponsored events.

### **Harassment and Inappropriate Technology Use**

Parents should have a serious conversation with their students about the harmful effects of sending out inappropriate videos, pictures, or information, or using technology to harass or threaten someone. Students should also be told about the serious emotional, educational, and criminal impacts that harassing, bullying, or threatening another, or sending or viewing sexually explicit information, may have. Georgia law and the Student Code of Conduct permit serious penalties for students who engage in these behaviors. For instance, these behaviors can result in expulsion, criminal charges for terroristic threats or child pornography.

### **Social Networking Web Sites**

Social networking websites and applications such as Twitter, Instagram, TikTok, Snapchat or Facebook, s can become a hurtful or dangerous place for students if left unsupervised.

Students are sharing information or acting upon negative information that they have posted or read. This creates disruptions to student relationships and the learning environment. Please talk with your child about the importance of never posting or sharing something mean, hurtful, profane, or obscene online or through other technology.

### **Recommendations**

Open communication and being able to access and review the content of your child's social media accounts, internet use, and cell phone use is a step in the right direction for student safety. Remember that students sometimes share personal information that jeopardizes their safety such as: suggestive photos, substance use, weapons, personal cell numbers, personal diary or blog, or current location

Online predators may use this information to search for potential victims. These predators may also pose as teenagers or young adults in order to establish relationships with young people.

**Your support in keeping our students safe is greatly appreciated! Please contact your school administration with any questions or concerns.**

### **District Issued Device Fines**

If your school issues devices (tablets, laptops, computers accessories) to students, fines will apply for lost, stolen, damaged, or destroyed items.

**Failure to Return a Device or Accessories:**

A student who fails to return a device or any accessories or peripherals will be responsible for the full replacement cost of the item that was not returned.

**Please note that, while you may purchase insurance for your device or your homeowner's insurance may cover the device, the District will not be responsible for communicating with your insurance provider.**

**You remain solely responsible for paying fees directly to the District.**

**POLICY IFBGA – RESPONSIBLE USE OF ENTERPRISE NETWORK**

The Fulton County District's Responsible Use Policy is designed to prevent unauthorized access and other unlawful activities by staff and students, to prevent unauthorized disclosures of or access to sensitive information, and to comply with the Children's Internet Protection Act (CIPA) of 2000, and the Family Education Rights and Privacy Act (FERPA) of 1974 while using the district's Enterprise Network.

The District maintains an Enterprise Network (EN) that includes all District-provided electronic devices, software, data, communications services, storage media, and access to internal and external networks (Internet). Access to the EN is the property of the District and shall be used solely in support of the District's instructional and administrative programs. Use of this property is a privilege that may be discontinued at any time. The existing EN is exclusively intended for employees, students, and guests using FCS-IT approved EN resources.

All use of the EN should be consistent with the District's goal to promote educational excellence. The EN should be used only in a responsible, ethical, and lawful manner in ways that contribute to communication, collaboration, creativity, and critical thinking. Any unauthorized use of the EN or any failure to comply with the local and District-wide provisions relating to use of the EN will be grounds for disciplinary and/or legal action.

Principals, department heads, and technology personnel shall be responsible for monitoring all use of the EN at their facilities. Student access to the EN shall be under the supervision of a teacher or other appropriate staff member. There is currently no charge for access to the EN when used in accordance with Board policy and procedures.

**Internet Safety:**

- a. The Superintendent shall, with respect to any computers, portable, mobile, or other electronic devices belonging to the District and having access to the Internet:
  1. Ensure that a qualifying "technology protection measure," as that term is defined in section 1703(b)(1) of the Children's Internet Protection Act of 2000, is installed and in continuous operation; and
  2. Institute, maintain and enforce procedures or guidelines which provide for monitoring the online activities of users and the use of the chosen technology protection measure to prevent access to visual depictions that are (i) obscene, (ii) child pornography, or (iii) "harmful to minors," as that term is defined in section 1721(c) of the Children's Internet Protection Act of 2000.
  3. Ensure that measures are in place to support order FCC 11-125 which requires that a

school's Internet safety policy provide for the education of minors about appropriate online behavior, including interacting with other individuals on social networking websites, blogs, wikis, discussion boards, and in chat rooms and cyber bullying awareness and response.

- b. The Superintendent shall, with respect to access to the Internet by or through computers, portable, mobile, or other electronic devices belonging to the District, institute, maintain, and enforce procedures or guidelines which:
  1. Provide for monitoring a school's Internet safety policy to ensure it provides for the education of minors about appropriate online behavior, including interacting with other individuals on social networking websites, blogs, wikis, discussion boards, and in chat rooms and cyberbullying awareness and response.
  2. Record all users' online activities and to access, review, copy, store, or delete any electronic communication or files and disclose this information as deemed necessary. Users should have no expectation of privacy regarding their use of District property, networks, and/or Internet access or files, including email. Students/staff using unapproved Virtual Private Network (VPN) filters to bypass FCS content filters, while using enterprise network, will be subject to disciplinary action.
  3. Are designed to promote the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications
  4. Are designed to prevent unauthorized access, including so-called "hacking," impersonations, service disruptions, and/or any other unauthorized activities by minors online
  5. Are designed to prevent the unauthorized disclosure, use, and dissemination of personal identification information regarding minors
  6. Are designed to restrict minors' access to materials "harmful to minors," as that term is defined in section 1721(c) of the Children's Internet Protection Act of 2000.

While this Act specifically references minors, the protections listed above should apply to all users of the School District's network.

Responsible Use Agreements for use of Fulton County Schools Enterprise Networks and Computers  
Regardless of the access provided, all users of the District's enterprise network, computers, portable, mobile, and/or other electronic devices must complete Responsible Use Agreement and the annual Security Awareness Training, prior to use of the District's electronic networks, computers, portable, mobile, and/or other electronic devices each school year. This includes, but is not limited to teachers, administrators, paraprofessionals, clerical staff, maintenance, and facilities staff, technology staff, vendors, students, parents, and volunteers.

