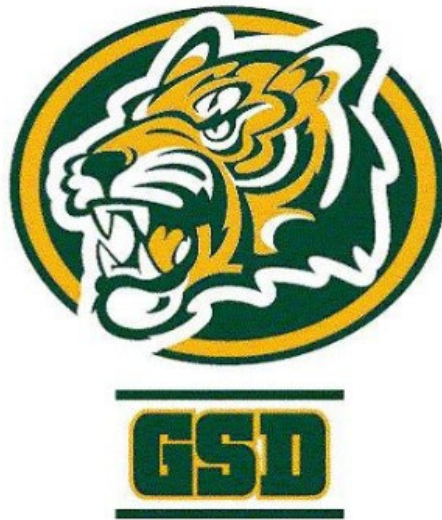


Student Handbook 2024-2025



**Georgia School for the Deaf
232 Perry Farm Rd. SW
Cave Spring, GA 30124
(706)777-2200**

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Dear GSD families,

This Student Handbook is provided to you in effort to communicate what we provide and expect at the Georgia School for the Deaf.

Our Mission Statement

All GSD students will graduate with a positive Deaf identity as bilinguals in American Sign Language and English, and will be prepared to make successful life choices.

GSD Vision Statement

The Georgia School for the Deaf offers high quality educational and extracurricular activities that prepare its graduates for further academic, social and career success. This is achieved in a fully accessible American Sign Language (ASL)/English bilingual environment, which recognizes ASL users as a distinct cultural and linguistic group. This fosters positive self-acceptance and self-esteem, affording each student the ability to effectively navigate the world they encounter beyond their K-12 experience.

Thank you for entrusting your child to us as we travel this journey together as the GSD Family.

Sharion Gooden

Sincerely,

Sharion Gooden, Ed.S.

Superintendent

Contact information	
Sharion Gooden - Superintendent	(706) 777-2249
Jamie Herston- Special Ed Director	(706) 853-8480
Jennifer Sanford – Admin Asst.	(706)777-2249
Bobby Bond- Dorm Director	(706)331-2257
Kathy Barnes- school nurse	(706)331-5844

Georgia School for the Deaf General School Calendar 2024-25



Staff Planning/PL July 25-Aug 6
 Registration Day (8-12) July 27
 Registration Day (PreK-7) August 3
 First Day of School Aug 7
 Labor Day Holiday Sept 2
 Mid-Quarter 1 Sept 6
 End of Quarter 1 Oct 9
 Student Holiday/Staff Planning/PL Oct 11
 Mid-Quarter 2 Nov 8
 Thanksgiving Break Nov 25-29
 End of Quarter 2/Semester 1 Dec 19
 Winter Break Dec 20-Jan 2
 Student Holiday/Staff Planning/PL Jan 3
 100th Day of School Jan 17
 Martin Luther King, Jr Holiday Jan 20
 Mid-Quarter 3 Feb 5
 Student Holiday/Staff Planning/PL Feb 17
 End of Quarter 3 March 11
 Student Holiday/Staff Planning/PL March 28
 Spring Break March 31-April 4
 Mid-Quarter 4 April 18
 Testing Window Apr 21-May 2
 Graduation Day May 20
 End of Q 4/S 2/Last Day of School May 21
 Post planning May 22-30

Month	# Student Days	# Staff Days
July	0	5
August	18	22
September	20	20
October	22	23
November	16	16
December	14	15
January	19	20
February	19	20
March	19	20
April	18	18
May	15	21
Total	180	200

- Teacher Planning
- Partial Staff Day
- GSD Closed
- Special Events on Campus
- End of Mid-Quarter/Quarter
- State Testing

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Q1: 45 days Q3: 45 days
 Q2: 45 days Q4: 45 days
 S1: 90 days S2: 90 days
Total: 180 days

STATE TESTING SCHEDULE

1. GKIDS 2.0

The Georgia Milestones EOC shall be used as the final exam in the courses assessed by an EOC. Georgia Milestones EOC reports shall provide students, parents, and educators with individual scores on each EOC taken; student scores must be recorded on the student report card. The numeric score on the EOC shall count for 20% of the student's final numeric grade in the course assessed by the Georgia Milestones EOC. Students with disabilities shall receive appropriate accommodations based on their needs and the specifications as written in their IEP.

SY2025 GSD Assessment Schedule

July 7-Oct 17	GKIDS 2.0 Readiness Check
July 7-May 11	GKIDS 2.0
August 12-September 13	ASL-EST, BRI, and GLOSS/IKAN assessments
August 12-30	STAR Enterprise Fall Assessments
October 14-18	Georgia Milestones Assessments (EOC and EOG) Fall Benchmarks
January 13-17	STAR Enterprise Winter Assessments (Optional)
January 6-24	BRI mid-year assessments
March 10-14	Georgia Milestones Assessments (EOC and EOG) Spring Benchmarks
April 28-May 9	STAR Enterprise Spring Assessments
April 7-25	ASL-EST, BRI, and GLOSS/IKAN End of Year assessments
March 23-May 1	Georgia Alternate Assessment
April 22-May 2	Georgia Milestones Assessment

Reporting Periods

First Quarter ending 10/9/24
 Second Quarter ending 12/19/24
 Third Quarter ending 3/11/25
 Fourth Quarter ending 5/21/25

Assessments

American Sign Language	ASL-EST	Grades K-12
Computer Adaptive Assessments	STAR Reading	Grades 1-12
	STAR Math	Grades 1-12
Benchmarks for Georgia Milestone Assessments	End of Course (EOC)	American Lit, Algebra I, US History, Biology
	End of Grade (EOG)	ELA and Math-Grades 3-8 Science Grades 5 & 8 Social Studies Grade 8
Diagnostic Reading Assessments	Basic Reading Inventory (BRI)	Grades K-12
Diagnostic Mathematics Assessments	Georgia Numeracy Project Global Strategy Stage Assessment (GloSS) and Individual Knowledge Assessment of Numbers (IKAN)	Grades PK-8 AS NEEDED

GRADING

Progress reports will be sent to legal parents/guardians of students at mid-quarter, and report cards at the end of each quarter. Parents also have access to their student's grades through the Infinite Campus Parent Portal

Pre-K & Kindergarten Report Cards- the following academic letter grading scale will be used:

(S) = Satisfactory (N) = Needs Improvement (U) = Unsatisfactory

First through Twelfth Grade Report Cards- the following academic letter grading scale will be used:

(A) = 90-100 (B) = 80-89 (C) = 70-79 (F) = 69 and below

Grade Point Average (GPA) for high school students will be calculated on a four-point scale:

(A) = 4.0 (B) = 3.0 (C) = 2.0 (F) = 0.0

ABSENCES, ATTENDANCE, AND TARDIES

Compulsory Attendance Law: Every legal parent/guardian of any child between the ages of six (6) and sixteen (16) shall enroll the child in school. All children enrolled for twenty (20) calendar days or more in public school prior to their seventh (7th) birthday shall become subject to the provisions of the compulsory attendance law.

