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August 1, 2024

Dear Parent or Guardian,

On behalf of the Superior Courts of Chattahoochee, Harris, Marion, Muscogee, Talbot, and Taylor Counties, I wish to welcome you to a new school year and confirm that school attendance is mandatory in the State of Georgia. Regular student attendance is a basic requirement for academic progress, as we all know. Attendance is linked closely to lifelong learning and productivity. It is well established that frequent or chronic absences, late arrivals and truancy place a child at a severe disadvantage, both in school and in endeavors later in life.

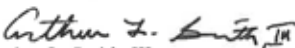
With these considerations in mind, you should know that your child's school is legally required to report students with excessive absences or late arrivals to your school's social worker for follow up and possible legal action.

Should such a referral occur, efforts will be made to help the family resolve attendance problems. If such efforts are unsuccessful, it shall be the duty of the social worker to file proceedings in Juvenile Court or take other legal steps to ensure compliance with Georgia's compulsory attendance laws.

Your child's school realizes that occasional absences or tardiness are necessary or even unavoidable because of illness or family emergencies; however, your student will be responsible for all assignments and homework covered during the absence. If a student needs the teacher's assistance to understand missed material, the teacher will usually be glad to assist the student at a pre-arranged time before or after regular class hours. Generally, it will not be possible for the teacher to stop class or interrupt instruction to accommodate students who are absent or tardy as this would be unfair to other students.

I hope that you and your student have a great academic year and that you will call upon your school with any questions or concerns.

With best regards,

  
Arthur L. Smith, III  
Chief Judge of Superior Courts  
Chattahoochee Judicial Circuit

ALS, III/b

# Harris County Board of Education

## Student Behavior Code and Attendance Protocol

- This manual is provided to each family whose child is enrolled in the Harris County School District to inform you of the consequences students may face when the rules of good conduct are broken. The Attendance Protocol is provided so that families will understand the expectations of regular school attendance and the consequences of excessive absenteeism.
- **Georgia Compilation of School Discipline Laws and Regulations-20-2-736.** Student codes of conduct; distribution; disciplinary action for violations; parental involvement. (a) At the beginning of each school year, local boards of education shall provide for the distribution of student codes of conduct developed pursuant to Code Section 20-2-735 to each student upon enrollment. Local boards of education shall provide for the distribution of such student codes of conduct to the parents or guardians of each student through such means as may best accomplish such distribution at the local level and are appropriate in light of the grade level of the student, including distribution of student codes of conduct to students and parents or guardians jointly. Local boards of education shall solicit or require the signatures or confirmation of receipt of students and parents or guardians in acknowledgment of the receipt of such student codes of conduct. A signature or confirmation of receipt may be obtained in writing, via electronic mail or facsimile, or by any other electronic or other means as designated by the local board. A parent or legal guardian that does not acknowledge receipt of the student code of conduct shall not be absolved of any responsibility with respect to the information contained in the student code of conduct. In addition, student codes of conduct shall be available in each school and classroom.
- Please note that parents may determine whether or not their children can participate in school clubs and organizations. In each school's Student Handbook, there is a listing of all school clubs and organizations. A form is provided for a parent/guardian to decline permission for his or her student to participate in any club or organization. If a club or organization is organized during the school year, after this notice is provided, the school is required to get written permission from a parent/guardian prior to a student's participation.
- The General Assembly of the State of Georgia requires schools to encourage parents and guardians to inform their children of the consequences, including potential criminal penalties, of underage sexual conduct and crimes for which a minor can be tried as an adult.

**Harris County School District Notice of Non-Discrimination Under Title IX** It is the objective of the Harris County Board of Education to provide its employees and students with an environment which encourages efficient, productive, and creative work.

The Harris County School District (HCSD) adheres to all federal, state, and local civil rights laws prohibiting discrimination in employment and education. HCSD does not discriminate on the basis of race, color, national origin, sex, disability, military status, or age in its programs, activities or employment practices.

HCSD also prohibits retaliation against any person opposing discrimination or participating in any discrimination investigation or complaint process, internal or external to the institution.

HCSD provides reasonable accommodations to persons with disabilities and religious accommodations in the implementation of this and all other policies and procedures. Retaliation towards individuals who report or who are witnesses is strictly prohibited and will not be tolerated.

Any person may report sex discrimination by a student (whether or not the person reporting is the person alleged to have experienced the conduct), in person, by mail, by telephone, or by email, using the contact information listed for the Title IX Coordinator. A report may be made at any time (including during non-business hours) by mail, telephone, or email via the following:

Title IX Compliance Officer  
132 Barnes Mill Road  
Hamilton, GA 31811  
Email: [titleIX@harris.k12.ga.us](mailto:titleIX@harris.k12.ga.us)  
706-628-4206 Ext. 1216

For more information, please visit our the HCSD website at: [www.harris.k12.ga.us](http://www.harris.k12.ga.us) or contact the Title IX Compliance Officer.

Title IX is published in the United States Code at 20 U.S.C. §1681-§1688.

## **School Health Services**

### **General Information**

The School Health Services program is a significant component in the educational process. Healthy students learn better! The HCSD recognizes and emphasizes the importance of the health and safety of our students and staff.

The program is currently staffed by one Lead Registered Nurse and six nurses with RNs/LPNs who each assist in managing the health care and medical needs that affect students' abilities to be successful in school. Their focus is on health services, staff training, health education, and a safe school environment.

This professional team of school nurses is committed to assist in the removal of barriers to learning that may be health related by providing:

- Staff training on all medical issues.
- Consultation and care management for children with chronic illness or who are medically fragile in order to support all children in the educational process.
- Monitoring of immunization status and
- Working closely with the Office of Support Services with guidance from the Department of Public Health to identify and prevent communicable illness issues in our student population.

### **Common Communication Regarding Sick Students:**

It may be necessary to exclude children for symptoms consistent with a communicable condition, temperature of 100.4° or higher, vomiting or diarrhea. We understand that this may be an inconvenience; however, this is necessary to keep children healthy and protect the health of the other students and staff.

- Students with a fever of 100.4 or greater, or who are sick, or who exhibit symptoms of COVID-19 must stay home to avoid infecting others.
- Parents/guardians are asked to please take their children's temperatures each morning before school. If a student is determined to be sick while at school, the parent/guardian will be called and required to pick up the student from school. A sick student will be placed in a supervised but separated area of the school until the parent arrives.
- Parents/guardians who refuse to pick up their sick children from school or who intentionally send sick children to school may be referred to the Division of Family and Children Services (DFCS).

### **Chronic Illness/Health Condition:**

If your child has a chronic illness/health condition that requires medical attention or could become an emergency, please complete the health portion on the registration form and contact the school immediately. We must know how to provide the best care possible for your child and be able to reach you at all times. If your child requires a procedure to be performed at school, we will need a doctor's order for that procedure. It is our goal to keep all students safe and healthy during the school day.

**Medication:**

If possible, medication should be given at home; however, if it is necessary for a child to receive medication at school, certain guidelines must be met.

The medication must be in the original container and labeled with the child's name, physician's name, name of medication, and the dosage instructions for the child.

There must be a medication authorization form signed for each medication, even over the counter medication. This form can be obtained at your child's school.

Parents are responsible for bringing medication to school and turning it in to the nurse's clinic or office staff.

Emergency medication, such as a rescue inhaler, auto inject-able epinephrine, and insulin can be carried on the student's person with physician's permission and completed paperwork. Contact your child's school if this applies to your child's health situation so that you can complete the appropriate form and submit it to the school nurse.

**Infection Control in the School Setting:**

One of the goals of student health services is to assist students in maintaining a level of health that enables them to learn. Schools, by their very nature, can be considered incubators for many viral and bacterial infections. Young school-age children are still developing their immune systems and are more vulnerable to common infections. Children's natural affinity for each other and school activities promoting the values of sharing, cooperation and collaboration also add to the potential spread of infections. But there are things that everyone can do to help minimize the spread of viruses and bacteria:

**COVID-19:** COVID-19 is a virus that is spread from person to person by respiratory droplets. Spread is more likely when people are within close contact (within 6 feet of each other). Contact your primary care provider if you think you may have been exposed or are developing symptoms (fever, cough, shortness of breath, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, diarrhea).

**Hand washing:** Hand washing is the single most important activity to decrease the spread of infections of all kinds. Studies have shown that school attendance, and therefore school success, can be positively affected by diligent hand washing. School Nurses promote good hand washing techniques in Harris County Schools through the use of hand washing classes/demonstrations, videos, posters, and other educational materials. Parents and guardians can aid in developing good hand washing habits by encouraging hand hygiene at home.

**Stay home when sick:** As a general rule, children are considered too sick for school if they have any of the following symptoms: Fever (temperature of 100.4 degrees or greater); Vomiting; Diarrhea; Widespread Rash; Difficulty Breathing /Struggling to Breathe. Children who have seasonal allergy symptoms (runny nose, red/itchy eyes, etc.) or other seasonal cold symptoms without fever can be sent to school.

**A runny nose** is the way many children respond to pollen, dust or a cold virus. Minor cold or allergy symptoms should not be a reason to miss school. Many healthy children have as many as six colds per year, especially in the early school years.

**Coughing**, especially if it is persistent during the day, can indicate a worsening of cold or allergy symptoms. It may be a sign of a secondary infection (sinusitis, pneumonia) which may require medical treatment. It may also indicate mild asthma. If your child's cough is worse than you might expect with a common cold, you need to consult your child's doctor. You should do so immediately if the child is not acting normal, has a fever, or has any difficulty breathing.

**Diarrhea and vomiting** make children very uncomfortable. If diarrhea or vomiting is frequent or is accompanied by fever, rash or general weakness, consult your child's doctor and keep the child out of school until the illness passes. Children with these symptoms should stay home until their symptoms improve, without the use of medication for 24 hours.

**Fever** is an important symptom – especially when it occurs along with a sore throat, nausea or a rash. Your child could have a contagious illness which could be passed to classmates and teachers. While you can treat the fever, and usually make the child feel better temporarily, the cause of the fever (and the risk of passing it to others) is still there. Children with fever (100.4 degrees or higher) should stay home until they are fever free, without the use of fever-reducing medication (Tylenol, Motrin, etc.) for 24 hours.

**Strep throat and scarlet fever** are two highly contagious conditions caused by the same bacterial infection. Children may arrive with a sudden complaint of sore throat and fever, and often stomachache and headache. With scarlet fever, a rash usually appears within 12 to 48 hours. A child with these symptoms should see his/her doctor for diagnosis and treatment, and should remain out of school until he/she is without fever and has been on antibiotics for 24 hours.

**Pinkeye, or conjunctivitis** can be caused by a virus, bacteria or allergy. The first two are very contagious. The eye will be reddened, and a cloudy or yellow or green discharge is usually present. The eye may be sensitive to light. Consult with your child's doctor if you suspect an eye infection. Again, the child should stay home until symptoms subside and he/she has been on antibiotics for 24 hours or until the doctor recommends the child return to school.

**Middle ear infections** can cause great discomfort and often fever but are not contagious to others. The child should see a doctor for diagnosis and treatment and should stay at home if he/she has fever or pain.