### **Operating Guideline IFBGA**

Computer, Internet, E-Mail, and Enterprise Networks

#### **I. Responsible Use Agreement for Employees, Contractors, Volunteers, and Students.**

The following document outlines guidelines for the use of computing systems and facilities

located at or operated by the District. The definition of District information and data resources will include any computer, server, network, portable, mobile, cloud resources, or other electronic device provided by the District, or access provided or supported by the District, including the Internet. Use of the computer facilities includes the use of data/programs stored on District computing systems, data/programs stored on magnetic tape, CD-ROMs, DVD-ROMs, computer peripherals, or other digital storage media, that is owned and maintained by the District. The "user" of the system is the person requesting an account (or accounts) in order to perform work in support of the District programs or a project authorized for the District. The purpose of these guidelines is to ensure that all District technology users share the District technology resources in an effective, efficient, ethical, and lawful manner. Employees who violate the Responsible Use Agreement could be subject to disciplinary action, up to and including termination. Students who violate the Responsible Use Agreement could be subject to any appropriate disciplinary action.

## **II. Accessing the Enterprise Network and Instructional Resources**

The Board recognizes that the District Enterprise Networks (EN) provide access to a wide variety of instructional resources in an effort to enhance educational opportunities. Use of Enterprise resources must be in support of, and consistent with the vision, mission, and goals established by the Fulton County Board of Education and for the purpose of instructional support or administrative functions. All users of the district enterprise network and/or other informational services must maintain strict compliance with all applicable ethical and legal rules and regulations regarding access.

The District encourages the use of the Internet, hardware, and software tools to support teaching and learning. It is the responsibility of each teacher to verify that the resources he/she chooses, outside of the FCS Marketplace, are curriculum related and aligned with the mission and vision of the District.

See Board Policy IJND: Video Usage

## **III. Harmful and Offensive Material**

The District recognizes its inability to control all information available via the Internet due to the world-wide access to the Internet that exists. Some of the information that can be accessed via the Internet may be inaccurate, defamatory, obscene, profane, sexually explicit, threatening, racially offensive, or otherwise objectionable. The District strongly encourages parents to discuss the appropriate access of information and materials with their students. Students who violate the Student Code of Conduct in relation to access and/or distribution of harmful or offensive materials may be subject to disciplinary action.

The Children's Internet Protection Act and Family Education Rights and Privacy Act

The Fulton County Board of Education supports and complies with requirements outlined in the Children's Internet Protection Act and the Family Education Rights and Privacy Act

## **IV. Children's Internet Protection Act and Family Education Rights and Privacy Act**

In compliance with the Children's Internet Protection Act (CIPA), the Fulton County School District is required to adopt and implement an Internet safety policy addressing: (a) access by minors to inappropriate matter on the Internet; (b) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; (c)

unauthorized access, including “hacking,” and other unlawful activities by minors online; (d) unauthorized disclosure, use, and dissemination of personal information regarding minors; and (e) measures restricting minors’ access to materials harmful to them.

This Responsible Use Agreement, with Policy IFBGA and other District policies, procedures, and operating guidelines, complies and will continue to comply with CIPA as outlined below. References to this Responsible Use Agreement and other District policies, procedures, and operating guidelines are merely illustrative and not exhaustive.

1. In accordance to Children’s Internet Protection Act (“CIPA”), the Fulton County School District blocks or filters content over the Internet that the Fulton County School District considers inappropriate for minors via a technology protection measure. This includes pornography, obscene material, and other material that may be harmful to minors. The Fulton County School District may also block, or filter other content deemed to be inappropriate, lacking educational or work-related content or that pose a threat to the network. The Fulton County School District may, in its discretion, disable such filtering for certain adult users for bona-fide research or other lawful educational or business purposes. [See, e.g., Section V. Content Filtering; Section XII. Monitoring the Enterprise Network, E-mail, and Internet Usage].
2. The Fulton County School District educates students and minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. [See, e.g., Policy JD Student Discipline/Code of Conduct; Operating Guideline JD Student Discipline/Code of Conduct; Section X. Use of the Internet and Electronic Mail (E-Mail)].
3. Users, including minors, may not access inappropriate material in violation of the District's policies, procedures, or guidelines. [See, e.g., Policy JD Student Discipline/Code of Conduct; Operating Guideline JD Student Discipline/Code of Conduct; Section X. Use of the Internet and Electronic Mail (E-Mail)].
4. The District will work to protect the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications. [See, e.g., Section VIII. Public Posting Areas; Section IX. Real-time Interactive Communications Areas; Section X. Use of the Internet and Electronic Mail (E-Mail); Section XII. Monitoring the Enterprise Network, E-mail, and Internet Usage].
5. The District will work to prevent the unauthorized access, including "hacking" and other unlawful activities by minors online. [See, e.g., Policy JD Student Discipline/Code of Conduct; Operating Guideline JD Student Discipline/Code of Conduct; Section VII. Copyright Considerations; Section X. Use of the Internet and Electronic Mail (E-Mail); Section XV. Vandalism].
6. The District will work to prevent the unauthorized disclosure, use, and dissemination of personally identifiable information regarding minors. The Family Educational Rights and Privacy Act (“FERPA”) is a federal law that protects the privacy of education records. Under FERPA guidelines, parents or eligible employees have the right to inspect and review the students’ education records maintained by the school or district. (See, e.g., Policy EBC Data Access and Security for Sensitive Information; Policy JR Student Records).

## **V. Content Filtering**

The District maintains an Internet filtering system that includes filtering categories. The Information Technology Department maintains a published list of Internet filtering settings by category that have deemed appropriate based on a review by a committee of District staff.

Teachers are expected to monitor usage of technology in the classroom. All Internet-based activities should be conducted using the District network to allow for filtered access that is appropriate for student use.

Local schools have the option to request a site be unblocked if it has been determined to be free of visual depictions that are: (i) obscene, (ii) child pornography, or (iii) "harmful to minors, and the site is to be used for instructional purposes.