Any legal parent/guardian of a child shall be guilty of a misdemeanor for a violation of the Compulsory Attendance Law upon conviction. The legal parent/guardian of a child shall be subject to fines, imprisonment not to exceed thirty (30) days, community service, or any combination of the penalties at the discretion of a court/judge.

Five (5) unexcused days and beyond require the school-level superintendent/designee to provide written notice to the legal parents/guardians explaining that the absences constitute a separate offense of Georgia's Compulsory School Attendance Law which must be referred to the Juvenile Court by the local education agency (LEA/home school system).

When a student is absent, the legal parent/guardian must submit either a doctor's excuse or a parent note upon the student's return to school.

A parent note must contain the following information:

1. Name of student
2. Date of written excuse
3. Date(s) of absence(s)
4. Phone number of the legal parent/guardian that signed the excuse
5. Reason for absence(s)
6. At least one legal parent/guardian's signature

Georgia law allows for student absences to be excused only for the following reasons:

1. Personal illness
2. Illness in immediate family
3. Death in the family
4. Recognized religious holidays
5. Absences mandated by other government agencies such as a court order
6. Serving as a legislative page (excused and counted as present)
7. Military deployment of a parent

A student can make up missed school assignments for an excused absence. The school-level superintendent/designee will determine options for unexcused absences.

Daily Procedures Related to Absences, Attendance, and Tardiness

- First (1st) period begins at 7:55 a.m. Attendance is taken during the first few minutes.
- Students arriving after 8:00 a.m. (other than those caused by LEA-provided transportation issues) will be counted tardy and must have a pass from Jennifer Sanford or be sent to her.
- The local education agency’s (LEA/home school system) special education director will be informed of a pattern of late vehicles for student drop off and/or pick up by the LEA.
- Staff must report students they see on campus whose names appear on the absentee list to Jennifer Sanford immediately via text or email.
- To the most practical extent possible and to be proactive, legal parents/guardians should inform Jennifer Sanford of any upcoming student events requiring a student to be absent

Below are requirements regarding how communication to legal parents/guardians and the local education agency’s (LEA/home school system) must be implemented:

TARDIES	COMMUNICATION THAT MUST OCCUR
First and Second Occurrence	At minimum a verbal warning to the student with any other actions required by the school-level superintendent/designee.
Third through Ninth Occurrence	The school-level superintendent/ designee assigns a designated staff member to contact the legal parents/guardians.
Tenth Occurrence and Beyond	The school-level superintendent/designee sends a letter via first-class mail to the legal parents/guardians and copies the special education director of the local education agency’s (LEA/home school system)

ABSENCES	COMMUNICATION THAT MUST OCCUR
Third and Fourth Occurrence	When three (3) and four (4) unexcused absences occur during one (1) semester, the school-level superintendent/designee must provide the legal parents/guardians of the student with a warning letter regarding the possible denial of credit.
Fifth Occurrence and Beyond	When five (5) unexcused absences and more occur during one (1) semester, the school-level superintendent/designee sends a letter via first-class mail to the legal parents/guardians and the student’s local education agency’s (LEA/home school system) special education director with a warning letter regarding the possible denial of credit. The letter must explain that unexcused absences of five (5) days and more shall constitute a separate offense of Georgia’s Compulsory School Attendance Law. A violation of Georgia’s Compulsory School Attendance Law shall be referred to the Juvenile Court by the local education agency’s (LEA/home school system). The Attendance Protocol Committee must meet to discuss the absences, their effect on the student’s learning, supports and interventions, and request for an IEP meeting to be held.

- After the 10th consecutive absence, the student’s placement will be returned to the local education agency (LEA/home school system)
- If the legal parent/guardians provide notice stating that they are withdrawing their child, the school-level special education coordinator will contact the special education director in local education agency (LEA) in which the student resides (home school system) to inform them of the request and to schedule an IEP meeting.

STUDENTS BEING PICKED UP BY ALTERNATE TRANSPORTATION/INDIVIDUALS

The school may not release a student to any person other than legal parents/guardians or individuals they have authorized to pick up the student from school. Parents authorize these individuals during the registration process, and they are entered into Infinite Campus (IC). The legal parent/guardian must notify the school in writing regarding permitting an individual not listed in IC to pick up a student. A picture ID must be presented before the student will be released to any individual other than the legal parents/guardians.

LOCAL EDUCATION AGENCY (LEA/HOME SCHOOL SYSTEM) TRANSPORTATION

Transportation to and from school daily/weekly is the responsibility of the local education agency (LEA).

CAR RIDERS

Car riders must be picked up daily by dismissal time in the Kennard front lobby. For approved after-school activities, the school-level superintendent/designee will collaborate with legal parents/guardians of day students through signed permission forms which include required pick-up time.

STUDENT DRESS CODE

Students will dress and groom themselves in such a way as to reflect neatness, cleanliness, and safety. The school-level superintendent/designee can determine whether any mode of dress or grooming results in a violation of the spirit and/or intent of the dress code. Students in violation of the dress code will be given the opportunity to change into appropriate clothing of their own, or clothing provided by the school.

GSD students will wear approved GSD uniforms each school day except Homegoing days. Exceptions to the dress code may be made for: students with documented need for alternate clothing written into their IEP, students attending job sites (follow the standards and/or dress policy of the employer), students attending CCA/independent students (Homegoing day dress).

Homegoing day dress:

Approved blue jeans or khaki-material pants/capris/shorts with approved sleeved-tops and closed shoes

The following garments are not permitted:

- Leggings, jeggings, gym-type shorts/pants
- Clothing with suggestive or obscene wording, pictures, graphics, or mention of drugs, alcoholic beverages, or tobacco
- Clothing which designates gangs or similar organizations
- Clothing with inflammatory racial, cultural, or religious wording, pictures, or graphics
- Clothing with pictures or wording involving violence or the suggestion of a violent action, weapons, or the advertising of groups that by suggestion of the lyrics of their songs promote violent or inappropriate behavior
- Clothing with rips, tears or holes, or see-through clothing without a base layer (no skin/undergarments may show)
- Hats/caps, headscarves (except for religious reasons and as a hairband)
- Shorts, dresses, and skirts shorter than 3 inches above the knee
- Revealing clothing of any kind
- Tank tops and tops with “spaghetti straps” and/or low armholes

A student may appeal a decision by a staff member regarding a potential violation of the dress code by requesting to meet with the school-level superintendent/designee.