**Flu** is a contagious virus that usually occurs between October and May. Symptoms include body aches, high fever, chills, congestion, sore throat, and, in some children, vomiting. The child should stay home until these symptoms improve, usually five to seven days. Consult your child's doctor for treatment suggestions to make your child more comfortable.

**Impetigo** is a staph or strep infection that creates a red, oozing blister-like area that can appear anywhere on the body or face. A honey-colored crust may appear on the area. It can be passed to others by direct contact. Consult your child's doctor for treatment and length of time the child should remain out of school, especially if the area cannot be covered.

**Scabies and lice** brought into a school can quickly produce an epidemic of itching and scratching. Scabies are tiny insects that burrow into the skin and cause severe itching. Lice are tiny wingless insects, like ticks, that thrive on the warm scalps of children and also cause itching. Both should be treated immediately, with advice from your child's doctor. Children need to stay home from school until head lice are dead and until all nits or eggs are removed with a special fine comb, as HCSD has a "no nit" policy. Head checks should continue for 10 to 14 days. Caution your child against sharing combs, brushes, hats or other clothing. In the case of scabies, children should stay home for 24 hours after treatment.

**Maintain Accurate Contact Information at School:** If your child should become ill while at school, it is imperative that accurate phone numbers for the parent/guardian and an emergency contact be available in the school clinic. The secretary, registrar, or school nurse may need to reach you at any point during the school day to pick up a child who has become ill. Should your phone number change, or the phone number of any emergency contacts, during the school year ensure that you notify both the school office staff and the school clinic. Children should be picked up as soon as possible after becoming ill at school. Picking up sick children from school in a timely manner helps to prevent the continued spread of illness.

### **Immunizations and Screening:**

All students entering or attending Pre-Kindergarten through 12th grades are required to have a valid Georgia Certificate of Immunization Form 3231, issued by a licensed Georgia physician, or qualified employee of the local Health Department or the State Immunization Office. The students must have been immunized against those diseases as so specified by the Georgia Department of Human Resources. Parents/guardians are responsible for

seeing that their children are properly immunized in accordance with Georgia law. For further immunization information, visit the Georgia Department of Human Resources website at <http://dph.georgia.gov/immunization-section>

Georgia's immunization requirements for children attending seventh grade have been revised to align with the current Recommendations of the Advisory Committee on Immunization Practices (ACIP). Effective July 1, 2014, all children born on or after January 1, and children who are new entrants into a Georgia school in grades eight through twelve must have received one dose of Tdap vaccine and one dose of meningococcal conjugate vaccine.

Effective July 1, 2020, children 16 years of age and older who are entering the 11th grade (including new entrants) must have received one booster dose of the meningococcal conjugate vaccine (MCV4), unless their initial dose was administered on or after their 16th birthday.

Please note, the student's name on the Georgia Immunization Certificate must match the name on their birth certificate. Immunization forms are considered invalid if the names do not match.

The only exemption for any vaccine is Medical Exemption or Religious Objection. The Medical Exemption must be renewed each year and signed by a physician. The Religious Objection must be documented, by parent or guardian, on "The Religious Objections to Required Immunizations Form 2208. This form may be obtained at your child's school, or by visiting the Georgia Department of Public Health website. The form must be notarized and does not have to be renewed.

Students must have the updated immunizations unless they have an exemption. Students without a valid immunization certificate (or valid exemption) on file may be withdrawn from school until a valid form is provided. If you have any questions about vaccinations, please contact your student's health care provider. The vaccine and the appropriate form are both available at your healthcare provider's office and the Harris County Health Department.

Parents of students without health insurance or those whose health plan does not cover these vaccines may call the Harris County Health Department at 833-337-1749 and ask about getting no or low-cost vaccines through the Vaccines for Children program. For more information on the vaccination requirements for school attendance in Georgia, visit [dph.georgia.gov](http://dph.georgia.gov).

The Centers for Disease Control and Prevention (CDC) states: "On-time vaccination throughout childhood is essential because it helps provide immunity before children are exposed to potentially life-threatening disease.



Vaccines are tested to ensure that they are safe and effective for children to receive at the recommended ages.” For more information on vaccinations, and the diseases they help prevent, visit [cdc.gov/vaccines](https://cdc.gov/vaccines).

Each new student is also required to have a Georgia Form 3300 Eye Ear Dental and Nutritional Screening form upon entry Pre- K - 12. This testing can be done by your health care provider or the Harris County Health Department.

For additional information on school entry requirements, please visit the Georgia Department of Public Health website at <https://dph.georgia.gov/>.

### **Hospital/Homebound Services:**

Hospital/Homebound (HHB) services are designed to provide continuity of educational services between the classroom and home or hospital for students in Georgia public schools whose medical needs, either physical or psychiatric, do not allow them to attend school for a limited period of time.

HHB services are not intended to supplant regular school services and are by design temporary.

- The student must anticipate being absent from school for a minimum of ten consecutive or intermittent school days due to a medical or psychiatric condition.
- The student's inability to attend school for medical or psychiatric reasons must be certified by the licensed physician.
- Physician's Assistants and Nurse Practitioners may sign forms if delegated to do so.
- Forms for psychiatric patients are only to be completed by a psychiatrist not a designee.

It is the policy of the Harris County Board of Education that age-appropriate student codes of conduct designed to improve the student learning environment and which will comply with state law and State Board of Education Rule 160-4-8-15 shall be developed for use in all schools during school hours, at school-related functions, and on school property. School property shall include public school buses and stops for public school buses as designated by the Board of Education. This policy may apply to off-campus behavior as specified in Section C. One student code which is age appropriate and includes all offenses in the Harris County Student Behavior Code shall be developed for use in all elementary schools; another shall be developed for use in middle schools, with a third for the high schools. Each code of conduct shall include the following:

1. Standards for student behavior designed to create the expectation that 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 and school district employees, to motivate students to obey student behavior policies adopted by the Board and to obey student behavior rules established at each school within this school district;
2. Progressive discipline processes designed to create the expectation that the degree of discipline imposed by each school will be proportion to the severity of the behavior of a particular student, the previous discipline history of the student and other relevant facts, while ensuring that each student receives the due process mandated by federal and state law;
3. 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 that detract from the learning environment.

### **Bus Conduct**

Each student code of conduct shall include the following specific provisions prescribing and governing student conduct and safety rules on all school buses:

Students shall be prohibited from acts of physical violence as defined by Code Section 20-2-751.6, bullying as defined by subsection (a) of Code Section 20-2-751.4, physical assault or battery of other persons on the school bus, verbal assault of other persons on the school bus, disrespectful conduct toward the school bus driver or other persons on the school bus, and other unruly behavior;

Students shall be prohibited from using any electronic devices during the operation of a school bus, including but not limited to cell phones; pagers; audible radios, tape or compact disc players without headphones; or any other electronic device; and

Students shall be prohibited from using mirrors, lasers, flash cameras, or any other lights or reflective devices in a manner that might interfere with the school bus driver's operation of the school bus.

If a student is found to have engaged in physical acts of violence as defined by Code Section 20-2-751.6, the student shall be subject to the penalties set forth in that Code section.

A meeting of the parent or guardian of the student and appropriate school district officials must be held to form a school bus behavior contract whenever:

A student is found to have engaged in bullying; or

A student is found to have engaged in physical assault or battery of another person on the school bus.

The school bus behavior contract shall provide for age-appropriate discipline, penalties, and restrictions for student misconduct on the bus. Provisions may include, but are not limited to, assigned seating, ongoing parental involvement, and suspension from riding the bus.

These provisions regarding use of a bus behavior contract are not to be construed to limit the instances when other code of conduct violations may require use of a student bus behavior contract.

The consequences for physical violence against a teacher, school bus driver, or other school personnel may include expulsion for the remainder of the student's eligibility to attend public schools.

Parents shall be involved in developing and updating student codes of conduct. Each code shall require disciplinary action for each infraction of the code. All student codes of conduct shall be submitted to the Board for approval.

The student code of conduct shall be distributed to each student and the student's parents or guardians following development and thereafter during the first week of school and upon enrollment of each new student. The parents shall be requested to sign an acknowledgement of the receipt of the code of conduct and return promptly the acknowledgement to the school. The student code of conduct shall be available in the school office and each classroom.

### **TEACHER REPORTING REQUIREMENT**

A teacher shall have the authority, consistent with Board policy to manage his or her classroom, discipline students, and refer a student to the principal/his/her 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 his/her class or with the ability of such student's classmates to learn shall file a report of such behavior with the principal his/her designee. The principal and teacher shall thereafter follow the procedures set forth in Georgia law, specifically O.C.G.A. §20-2-737-738. The school superintendent shall fully support the authority of principals and teachers to remove a student from the classroom pursuant to Code Section §20-2-738.

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

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**A. STATEMENT OF PURPOSE**

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

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

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

Parents are encouraged to become familiar with the Code of Conduct and to be supportive of it in their daily communication with their children and others in the community.

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**B. AUTHORITY OF THE PRINCIPAL**

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

Unless specifically stated in the policy, discipline for students in grades K-5 will be at the discretion of the principal; however, discipline determinations by tribunal also apply to students in K-5 if the principal deems it necessary.

**C. PLACES AND TIMES OF ENFORCEMENT**

The following rules are designed to protect all members of the educational community in the exercise of their rights and duties. These rules are effective during the following times and in the following places:

1. On the school grounds during and immediately before or immediately after school hours or off school grounds while en route to or from school.
2. On the school grounds at any other time when the school is being used by a school group.
3. Off the school grounds at a school activity, function, or event.
4. En route to and from school on a school bus or other school vehicle or while waiting off school grounds for a school bus to transport a student to or from school or a school activity.
5. Off school grounds when the prohibited conduct is directed, because of a school-related connection, against the person, family, property, privacy or tranquility of an employee of the Harris County Board of Education.
6. Apply to conduct by student whether directed to or committed upon another student or a teacher, administrator, or other school personnel or toward persons attending school related functions.
7. Apply to any off-campus behavior of a student which could result in the student being criminally charged with a felony and which makes the student's continued presence at school a potential danger to persons or property at school or which disrupts the educational process.

**D. PROGRESSIVE DISCIPLINE PROCEDURES**

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

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

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

- Warning and/or Counseling with a School Administrator or Counselor
- Loss of Privileges
- Isolation or Time Out
- Temporary Removal from Class or Activity Notification of Parents
- Parent Conference
- Corporal Punishment
- Detention/Saturday School
- Temporary Placement in an Alternative Education Program
- Short-term Suspension
- Referral to a Tribunal for Long-term Suspension or Expulsion Suspension or Expulsion from the School Bus

School level disciplinary decisions to include but are not limited to In-School Suspensions or Out of School Suspensions less than 10 school days are ultimately enforced by the school's Principal/Lead Administrator and are not appealable beyond the school level.

Referral to Law Enforcement or Juvenile Court Officials: Georgia law requires that certain acts of misconduct be referred to the appropriate law enforcement officials when school officials determine such referral to be necessary or appropriate.

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

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

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

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

if asked to open book bags, lockers or any vehicle brought on campus. Metal detectors and drug or weapon sniffing dogs may be utilized at school or at any school function, including activities which occur outside normal school hours or off the school campus at the discretion of administrators.