Users shall not use any website, application, or methods to bypass filtering of the network or perform any other unlawful activities. Examples include unapproved third-party VPNs and Proxys, used to bypass content filters.

## **VI. Enterprise Network Access**

The existing Enterprise Network EN is exclusively intended for employees and students using District approved and/or issued devices, tools, and/or applications. It is acceptable to provide guests with temporary guest login accounts for personal computers, tablets, and mobile devices used onsite by FCS stakeholders such as visitors, vendors, parent liaisons, volunteers, etc. Contact your School Technology Specialist or the IT Help Desk for assistance with guest login credentials.

## **VII. Copyright Considerations**

Many written materials are the personal property of the author or other persons. Copyright laws protect these ownership interests. It is not always possible, particularly in the midst of classroom activity, to know whether a particular material is protected by copyright laws and, if so, whether a particular use is permitted as "fair use." Therefore, students and employees should assume that any material they access on the District Enterprise Network (EN) is the property of another and that use of the material is restricted by copyright laws, unless there is definitive evidence to the contrary.

Material downloaded from the District Enterprise Network (EN) should not be distributed to others unless such permission is obtained from the owner of the copyright or his/her authorized representative. Users shall not upload computer programs or software of any kind onto the District Enterprise Network (EN) unless they obtain permission in advance from authorized school personnel. The District accepts no responsibility for violation of copyright laws by employees, students, or other users.

## **VIII. Public Posting Areas**

Messages can be posted on the Internet from computer systems around the world. The District has no control over the content of messages posted from external systems. District staff will determine which discussion boards, blogs, wikis, and groups are most beneficial to the educational mission of the District. Use of external content not approved by District staff is prohibited. Messages posted locally may be removed by school personnel if they are in violation of Board policy, procedures, or school rules. Misuse of discussion boards or groups may result in termination of the user's access and/or other disciplinary measures.

## **IX. Real-time Interactive Communications Areas**

Students, employees, and other users are expected to use the real-time conference and communication features of the District Enterprise Network (EN) for educational or work-related communications only.

Users must abide by any restrictions posted on the District Enterprise Network (EN) regarding interactive communications.

## **X. Use of the Internet and Electronic Mail (E-Mail)**

Users will comply with all Federal and State laws, and all District policies when accessing their account. This includes, but is not limited to:

1. User accounts may not be used for illegal or unlawful purposes, including, but not limited to, copyright infringement, obscenity, libel, slander, fraud, defamation, plagiarism, harassment, intimidation, cyberbullying, forgery, impersonation, illegal gambling, soliciting for illegal pyramid schemes, unauthorized access to the systems, data, or network of the District or a third party (including "hacking"), and/or service disruptions (e.g. spreading computer viruses and/or denying services).
2. User accounts may not be used in any way that violates District policies, procedures, or operating guidelines. Users engaging in online behavior that is not consistent with the mission of the District, that misrepresent the District, or that violates any District policy is prohibited.
3. The District prohibits use of the Enterprise network for mass unsolicited mailings, access for non-employees to District resources or enterprise network facilities, competitive commercial activity unless pre-approved by Fulton County Schools, and/or the dissemination of chain letters.
4. Individuals may not view, copy, alter, or destroy data, software, documentation, or data communications belonging to the District or another individual without authorized permission.
5. In the interest of maintaining network performance, users should refrain from sending unreasonably large e-mail attachments.
6. Accessing wireless "hotspots" with District technology at public and/or unsecure locations should be avoided to prevent the breach of confidential data and information.

## **Transmission and storage of PII & FERPA-protected**

It is the responsibility of all District employees and contractors to protect sensitive data, and personally identifiable information (PII) in a professional manner. District employees and contractors will not be granted access to sensitive information that is not authorized based upon a job-related need to know or for a job-related legitimate educational purpose. This includes accessing data on district devices as well as devices containing district data owned or rented by employees and contractors. Sensitive information includes, but is not limited to:

- Student or parents name, address, telephone number, and social security number



- Student ID, grade, attendance, medical, or transcript information
- Student or parent financial aid or similar financial information
- Race/Ethnicity, birth date, age
- Employee name, address, telephone number
- Employee payroll and benefits information
- Any information which by itself or if combined with other information would allow a person to be able to discretely identify an individual

For transmission and storage of PII & FERPA-protected information refer to appropriate sections of Policy EBC.

## **XII. Monitoring the Enterprise Network, E-mail, and Internet Usage**

Use of the Enterprise Network (EN) is limited to the support of the District's educational mission. Therefore, information transmitted or received over the District's EN (including E-mail) should not be considered "personal" or "private." Messages may be opened and read by the school principal, department head or other appropriate personnel without the consent of the sender or intended recipient. Local, state and/or federal officials may also obtain access to electronic communications in connection with investigations or other purposes. In addition, messages sent over the EN may be subject to disclosure under the Open Records Act.

Therefore, use of the EN for transmitting confidential student or personnel information should be avoided. In addition, an employee found to have used this medium for purposes contrary to this procedure may have privileges terminated and may be subject to disciplinary action pursuant to Board policies, procedures, and/or operating guidelines.

## **XIII. Cellular Communications, Telephone, Computers, Laptops, & Tablets and Other Charges**

Use of the EN in the manner permitted by the District should not generate any additional costs or charges to the District. Therefore, users will not be charged for such use. However, if the EN is used in a manner that is not allowed by the District, the users engaged in such disallowed uses will be required to pay all costs incurred. In addition, misuse of the EN in this manner may result in loss of access or other punitive action up to and including termination of employment.

Portable, mobile, hand-held, or other electronic devices and/or associated accessories for these devices should be used solely to support the vision and mission of the Fulton County School District. The district will offer a list of supported phones and will update the list as new technology emerges. The district will not fund or provide technical support for unapproved devices.