GRADUATION REQUIREMENTS

To earn a high school diploma, students must meet diploma requirements in two areas: courses and credits. Students must complete specific course requirements as outlined by the State Board of Education's Graduation Rule (160-4-2-.48) and must earn at least 23 credit units in the following areas:

- 4 units of English
- 4 units of Science
- 4 units of Mathematics
- 3 units of Social Studies
- 3 units of CTAE and/or Modern Language/ Latin* and/or Fine Arts
- 1 total unit of: Health (0.5 credit) and Physical Education (0.5 credit)
- 4 units of electives

** two units of the same foreign language required to enter a University System of Georgia institution*

Students will be eligible for one of the following types of secondary school credentials:

- High School Diploma – Awarded to students certifying that they have satisfied attendance requirements, unit requirements and the state assessment requirements.
- State-Defined Alternate Diploma – Awarded to students with the most significant cognitive disabilities who were assessed using the Georgia Alternate Assessment (GAA 2.0) and meet other requirements of the State Board Rule.
- Special Education Diploma – Awarded to students with disabilities who have not met the requirements for the High School Diploma or the State-Defined Alternate Diploma but have complete their IEP goals.
- High School Certificate – Awarded to students who have not met the requirements of any diploma.

Students with significant cognitive disabilities who entered the ninth grade for the first time prior to the 2020-2021 school year may graduate and receive a regular high school diploma when the student's IEP team determines that the student has:

- (I) completed an integrated curriculum based on the GPS that includes instruction in Mathematics, English/Language Arts, Science and Social Studies as well as career preparation, self-determination, independent living and personal care to equal a minimum of 23 units of instruction, and
- (II) participated in the GAA during middle school and high school, and
- (III) reached their 22nd birthday OR has transitioned to an employment/education/training setting in which the supports needed are provided by an entity other than the local school system.

Students with significant cognitive disabilities who entered the ninth grade for the first time on or after the 2020-2021 school year may graduate and receive an alternate diploma when the student's IEP team determines that the student has:

- (I) completed an integrated curriculum based on the Georgia Standards of Excellence (GSE) that includes instruction in Mathematics, English/Language Arts, Science and Social Studies as well as career preparation, self-determination, independent living and personal care to equal a minimum of 23 units of instruction, and
- (II) participated in the GAA during middle school and high school, and
- (III) transitioned to an employment/education/training setting in which the supports needed are provided by an entity other than the local school system.

VISITOR ACCESS TO CAMPUS

Legal parents/guardians are welcome on campus for IEP meetings, special events and by appointment. Visits from the public occur only by an approved (through an Activity Request) appointment. Campus tours are scheduled by and at the discretion of the special education director (for prospective students) or the family engagement coordinator (for all other tours).

Georgia law requires that all visitors (except law enforcement officers or other public safety officials in the performance of an emergency) sign in at the designated location, as stated on posted signs, between official starting and dismissal times and to provide a reason for their presence at the school. Once the visitor is signed in and a visitor's pass is issued, a staff member will escort the visitor to the appointment/event location. At no time will visitors be left alone with students.

Any visitor without an approved appointment will be asked to leave the campus. Any person who fails to leave the campus when requested and/or returns to campus after being instructed by staff or law enforcement to leave the campus is trespassing and can face criminal prosecution of a misdemeanor of a high and aggravated nature in accordance with state law.

Any staff member shall have the authority to ask any visitor to explain his or her presence on campus if the person is not accompanied by another staff member or is not wearing a visitor badge. Any person who does not have legitimate need or cause to be on school property and/or who fails to sign-in at the designated location may be in violation of Georgia law and may face criminal prosecution.

PRIMARY RESIDENCE OF A STUDENT

A student's primary residence must be with their legal parents/guardians. If a student's address changes, the legal parents/guardians of the student must notify the school and inform the special education director of the local education agency (LEA-home school system). If a student moves to a different local education agency (LEA/home school system), an IEP meeting must be held.

CLINIC/HEALTH CENTERS

The purpose of the School Nurse is to provide treatment of minor injuries and acute illness (i.e., severe symptoms, usually of rapid onset and short duration) of students. The School Nurse or trained staff may also provide/arrange vision, dental, height, and weight screenings, scoliosis screenings, nutrition evaluations, and other health related assessments for specific age groups during the school year.

Although the School Nurse provides these limited healthcare services, this should never be construed to take the place of the student's doctor or medical provider. Legal parents/guardians of students will be informed anytime a student is treated by the School Nurse and of scheduled screenings and screening results. Upon the nurse's medical decision, legal parents/guardians will be required to come to the school to pick up their child. The School Nurse may recommend seeking further medical attention through their family doctor or chosen medical facility as deemed appropriate. If the school nurse or the school-level superintendent/designee, deems that a student needs emergency medical services, the staff member has the authority to call for an ambulance. The legal parents/guardians of the students will be contacted immediately.

FOOD ALLERGIES AND SPECIAL DIETS

Legal parents/guardians of students must submit the required form completed by the child's doctor clearly listing any food allergies/special diets to the School Nurse. When possible, the Food Services Manager will prepare substitutions; however, the parent must prepare and provide food for students on special diets if the student needs a food supplement beyond the regularly served meals.

MEDICATIONS AT SCHOOL

The School Nurse will provide appropriate control and assistance with the administration of medication.