## **E. STUDENT BEHAVIOR CODES**

The following listing of offenses and conduct are declared to be prohibited by all students enrolled in the Harris County School District. Violation of this policy shall result in disciplinary actions and may include appropriate hearings and review, the suspension, short or long term, or the expulsion of a student from the school along with other progressive discipline unless otherwise stated.

These offenses are applicable to include acts against students, teachers, administrators, bus drivers, or other school personnel as well as persons legitimately on school property or attending school related functions.

### **OFFENSES INVOLVING THE PERSON**

#### **1.00 Verbal/Visual Assault**

A student commits the offense of verbal/visual assault when he/she either: (1) Utters a racial slur or implied racial slur; (2) makes an insensitive or insulting comment related to socioeconomic status; and/or (3) displays or wears symbols or emblems which are commonly known to be offensive or cause a student to feel belittled, inferior or embarrassed.

#### **1.01 Simple Assault**

A student commits the offense of simple assault when he/she either: (1) Attempts to commit a violent injury to the person of another; or (2) Commits an act which places another in reasonable apprehension of immediately receiving a violent injury.

#### **1.02 Aggravated Assault**

A student commits the offense of aggravated assault when he/she assaults: (1) With intent to rob; or (2) With a deadly weapon or with any object, device, or instrument which, when used offensively against a person, is likely to or actually does result in serious bodily injury.

#### **1.03 Simple Battery/Physical Violence**

A student commits the offense of simple battery when he/she either: (1) Intentionally makes physical contact of an insulting or provoking nature with the person of another; or (2) Intentionally makes physical contact which causes physical harm to another unless such physical contacts or physical harm were in defense of himself or herself.

#### **1.04 Battery**

A student commits the offense of battery when he/she intentionally causes substantial physical harm or visible bodily harm to another. The term "visible bodily harm" means 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 their facial or body parts, or substantial bruises to body parts.



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**1.05 Aggravated Battery**

A student commits the offense of aggravated battery when he/she maliciously causes bodily harm to another by depriving him of a member of his body, by rendering a member of his body useless, or by seriously disfiguring his body or a member thereof.

**1.06 Hazing**

A student commits the offense of hazing when he/she subjects another student to an activity which endangers or is likely to endanger the physical health of a student, regardless of a student's willingness to participate in such activity, in connection with or as a condition or precondition of gaining acceptance, membership, office, or other status in a school organization.

**1.07 Affray**

A student who commits the offense of affray when he/she fights with one or more other persons in a public place to the disturbance of the school tranquility.

**1.08 Bullying**

A student commits the offense of bullying when the student commits an act which occurs on school property, on school vehicles, at designated school bus stops, or at school related functions or activities, or by use of data or software that is accessed through a computer, computer system, computer network, or other electronic technology of a local school system, that is:

1. Any willful attempt or threat to inflict injury on another person, when accompanied by an apparent present ability to do so;
2. Any intentional display of force such as would give the victim reason to fear or expect immediate bodily harm; or
3. Any intentional written, verbal, or physical act, which a reasonable person would perceive as being intended to threaten, harass, or intimidate, that:
  - a. Causes another person substantial physical harm within the meaning of Code Section 16-5-23.1 or visible bodily harm as such term is defined in Code Section 16-5-23.1;
  - b. Has the effect of substantially interfering with a student's education;
  - c. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
  - d. Has the effect of substantially disrupting the orderly operation of the school.

**1.09. Cyberbullying**

Cyberbullying is defined as -

A. A student commits the offense of cyberbullying when the student uses any electronic communication, by individuals or groups, to:

1. Make a true threat against a student or school employee;

2. Materially disrupt school operations; or

3. Substantially impinge on the rights of another student such as, but not limited to: creating reasonable fear of harm to the student's person or property; creating a substantially detrimental effect on the student's physical or mental health;

substantially interfering with a student's academic performance or interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by the school; or being so severe, persistent, or pervasive as to cause severe emotional distress.

B. Includes conduct that is based on, but not limited to, a student's actual or perceived race, color, national origin, gender, religion, disability, sexual orientation or gender identity, distinguishing physical or personal characteristic, socioeconomic status; or association with any person identified in section I (2)(b)(i)-(ix).

C. As used herein, the term "electronic communications" means communications through any electronic device, including, but not limited to computers, telephone, mobile phone, and pagers, and any type of communication including, but not limited to, emails, instant messages, text messages, picture messages, and web-sites.

D. Jurisdiction for Cyberbullying

1. No student shall be subjected to cyberbullying by an electronic communication that bears the imprimatur of the school regardless of whether such electronic communication originated on or off the school's campus.
2. The school shall have jurisdiction to prohibit cyberbullying that originates on the school's campus if the electronic communication was made using the school's technological resources or the electronic communication was made on the school's campus using the student's own personal technological resources.
3. The school shall have jurisdiction to prohibit cyberbullying that originates off the school's campus if: (a) it was reasonably foreseeable that the electronic communication would reach the school's campus; or (b) there is a sufficient nexus between the electronic communication and the school which includes, but is not limited to, speech that is directed at a school-specific audience, or the speech was brought onto or accessed on the school campus, even if it was not the student in question who did so.

## **F. MANDATORY PUNISHMENTS**

Bullying and Cyberbullying - Any student in grades 6-12 who has committed and been punished twice for the offense of bullying and cyberbullying as defined in Section 1.08 Bullying and Section 1.09 Cyberbullying who is alleged to have committed a third act of bullying or cyberbullying within a school year shall be referred to a hearing before a disciplinary hearing tribunal. If the student is found guilty of a third offense by the tribunal of the offense of bullying or cyberbullying, the student shall be assigned to the Harris County Educational Opportunity Center for such time as the tribunal deems appropriate; provided however, this shall not prohibit the expulsion or long-term suspension of the student for the third offense. A student may also, at the discretion of the school administration, be referred to a

disciplinary hearing tribunal for the first or second offense of bullying or cyberbullying. Administration may apply age appropriate guidelines. The Harris County Board of Education Policy JCDA G shall govern any conflicts or omissions.

## **OFFENSES INVOLVING THEFT**

### **2.01 Theft by Taking**

A student commits the offense of theft by taking when he/she unlawfully takes or, being in lawful possession thereof, unlawfully appropriates any property of another with the intention of depriving him/her of the property, regardless of the manner in which the property is taken or appropriated.

### **2.02 Theft of Lost or Mislaid Property**

A student commits the offense of theft of lost or mislaid property when he/she comes into control of property that he/she knows or learns to have been lost or mislaid and appropriates the property to his/her own use without first taking reasonable measures to restore the property to the owner.

### **2.03 Theft by Receiving Stolen Property**

A student commits the offense of theft by receiving stolen property when he/she receives, disposes of, or retains stolen property which he/she knows or should know was stolen unless the property is received, disposed of or retained with intent to restore it to the owner. "Receiving" means acquiring possession or control of the property.

### **2.04 Theft by Extortion**

A student commits the offense of theft by extortion when he/she unlawfully obtains property of or from another person by threatening to: (1) Inflict bodily injury on anyone or commit any other criminal offense; (2) Accuse anyone of a criminal offense; (3) Disseminate any information tending to subject any person to hatred, contempt, or ridicule; or (4) Testify or provide information or withhold testimony or information with respect to another's legal claim or defense.

## **OFFENSES INVOLVING ROBBERY**

### **3.01 Robbery**

A student commits the offense of robbery when, with intent to commit theft, he/she takes property of another from the person or the immediate presence of another: (1) By use of force; (2) By intimidation, by the use of threat or coercion, or by placing such person in fear of immediate serious bodily injury to him/herself or to another; or (3) By sudden snatching.

### **3.02 Armed Robbery**

A student commits the offense of armed robbery when, with intent to commit theft, he/she takes property of another from the person or the immediate presence of another by use of an offensive weapon, or any replica, article, or device having the appearance of such weapon.

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## OFFENSES INVOLVING WEAPONS

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### **4.01 Weapons, Dangerous Instruments, or Explosive Compounds**

No student shall possess, handle, carry, or have under his/her control any weapon, dangerous instrument, or explosive compound to include fireworks of any kind. The term "weapon" means and includes any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife regardless of the length the blade, box cutter, straight-edge razor, razor blade, spring stick, metal knucks, blackjack, or any flailing instrument which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or mace or pepper gas, or any other object which may be used to injure or harm another. After the administration has established reasonable suspicion, students who refuse to be searched for possession of weapons, dangerous instruments, or explosive compounds shall constitute an offense hereunder, for which disciplinary action may be taken.

### **4.02 Replica of Weapons, Dangerous Instruments, or Explosive Compounds**

No student shall possess, handle, carry, or have under his/her control any replica of weapons, dangerous instruments, or explosive compounds described in 4.01.

## OFFENSES INVOLVING DRUGS, ALCOHOL AND TOBACCO

### **5.01 Possession of Drugs or Alcohol**

A student shall not have, possess, handle, carry, or exercise control over or transmit any controlled substance, or dangerous drug or drug paraphernalia prohibited by Georgia law, to include but is not limited to, marijuana, Tetrahydrocannabinol (THC), Cannabidiol (CBD), prescription drugs, cocaine, amphetamine, barbiturate, fentanyl, or alcoholic beverages of any kind; nor shall a student have, possess, carry, handle or exercise control over or transmit any substance represented or thought to be a controlled substance, dangerous drug, or alcoholic beverage. Possession of CBD without THC on school campus or school property is a violation of school policy. After the administration has established reasonable suspicion, students who refuse to be searched for possession of drugs or alcohol shall constitute an offense hereunder, for which disciplinary action may be taken.

### **5.02 Sale of Drugs or Alcohol**

A student shall not sell or attempt to sell or buy or attempt to buy any prescription drug, controlled substance, or dangerous drug prohibited by Georgia law or substances represented or thought to be drugs or alcoholic beverages of any kind.

### **5.03 Use of Drugs or Alcohol**

A student shall not use or be under the influence of any alcoholic beverage, controlled substance of any kind, or dangerous drug of any kind prohibited by Georgia law or any drugs except by a prescription from a physician for a specific medical condition. All prescription drugs taken at school must be administered/supervised by a school health professional.

### **5.04 Possession or Use of Tobacco Products, Vapes, or Vape Products**

No student shall have, handle, possess, carry, or exercise control over or use tobacco products, vapes, or vape products of any nature, including but is not limited to cigars, cigarettes, e-cigarettes, snuff, chewing tobacco, or pipe tobacco. Possession

or use of a vape or vape product on school property or at a school function is prohibited. After the administration has established reasonable suspicion, students who refuse to be searched for possession of tobacco, vapes, or vape products shall constitute an offense hereunder, for which disciplinary action may be taken.

### **5.05 Drug Related Objects**

A student shall not have, handle, possess, carry, or exercise control over a drug related object. A drug related object means any machine, instrument, tool, equipment, contrivance, or device which an average person would reasonably conclude is intended to be used for one or more of the following purposes: (1) To introduce into the human body any dangerous drug or controlled substance under circumstances in violation of the laws of this state; (2) To enhance the effect on the human body of any dangerous drug or controlled substance under circumstances in violation of the laws of this state; (3) To conceal any quantity of any dangerous drug or controlled substance under circumstances in violation of the laws of this state; or (4) To test the strength, effectiveness, or purity of any dangerous drug or controlled substance under circumstances in violation of the laws of this state.