Usage of district-issued electronic devices will comply with all Federal and State laws, and all District policies, procedures, and operating guidelines. This includes, but is not limited to, the following:

- Devices may not be used for illegal or unlawful purposes, including, but not limited to, obscenity, libel, slander, fraud, defamation, harassment, intimidation, impersonation, illegal gambling, or soliciting for illegal pyramid schemes.
- Devices may not be used in any way that violates District policies, procedures, or operating guidelines. Use of a device in a manner that is not consistent with the mission of the District or that misrepresents the District is prohibited.

Information transmitted or received over District-issued portable, mobile, hand-held, or other electronic devices should not be considered “personal” or “private.” Local, state, or federal officials may obtain access to records of calls or texts placed via District-issued electronic devices in connection with investigations or other purposes. These records may also be subject to disclosure under the Open Records Act.

Use of District-issued devices in the manner permitted by the District should not generate additional costs or charges to the district. Therefore, users will not be charged for such use. However, if the District-issued electronic devices are used in a manner that is not permitted, the users engaged in such disallowed uses will be required to pay all costs incurred.

Misuse of District-issued electronic devices may result in a loss of access privileges and/or other disciplinary measures. Users who are issued a device are expected to exercise reasonable caution in conducting business related communications i.e. when in public, when driving, etc. Hands free devices should be used when driving. Texting while driving is strictly prohibited per O.C.G.A. § 40-6-241.2.

Electronic devices that are issued to employees are the responsibility of that employee. Electronic devices that are damaged under normal wear and tear by employees will be replaced at no cost. Employee devices that are otherwise damaged will be replaced at the contract rate afforded the district by our contract with the approved vendor. Employee’s may be required to cover some or all the expense. In the event that an employee resigns or is terminated, the impacted employee must surrender the equipment immediately upon request. If the employee is unable to present the equipment in good working order, the district shall expect the employee to reimburse the District for the cost of a replacement device.

The District will receive and pay one master bill for all authorized employee cellular expenses. The Accounting Department will then cost allocate based on approved allocations to each individual school or departmental account.

#### **XIV. User Identification Information**

The District may occasionally require new or updated information from users. Users must provide all such information as requested. Users also must notify the administration of any changes in user identification information (address, phone, name, school enrollment, etc.).

Use of passwords to protect information: FCS Enterprise Network

Access: Passwords provide an important means of protecting EN access and preventing unauthorized access to data. Therefore, sharing your passwords, attempting to logon the EN using another person's password, falsely posing as a District administrator, or engaging in other security violations will be grounds for termination of privileges and other disciplinary measures. Users should immediately notify an administrator if their password is lost or stolen or if they believe that someone has obtained unauthorized access to their account password.

The following requirements will apply to all passwords used for computer logon, email access, employee portal, and all single sign-on applications that utilize the same password. District password guidelines apply to all staff, students, contracted employees, charter school staff and/or anyone using a user account provided by the district.

1. Passwords expire and must be changed every 60 days. You will be prompted when you log

- on to make this change.
2. Passwords are a minimum of eight (8) characters long.
  3. New passwords cannot match any of the previous twelve (12) passwords used.
  4. Passwords cannot contain part of the user's name or login name.
  5. Passwords must meet all the following complexity requirements:
    - Contain at least one uppercase letter (A through Z)
    - Contain at least one lowercase letter (a through z)
    - Contain at least one number or one special character (for example: 0 through 9 or \$, #, %,)
    - Contain at least one special character (for example: \$, #, %,)
  6. A user account will lock after five (5) consecutive invalid login attempts and will remain locked for 17 minutes. The account will automatically unlock after 17 minutes and allow login attempts to the account again.

The following guidelines will help you create and maintain passwords that are not easily compromised.

- Do not use birthdates or any other numeric sequence that can be easily associated with you.
- Do not use names of family members, friends, pets, hobbies, etc.
- Do not use the same password repeatedly by changing the last digit or number of the password.
- Never share passwords with anyone. Do not reply to an email asking for passwords or any other personal information such as bank accounts. Do not provide passwords or personal information to a telephone caller who may claim to be "tech support".
- Change your password immediately if you suspect it has been compromised or if someone has obtained your password. If you suspect someone has accessed your account, or if you suspect any type of security breach, contact the help desk immediately.
- Be careful about where passwords are saved automatically on devices or websites. Some dialog boxes, such as those for remote access or logon, allow you to save or remember a password. Selecting this option poses a potential security threat if someone was to gain unauthorized access to your device.

Students are required to change their passwords periodically.

Logins and passwords for applications on the network will be handled according to individual program setup. Although the application may not require password change, the above password change policy should remain in effect.

## **XV. Vandalism**

Computer vandalism is prohibited and may result in disciplinary actions. Prohibited conduct includes creating computer viruses, service disruptions, harming or attempting to harm or destroy the District's hardware, software or data; harming or attempting to harm the data of another user, the EN or any of the agencies or other networks that are connected to the District E; and harming or attempting to harm the hardware, software, or data of a third party. Abuse of a computer system may also subject the abuser to criminal penalties.

## **XVI. Reporting Loss/Theft of Equipment or Data**

Fulton County School employees and contractors who possess FCS owned laptop computers and Mobile Devices are expected to secure them whenever they are left unattended and it is the employee or contractor responsibility to protect the device and data during domestic and international travel. In the event an FCS-owned or managed laptop computer or Mobile Device is lost or stolen, the theft or loss must be reported immediately to the Service Desk and Fulton County Schools Police.

See Board Policy JS: Student Fines, Fees and Charges

## **XVII. Termination of Privileges**

An employee's access to, and use of, the EN will be discontinued when his/her employment is suspended or terminated either voluntarily or involuntarily. An employee who disagrees with a decision to suspend or terminate access to the EN may file a complaint under the appropriate employee complaint procedure.

A student's access to, and use of, the EN will be discontinued when the student graduates from high school, withdraws from the District or is expelled by the District. A student whose access to the EN has been suspended or terminated may request, in writing, a review of the decision by the Superintendent or his/her designee. Whenever possible, a final determination shall be sent to the student in writing within ten working days of receipt of the request for a review.

