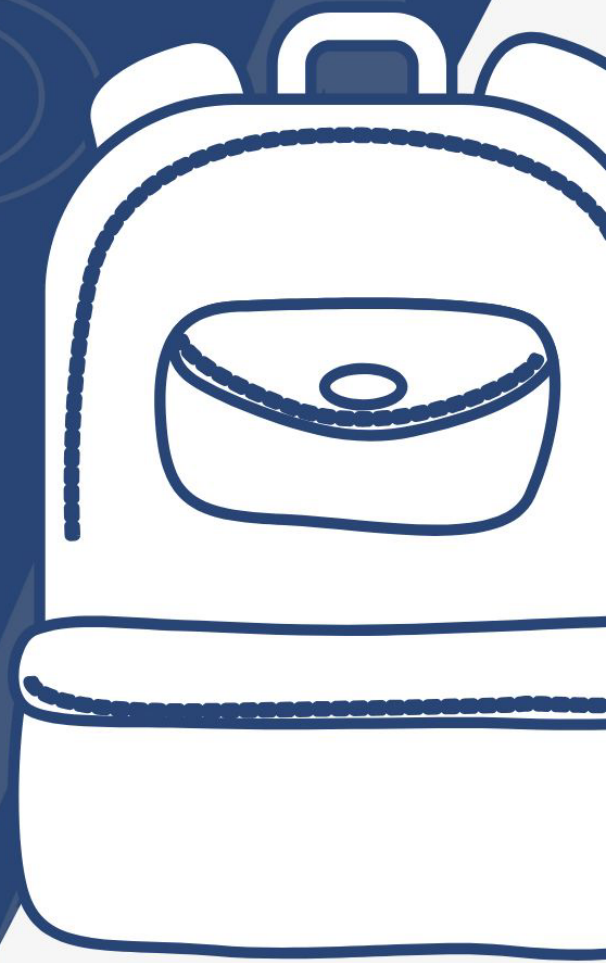


# FAMILY INFORMATION GUIDE

MARIETTA CITY SCHOOLS

2025-2026

[MARIETTA-CITY.ORG](http://MARIETTA-CITY.ORG)



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## ATTENDANCE (BOARD POLICY JB)

The parents/guardians/other persons having charge of any child between the child's sixth and sixteenth birthdays are subject to "compulsory attendance". That is, they are required by law to enroll and send such child to a public or private school or utilize a home study program. Students assigned to alternative schools are subject to this requirement as well.

The School System will abide by all applicable authority regarding student attendance, including state law and State Board of Education Rules. Additionally, the School System will keep abreast of temporary waivers and/or ordered from state and federal government as well as public health authorities during times that student attendance rules may be affected by extraordinary and unforeseen circumstances. Such circumstances may include but are not limited to widespread public health risk. Based upon applicable guidance, directives and temporary rules, waivers, or orders, it may be necessary to adjust attendance protocol on a temporary basis for compliance purposes and to protect student and staff health and safety. Formal amendment of policy and procedures may be considered and become necessary in the case that such changes go beyond a temporary basis.

Georgia law, O.C.G.A. § 20-2-690.1, states that a person who fails to send a child to school may be charged with a misdemeanor. For each violation of the statute, a court may subject this person to a fine not less than \$25.00 and not greater than \$100.00, imprisonment not to exceed thirty (30) days, community service, or any combination of such penalties. Each day's absence after the school notifies the person of five unexcused days of absence shall be considered a separate offense under the statute.

For the purposes of this Policy, a child between his/her sixth and sixteenth birthdays shall be considered truant if the child has more than five days of unexcused absences in a school year. A truant student with more than ten days of unexcused absences within a school year may be identified as a child in need of services in accordance with O.C.G.A. § 15-11-2,

Parents/guardians/enrolling persons should review Policy JCDA (Behavior Code) for more information regarding truancy/attendance procedures, legal consequences, and school discipline for attendance violations.