## **OFFENSES INVOLVING FALSE INFORMATION**

### **6.01 False Statement**

A student to whom a request has been made by a school official to provide information regarding any school related matter commits the offense of furnishing a false statement when he/she, knowingly and willfully, makes a false statement, whether orally or in writing.

### **6.02 Perjury**

A student to whom a lawful oath or affirmation has been administered commits the offense of perjury when, in a student disciplinary proceeding, he/she knowingly and willfully makes a false statement material to the issue or point in question.

### **6.03 Forgery**

A student commits the offense of forgery when he/she knowingly makes, alters, or possesses any school related writing, record, or document in a fictitious name or in such manner that the writing, record, or document as made or altered purports to have been made by another person, or at another time with different provisions, or by authority of one who did not give such authority.

## **OFFENSES INVOLVING SCHOOL ORDER**

### **7.01 Threat and Intimidation**

A student commits the offense of threats and intimidation when the student by words, verbal or written or by physical action (1) threatens to commit any act of violence against another; (2) causes another to fear for his or her safety; or (3) threatens to burn or damage a school building, school facility or bus or causes the evacuation thereof.

### **7.02 Riot**

Any two or more students commit the offense of riot when they do an unlawful act of violence or any other act in a violent and tumultuous manner on school

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property or at a school function.

**7.03 Inciting to Riot**

A student commits the offense of inciting to riot when, with intent to riot, he/she

does an act or engages in conduct which urges, counsels, or advises others to riot, at a time and place and under circumstances which produce a clear and present danger of a riot.

**7.04 Preventing or Disrupting Gatherings**

A student shall not recklessly or knowingly commit any act which may reasonably be expected to prevent or disrupt a school meeting, gathering, procession, or assembly.

**7.05 False Report of a Crime**

A student shall not willfully or knowingly give or cause a false report of a crime to be given to any law enforcement officer or school official.

**7.06 False Report of a Fire**

A student shall not transmit in any manner to a fire department, a false report of a fire, knowing at the time that there is no reasonable ground for believing that such fire exists.

**7.07 False Public Alarm**

A student who transmits in any manner a false alarm to the effect that a bomb or other explosive of any nature is concealed in such place that its explosion would endanger human life, knowing at the time that there is no reasonable ground for believing that such a bomb or explosive is concealed in such place, commits the offense of transmitting a false public alarm.

**7.08 Refusal to Obey a School Official**

A student shall not refuse to obey the directions, requests, or orders of a school official.

**7.09 Influencing Witnesses**

A student shall not, with intent, deter a witness from testifying freely, fully, and truthfully to any matter pending in any disciplinary hearing or in any administrative proceeding, communicate directly or indirectly to such witness, any threat of injury or damage to the person, property, or employment of any relative of the witness or who offers or delivers any benefit, reward, or consideration to such witness or to a relative of the witness.

**7.10 Participation in Gang Activity**

No student shall actively participate in any gang with knowledge that its members engage in or have engaged in a pattern of gang activity to include gang signs and gang paraphernalia and who willfully promotes, furthers, or assists in any criminal conduct or violation of school rules.

**7.11 False Report of Inappropriate Behavior by School Personnel**

No student shall falsify, misrepresent, omit, or erroneously report information regarding instances of alleged inappropriate behavior by a teacher, administrator or other school employee towards a student.

## **OFFENSES INVOLVING DAMAGE TO PROPERTY**

### **8.01 Damage to School Property**

A student commits the offense of damage to school property when he/she marks, destroys, damages, or defaces school property. School property shall include, but is not be limited to textbooks, library books, reference materials, desks, lockers, athletic equipment, and school facilities. Students may be disciplined hereunder if this offense occurs during and/or after school hours.

### **8.02 Damage to Private Property**

A student shall not damage, destroy, mark, or deface the personal property of other students or school personnel. A student may also be disciplined hereunder if the offense occurs during and/or after school hours.

### **8.03 Unauthorized Entry**

A student commits the offense of unauthorized entry when he/she knowingly and without authority enters the locker or desk of another person or into any part of any vehicle for an unlawful purpose.

## **OFFENSES INVOLVING ATTEMPT, SOLICITATION AND CONSPIRACY**

### **9.01 Party to an Offense**

Every student concerned in the commission of an offense of the Student Behavior Code is a party thereto and may be charged with the offense. A student is concerned in the commission of an offense only if he/she: (1) Directly commits the offense; (2) Intentionally causes some other person to commit the crime under such circumstances that the other person is not guilty of any offense in fact; (3) Intentionally aids or abets in the commission of the offense; or (4) Intentionally incites, advises, encourages, hires, counsels, or procures another to commit the offense.

### **9.02 Attempt**

A student commits the offense of attempt when, with intent to commit a specific offense, he/she performs any act which constitutes a substantial step toward the commission of that offense.

### **9.03 Solicitation**

A student commits the offense of solicitation when he/she solicits, requests, commands, importunes, or otherwise attempts to cause the other person to engage in conduct which would constitute an offense under or be a violation of the Harris County Student Behavior Code.

### **9.04 Conspiracy**

A student commits the offense of conspiracy when he/she together with one or more persons conspires to commit any offense and any one or more of such persons does any overt act to affect the object of the conspiracy.

## **OFFENSES INVOLVING ACADEMIC ACHIEVEMENT**

### **10.01 Academic Achievement**

A student shall make a reasonable effort toward academic achievement and progress.

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Refusal or failure to make a reasonable effort toward academic achievement and progress shall constitute an offense hereunder.

### **10.02 Completion of Assignments**

A student shall complete all classes and homework assignments. Continued or repeated refusal or failure to complete such class or homework assignments shall constitute an offense hereunder.

### **10.03 Disruptive Conduct**

No student shall conduct himself/herself or behave in any manner which is disruptive to the orderly educational process in a classroom or other school setting.

### **10.04 Cheating**

A student shall not cheat on tests, examinations, projects, homework, or reports by giving or receiving unauthorized assistance.

### **10.05 Unexcused Absences and Tardiness**

A student shall not be unlawfully absent from school, cut or skip any class, be tardy, or leave the school during the school day without permission from a school official. Students must comply with compulsory attendance as required under Georgia Law Code Section §20-2-609.1 which requires that students between the age of six and sixteen must be enrolled and attend a public school, private school, or home study program.

## **OFFENSES INVOLVING COMMUNICATION WITH OTHERS**

### **11.01 Rude or Disrespectful Behavior**

A student shall at all times show respect for all school officials and shall not talk back to, argue with, or in any manner, whether by tone of voice, action or use of words, be disrespectful to a school official.

### **11.02 Use of Profane or Obscene Language**

No student shall use profane, vulgar or obscene words, gestures, or other actions to any other student or school personnel or towards any person attending a school-related function.

## **OFFENSES INVOLVING MISCELLANEOUS MATTERS**

### **12.01 Inappropriate Display of Affection**

A student shall not engage in any inappropriate display of affection with another student to include but is not limited to holding hands, kissing, or embracing.

### **12.02 Criminal Conduct**

A student shall not violate any of the criminal laws of the State of Georgia not otherwise defined in this Disciplinary Code.

### **12.03 Electronic Devices**

During the academic day, students shall not use personal electronic communication devices, except for health or other unusual reasons which have been approved by



an administrator. The definition for electronic devices includes, but is not limited to cell phones, pagers, audible radios, tape or compact disc players, or any electronic device that might interfere with instruction. These devices are prohibited during the operation of a school bus. Any electronic device that might interfere with school bus communications equipment or the drivers' operation of the school bus is prohibited. Electronic signaling devices shall be turned off during class time and at any other time directed by an administrator or instructional personnel. If disruption occurs, the employee may direct the student to turn off the device and/or confiscate the device until the end of the class period, school day, or activity or at the discretion of the school administration. A fine may be assessed.

#### **12.04 Gambling**

No student shall gamble or solicit others to gamble. Gambling shall include, but is not limited to, betting on any event, shooting dice, matching, or playing poker or other games of chance. No student shall solicit, offer to buy, sell, trade, or arrange for the purchase of lottery tickets sold by the State of Georgia.

#### **12.05a Other Conduct**

Students shall be prohibited from using mirrors, lasers, flash cameras, or any other lights or reflective devices in a manner that might interfere with a school bus driver's operation of the school bus.

**12.05b** Any conduct not specifically provided for herein which operates to the prejudice of the good order and discipline of the schools of Harris County shall constitute an offense hereunder for which disciplinary action may be taken.

#### **12.06 Other Policies**

Violation of any other policies of the Harris County Board of Education shall constitute an offense hereunder, for which disciplinary action may be taken.

#### **12.07 Disruption of Educational Climate**

A student who has been arrested, charged, or convicted of a felony, whether as a juvenile or an adult, or arrested, charged, or convicted of a violation of the Georgia Controlled Substances Act and whose continued presence at school is reasonably certain to endanger other students or school official or to cause a substantial disruption to the educational climate may be disciplined hereunder.

#### **12.08 Outside Conduct**

A student who commits any act or exhibits conduct outside of school hours or away from school which may adversely affect the educational process or endanger the health, property, safety, morals, or well-being of other students, teachers, or employees within the school system may be disciplined hereunder.

#### **12.09 Chronic Misbehavior**

A student commits the offense of chronic misbehavior when the student engages in repeated, continued, habitual acts of misconduct or violation of a behavior contract developed to address misconduct which acts, when considered together (a) are reflective of a defiance of school authority, (b) significantly interfere with the learning opportunities of fellow students, or (c) are indicative of an abandonment or disregard of educational opportunities available to the student. Students who violate behavior management contracts may be disciplined hereunder Willful and

persistent violations of the Student Behavior Code of Conduct may be disciplined hereunder.

### **12.10 Reckless Conduct**

A student commits the offense of reckless conduct when the student causes bodily harm or endangers the physical safety or the health of another by disregarding a substantial or unjustifiable risk that the student's conduct will cause harm or endanger another. Such reckless conduct includes but is not limited to such conduct as throwing objects, propelling objects with a rubber band, spitting, transmitting bodily fluids or excessive horseplay.

## **OFFENSES INVOLVING SCHOOL TEACHERS, ADMINISTRATORS, OTHER SCHOOL PERSONNEL AND BUS DRIVERS**

### **13.01 Physical Violence of an Insulting or Provoking Nature to School Personnel**

No student shall commit any act of physical violence against any teacher, administrator, other school employee, or bus driver employed by the Harris County Board of Education. Physical violence in this offense is defined as intentionally making physical contact in an insulting or provoking nature with the person of a teacher, administrator, school employee or bus driver.

### **13.02 Physical Violence Causing Physical Harm to School Personnel**

No student shall commit any act of physical violence against any teacher, administrator, other school personnel employee, or bus driver employed by the Harris County Board of Education. Physical violence in this offense is defined as intentionally making physical contact which causes physical harm to another unless such physical contact or harm were in defense of himself or herself.