Failure to follow these guidelines can violate the Official Code of Georgia, O.C.G.A. §, Codes 16-9-90, 16-9-91, 16-9-92, and 16-9-93, as well as United States Public Law 106-554, known as the Children's Internet Protection Act. Such actions can also lead to disciplinary actions, up to and including termination of employment or contract with FCS and criminal prosecution. The Federal Educational Rights and Privacy Act (FERPA) applies to all teachers, employees, and school officials that have access to student data.

At no time should student identifying information be broadcast or disclosed in communications sent outside the District enterprise network without parental permission for such activities. Teachers should closely monitor classroom activities where students are communicating outside of the District. Regardless of the activity type, student privacy should never] be compromised.

District technology use is subject to auditing for legitimate purposes, as well as live monitoring where appropriate.

The following notice will appear on the computer screen and require “OK” for logon to District Enterprise Network:

This computer is the property of the Fulton County Board of Education and is for authorized use only. The use of this computer is governed by the Responsible Use Agreement. Using this computer constitutes your acceptance of this agreement and willingness to adhere to all the guidelines contained within it. Users of this computer system (authorized or unauthorized) have no explicit or implicit expectation of privacy. Any or all uses of this system and all files on this system may be intercepted, monitored, recorded, copied, audited, inspected, and disclosed to authorized personnel and law enforcement. By using this system, the user consents to such interception, monitoring, recording, copying, auditing, inspection, and disclosure at the discretion of authorized personnel.

Failure to comply with the Responsible Acceptable Use Agreement and all applicable laws will result in disciplinary actions, up to and including termination of employment, and criminal

prosecution.

### **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 Fulton County School District's Section 504 Coordinator at the following address:

Administrative Center - Attn: 504 Program Administrator - 6201 Powers Ferry Road, NW Atlanta, GA, 30339 - Phone: (470) 254-0449

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 District'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 District 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 District 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 District'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 District'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 District'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.

### **Section 504 Procedural Safeguards**

1. **Overview:** Any student or parent or guardian ("grievant") may request an impartial hearing due to Fulton County School District'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 District's Section 504 Coordinator; however, a grievant's failure to request a hearing in writing does not alleviate the District's obligation to provide an impartial hearing if the grievant orally requests an impartial hearing through the District's Section 504 Coordinator. The District's Section 504 Coordinator will assist the grievant in completing the written Request for Hearing.
  - **Hearing Request:** The Request for the Hearing must include the following: The name of the student.
  - The address of the residence of the student.
  - The name of the school the student is attending.
  - The decision that is the subject of the hearing.
  - The requested reasons for review.
  - The proposed remedy sought by the grievant.
  - 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.

2. **Mediation:** The District 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 District must agree to participate. The grievant may terminate the mediation at any time. If the mediation is

terminated without an agreement, the District will follow the procedures for conducting an impartial hearing without an additional Request for Hearing.

### 3. **Hearing Procedures:**

- I. 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.
- II. Upon a showing of good cause by the grievant or the District, 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.
- III. The grievant will have an opportunity to examine the child's educational records prior to the hearing.
- IV. 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.
- V. 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 District, 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.
- VI. 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.
- VII. The impartial review official shall determine the weight to be given any evidence based on its reliability and probative value.
- VIII. The hearing shall be closed to the public.
- IX. The issues of the hearing will be limited to those raised in the written or oral request for the hearing.
- X. 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.

- XI. 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.
  - XII. Unless otherwise required by law, the impartial review official shall uphold the action of District unless the grievant can prove that a preponderance of the evidence supports his or her claim.
  - XIII. 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.
4. **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.
  5. **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.

### **POLICY JGFA – RESTRAINT OF STUDENTS**

#### **Definitions:**

“Chemical Restraint” means any medication that is used to control behavior or restrict the student’s freedom of movement that is not a prescribed treatment for the student’s medical or psychiatric condition. **(Use of chemical restraint is prohibited in all District schools.)**

“**Mechanical Restraint**” means the use of any device or material attached to or adjacent to a student’s body that is intended to restrict the normal freedom of movement and which cannot be easily removed by the student. The term does not include an adaptive or protective device recommended by a physician or therapist when used as recommended by the physician or therapist to promote normative body positioning and physical functioning, and/or to prevent self-injurious behavior. The term also does not include seatbelts and other safety equipment when used to secure students during transportation. **(Use of mechanical restraint is prohibited in all District schools.)**

“**Physical Restraint**” means direct physical contact from an adult that prevents or significantly restricts a student’s movement. The term “physical restraint” does not include prone restraint, mechanical restraint, chemical restraint, or seclusion. Additionally, physical restraint does not include: providing limited physical contact and/or redirection to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing guidance to a location, or providing comfort.

“**Prone restraint**” means a specific type of restraint in which a student is intentionally placed face down on the floor or another surface, and physical pressure is applied to the student’s body to keep the student in the prone position. **(Use of prone restraint is prohibited in all District schools.)**

“**Seclusion**” – is a procedure that isolates and confines the student in a separate area until he or she is no longer an immediate danger to himself/herself or others. The seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving. Seclusion may also be referred to as monitored seclusion, seclusion timeout, or isolated timeout. Seclusion does not include situations in which a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student, time- out (defined as a behavioral intervention in which



the student is temporarily removed from the learning activity but in which the student is not confined), in-school suspension, detention, or a student- requested break in a different location in the room or in a separate room. (Use of seclusion is prohibited in all District schools).