1. The School Nurse or trained designee will be responsible for administration of medication or assistance to a student in self-administration of medication, documentation of administration of medication, and storage of all medications in a locked cabinet.
2. The legal parents/guardians of students must complete and sign an authorization for administration of any medication at school. For a prescribed medication, a doctor must sign the authorization detailing the medication's name, dosage, and time of administration. The medication will be administered only in accordance with the written instructions from the prescribing doctor. The legal parents/legal guardians shall authorize the School Nurse to correspond directly with the student's doctor as deemed appropriate or necessary. The legal parents/guardians will be contacted if this should occur. Only medical information related to the specific instance will be discussed.
3. Medications and corresponding authorizations must be brought to the school office or School Nurse by a legal parent/guardian or other designated adult. If a legal parent/guardian cannot bring the medication to school, it is the legal parent/guardian's responsibility to notify the school and plan an alternative method of transport.
4. Medications must be in their original containers and have unexpired dates. Prescription medications must be clearly labeled with the doctor's name, medication's name, strength, dosage, date, time for administration, and dispensing pharmacy.
5. The legal parent/guardian is responsible for notifying the School Nurse of medication side effects.
6. A student who has a life-threatening condition (i.e., asthma, diabetes, or allergic reaction) may be granted permission by the School Nurse to carry medication (such as inhaler, glucose tablet, Epi-pen, or internal insulin pump) on his or her person as approved by the student's doctor. Such permission will only be granted in response to a written statement from the student's doctor that such a need exists based on a life-threatening condition, and with a completed and signed authorization from the legal parent/guardian. The documentation will be kept on file in the student's official file and with School Nurse. School staff will be informed on a need-to-know basis.
7. All medications (prescription and over-the-counter medications) require appropriate authorization (legal parent/guardian and/or doctor) for each new school year or whenever there are changes in the student's medication to be administered at school.
8. Any student not complying with this guidance and possessing any medication (prescription or over-the-counter medications) on the school campus shall be subject to disciplinary action.
9. Legal parents/guardians are responsible for unused medication at the end of the school year or when the student leaves a State School.
10. Medical consent forms must be signed by the legal parents/guardians in order for medical services to be given. These forms will be updated each school year. For residential State Schools, in the event medications need to be ordered for a student, a local pharmacy is given the family's medical, billing, and insurance information to open an account. If the pharmacy does not accept the insurance, the medication will be ordered from the pharmacy of the legal parent's/guardian's choice. Except in emergencies, medications will not be ordered until legal parental/guardian consent is obtained. The documentation will be kept on file in the student's official file and the School Nurse's office.

POSITIVE BEHAVIOR INTERVENTIONS AND SUPPORTS (PBIS)

Every student, pre-school through adult, has the right to be educated in a safe, respectful, and welcoming environment. Every educator has the right to teach in an atmosphere free from disruption and obstacles that impede learning. The school environment should be characterized by positive interpersonal relationships among students and between students and staff. To that end, GSD implements a school wide Positive Behavior Intervention and Support (PBIS) program.

PBIS is based on research that indicates that the most effective discipline systems use proactive strategies designed to prevent discipline problems. Before consequences are given, students must first be supported in learning the skills necessary to enhance a positive school climate and avoid negative behavior. This research also shows that there is a strong link between a positive school climate and academic success for all students when students clearly understand behavioral expectations.

Our PBIS Plan includes: teaching positive school rules; implementing a social emotional skills development and enhancement program; positively reinforcing appropriate student behavior; using effective classroom management; providing early intervention and support strategies for misconduct; and appropriate use of logical and meaningful consequences including the use of restorative practices.

Student Expectations

At GSD students are expected to:

Be Respectful! All students are expected to treat all other members of the learning community with respect.

Respect is demonstrated through behavior and communication.

Respect means following directions from adults the first time they ask.

Be Responsible! All students are expected to be responsible for their behavior and learning.

Responsibility means learning from your mistakes.

Responsibility means taking care of your things and your school.

Be Resilient! All students are expected to engage in the learning process.

Resilience means try, try again.

Resilience means paying attention and staying on task.

Resilience means not giving up!

STUDENT CODE OF CONDUCT

The purpose of the student code of conduct is to state the standards for acceptable conduct of students and a continuum of possible consequences for breaches of the code of conduct. All students, regardless of age, are subject to the rules and regulations of the State Schools.

General Overview of the Student Code of Conduct:

All students shall:

1. **Participate fully in the learning process** - Students are to report to school and class on time, attend all regularly scheduled classes, remain in class until excused or dismissed, pay attention to instruction, complete assignments to the best of their ability, and ask for help when needed.
2. **Avoid behavior that impedes the student's learning or impedes the learning of other students** Students should know and avoid the behaviors prohibited by the student code of conduct.
3. **Show respect for school staff and other individuals** - Students must follow directions of school staff, use acceptable and courteous language with other individuals, avoid being rude, avoid physical aggression towards others, and follow school rules and procedures.

Scope of the Student Code of Conduct:

All students and staff are entitled to a safe, secure, and orderly environment in which to learn and work. The rules and regulations in this student code of conduct are designed toward that end and are effective during the following times and places:

- On the school campus at any time
- At any school related activity/event regardless of the time and location
- On a State School bus or State School-chartered bus to/from any school-related activity/event
- Off school grounds when the behavior of a student: (1) could result in the student being criminally charged; (2) makes the student's continued presence at a school related activity/event a potential danger to the student or others; and/or (3) disrupts the educational process of the student or others

A student may be considered a party to a violation of the student code of conduct and disciplined for the underlying offense where the student:

- Directly violates the student code of conduct
- Intentionally causes some other person to commit a violation of the student code of conduct
- Intentionally aids or abets another in a violation of the student code of conduct
- Intentionally advises, encourages, hires, counsels, or procures another to commit a violation of the student code of conduct

Certain violations of the student code of conduct may also be violations of state law. Juvenile authorities or other law enforcement agencies may address the student's misconduct in accordance with state laws, while adhering to any applicable language in IDEA regarding discipline.

Behaviors that appear to violate Title IX regulations should be managed through the State Schools Title IX Grievance Process.

The use of Positive Behavior Intervention and Supports (PBIS) and Multi-Tiered System of Supports (MTSS) is used to be proactive so that student misconduct does not escalate. Functional Behavior Assessments and Behavior Intervention Plans are to be implemented in compliance with State Board of Education rules and IDEA.

GENERAL SCHOOL RULES

Rule 1 – Disruption and Interference with School

No student shall cause, or attempt to cause, directly or indirectly, disruption or interference with school.

Rule 2 – Disregard of Directions

A student is expected to comply with reasonable directions of staff members.

Rule 3 – Disrespect

Students are to demonstrate respect for school employees, other students, and visitors on campus

Rule 4 – Damage, Destruction, or Misuse of School Property or Equipment

A student shall not cause or attempt to cause damage to school property or to alter/misuse school technology or any other equipment, including but not limited to unauthorized use of a computer. A student shall not steal or attempt to steal school property. A student shall not possess, sell, use, buy or transmit stolen school property or attempt to possess, sell, use, buy or transmit stolen school property.

Rule 5 – Damage, Destruction, or Misuse of Private Property

A student shall not cause or attempt to cause damage to private property, or steal, or attempt to steal private property. A student shall not possess, sell, use, buy, or transmit stolen property.