### **13.03 Threat of Physical Violence to School Personnel with policy listed below:**

No student shall offer to commit or threaten to commit any act of physical violence against any teacher, administrator, other school personnel employee, or bus driver employed by the Harris County Board of Education.

## **OFFENSES INVOLVING SEXUAL MISCONDUCT**

### **14.01 Sexual Harassment**

A student commits sexual harassment when he/she engages in unwelcome and/or uninvited sexual conduct that creates an uncomfortable environment for a student. Sexual harassment may include, but is not limited to, unwelcome sexual advances, touching of a sexual nature, graffiti of a sexual picture, displaying or distributing of sexually explicit drawings, pictures, and written materials, sexual gestures, sexual or "dirty" jokes, pressure for sexual favors, touching oneself sexually or talking about one's sexual activity in front of others, spreading rumors about or rating other students as to sexual activity or performance, pinching, hugging, cornering, and kissing or as defined by Title IX of the education amendment of 1972. (See Harris County Board of Education policy GAEB)

### **14.02 Sexual Battery**

A student commits the offense of sexual battery when he/she intentionally makes physical contact with the intimate parts of the body of another person regardless of the consent of that person. The term "intimate parts" means the primary genital area, anus, groin, inner thighs, or buttocks of a male or female

and the breasts of a female or as defined by Title IX of the education amendment of 1972. (See Harris County Board of Education policy GAEB).

### **14.03 Sexual Propositions**

No student shall make written, verbal or physical propositions, suggestions, or invitations to another student to engage in sexual acts of any nature.

### **14.04 Public Indecency**

A student commits the offense of public indecency when the student performs any of the following acts: (i) a lewd exposure of the sexual organs or genital area; (ii) a lewd appearance in a state of partial or complete nudity; or (iii) any act suggestive of sexual relations.

### **14.05 Sexually Explicit Material**

A student shall not possess, handle, exercise control over, transmit, exhibit or give access to other students, sell, attempt to sell, buy or attempt to buy (a) any sexually explicit photographs or other material which shows, depicts or represents any person, whether male or female, in a partial or total state of nudity; or (b) any photographs or other material which is lewd, obscene, or sexually suggestive in nature.

### **14.06 Sexual Relations**

A student shall not engage in any act of oral sex, sexual intercourse, sodomy, or any other sexual act with another person regardless of the consent of that person; and no student shall engage in any act of masturbation or commit any act of physical sexual assault to include rape or child molestation.

## **POLICY STATEMENT**

Administrators, teachers, bus drivers, parents, and students are mutually responsible for maintaining a safe, convenient, and economical school transportation system. The safety of students is the primary concern of the Harris County Board of Education. Eligibility of students to be transported shall be deemed a privilege dependent upon proper conduct and the extension of courtesy and obedience to the bus drivers by all riders at all times.

The Harris County Board of Education requires that students conduct themselves in a manner consistent with established standards for classroom behavior. When infractions of transportation rules occur, which require disciplinary action, students may be temporarily or permanently denied riding privileges depending on the severity of the infraction. The building principal or his/her designee shall administer discipline within the framework of the transportation rules of conduct and the Student Behavior Code of the Harris County School District. Revocation of riding privileges is not an action to be taken lightly. The administrator charged with bus discipline at each building is instructed to work with teachers, students, drivers, and parents to develop the kind of self-discipline that leads to mature responsibility.

## **DEFINITIONS**

### **1. APPROPRIATE CONDUCT**

Students who have the opportunity to ride district school buses may do so as long as they display behavior that is reasonable and safe. Each transported student has the right to a safe and enjoyable ride to and from school that is free from intimidation,

threat, or harassment. Choosing to follow unacceptable behavior will result in loss

of bus service. The bus driver is responsible for the safety and discipline of students on the bus. The building principal will give assistance to the driver and will determine the class and consequences of misbehavior and the reinstatement of bus service for the offending students should a suspension become necessary. A suspension applies to all buses. Revocation of bus riding privileges is not considered an exclusion, expulsion, or suspension from school.

All transported students must maintain appropriate conduct while waiting for the school bus and while traveling to and from school in order to ensure a safe and enjoyable ride for all students. Student behavior guidelines apply to all transported students while on the school bus and while in school bus loading or unloading areas. Each student, and his/her parents, or guardians, is responsible for the behavior of that student while on the school bus and in school bus loading or unloading areas (including stop locations).

Because all possible violations cannot be predicted, any not spoken to will be evaluated on a case-by-case basis. If a student commits offenses of different classes during the same incident, the consequences associated with the more serious class of offense will be applied.

Loss of transportation for the remainder of the year is classified as a minimum of 60 school days. If there is less than 60 school days left, the suspension will carry over to the next year.

## **REGULATIONS**

### **1. RIDING A DIFFERENT BUS OR PICK UP AT NON-SCHEDULED STOP**

Parents/Guardians should not request that a child be allowed to ride a bus on which he/she is not regularly assigned except in emergency situations. If a parent/guardian wishes for his/her child(ren) to ride a bus other than the regular method of transportation, the parent/guardian must complete the following:

The student must have a permission slip signed by a parent and an administrator stating that the student has the parent's permission to ride the different bus. The request must be pre-approved by transportation prior to boarding the bus. The permission slip must be presented to the driver with administrator's signature. Bus assignments are made by the Transportation Department after a transportation request has been submitted by the student's school. If a student has a change of address during the school year, then the school office should be notified so the student can be assigned a new bus. A revised transportation request form should be submitted by the parent to the school. The school will forward the request after verifying the information is accurate to the transportation department for bus assignment.

### **2. BUS STOPS**

Bus stops are established at various locations throughout the county. Parents should see that their children arrive at the designated bus stop at least five minutes prior to the scheduled pickup time to avoid missing the bus. Parents are reminded that responsibility for the supervision of their children between the

home and the bus stop, and while waiting for the bus arrival, rests with the parent or legal guardian. The principal, and/or designee, is primarily responsible for supervising the orderly loading and unloading of pupils at each school, according to state regulations.

### **3. USE OF DIGITAL RECORDINGS**

School bus digital recordings may be viewed by the Harris County School System transportation staff, the building level principal (and/or designees), and school resource officer or other appropriate law enforcement agency representatives as a means for protecting the safety of students and enabling administrators to ensure that bus rules are enforced in a consistent manner. Parents are not allowed to view the audio/video due to data privacy laws. The building principal may use audio/videotape recordings to assist in determining whether the incident occurred and if so, the severity of the incident. Audio/videotape recordings revealing unlawful actions may be brought to the attention of law enforcement agencies. Recordings are routinely written over unless school officials have reason to view the recording.

### **4. BUS DRIVER READINESS**

Safety is of prime importance for students as they are transported to and from school. Safety depends upon the alertness of bus drivers and the good conduct and courtesy of students being transported. In order to assist the bus driver in making every trip a safe trip, students should be aware of the guidelines that follow:

- (a) Students should not talk to the driver except in emergencies. Students shall not engage in any activity that might divert the driver's attention and cause an accident.
- (b) Students should help keep the bus clean by picking up any trash that is dropped. Students should help keep the bus free of damage. Reports shall be made promptly to the driver if any damage is done to the bus. Persons causing damage shall be expected to defray its full cost.
- (c) Students shall follow driver directions the first time they are given.
- (d) Students shall keep hands, feet and objects to themselves.
- (e) Students shall stay in the seat with feet on floor while the bus is in motion.
- (f) Students will use only the designated bus stop and the bus assigned to them. Any changes require parental permission and the transportation's department and principal's approvals.
- (g) Students shall arrive at the bus stop at least five minutes before the bus is due. Students shall behave in an orderly manner at the bus stop.
- (h) If a student assists another student in violating any school rule, they will be disciplined and may be subject to suspension or expulsion.

### **5. GENERAL BUS RULES**

Harris County Board of Education rules, violations, and consequences include, but are not limited to, the following:

- Students should be at the bus stop 5 minutes before the bus arrives, waiting in a safe place, clear of traffic and 12 feet from where the bus stops.
- Students will cross the roadway from the left side in front of the bus or from the right side (door side) after the bus has stopped, RED student

lights are activated, crossing gate and stop arm are extended. Students must look at the driver for a hand signal to cross the road, and then students look in both directions for traffic. All students must wait for a hand signal from driver prior to approaching a bus either from left side or from right side. Students must not utilize an electronic device including headphones during loading or unloading to allow them to hear the bus horn or driver should danger be present.

- Students should never pick up a dropped item near or under the bus without failsafe clearance from the driver for them to retrieve. The bus must be locked down prior to this action.
- Students will not eat, drink, chew gum, or bring tobacco, alcohol, drugs, or any controlled substances on the bus (exception: food and drinks may be approved during lengthy field trips when additional supervision is present).
- Students will be totally silent at railroad crossings, during loading/unloading and inclement weather.
- Students will remain seated until time to get off the bus. The open door at their designated stop is the signal to get up from the bus seat and approach door for exiting.
- Students must provide a written note, signed by a parent or guardian and approved by school administrator. The request must be approved by transportation giving permission to ride a different bus or to get on or off at a different stop location.
- Students should assist the driver in keeping their bus clean and in good condition.
- All school building rules and procedures apply on the school bus and bus stops as well.
- It is preferred that all students between grades Pre-K and 8th grade be accompanied by an adult at bus stops. An adult must be present and seen by the driver prior to dropping an elementary student at their designated bus stop in the afternoon. If no adult is present, the elementary student will be returned to the school unless prior arrangements have been made with the school. No student under eight (8) years of age will be allowed to get off the bus at the designated stop without adult supervision unless the parent has submitted a written request to the school and the school's principal has approved the request.

## **6. VIOLATIONS AND CONSEQUENCES**

### **LEVEL I VIOLATIONS**

1. Blocking the school bus aisle
2. Bothering (poking, pushing, annoying) other bus riders
3. Eating or drinking on bus
4. Leaving or discarding trash or other debris on the bus(littering)

5. Not meeting or exiting the bus promptly
6. Possession of CD/player, radio, iPods, or any other electronic devices.
7. Use of cell phones including texting or gaming is prohibited unless with the use of headphones/earbuds
8. Riding unassigned bus without permission or using unassigned bus stop
9. Dress Code Violation
10. Other misbehavior

## **LEVEL I CONSEQUENCES**

Consequences for Level I offenses may include but not be limited to warning, parent conference, loss of privilege, suspension from bus and/or restitution. Level I consequences shall be progressive in nature.