### **Use of Physical Restraint in District Schools:**

1. Physical restraint may be used in District schools only in situations in which the student is an immediate danger to himself/herself or others i.e. actively hurting themselves or others, or is in immediate danger of hurting themselves or others and the student is not responsive to less intensive behavioral interventions including verbal directives or other de-escalation techniques.
2. Physical restraint is prohibited in District schools as a form of discipline or punishment; when the student cannot be safely restrained; or when the use of intervention would be contraindicated due to the student's psychiatric, medical, or physical conditions as described in the student's education records.
3. All physical restraint must be immediately terminated when the student is no longer an immediate danger to himself/herself or others or if the student is observed to be in severe distress.
4. Whenever possible, all physical restraints should be observed and monitored by another adult to ensure student and staff safety.
5. Whenever possible, only faculty and staff trained in the use of physical restraint will physically restrain students. In situations when a trained staff member is not present, but a student must be physically restrained in accordance with this Policy, the student may be restrained. In such situations, individuals present should be directed to summon trained staff and/or seek assistance as quickly as possible.
6. Each school may designate a Crisis Response Team to safely manage students in crisis – the team may consist of administrator(s); counselor(s); social workers; staff experienced (or trained) in de- escalation, communication, and/or some form of restraint

### **Training on Use of Physical Restraint:**

1. The Superintendent and/or designee shall make available appropriate training to District faculty and staff on the appropriate use of physical restraint. This training will be provided as part of a program which addresses a full continuum of positive behavioral intervention strategies, as well as prevention and de-escalation techniques.
2. The Superintendent and/or designee will identify for training those staff members working in schools/programs in which staff historically has been called upon to physically restrain students, or others as deemed appropriate based on their employment positions.
3. The District will maintain written and/or electronic documentation on training provided and the list of participants in each training. Records of such training will be made available to the State Department of Education or any member of the public upon request.

### **Documentation of Physical Restraint:**

1. The use of physical restraint will be documented by staff or faculty participating in or

supervising the restraint for each student in each instance in which the student is restrained. Staff and faculty should use the District's Restraint Incident Report Form (or equivalent) to document the use of physical restraint.

2. Each school shall maintain a copy of completed Restraint Incident Report Form (or equivalent), as well as any other summary reports, in accordance with the requirements of the State Department of Education and existing record retention schedules.
3. Staff and faculty should electronically report student restraint in the District's Student Information System.

### **Parental Notification:**

1. Parents shall be informed within one (1) school day when a physical restraint is used and shall be provided a copy of the completed Restraint Incident Report Form (or equivalent) at that time. Parents and the District may mutually agree that notification may be provided via electronic mail.
2. The District will provide information to parents about the District's policies governing the use of physical restraint by posting this Policy on its website and by including it in its Student Handbook.

### **Limitations:**

1. Nothing in this Policy shall be construed to prohibit a District, school, or program employee from taking appropriate actions to diffuse a student fight or altercation.
2. Nothing in this Policy shall be construed to eliminate or restrict the ability of a District employee to use his or her discretion in the use of physical restraint to protect students or others from imminent harm or bodily injury. Nothing in this Policy shall be construed to impose ministerial duties on any District employee.
3. Nothing in this Policy limits the ability of District staff to seek assistance from law enforcement and/or emergency medical personnel. Nothing in this Policy shall be construed to interfere with the duties of law enforcement or emergency medical personnel.
4. Nothing in this Policy shall be construed to go beyond or as inconsistent with the requirements of State Board of Education Rule 160-5-1-.35.
5. The use of physical restraint in District schools, as well as this Policy and the Restraint Incident Report Form, shall be reviewed by the District at least annually.

### **Rights under the Family Educational Rights and Privacy Act (FERPA)**

(1) The right to inspect and review the student's education records within 45 days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal a written request that identifies the education records they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected or retrieved.

(2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading.

Parents or eligible students may ask the Fulton County School District (District) to amend a record that they believe is inaccurate or misleading. They should write the school principal; clearly identify the part of the record they want changed and specify why it is inaccurate or misleading.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures can be found in Policy/Procedure JR, Student Records, at [www.fultonschools.org](http://www.fultonschools.org).

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a school or District approved volunteer; a person or company that is under the direct control of the District with respect to the use and maintenance of education records and with whom the District has contracted or who volunteers to perform a service or function for which the District would otherwise use employees (such as an attorney, auditor, medical consultant, therapist, insurance adjuster); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses educational records, without consent, to officials of another school in which a student seeks or intends to enroll.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is the Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920.

(5) The District may disclose appropriately designated "directory information," for educational and legal compliance purposes, to governmental agencies and offices (including the US Armed Forces) to non-profit entities for school or District support purposes, or to educational technology providers as deemed appropriate by the District to access educational services, without written consent, unless you have advised the District to the contrary in accordance with the below District procedures.

The District also may include personally identifiable information in school or District publications such as a playbill showing your student's role in a drama production; the annual yearbook; graduation videos or graduation announcements/celebrations; honor roll or other recognition lists; graduation programs; and sports event publications, such as a football game program.

District teachers, District schools and the District may also display directory information on school, personnel, classroom or District websites, blogs, or social media (such as Facebook, Twitter, Instagram or similar) for the purposes of instruction, recognizing student achievement or informing

the community about school, classroom or District activities and events.

Directory information is information that is generally not considered harmful or an invasion of privacy if released. Directory information includes a student's name, address, email addresses, phone number(s), date and place of birth, grade level, dates of attendance and most recent previous school attended, degrees/honors/awards received, photograph/peripheral student images or audio (see information below), participation in school activities and sports, as well as weight and height of members of athletic teams, student ID number, user ID, or other unique personal identifier used to communicate in electronic systems (subject to the District's determination that this information cannot be used to access education records without a PIN, password, etc.--a student's SSN, in whole or in part, cannot be used for this purpose) or similar information.

The District records and maintains audio recordings and video or photographic footage and audio recordings of students on school property and at school events in locations including, but not limited to, parking lots, school buses, lunchrooms, classrooms, and hallways. Such information is used and maintained for security and other purposes, including yearbooks, video yearbooks, and school/District/personnel publications and websites, blogs, or social media. In many cases, recordings contain peripheral video or photographic footage of students engaged in day-to-day activities including, but not limited to, walking to class, and attending to classroom or school activities.