Rule 6 – Physical Aggression, Abuse, Threats, Intimidation, Assault, or Battery on Another Student or School Employee

Regardless of intent, a student shall not make oral, signed, or written communication, create a document, make a symbolic gesture, or make contact of a threatening, undermining, or provoking nature to or about another student or school employee. This includes, but is not limited to, disrespectful conduct such as: bullying; engaging in gang/hate group or hazing related activities; insults; use of profanity; use of ethnic, racial, sexual, disability, or religious slurs; and/or harassment that includes the development of a “hit list,” “people to kill,” “people to shoot,” or a statement about bringing a weapon to school and injuring people.

Rule 7 – Weapons, Dangerous Instruments, and Explosive or Implosive Devices

A student shall not solicit to buy, sell, possess, handle, transmit, or threaten anyone with the discharge/use of any object that can reasonably be considered or converted to and/or used as a weapon. These include, but are not limited to: knives, guns, pellet guns, brass knuckles, fireworks, lighters, tear gas, mace, explosives, pepper spray, bats, clubs, sticks, other instruments of a bludgeoning type, Chinese stars, razors, projectiles, and anything similarly dangerous.

Rule 8 – Drugs, Alcohol, and Tobacco

A student shall not be involved in any substance, drug, alcohol, or tobacco transaction, including, without limitation to: buy, possess, sell, use, transmit, or solicit said items OR any drug-related paraphernalia that includes, but is not limited to, pipes, matches, lighters, water pipes, clips, rolling papers, or any other items related to drug use. A student cannot be under the influence of any narcotic drug or a stimulant drug including without limitation: caffeine pills, hallucinogenic drugs, anabolic steroids, amphetamines, barbiturates, marijuana, inhalants, alcoholic beverages, or intoxicant of any kind. A student shall not possess, sell, buy, or transmit, or attempt to sell, buy, or transmit any substance under the pretense that it is, in fact, a prohibited substance as described. The misuse or unauthorized possession of a prescription drug or nonprescription drug shall be considered a violation.

Rule 9 – Sexual Misconduct/Indecency

A student shall not engage in any act of sexual harassment of others including but not limited to physical contact or communication. A student shall not perform any act of indecent exposure, lewd exposure, gesture, lewd caress, or indecent fondling/touching of the student’s own body or the body of another person, or any act of sexual intercourse. A student shall not use any inappropriate gestures that mimic or imply sexual acts or engage in any acts of “streaking” or “mooning” as those terms are commonly understood. Such acts will not be regarded lightly or considered pranks. A student shall not possess, view, copy, sell, buy, or transmit printed or non-printed pornographic materials including any non-curricular sexually explicit printed or non-printed materials.

Rule 10 – Other Conduct That is Subversive to Good Order

A student shall not perform any other act that is subversive to good order. This includes, but is not limited to: violation of school rules; violation of the student code of conduct; violation of state and federal law; involvement in criminal gang related behavior and/or criminal gang conduct as defined and prohibited by Georgia law; providing false information to school personnel; unauthorized possession or inappropriate use of technology; loitering or trespassing; providing false information about other students or school employees; or community misconduct that would be so serious as to pose a threat to the school community.

STUDENT MISCONDUCT: DISCIPLINARY CATEGORIES**Level I: Minor Acts of Misconduct**

Level I offenses are minor acts of misconduct that interfere with the orderly operation the school including on and off campus school related activities/events but are not considered to endanger: the health of the student committing the misconduct, the health of others, public property, or the property of others. The staff member(s) involved should intervene in the misconduct. If further action is necessary, the staff member(s) should refer the student to the school-level superintendent/designee for disciplinary action. The school-level superintendent/designee will decide on a disciplinary consequence for the misconduct.

Level II: Moderate Acts of Misconduct

Level II offenses are moderate acts of misconduct that may include repeated acts of misconduct from Level I. Level II offenses can include acts that interfere with the orderly operation the school including on and off campus school related activities/events but do not seriously endanger the safety of anyone or the destruction of property. For example, such misconduct might include minor fights. The staff member(s) involved should intervene in the misconduct. The staff member(s) should refer the student to the school-level superintendent/designee for disciplinary action. After completing an investigation, the school-level superintendent/designee will decide on a disciplinary consequence for the misconduct.

Level III: Serious Acts of Misconduct

Level III offenses are the most serious breaches of school rules and/or the student code of conduct. Such acts endanger: the health of the student committing the misconduct, the health of others, public property, and/or the property of others. Level III offenses place students and/or staff at serious risk of emotional or physical harm. The staff member(s) involved should intervene in the misconduct if it is safe to do so. In addition to discipline, behaviors may also be reported to law enforcement at the State Schools discretion and as required

by law, including O.C.G.A. §§ 20-2-1184 and 19-7-5. Once student and staff safety are secured, the school-level superintendent/designee must complete an investigation. Such investigation may include, but not necessarily be limited to, an interview with the charged student or students, interviews with witnesses, if any, and an examination of any relevant documents, including written statements from teachers, staff, and student witnesses. Based on the evidence available, the administrator will determine whether a disciplinary rule(s) was violated. At that time, the school-level superintendent/designee will give the student signed or written notice of the charges. If the student denies the charges, school authorities will explain the evidence that they have and allow the student to present their side of the story.

STUDENT MISCONDUCT: ASSIGNMENT OF CONSEQUENCES

The school-level superintendent/designee, taking into consideration and following IDEA requirements regarding the handling of disciplinary incidents, shall assign a consequence for misconduct. The range of consequences for misconduct that can be assigned by the school-level superintendent/designee varies by the type and severity of the misconduct. It is imperative that misconduct be treated on case-by-case basis taking into consideration the cognitive level of the student and other factors and not a one size fits all approach. Consequences must be shared with the student, the student's legal parent/guardians, and others as indicated in this student handbook.

The local education agency's (LEA/home school system) will be informed of all Level II and Level III acts of misconduct and consequences in a written manner.

Level I: Minor Acts of Misconduct

These offenses are typically handled with minimal loss of class time. Consequences may include time in the office, restitution/restorative justice, or loss of privilege. In instances that endanger the safety of others, consequences may extend to in-school suspension (ISS) or out-of-school suspension (OSS).

Level II: Moderate Acts of Misconduct

Consequences typically includes assignment to in-school suspension (ISS),or out-of-school suspension (OSS).

Level III: Serious Acts of Misconduct

Consequences typically include contacting appropriate law enforcement agencies, immediate out-of-school suspension (OSS), and an IEP meeting which may include a manifestation determination.

In all cases, the legal parents/guardians of the student(s) involved will be notified as soon as possible regarding the misconduct and the consequence and will receive written documentation such as a discipline referral or letter in writing no later than one (1) day after the misconduct and the assignment of a consequence.