## **LEVEL II VIOLATIONS**

1. Excessive horseplay (mischief) shouting, yelling, screaming, or excessive noise
2. Unacceptable language or gestures
3. Failure to cross twelve feet in front of the bus
4. Leaving seat/standing while bus is in motion
5. Tripping or pushing a student at, on, or near the school bus including bus stops
6. Extending head, arms, or legs out of window of the bus
7. False identification/refusal of student to provide name to driver
8. Occupying more space in a seat than is needed, and refusing to allow another passenger to sit down
9. Pushing/shoving another student at, on, or near a bus
10. Tampering with driver's area components and emergency equipment including lighting system, radio, video equipment and fire extinguisher
11. Tampering with the property of others, vandalism, or willful damage of the school bus or property of others (restitution will be made)
12. Public display of affection
13. Unacceptable language or gestures
14. Open opposition and defiance of the bus driver—argumentative/insubordinate/disrespectful behavior
15. Failure to follow the driver's instructions
16. Riding while under suspension from transportation
17. Theft or robbery
18. Any safety issues (Ex. chasing, or running beside, a moving bus; Holding onto/or attempting to hold onto any portion of the exterior of the bus)
19. Making false accusations against the bus driver
20. Throwing or shooting an object(s), in the bus, out of the bus window, or at the bus driver (10-day suspension minimum)

## **LEVEL II CONSEQUENCES**

Consequences for Level II offenses may include but not be limited to warning, parent conference, loss of privilege, suspension from bus (up to 10 days), restitution, and/or referral for long-term suspension from the bus. Level II consequences shall be progressive in nature. Some Level II Violations may result in an automatic 10-day suspension.

## **LEVEL III VIOLATIONS**

1. All incidents involving the police
2. Fighting (5 day in-school and 5 day out-of-school suspension minimum)

3. Assault (verbal/physical) or threat of assault on the school bus driver (i.e. cursing the driver)
3. Opening any emergency exit, or exiting or attempting to exit, from a moving school bus
4. Sexual harassment in any form including, but not limited to words, gestures, actions, unacceptable sexual conduct, or indecent exposure
5. Using or possessing alcohol, tobacco, non-prescription drugs, or paraphernalia
6. Participating in or contributing to harmful trends or "crazes" (smoking Smarties, choking games, sexting, etc.)
7. Possession of a handgun, knife, other weapon, ammunition, or replica/look-a-like weapon
8. Possession or ignition of any type of fire, matches, lighters, or detonation of a pyrotechnic device on the school bus

### LEVEL III CONSEQUENCES

Consequences for Level III offenses may include but not be limited to parent conference, long-term suspension from bus (10 days or more), suspension from bus for remainder of semester or school year and/or restitution. Level III consequences shall be progressive in nature.

### MANDATORY SUSPENSION PROCEDURES

*Suspensions may begin the afternoon route of the same day. Parents must make arrangements to pick up children in the afternoon.*

## 7. PROCEDURES FOR ALL LEVEL VIOLATIONS

**A. Warning to student**--When inappropriate behavior occurs, the driver shall initially attempt various forms of intervention with the student, depending on the severity of the behavior. This may include talking to the student, changing the student's seat assignment, or other forms of intervention. The driver shall also begin developing a case history of repeated inappropriate behavior including dates of incidents.

**B. Begin Referral Process**--If warnings fail to resolve the situation, the driver shall send a "Harris County Bus Disciplinary Referral" to the student's school administrator. This notice shall contain information regarding the inappropriate behavior. The school administrator will consider the appropriate violation class and action. The school administrator will send the appropriate copies to notify the parents/guardians, the driver, and transportation office of the action taken. If a student's riding privileges are suspended, the school administrator or his/her designee will also contact the parents/guardians to notify them of the action taken. The school administrator may require a conference with the student, parents/guardians, driver, and/or transportation department's director.

**8. MANDATORY SUSPENSION PROCEDURES**--Suspensions may begin the afternoon route of the same day. Parents must make arrangements to pick up children in the afternoon. If a student is suspended from one school bus, he/she is suspended from all other buses as well. **A school bus suspension is not an excused absence from school.** Students will be expected to be at school each day of their bus suspension.



**9. INVESTIGATION OF PUPIL MISCONDUCT**--Since we cannot predict all possible violations, any violation not addressed will be evaluated on a case-by-case process. The school administrator will determine the class of the violation. The principal or his/her designee is primarily responsible for investigating behavior problems, which occur while the pupils are at the bus stop and en route to and from school. The principal or designees may conduct an investigation of the pupil or pupils involved in the bus problems and, if necessary, the bus driver. If a student commits offenses of different classes during the same incident, the consequences associated with the more serious class of offense will be applied. *If you have any questions, concerns, or complaints about bus discipline, call your child's school.*

**10. SPECIAL CIRCUMSTANCES**--Bus riding privileges can be **suspended at any time** at the discretion of the school level administrator and/or his/her

designee. The violations/consequences offer a standardized outline for administrators to follow. When determined by the school level administrator or designee, riding privileges can be **revoked at any time** for chronic or serious offenses. Offenses not listed will be handled on a case-by-case basis.

## **G. DISCIPLINARY PROTOCOL**

Upon the violation of any of the foregoing offenses, the disciplinary procedures set forth in Policy JDD-Student Suspension/Expulsion/Due Process, and EDCB-Bus Discipline Process will be followed.

## **H. SPECIAL EDUCATION**

Special education students with "Individualized Educational Plans" (I.E.P.) concerning appropriate punishment will be disciplined consistent with their I.E.P.'s; the safety and welfare of the other students, employees, patrons, and the protection and security of the school facility will be considered. In addition, for children in grade five and under, the elementary principal may reduce the severity of the punishment based on mitigating circumstances; however, the safety and welfare of the other students, employees, patrons, and the protection and security of the school facility will be considered.

## **I. DEFINITIONS OF DISCIPLINARY ACTIONS**

- **Expulsion** - Expulsion shall mean the denial to the student of the privilege of continuing in school beyond the current school quarter or semester. (O.C.G.A. §20-2-751).
- **Suspension-** (Short-term suspension) - a short-term suspension shall mean the denial to a student of the right to attend school and take part in any school function for a period not exceeding ten (10) school days. (O.C.G.A. §20-2-751)
- **Long-Term Suspension-** Long-term suspension shall mean denial to a student of the right to attend school and take part in any school function for any period of more than ten (10) school days but not beyond the current school quarter or semester. (O.C.G.A. §20-2-751)

- **In-School Suspension** - removal of the student from all classes and school-sponsored activities during the school day by the administration. If the student denies the charges, the principal shall explain to the student the evidence known to the school authorities, and permit the student the opportunity to state his/her version of the facts and call witnesses to either sustain or oppose the charges to include after-school.
- **Corporal Punishment** – if allowed, physical punishment by the principal or his/her designee. If administered, it must be in good faith and must not be excessive or unduly severe. It must be administered in conformity with regulations set forth by the Harris County Board of Education and Georgia law.
- **Detention** - a requirement that the student report to a specified school location and to a designated teacher or school official to make up work missed or to receive specific instruction in behavior modification. Detention may require the student's attendance before school, after school, on Saturday, or during scheduled class or school activity time if school officials deem removal of the student from his/her regular school schedule essential to the well-being of the student or school.
- **Bus Suspension**- removal of a student from all Harris County School System transportation facilities for a designated period of time not to exceed ten (10) school days.
- **Student Probation**- student has been informed that future occurrences of rule violations will result in further punishment for past conduct. A student may be placed on probation for a trial period by the school principal with conditions for release from probation set by the principal following conferences with relevant school personnel and the student's parents or guardian.
- **Educational Writing**- students may be given a written assignment related to the subject area in violation, general school discipline, specific violation or school rules, or may be required to submit a plan in writing of how he/she may correct his/her behavior.

## J. MANDATORY PUNISHMENTS

1. A student found to have violated Section **4.01 Weapons, Dangerous Instruments, or Explosive Compounds** by possessing a firearm as defined by 18 USC 921 shall be expelled from the Harris County Board of Education for a period of not less than one (1) calendar year. On a case-by-case basis, a disciplinary hearing tribunal and/or the Superintendent is authorized to place a student determined to have brought a firearm to school in the Harris County School District's Educational Opportunity Center if extenuating circumstances are found to exist.

2. Bullying- Any student in grades 6 - 12 who has committed and been punished twice for the offense of bullying as defined in Section 1.09 Bullying and who is alleged to have committed a third act of bullying within a school year shall be referred to a hearing before a disciplinary hearing tribunal . If the student is found

guilty by the tribunal of the offense of bullying, the student may be assigned to the Harris County School District's Educational Opportunity Center for such time as the tribunal deems appropriate. This shall not prohibit the expulsion or long-term suspension of the student. A student may also, at the discretion of the school administration, be referred to a disciplinary hearing tribunal for a first or second offense of bullying. Administration may apply age appropriate guidelines.

3. Students found by a tribunal to have committed any act of physical violence against a teacher, school bus driver, or any other school official or employee will be subject to a tribunal hearing. Any student alleged to have committed an act of physical violence shall be suspended pending the hearing by the tribunal.

If a student is found to have engaged in physical acts of violence defined as intentionally making physical contact of an insulting or provoking nature with the person or another, including teachers, school bus drivers, or other school official or employee; or intentionally making physical contact which causes physical harm to another unless such physical contacts or physical harms were in defense of himself or herself, the student shall be suspended pending a hearing by a tribunal. The tribunal shall determine all issues of fact and intent and shall submit its findings and recommendations to the local school board for imposition of punishment. If appropriate, the tribunal's recommendations shall include a recommendation as to whether the student may return to public school and the time for the student's return to public school. The local school board has the discretion to follow the recommendation of the tribunal or to impose other penalties not recommended by the tribunal.

A student who is found guilty of an act of physical violence against a teacher, school bus driver, school official, or school employee shall be expelled from the public school system. The expulsion shall be for the remainder of the student's eligibility to attend public school pursuant to Code Section 20-2-150. The Harris County School Board, at its discretion, may permit the student to attend the Educational Opportunity Center.

## **K. STUDENT SUPPORT PROCESSES**

The Harris County Board of Education provides a variety of resources which are available at every school within the district to help address student behavioral problems. The school discipline process will include appropriate consideration of support processes to help students resolve such problems. These resources include Student Support Teams, school counselors, and behavior contracts/chronic disciplinary problem student plans.

## **L. PARENTAL INVOLVEMENT**

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

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

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

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

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

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

## **M. PROTOCOL AND MANDATORY PUNISHMENTS FOR OFFENSES AGAINST SCHOOL PERSONNEL**

**1. Procedure** - Any student who has alleged to have committed any act of physical violence as defined in Section 13.01 and 13.02 against a teacher, school administrator, or other school official or employee, or school bus driver shall be referred to a disciplinary hearing tribunal of the Harris County Board of Education. The students alleged to have committed such act of physical violence shall be suspended out of school pending a hearing by the tribunal. The tribunal will be composed of three teachers or certified education personnel appointed according to Board policy. The

tribunal shall determine all issues of fact and intent and shall submit findings and recommendations to the Harris County Board of Education for imposition of punishment if the student is found guilty of the charges. The tribunal's recommendations shall include a recommendation as to whether the student may return to the public school and if return is recommended, the recommended time for the student's return to Harris County Schools. The Harris County Board of Education may follow the recommendation of the tribunal or it may impose penalties not recommended by the tribunal regardless of whether such penalties may be harsher and not recommended.

**2. Punishment for Violation of 13.01** - Any student who is found by a tribunal to have committed an act of physical violence by intentionally making physical contact of an insulting or provoking nature against a teacher, administrator, school personnel or employee, or bus driver as defined in Section 13.01 may be disciplined by expulsion, long term suspension or short term suspension as those terms are defined in the Official Code of Georgia and Harris County Board of Education Policies.