Peripheral video footage, photographic images, or audio recordings of day-to-day student activities do not include footage of a student or students committing, being involved in, or witnessing a violation of law or District or school rule, procedure, or policy. The District may also determine that other activities do not qualify as peripheral images, footage, or recordings on a case-by-case basis.

**Parents/Guardians of students under 18 years of age or a student 18 year of age or older objecting to the release of this information should request a form from the Assistant Principal in order to place their objection in writing to the student's Assistant Principal, no later than August 31 of each school year or within ten calendar days of the student's enrollment. Objections must be renewed each school year.**

**COMPULSORY EDUCATION O.C.G.A. § 20-2-690.1:**

Every parent, guardian or other person who has control of any child between the ages of 6 and 16 must enroll and send their child to school. Any parent, guardian or other person having control of a child that has more than 5 unexcused absences\*, after being notified by school personnel, will be guilty of a misdemeanor and subject to the following penalties:

- Fine – not less than \$25.00 and not greater than \$100.00
- Imprisonment – not to exceed 30 days
- Community Service – or any combination of such penalties at the discretion of the courts
- Each day absent after 5 unexcused absences will constitute a separate offense

\* Additional information on unexcused absences and consequences are outlined in the Student of Code of Conduct and the District's website.

**NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)**

PPRA affords parents certain rights regarding our 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 whom 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
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 students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional materials used as part of the educational curriculum

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The District maintains policies or procedures, in consultation with parents/guardians, regarding these rights, as well as arrangements 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. These policies/procedures, including Policy and Procedure ICC, are available online at [www.fultonschools.org](http://www.fultonschools.org) or through your local school.

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 (such as through U.S. Mail, e-mail, or hand delivery) parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales, or other distribution.

- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with the Student Privacy Policy Office, Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920.

### **SURVEY DATA COLLECTION**

At this time, the District plans to administer one anonymous protected information survey not funded by ED, the Georgia Student Health Survey II (GSHS II), which is issued through the Georgia Department of Education. The GSHS II anonymously identifies safety and health issues that have a negative impact on student achievement and school climate. The information helps provide the most effective drug and violence prevention resources and/or activities for your child.

The survey will take approximately 20 minutes to complete and is totally anonymous and voluntary. Students have the right to “opt out”. It asks for responses that pertain to student involvement in substance abuse, violent situations, school climate and nutrition. Survey analysis of these data provides information/data that:

- Meets mandated data collection requirements
- Assists in the maintenance of a school environment that is free of drugs and violence
- Promotes a classroom atmosphere that allows teachers to teach and students to learn; and
- Develops and offers experiences that involve students in applying the concepts of making healthy decisions, accepting responsibility for behaviors, and understanding consequences.

Our desire is to involve parents in the education of their children. The GA Student Health Survey is given annually to all students in grades 3-12. If you do not wish for your child to participate in this important activity, please inform your student's Assistant Principal each year in writing by September 15, 2021. If you would like to examine the survey, please visit [www.gadoe.org](http://www.gadoe.org) or feel free to contact the Student Discipline Prevention and Intervention Department at 470-254-0480. If you do not “opt out” your child from survey participation, he/she could be selected to complete a Student Health Survey beginning in October each year in grades3-12.

### **Fulton County Schools - Career, Technical, and Agricultural Education End of Pathway Assessments Privacy Notice**

Fulton County Schools values providing students with authentic learning experiences and instruction through its Career, Technical, and Agricultural Education Pathway curriculum. As part of this endeavor, the Georgia Department of Education and FCS has collaborated to provide students with the opportunity to gain valuable industry credentials before completing high school. This occurs through the student’s voluntary and optional completion and passing of the End-of-Pathway Assessment, which may be a national industry certification, national occupational assessment, state licensing assessment, or a state-developed assessment to gauge the student’s attainment of critical industry, technical, or career-related skills and knowledge.

These certification exams and assessments are offered primarily for adults by external licensing and accrediting organizations and they may require the submission and collection of information about the student wishing to gain certification as required by their industries’ accrediting procedures. This is a normal component to gaining certification in most industries.

If the student chooses to take the End-of-Pathway Assessment to gain certification, it is with the

understanding that the student is voluntarily agreeing to the collection of data necessary to grant the student the certification.

For more information, please visit our website at the below link:

<https://www.fultonschools.org/Domain/225>

### **CLUBS/ORGANIZATIONS**

After reviewing the list of Clubs/Organizations at my student's school (available from the school website or from the school office), I decline permission for my child (under the age of 18) to participate in the following school club(s) which is defined as clubs and organizations that are directly under the sponsorship, direction, and control of the school):

It is the responsibility of the parent to discuss the declination with their student to refrain from participation to ensure compliance. I understand that more information regarding student organizations may be found at the school or in Policies JHC, Student Organizations and JH, Student Activities.

Participation in athletic and extracurricular activities in Fulton County Schools is a privilege. School offer a wide variety of extracurricular activities such as clubs, teams, award ceremonies, and school social events, such as school dances. Student participating in these activities represent their school and more importantly, depict its character. Therefore, the School may withdraw the privilege to participate in these activities if students violate the Code of Conduct or state/federal laws.

### **ATHLETIC INTEREST**

The Fulton County School District values student participation in athletics. All sports offered at each school are listed on the District's Athletic webpage at [www.fultonschools.org](http://www.fultonschools.org), or you can access each school's individual webpage.

### **Suggestions or Changes**

- If you are a high school student, eighth grade student, parent/guardian, coach, or other interested school personnel that has a specific suggestion or request about
- The addition of a Georgia High School Association (GHSA) sanctioned sport not currently offered at your high school
- Adding an additional level of competition for an existing GHSA sport at your high school (such as a freshman or junior varsity team)
- Getting your high school's assistance in approaching GHSA about adding a sport to its list of sanctioned sports
- You have an idea on a way to increase participation in currently existing GHSA sports teams, then please complete the form that can be accessed on the District's Athletics webpage at [www.fultonschools.org](http://www.fultonschools.org). Your feedback will be sent to the School District's Athletic Director and the relevant school and may be shared with relevant coaches.