In-school suspension (ISS) means the student continues to receive services but is not allowed to participate in the classroom setting or in extracurricular activities. Out-of-school suspension (OSS) means the student continues to receive services remotely but is not allowed on campus or to attend school related activities/events.

Notes:

- Forgery or attempted forgery of electronic messages or other documentation is prohibited. Attempts to read, delete, copy, or modify the electronic mail of other system users or deliberate interference with the ability of other system users to send/receive electronic mail is prohibited. A student bringing prohibited materials into the school's electronic environment will be subject to suspension and/or a revocation of privileges on the system and will be subject to disciplinary action. This includes falsifying signatures of others.
- The State Schools expressly prohibit the bullying of any person, by any means or method, at school, on school property, or at school related functions. A student shall not bully, harass, or intimidate another student through words or actions. Such behavior includes but is not limited to: direct physical contact such as hitting or shoving; verbal/signed assaults such as teasing or name-calling; the use of electronic methods to harass, threaten or humiliate and social isolation and/or manipulation. Students are expected to immediately report incidents of bullying to a staff member. Students can rely on staff members to promptly investigate each complaint of bullying in a thorough and confidential manner.
- A "chronic disciplinary problem student" is defined by law as a student who exhibits a pattern of behavioral characteristics which interfere with the learning process of students around him or her and which are likely to recur. For special education students, a functional behavior assessment (FBA) will be conducted, and a behavior intervention plan (BIP) be established if indicated. These would be completed in conjunction with the local education agency (LEA/home school system), with input and involvement of the legal parents/guardians.
- Special education students may be assigned out-of-school suspension (OSS) for up to a cumulative ten (10) school days per school year for violation of the student code of conduct or school rules. The ten (10) days can be consecutive or assigned at varying times. Any OSS over these ten (10) days requires an IEP meeting. The IEP team through consensus must determine if a student's behavior is a manifestation of their disability based upon a functional behavior assessment (FBA) and other facts related to the incident(s).
- If the IEP team determines that the student's conduct is not a manifestation of the student's disability, the IEP team shall determine what services the student will receive in accordance with IDEA. The IEP team shall, in accordance with IDEA, have the authority to consider, recommend, and implement any changes in the student's IEP and/or educational placement. Nothing in this rule shall alter or adversely affect the rights of students with disabilities under applicable federal and state laws.
- Pursuant to O.C.G.A. 20-2-742: Students in Pre-K through 3rd grade will not be expelled or suspended from school for more than five consecutive or cumulative days during a school year without first receiving a multi-tiered system of supports, such as response to intervention. Multi-tiered system of supports (MTSS) also may include a systemic, continuous-improvement framework in which data based problem-solving and decision making is practiced across all levels of the educational system for supporting students at multiple levels of intervention. If such student is receiving or has received MTSS, the school has met these requirements.

This requirement does not apply if:

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

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

- Under no circumstances is a State School student allowed to be expelled. Changes in placement are the decision of the IEP team
- Nothing in this Code of Conduct shall be construed to infringe on any right provided to students pursuant to the federal Individuals with Disabilities Education Act (IDEA), Section 504 of the Federal Rehabilitation Act of 1973, or the federal Americans with Disabilities Act of 1990.

SEARCH AND SEIZURE

Georgia public school law authorizes schools to conduct searches and to seize materials that threaten the safety of the school.

Related guidelines:

- When there is reasonable suspicion that a student possesses unauthorized materials, contraband, drugs, or other items potentially harmful to the safety and welfare of the school community, or when there is reasonable suspicion that the search will reveal a violation of the law, the student code of conduct, or other applicable rules and/or regulations, the school-level superintendent/designee may conduct a search of students, their possessions, their lockers, book bags, desks and/or their vehicles on school property without further notice to students or parents and without the student being present. This also applies when students are participating in school related activities/events that occur off campus.
- The law authorizes schools to use drug-sniffing dogs or metal detectors to conduct such searches. This law also authorizes schools to use breathalyzers or passive alcohol sensors (if reasonable suspicion exists) to determine if a student is under the influence of alcohol.
- A student is considered to be in possession of an illegal and/or banned item(s) or substance(s) when such item(s) or substance(s) is found on the person of the student, in his/her possession, in his/her locker, in a student's vehicle on school property, or in any vehicle a student brought on school property, or on property being used by the school, even if student does not own the item and/or did not bring it on school property.
- Staff have the authority to seize illegal items (firearms, weapons, drugs, etc.) or other possessions determined to be a threat to the safety and security of others, or that might be used to disrupt or interfere with the educational process. All items confiscated by school authorities are to be turned in to the school-level superintendent/designee who must contact the local authorities and the State Schools Central Office.

Students and staff are to notify an administrator or staff member when suspected illegal items, dangerous items, or other items banned from school are found in the school building, on the school campus, or on a school bus. Students and staff are advised not to pick up or handle illegal, dangerous, banned, or unidentified items.

TECHNOLOGY USE

Personal Technology- Students are permitted to bring personal cell phones to campus. Please refer to GSD's cell phone policy included in your registration documents for details.

Students are not allowed to bring any other personal technology items to campus including, but not limited to: laptops, iPads, gaming systems, games, printers, notebooks, etc. The school is not responsible for personal technology devices on school property or at school sponsored events.

School-Issued Technology- The school issues technology devices to students for educational purposes only. Students are expected to use the device(s) for these purposes, as assigned by staff. Using school-issued technology for any purposes listed below or for any other non-approved, non-educational purpose will be a violation of the Student Code of Conduct and subject to disciplinary action.

Students are expected to take reasonable care of the school-issued device(s). Fines will apply for lost, stolen, damaged, or destroyed items. A student who fails to return a device or any accessories or peripherals will be responsible for the full replacement cost of the item that was not returned. Please note that while a family may purchase insurance for a device or have homeowner's insurance that may cover the device the school will not be responsible for communicating with any insurance provider. Legal parents/guardians remain solely responsible for paying fees directly to the school.