**3. Punishment for Violation of 13.02** - A student found by a tribunal to have committed an act of physical violence by making physical contact which causes physical harm as defined in Section 13.02 against a teacher, administrator, school personnel or employee, or bus driver shall be expelled from the Harris County Schools. The expulsion shall be for the remainder of the student's eligibility to attend public schools pursuant to O.C.G.A. §20-2-150. The Harris County Board of Education, at its discretion, may permit the student to attend an alternative school program for the period of the student's expulsion. If the student who commits an act of violence by making physical contact which causes physical harm as defined in 13.02 is in Kindergarten through grade 8, then the Harris County Board of Education, at its discretion, and on the recommendation of the tribunal may permit such student to re-enroll in the regular public school program for grades 9 through 12. If Harris County Board of Education does not operate an alternative education program for students in Kindergarten through grade 6, the Harris County Board of Education, as its discretion, may permit a student in Kindergarten through grade 6 who has committed an act of physical violence against a teacher, administrator, school personnel or employee, or bus driver as defined in 13.02 to re-enroll in the public school system.

**4. Juvenile Court Referral**— Any student found by a tribunal to have committed an act of physical violence as defined in Section 13.01 or 13.02 against a teacher, administrator, school personnel or employee, or bus driver shall be referred to Juvenile Court with a request for a petition alleging delinquent behavior.

*NOTE: The State of Georgia has moved the Georgia Code. This new environment no longer allows us to link directly to the Georgia Code. For example enter 20-02-0211 in the search window and the Georgia Code will appear.*

<b>Georgia Code</b>	<b>Description</b>
O.C.G.A. 20-02-1126	Written policies and procedures for operation of school buses; receipt of code of conduct by students; acknowledgement by parent or guardian.
O.C.G.A. 20-02-0751.4	Policies prohibiting bullying; assignment to alternative school; notice
O.C.G.A. 20-02-0751.5	Required provisions for student code of conduct
O.C.G.A. 20-02-0751.7	Student reporting of inappropriate behavior by teacher/staff
O.C.G.A. 16-11-0037	Terroristic threats and acts; penalties
O.C.G.A. 20-02-0735	Adoption of policies by LBOEs to improve student learning environment
O.C.G.A. 20-02-0736	Student codes of conduct; distribution
O.C.G.A. 20-02-0737	Reports by teacher of violations of student code of conduct; parental notice
O.C.G.A. 20-02-0738	Authority of teacher to remove student from classroom; procedures
Rule 160-4-8-15	Student Discipline

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.



## **Harris County School District Attendance Protocol**

Harris County School District  
132 Barnes Mill Road  
Hamilton, Georgia 31811

Dr. Justin Finney, Superintendent

Judge Arthur L. Smith, III, Chief Superior Court Judge

## **Attendance Protocol Committee**

Superintendent, Harris County School District

Chairperson: Chief Judge, Chattahoochee Judicial Circuit

The Attendance Protocol Committee will consist of representatives  
from the following agencies/organizations:

Juvenile Court, Chattahoochee Judicial Circuit

Harris County Board of Education, Elected Official

Harris County Magistrate Court

Harris County Superior Court

Harris County Probate Court

Department of Juvenile Justice

Office of the District Attorney

Harris County Sheriff's Office

West Point Police Department

Waverly Hall Police Department

Hamilton Police Department

Shiloh Police Department

Pine Mountain Police Department

Harris County School District, Central Office

Harris County High School

Harris County Carver Middle School

Educational Opportunity Center

Creekside Intermediate School

Mulberry Creek Elementary School

New Mountain Hill Elementary School

Park Elementary School

Pine Ridge Elementary School

Harris County Family Connection

New Horizons Community Services Board

Department of Family and Children Services

Harris County Commissioner's Office

F.O.C.U.S.



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## **Harris County School District Student Attendance Protocol**

### **Purpose**

The citizens of Harris County recognize the relationship between daily school attendance, student performance, graduation, and habits in the workplace. It is acknowledged that the amount of time actually spent in class is a good measure of a student's academic success. Each tardy or absence means a student has lost an opportunity to learn.

In order to address truancy and attendance, Georgia law 20-2-690.2 requires that communities and schools work together to address truancy through the recommendations of a local Student Attendance Protocol Committee. This committee's responsibilities include:

- Ensuring the coordination and cooperation among officials, agencies and programs involved in compulsory attendance issues;
- Reducing the number of unexcused absences from school; and
- Increasing the percentage of students who take tests required by state law.

The student attendance protocol is written as required by the State of Georgia 20-2-690.2 in an attempt to improve student attendance through the utilization of targeted strategies and interventions for reduction of unexcused absences and truancy.

## Operational Authority

The Student Attendance Protocol Committee is authorized under the authority of the Chief Superior Court Judge as defined in O.C.G.A. §20-2-690-.2. Following adoption of this written protocol and the filing of it with the Georgia Department of Education, the committee will meet quarterly during the first year of implementation and twice annually thereafter for the purpose of evaluating compliance, effectiveness, and to modify the protocol as appropriate.

## Definitions of Terms

**Parent** – In this document, the term “parent” refers to the legal parent, guardian, or other person who has control or charge of the student in the public school system.

**Truant** – Any student subject to compulsory attendance who during the school calendar year has more than five days of unexcused absences.

**Tardy to School** – Any student arriving at school following the ringing bell, chime, or other audible signal established by the Principal and intended to indicate the start of the school day. Any student who is on school property but who is not in his or her assigned classroom or other authorized area following the bell, chime, or other audible signal will be considered tardy to school.

**Tardy to Class** – Any student arriving to class following the ringing bell, chime, or other audible signal indicating the beginning of instructional time.

**Excused Tardy** – Being late to school or class due to events beyond a student’s control such as an accident, road closed due to an accident, area power outage, late bus, or other excuses determined by the Principal or designee as acceptable. Documentation is required to excuse a tardy.

**Early Checkout** – Leaving school prior to the end of instructional time and/or the end of the official school day.

**Excused Absences** – Lack of school attendance for the following circumstances, as a minimum:

- When personally ill and when attendance in school would endanger their health or the health of others;
- When in the student’s immediate family (father, mother, legal guardian, sister, brother, grandmother, grandfather, or child), there is a serious illness or death which would reasonably necessitate absence from school;
- On special and recognized religious holidays observed by their faith;
- When mandated by order of governmental agencies or court order, including pre-induction physical examinations for service in the armed forces;
- When prevented from such attendance due to conditions rendering school impossible or hazardous to health or safety;
- When students at least 13 years of age are serving as Pages of the Georgia General Assembly; and
- In order to register to vote or to vote in a public election, not to exceed one day.
- High school juniors and seniors will be allowed two (2) excused days during the course of a school year to visit colleges.

A student whose parent or legal guardian is in military service in the armed forces of the United States or the National Guard, and such parent or legal guardian has been called to duty for or is on leave from overseas deployment to a combat support posting, shall be granted excused absences, up to a maximum of five school days per school year to visit with his/her parent or legal guardian prior to such parent's or legal guardian's deployment or during such parent's or legal guardian's leave. ~O.C.G.A. 20-2-692.1

**Unexcused Absences** – Students who are absent from school without documentation of an approved reason.

**Principal** – In this document, the term “Principal” refers to the head administrator at the school site.

### **Procedures and Consequences for Tardiness**

**Elementary School-** Students who are tardy must sign in at the office upon entering the school. After five (5) counts of unexcused tardies, the teacher will contact the parents/guardians to discuss the importance of students arriving at school time on time. After ten (10) counts of unexcused tardies, the parents/guardians will receive a letter from the principal or his/her designee.

**Creekside Intermediate School-** Students who arrive late to school must sign in at the Student Services Desk where the number of tardies is then documented in Infinite Campus. The following procedures are followed to notify parents/guardians about excessive unexcused tardies:

- Fifth (5<sup>th</sup>) unexcused tardy- The classroom teacher notifies parents/guardians of tardies.
- Tenth (10<sup>th</sup>) unexcused tardy- A letter is sent requesting a mandatory conference with the school's administration team which may include the school counselor, principal, and/or assistant principal.

*Consequences start over each nine weeks of the school year.*

**Harris County Carver Middle School-** An attendance record is kept for each student.

- On the third (3<sup>rd</sup>) unexcused tardy per nine weeks, the grade level counselor will call the parent.
- On the fourth (4<sup>th</sup>) and subsequent unexcused tardy during a nine weeks period, a student will be assigned detention.
- A note from a doctor, dentist, or court official will be the only acceptable excuse for tardiness.

*Consequences start over each nine weeks of the school year.*

**Harris County High School-** Students are to report to the Visitor Liaison desk in the front lobby to check in and receive a pass to class.

- On the third tardy per nine weeks, the grade level counselor will call the parent.
- On the fourth and subsequent tardies during a nine week period, the student will be assigned detention. Failure to report to detention will result in ISS the following school day.

## Consequences for Early Check-Out

Early checkouts for verified emergencies such as serious illnesses, a doctor's appointment or death of immediate family (father, mother, legal guardian, sister, brother, grandmother, grandfather, or child), school sponsored programs, visits to postsecondary schools, serving as pages in the Georgia General Assembly will be excused. Documentation is required to excuse an early dismissal. Records will be kept at each school to document the number of days a student misses due to early checkouts.

Students leaving early or arriving late to class may be counted absent from the class or classes missed if they are not present for the entire instructional period.

Excessive incidents of unexcused early checkouts will be addressed by the school's administration.

High school students missing more than five days in a class may lose credit for the course. See schools' Student Handbook for appeal information.

## Consequences and Notification for Unexcused Absences

**Grades and Absences** – Final student course grades shall not be penalized because of absences if the following conditions are met:

- Absences are excused
- Make up work for absences was completed satisfactorily.

**Parent Notification** – The Harris County School System will provide parents or guardians via the Student Handbook a written summary of possible consequences and penalties for failing to comply with compulsory attendance laws.

By September 1 of each school year or within thirty days of a student's enrollment in the school system, the parents or guardians of each student must sign a statement indicating receipt of school's handbook, which outlines the attendance policy. Students age ten and above must sign receipt of the Student Handbook. Signed copies of statements must be retained through the end of the school year.

Daily electronic telephone message will be generated to the parent of a student's absence.

## Consequences and Penalties for Violation of Compulsory Attendance

The principal or principal's designee will assign consequences and penalties for unexcused absences and/or early checkouts at any time deemed appropriate. Consequences and penalties may include, but are not limited to the following:

The principals must notify the parents/guardian after three unexcused absences and must get a response from the parent. The response may be in the nature of:

- Documented phone call
- Letter from parent
- Return statement on letter that notification has been received
- Documented parent conference

If the parent does not respond after two attempts to notify parent, **a certified letter is sent to the parent with a copy of Harris County Board of Education**

policy JBA, Harris County Board of Education policy, JBD and a copy of O.C.G.A. §20-2-690-.1. The Parent must sign a statement of receipt of the letter/information.