### **COPPA NOTICE**

Our District uses software, application, and online tools to facilitate learning. Before using these tools, we wanted to make you aware of federal regulations that apply to operators of many of these products.

For students to use these tools, certain personal information must be provided to the operator. Under

the Children's Online Privacy Protection Act (COPPA), these operators must provide notification and obtain consent before collecting personal information from children under the age of 13. However, schools may act on behalf of the parent and can consent to the collection of students' information on the parent's behalf. For more information on COPPA, please visit <http://www.ftc.gov/privacy/coppafaqs.shtm>.

The District is providing you with this notice that our staff will provide consent to allow an account to be created for your child, and to allow information about your child to be shared with certain software, application ("app"), or online providers.

If you would like more information about our District level providers, please visit <https://www.fultonschools.org/digitalcontent>. If you have questions about school-level providers or would like to discuss or ask questions, please contact your school principal.

If you do not wish for the school to provide consent on your behalf, please contact your school principal by email, fax, or letter.



**PARENT AND STUDENT RECEIPT ACKNOWLEDGEMENT FORM (MUST BE COMPLETED AND RETURNED TO THE SCHOOL)**

We have received the Student Code of Conduct & Discipline Handbook and all included documents and understand that we are responsible for reading and understanding this information. Parents are responsible for ensuring their student(s) understand this information.

We also understand that this Student Code of Conduct & Discipline Handbook contains rules that students are expected to follow, including but not limited to, rules that must be followed at school, on school grounds; off school grounds at a school activity, function or event, going to and from school or other transportation provided by the District, at school bus stops; while in any vehicle used in connection with a school function or activity, or while using the school technology resources.

We also understand that this Student Code of Conduct & Discipline Handbook contains information about possible legal consequences if a child does not attend school as required by Georgia law in § 20-2-690.1. If a child has more than five (5) unexcused absences, parents, guardians, or other persons who have control or charge of a child are subject to fines, imprisonment, community service or any combination of these penalties. Absences that are excused are listed in Policy JBD and may be accessed at [www.fultonschools.org](http://www.fultonschools.org) and/or at the local school.

We understand that this handbook contains information about opting out of the Georgia Department of Education's Georgia Student Health Survey II (GSHS II) and that if we do not "opt out" our child from survey participation, he/she could be selected to complete a survey on or after October 2, 2021.

We also understand that in addition to school-based discipline of students, student misconduct may be reported to appropriate law enforcement authorities. The District encourages parents/guardians to inform their children of the consequences, including potential criminal penalties, of underage sexual conduct and crimes for which a minor can be tried as an adult.

We understand that all volunteers who work with children in the state of Georgia are required by law to report suspected child abuse as required by Georgia law in O.C.G.A. 19-7-5.

We understand that, upon implementation of the Title IX revisions released on May 6, 2020, any discipline incident, or portion of a discipline incident, which involves a Title IX matter or incident will be subject to the Title IX Grievance Procedure as detailed at [www.fultonschools.org/titleix](http://www.fultonschools.org/titleix).

We understand that each student will be provided one copy of this Student Code of Conduct. Anyone requiring an additional copy should contact their local school administrator or review a copy on the District's website [www.fultonschools.org](http://www.fultonschools.org).

If I/We have any questions about the enclosed information, I/We will ask a school administrator to discuss those questions. Failure to sign and return this form does not relieve me/us or my/our child(ren) from complying with and understanding the information enclosed in the Student Code of Conduct & Discipline Handbook.

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Parent/Guardian Name (Please Print)

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Parent/Guardian Signature

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Student Name (Please Print)

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Student Signature (if over 10 years old)

# For district and school information at your fingertips, download the **FCS MOBILE APP!**



Fulton's mobile app is free to download for Apple and Android devices. Go to the app store on your device and search "Fulton County Schools."

## The FCS Mobile App Features Include:

- Get instant access to Fulton County Schools news, announcements and social media feeds
- Subscribe to your school(s) to also get their news and social media
- Report safety concerns using the built-in "FCS Tip Line"
- Get inclement weather and school closure notifications pushed directly to your device
- View the district calendar and ALL of your school calendars in one place
- View school lunch menus and download meal applications
- Access Infinite Campus, Here Comes the Bus, MyPaymentsPlus, and other district apps
- View important academic and athletic information
- Access school staff and district contact information AND MORE!

For additional information, contact the  
FCS Communications Department at 470-254-6830

# Is something going on that needs to be shared anonymously?

## Use FCS TIP LINE!



Individuals can quickly and anonymously report situations and issues (including pictures) that may have occurred within schools using the new FCS Tip Line – available through the district’s mobile app.

## How to use the FCS Tip Line

- 🗨️ Install the Fulton County Schools app on your mobile device by visiting the Apple or Google App Store
- 🗨️ Tap the “FCS Tip Line” icon on the app home screen
- 🗨️ Enter your message to the FCS Safety & Security Department
- 🗨️ Select the Category for your tip: bullying, drugs, suicide, etc.
- 🗨️ Select the School/Facility where the incident occurred
- 🗨️ Decide if you will remain anonymous or give your contact info
- 🗨️ Upload a saved photo or use your phone to take a new one
- 🗨️ Click “Submit”
- 🗨️ The Safety & Security Department will receive the message and begin working to verify and resolve reported issues

### **See an issue? Report it!**

Let’s work together to keep our schools safe.

For additional information, contact FCS Safety & Security at 470-254-7159



It is the policy of the Fulton County School District not to discriminate on the basis of race, color, sex, religion, national origin, age, or disability in any employment practice, educational program, or any other program, activity, or service. If you wish to make a complaint or request accommodation or modification due to discrimination in any program, activity, or service, contact Compliance Coordinator at:

6201 Powers Ferry Road, NW, Atlanta, Georgia 30339, or phone 470-254-4585. TTY 1-800-255-0135.