Inappropriate Use of Personal or School-Issued Technology

- Using devices to record or store potential criminal activity, pornography, or any activity that could violate a person's privacy; sending or showing an inappropriate picture/video to another (other than a staff member); sending or showing a picture/video of a student's misconduct to another (other than a staff member); or knowingly viewing an inappropriate picture/video on another's device.
- Sending out inappropriate videos, pictures, or information, or using technology to harass or threaten someone. There are serious emotional, educational, and criminal impacts that may result from harassing, bullying, threatening another person, or sending or viewing sexually explicit information. These behaviors can be considered terroristic threats or child pornography.
- Using social networking websites and applications such as Twitter, Instagram, TikTok, Snapchat or Facebook to post or share something mean, hurtful, profane, or obscene, share information or to act upon negative information that they have posted or read. This creates disruptions to student relationships and the learning environment and could endanger students.
- Sharing personal information that jeopardizes their safety such as: suggestive photos, substance use, weapons, personal cell numbers, personal diary or blog, or current location. Online predators may use this information to search for potential victims. These predators may also pose as teenagers or young adults to establish relationships with young people.
- Maliciously attempting to harm or destroy equipment or materials, data of another user of the system, any of the schools or other networks to which the system has access, or the physical campus. Deliberately attempting to degrade or disrupt system performance. This includes but is not limited to the uploading or creation of computer viruses.
- Please see the possible consequences for these code of conduct violations on page 18

The support of legal parents/guardians is critical in keeping students safe. Legal parents/guardians having open communication with students and being able to access and review the content of their child's social media accounts, internet use, and cell phone use is a step in the right direction for student safety.

ADDITIONAL LEGAL INFORMATION

Reports to the Georgia Division of Family and Child Services

All State School employees are mandated reporters as defined by Georgia law regarding the safety of children. The school-level superintendent/designee will file confidential reports to the Georgia Division of Family & Children Services (DFCS). It is against the law for the Georgia Division of Family & Children Services (DFCS) to divulge who submitted a report. It is also against the law for school staff to inform parents that a report has been made to the Georgia Division of Family & Children Services (DFCS). School staff will not discuss filed reports with legal parents/guardians.

Civil Rights Concerns

The State Schools require full compliance with all federal and state non-discrimination laws, including but not limited to: Title VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Equal Pay Act of 1963, Pregnancy Discrimination Act, Age Discrimination Act of 1975 (Age Act), Age Discrimination and Employment Act (ADEA), Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, Boy Scouts of America Equal Access Act of 2001, and Public Law 101-476, Individuals with Disabilities Education Act (IDEA). These laws prohibit (& State Schools forbid) discrimination based on age, race, color, national origin, religion, gender, disability, pregnancy & veteran status in all State School programs and activities. This includes State School academic, extracurricular, athletic, and other programs, as well as on State Schools buses, field trips, and classes/training programs that take place off campus. Sexual harassment is a form of sex discrimination prohibited by Title IX. For detailed information regarding Title IX reporting (including reports of sexual harassment), formal complaint procedures, grievance process/procedures, supportive measures, investigation, available relief, appeal rights, or for any other information regarding Title IX, please see the State Schools Title IX Grievance Process.

The Chief Policy Officer & Title IX Coordinator handles inquiries or concerns regarding the State School's non-discrimination policies. Alternatively, a parent/student may contact the school-level superintendent to share concerns.

Louis Erste
Chief Policy Officer & Title IX Coordinator
State Schools Division
Cell Phone: 404.326.3663
LErste@doe.k12.ga.us

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

Homeless Children

In accordance with the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et. seq.), the school shall provide an educational environment that treats homeless students with dignity and respect. Homeless students are provided with equal access to educational programs provided to other students, have an opportunity to meet state and State Schools academic achievement standards to which all students are held and are not segregated or discriminated against on the basis of their homeless status. This commitment to the educational rights of homeless children and youth applies to all services, programs, and activities provided or made available.

Nondiscrimination

The State Schools require full compliance with all federal and state non-discrimination laws, including but not limited to: Title VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Equal Pay Act of 1963, Pregnancy Discrimination Act, Age Discrimination Act of 1975 (Age Act), Age Discrimination and Employment Act (ADEA), Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, Boy Scouts of America Equal Access Act of 2001, and Public Law 101-476, Individuals with Disabilities Education Act (IDEA). See Civil Rights Consideration above for additional information.

Title IX and Equal Educational Opportunities for Students

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

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

For detailed information regarding Title IX reporting (including reports of sexual harassment), formal complaint procedures, grievance process/procedures, supportive measures, investigation, available relief, appeal rights, see the State Schools Title IX Grievance Process.

Parents Right to Know

In compliance with the requirements of Every Student Succeeds Act, the State Schools informs parents that they may request information regarding the professional qualifications of a student's teacher(s) and/or paraprofessional(s). The following information may be requested:

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

If legal parents/guardians want to request information concerning their child's teacher's or paraprofessional's qualifications, they must contact the school-level superintendent/designee.

Controlled Substances

Georgia law makes it unlawful for any person to manufacture, distribute, disperse, or possess with the intent to distribute a controlled substance or marijuana on or within 1,000 feet of any real property owned by or leased to any public or private elementary school, secondary school, or school board used for elementary or secondary education. Any person who violates or conspires to violate this code section shall be guilty of a felony.

Students eighteen (18) and Older

A student that is eighteen (18) years or older and has their educational rights transferred to them as outlined in the Individuals with Disabilities Education Act (IDEA) may make educational decisions without legal parent/guardian consent as the student is understood to be an adult.

Teenage/Adult Drivers Responsibility Act (TAADRA)

According to the Teenage Driver Responsibility Act, which is a state law, students must obtain a Certificate of Attendance from the State School they attend to obtain a driver's license in Georgia. During the school year, the school issues Certificates of Attendance. The Certificate of Attendance shall be signed by the school-level superintendent/designee and must be notarized. The Certificate of Attendance is valid for thirty (30) days from the signed date by the school-level superintendent or their and notary.

A Certificate of Attendance will not be issued for a student under the age of 18 who drops out of school without graduating, a student that has remained out of school for ten (10) consecutive school days, a student that has more than ten (10) school days of unexcused absences in the current academic year, or a student that has ten (10) or more school days of unexcused absences in the previous school year. Notice will be given by school-level superintendent/designee to the Georgia Department of Motor Vehicle Safety by state law, and a student's driver's license or ability to receive a driver's license or learner's permit will be suspended for one (1) year if the student encounters any of the attendance issues.

If a student has been found in violation of one of the following offenses, has received a change in placement for committing one of the following offenses, or has waived their right to a hearing and pleaded guilty to one of the following offenses, a violation of TAADRA will be considered to have occurred. The school-level superintendent/designee will report the following violations to the Georgia Department of Motor Vehicle Safety:

- Threatening, striking, or causing bodily harm to a teacher or other school personnel
- Possession or sale of drugs or alcohol on school property or at a school sponsored event
- Possession or use of a weapon in accordance with Georgia law on school property or at a school sponsored event
- Any sexual offense prohibited under Georgia law
- Causing substantial physical or visible bodily harm to or seriously disfiguring another person per Georgia law

A student can reapply for their learner's permit or driver's license after a period of one (1) year or when the student becomes 18 years old, whichever comes first, if there is a violation of TAADRA.