**Upon a student in grades K-8** accumulation of (five) unexcused absences in the school calendar year, a student's counselor will make a referral to the Principal and the Attendance Intervention Committee. Prior to the meeting, the school counselor or other appropriate staff member will notify the parent to attend a meeting with the Attendance Intervention Committee. The committee may consists of the principal, assistant principal, school counselor, teacher. Additional representatives may be called upon to serve as deemed necessary. At the meeting, the parents and the staff will develop interventions and strategies for the improvement of the student's school attendance. The parent and the student will be required to sign an Attendance Contract.

Also upon a student's accumulation of ten unexcused absences, the parent(s) must present themselves to **Attendance Appeals Committee** to explain the reasons for the excessive unexcused absences and their planned solution to the problem. Parent must submit valid (to include doctor's statements) excuses to the Attendance Appeals Committee. The Attendance Appeals Committee may consist of the principal, assistant principal, school counselor, teacher, Juvenile Justice Representative, and HCSD Social Services Representative. Additional representatives may be called upon to serve on the committee as deemed necessary.

The Attendance Appeals Committee will also provide the parents with suggestions/assistance for improving the student's attendance. The committee will discuss Compulsory Attendance Laws and consequences. The Attendance Appeals Committee may refer parent/student to System Social Worker for community resources or to file a complaint through the Office of Juvenile Justice.

Should the parent fail to appear before the Attendance Appeals Committee and does not provide advance notification of absences, a referral will be made to the HCSD Department of Social Services. The HCSD Social Services Representative will make one final attempt to request parents appear before the committee. After one unsuccessful attempt is made, a complaint may be filed with the Office of Juvenile Justice.

Students who accumulate ten or more unexcused absences may receive the following consequence:

- Criminal charges may be filed against the parent. Parents and students will be reported to the proper authorities for truancy and could face a fine of up to \$100.00, imprisonment of up to 30 days, and/ community service.

Note that the ten unexcused absences are cumulative, not necessarily consecutive, absences.

Exception for Suspension – School days missed because of school suspension shall not count as unexcused days for the purpose of determining student truancy.

## **Withdrawal of Students Due to Absenteeism**

The Harris County School System is authorized to withdraw a student for the following reasons:

- Missing more than ten consecutive days of unexcused absences;
- Is no longer subject to compulsory school attendance
- Is not receiving instructional services from the local school system through homebound instruction or instructional services required by the Individual with Disabilities Education Act (IDEA)
- Has been expelled due to a decision rendered in a tribunal hearing

The superintendent or his/her designee shall use his or her best efforts to notify the parents if the school system plans to withdraw such student who is younger than 18 years of age and is not subject to compulsory school attendance laws. The school system is authorized to withdraw a student subject to compulsory attendance only if the local superintendent or his/her designee has determined that the student is no longer a resident of the local school system or is enrolled in a private school or home study program.

### **Monitoring of Attendance**

In order to decrease the number of absences, each school will develop an incentive program that encourages daily on-time attendance. The Principal or his designee will continuously monitor student absenteeism to determine when a student becomes eligible for the notification and consequences as described in this protocol.

The Principal of each school will also review attendance records at the end of each school year for the purpose of identifying students for attendance monitoring at the beginning of the next school year. Students referred to the Attendance Appeals Committee for violation of compulsory attendance during a school year will be considered as an active referral for continued monitoring at the beginning of the following school year.

#### **Appendix Compulsory Attendance Ages**

Every parent, guardian, or other person residing within this state having control or charge of any child or children between their sixth and sixteenth birthdays shall enroll and send such child or children to a public school, a private school, or a home study program that meets the requirements for a public school, a private school, or a home study program; and such child shall be responsible for enrolling in and attending a public school, a private school, or a home study program that meets the requirements for a public school, a private school, or a home study program under such penalty for noncompliance with this subsection as is provided in O.C.G.A. §20-2-690, unless the child's failure to enroll and attend is caused by the child's parent, guardian, or other persons, in which case the parent, guardian, or other person alone shall be responsible; provided, however, that tests and physical exams for military service and the National Guard and such other approved absences shall be excused absences.

#### **Board Policy Descriptor Code: JBA**

The foregoing shall also apply to a child who has been assigned by Harris County

to attend an alternative school The Superintendent in the case of private schools or home study programs and the Superintendent as may be delegated to a visiting teacher and attendance officer in the case of public schools shall have authority and it shall be the Superintendent's duty to file proceedings in court to enforce school attendance laws as set forth in O.C.G.A. §20-2-690.1 Any parent, guardian, or other person residing in this state who has control or charge of a child or children and who shall violate the Georgia Compulsory Attendance law (O.C.G.A. §20-2-690.1) shall then be referred by the Superintendent or designee for prosecution and upon conviction shall be guilty of a misdemeanor and, shall be subject to a 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 court having jurisdiction.

## **Appendix Absences and Excuses**

## **Board Policy Descriptor Code: JBD**

Students shall be in attendance at public schools in accordance with the requirements of the compulsory attendance laws. The requirement by the Harris County Board of Education for K-8 students is one hundred and sixty-five days per year and grades 9-12 is 85 days per block semester. Students in K-8 shall be subject to retention in the student's present grade if the student has sixteen or more unexcused absences of the 180 school days. Students in grades 9-12 shall be subject to retention or lose credit if they have 6 or more unexcused absences per semester.

Children may be temporarily excused from school:

- When personally ill and when attendance in school would endanger their health or the health of others.
- When in their immediate family there is a serious illness or death which would reasonably necessitate absence from school. Per GA Code § 20-2-58.1 (2020), the term "immediate family" means a spouse, child, sibling, or parent or the spouse of a child, sibling, or parent, or grandparent of child.
- On special and recognized religious holidays observed by their faith.
- When mandated by order of governmental agencies (example: pre-induction physical examination for service in armed forces or court order).
- When prevented from such attendance due to conditions rendering attending school impossible or hazardous to their health or safety.
- When they are at least 13 years of age and are serving as Pages of the Georgia General Assembly. They shall be credited as present by the school in which they are enrolled for days missed from school for that purpose.
- In order to vote, not to exceed one day.
- In order to visit with his/her parent prior to the parent's military deployment overseas or during a parent's leave from overseas military deployment. This excused absence is limited to up to five (5) days per school year.

***Parents/Guardians should submit a valid written excuse explaining the reason for the student's absence within three (3) school days of the student's return to school.***

***Harris County Schools will accept no more than five (5) parent written excuses per student per school year. After the fifth (5<sup>th</sup>) parent written excuse, schools will require an Authorized Excused Note (AEN), as detailed in the listing of temporary excused absences above, for the remainder of the school year.***

### **Administrative Regulations for All Absences**

Parents of students in grades K-8th shall receive written notification when a student reaches the 5th unexcused absence. Upon the 10th unexcused absence, a letter will be sent to the parent or guardian requesting a conference. A conference may take place in-person, virtually, or via tele-conference.

An attendance meeting will be held to include the school counselor, appropriate teaching staff, and if applicable, an administrator or his or her designee. Should the parent or guardian fail to respond to the school's request for an attendance conference or if attendance does not improve, a referral may be made to the Social Services Department for intervention.

Parents of students in grades 9-12 shall receive written notification when a student reaches the 3rd unexcused absence. The school will make reasonable effort to schedule a conference before credit is withheld from a student. Upon the 6th unexcused absence, parents and/or students will receive a letter regarding a loss of credit. Students who are subject to the Compulsory Attendance Laws of Georgia may be referred to the Social Services Department for intervention.

Students who have passing grades and meet or exceed the following (K-5 – 16 days), (6-8 – 16 days), (9-12 – 6 days per semester) shall be notified in writing of the loss of credit and/or grade retention. A copy of the appeals process shall be attached to the notice. The notice shall request an immediate conference to discuss the student's attendance.

Each student is required to receive only one set of warning letters and conferences, regardless of the number of violations. Each student is required to receive one letter notifying parents of loss of credit. All other attendance in other subjects shall be included in each letter and discussed at each conference. Schools may exceed the minimum required notifications and conferences.

### **Administrative Regulations for Unexcused Absences**

The principal/principal's designee must notify the parent after five (5) unexcused absences and must get a response from the parent:

- documented phone call
- letter from parent
- return statement on letter that notification has been received
- documented parent conference

If parent does not respond after two (2) attempts to notify parent, a certified letter is sent to parent with a copy of Harris County Board of Education policy JBA, Harris



County Board of Education policy, JBD and a copy of O.C.G.A. §20-2-690.1.

Parent must sign a statement of receipt of information. Child(ren) over ten (10) must also sign a statement of receipt of information.

After two (2) attempts to get signatures pursuant to number 2, the principal must send information out via certified mail (return receipt requested.) Signed copies of statements must be retained through the end of the school year. Parent conference or documented major efforts by the school to conduct a parent conference is required before students who have passing grades will lose credit or be retained for excessive absences. A documented major effort is defined by copies of all required notices and phone contacts (with logs) plus at least one follow-up contact by the Department of Social Services to inform the parent/guardian of the school attendance program. If a student meets all Board approved promotion criteria and exceeds the maximum allowed absences from school due to hardship and/or extenuating circumstances, the following *appeals process* is established:

Each parent/guardian shall request an appeal in writing establishing the reasons for the appeal. This appeal shall be made to the principal within five days after the notification of the maximum allowed absences or during post planning whichever comes first.

The parent/guardian can appeal the decision by the committee to the Superintendent within five (5) days of the ruling. The Superintendent will review the files and hold a hearing with the student and parent(s)/guardian(s). The Superintendent will rule within eight (8) days.\*

\*The following documentation shall be provided by the school for any appeal to the Superintendent:

- Student name, address, age and grade, parents' name(s)
- Student's numerical grades in all subjects and number of credits earned and credits lost due to attendance
- Student's disciplinary information, notice of suspension, etc.
- Dates of all absences (denoting unexcused or excused)
- Copies of all written excuses on file at school.
- Copies of all attendance letters.
- Copies of all HCSD Social Services' referrals and reports.
- Chronological order of all activity by the school that attempted to correct the student's truancy: phone logs, parent conferences, etc.
- Written minutes summarizing the School Appeals Committee ruling and the reasons supporting it.
- Any other information the principal feels relevant to the appeal.

If the parent/guardian or principal is dissatisfied with the Superintendent's decision, an appeal can be made to the Board of Education. The Board of Education will hear the appeal at a regular work session, regular

meeting, or called meeting at their discretion.

The Board of Education will review written records or tapes of previous hearings. The Board of Education will allow each side no more than ten (10) minutes to present oral statements to the Board.

The ruling by the local Board shall be final and shall be made within ten (10) days of the appeal.

***PLEASE SIGN AND RETURN THIS PAGE TO YOUR  
CHILD'S TEACHER***

**Student Behavior Code and Attendance Protocol Agreement**

Parents/Guardians: After reading the contents of the Harris County School District's Student Behavior Code and Attendance Protocol handbook, please make sure that you and your child understand the rules and procedures stated therein.

***Sign the assurance below and only return this page to your child's teacher. Retain the handbook for your informational purposes.***

**Parent/Guardian and Student Assurance**

I have read and understand the contents of the Harris County School District's Student Behavior Code and Attendance Protocol included in this handbook. I have allowed my child to read or read to him/her the rules and procedures therein.

\_\_\_\_\_  
Parent/Guardian's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Date