Appendix: Teacher Reporting Information

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

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

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

The school-level superintendent and/or their designee shall develop procedures and guidelines as necessary for implementation of this policy and law.

Reporting Inappropriate Behaviors

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

Pursuant to O.C.G.A. § 19-7-5, if a student has allegedly been abused a report of such allegation will be made immediately.

Any report of behavior contemplated in O.C.G.A. § 20-2-1184 will be made to the appropriate school-level superintendent/designee who will report the matter to the local district attorney's office.

Behaviors that include Title IX regulations will be addressed using the State Schools Title IX Grievance Process.

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

Every legal parent/guardian or other person who has control of any child between the ages of 6 and 16 must enroll and send their child to school. Any legal parent/guardian or other person having control of a child that has more than 5 unexcused absences, after being notified by school personnel, will be guilty of a misdemeanor and subject to the processes of the Local Education Agency (LEA), the home school system in which the student resides, that include the following penalties:

- Fine – not less than \$25.00 and not greater than \$100
- Imprisonment – not to exceed 30 days
- Community Service – or any combination of such penalties at the discretion of a court
- Each day absent after 5 unexcused absences will constitute a separate offense

Additional information on unexcused absences and consequences are outlined in the Student of Code of Conduct.

Appendix - COPPA NOTICE

The school uses software, application, and online tools to facilitate learning. There are federal regulations that apply to operators of many of these products.

For students to use these tools, certain personal information must be provided to the operator. Under the Children's Online Privacy Protection Act (COPPA), these operators must provide notification and obtain consent before collecting personal information from children under the age of 13.

However, the school may act on behalf of the legal parents/guardians and can consent to the collection of students' information on the legal parent's/guardian's behalf. For more information on COPPA, please visit <http://www.ftc.gov/privacy/coppafaqs.shtm>.

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

If there are any questions about school-level providers, please contact the school-level superintendent.

If legal parents/guardians wish for the school to provide consent on the behalf of the legal parents/guardians, they should contact your school-level superintendent.

[Appendix: Rights under the Family Educational Rights and Privacy Act \(FERPA\)](#)

Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. Under FERPA, a school may not disclose personally identifiable information from a minor student's education records to a third party unless the student's parent has provided written consent. information. <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/parents.html>

Legal parents/guardians have:

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

Legal parents/guardians or eligible students should submit to the school-level superintendent a written request that identifies the education records they wish to inspect. The school-level superintendent will make arrangements for access and notify the legal parents/guardians or eligible student of the time and place where the records may be inspected or retrieved.

2. The right to request the amendment of the student's education records that the legal parents/guardians or eligible student believes are inaccurate or misleading.

Legal parents/guardians or eligible students may ask the school to amend a record that they believe is inaccurate or misleading. They should write the school-level superintendent; clearly identify the part of the record they want changed and specify why it is inaccurate or misleading.

If the school decides not to amend the record as requested by the legal parents/guardians or eligible student, the school must notify the legal parents/guardians or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment.

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

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

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

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

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the State Schools to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is the Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20212-5920.
5. The school may disclose appropriately designated "directory information," for educational and legal compliance purposes, to governmental agencies and offices (including the US Armed Forces) to non-profit entities for school support purposes, or to educational technology providers as deemed appropriate by the school to access educational services, without written consent, unless the legal parents/guardians have advised the school to the contrary (see below).
 - The school also may include personally identifiable information in school publications such as a playbill showing a student's role in a drama production; the annual yearbook; graduation videos or graduation announcements/celebrations; honor roll or other recognition lists; graduation programs; and sports event publications, such as a football game program.
 - The school and teachers may also display directory information on school, personnel, classroom or school websites, blogs, or social media (such as Facebook, Twitter, Instagram or similar) for the purposes of instruction, recognizing student achievement or informing the community about school, classroom or school activities and events.
 - Directory information is information that is generally not considered harmful or an invasion of privacy if released. It can include a student's name, address, email, phone number(s), date and place of birth, grade level, dates of attendance and most recent previous school attended, degrees/honors/awards received, photograph/peripheral student images or audio (see below), participation in school activities and sports, as well as weight and height of members of athletic teams, student ID number, user ID, or other unique personal identifier used to communicate in electronic systems (subject to the State Schools determination that this information cannot be used to access education records without a PIN, password, etc.--a student's SSN, in whole or in part, cannot be used for this purpose) or similar information.
 - The school may record and maintain audio recordings and/or video/photographic footage of students on school property and at school events in locations including, but not limited to, parking lots, school buses, lunchrooms, classrooms, and hallways. Such information is used and maintained for security and other purposes, including yearbooks, video yearbooks, school/personnel publications and websites, blogs, or social media. In many cases, recordings contain peripheral video or photographic footage of students engaged in day-to-day activities including, but not limited to, walking to class, and attending to classroom or school activities.
 - Peripheral video footage, photographs, or audio recordings of day-to-day student activities do not include footage of a student or students committing, being involved in, or witnessing a violation of law, school rule, procedure, or policy. The school may determine that other activities do not qualify as peripheral images, footage, or recordings on a case-by-case basis.

Legal parents/guardians of minor students or a student 18+ years of age objecting to the release of this information should request a form from the school-level superintendent/designee in order to place their objection in writing to the school-level superintendent, no later than August 31st of each school year or within ten calendar days of the student's placement at the school.

Objections must be renewed each school year.

Appendix: NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

PPRA affords legal parents/guardians certain rights regarding conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

Consent before a student is required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):

1. Political affiliations or beliefs of the student or student’s parent
2. Mental or psychological problems of the student or student’s family
3. Sex behavior or attitudes
4. Illegal, anti-social, self-incriminating, or demeaning behavior
5. Critical appraisals of others with whom respondents have close family relationships
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers
7. Religious practices, affiliations, or beliefs of the student or parents
8. Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of

1. Any other protected information survey, regardless of funding
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law, and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise, distribute the information to others.

Inspect, upon request and before administration or use

1. Protected information surveys of students,
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional materials used as part of the educational curriculum

The school maintains policies or procedures, in consultation with parents/guardians, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The school will directly notify legal parents/guardians of these policies at least annually at the start of each school year and after any substantive changes. The school will also directly notify legal parents/guardians of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for them to opt their child out of participation of the specific activity or survey. For surveys and activities scheduled after the school year starts, legal parents/guardians will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys.

Legal parents/guardians will also be provided an opportunity to review any pertinent surveys. The following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination, or screening as described above.

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