### **Definitions:**

**Tardy** - A student is tardy when a student arrives at an assigned place after the designated time.

**Excused Absence** – The reason for a student being absent from school meets the established criteria set forth by the school board policy.

**Unexcused Absence** – The absence from school does not meet the established criteria set forth by the school board policy for consideration for excused absences.

**In Attendance** – to be considered "in attendance" for a school day, a student must be present for at least one-half of the school day, excluding the lunch period. Students leaving school before meeting that requirement or arriving at school too late to meet the requirement, will be considered absent for the day.

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

The following procedures should be observed in regard to attendance of students:

#### 1. Absences and Excuses

- a. Students may be temporarily excused from school for any of the reasons allowed by state law and State Board of Education Rules. Such reasons include, at a minimum:
  - i. Personal illness where the student's health or the health of others is endangered;
  - ii. A serious illness or death in a student's immediate family;
  - iii. A court order or an order by a governmental agency, including pre-induction physical examinations for service in the armed forces;
  - iv. Observing religious holidays, necessitating absence from school;
  - v. Conditions rendering attendance impossible or hazardous to student health or safety;
  - vi. Registering to vote or voting in a public election, which shall not exceed one day;

- vii. Visitation if a student has a parent of legal guardian that 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 zone or combat support posting. This shall not exceed a maximum of five school days per school year.
  - viii. A student whose parent or legal guardian is currently serving or previously served on active duty in the Armed Forces of the United States, in the Reserves of the armed forces of the United States on extended active duty, or in the National Guard on extended active duty may be granted excused absences, up to a maximum of five school days per school year, not to exceed two school years, for the day or days missed from school to attend military affairs sponsored events, provided the student provides documentation prior to absence from: (i) A provider of care at or sponsored by a medical facility of the United States Department of Veterans Affairs; or (ii) An event sponsored by a corporation exempt from taxation under Section 501 ©(19) of the Internal Revenue code.
  - ix. Any other absence not explicitly defined herein but deemed by the local school board of education to have merit based on circumstances, which may include non-school sponsored activities, provided that makeup work is completed satisfactorily.
- b. Students not present at school shall be counted as present for any of the reasons allowed by state law and State Board of Education Rules. Such reasons include, at a minimum:
    - i. Children who are serving as PAGES of the Georgia General Assembly shall be marked as present by the school for days missed for this purpose in the same manner as students on a field trip.
    - ii. A foster care student who attends court proceedings relating to the student's foster care shall be credited as present by the school and shall not be counted as an absence, either excused or unexcused, for any day(s) or portion of a day missed from school;
    - iii. Children who successfully participate in the Student Teen Election Participant (STEP) program shall be counted as present and given full credit during the day of participation in STEP, for up to a maximum of two school days per school year. STEP is a program designed to permit students the opportunity to volunteer to work as poll officers during any primary, special, or general election.
    - iv. Students participating in tours of schools in Marietta City Schools
  - c. Students are required to provide documentation supporting their absence as excused. At a minimum, the parent/guardian/enrolling person must submit a written excuse explaining the reason(s) for the absence. Schools may request, among other documentation, a letter written by a licensed physician of the student or family member, explaining the reasons for the absences. Failure to submit a written excuse within three (3) school days of the student's return to school after an absence may result in the absence being marked as unexcused.
  - d. School days missed as a result of an out-of-school suspension shall not count as unexcused days for the purpose of determining student truancy.
  - e. Students must be counted as present to be eligible to engage in extra-curricular activities on that day.
2. Notification
- a. Schools will provide to the parent/guardian/enrolling person a written summary of possible consequences and penalties for failing to comply with compulsory attendance;
    - i. By September 1 of each school year or within 30 school days of a student's enrollment in the school system, the parent/guardian/other person having control or charge of such student shall sign a statement indicating receipt of such written statement of possible consequences and penalties.
    - ii. Students age ten or older by September 1 shall sign a statement indicating receipt of written statement of possible consequences for non-compliance to the School System's policy.
  - b. The school will notify the parent/guardian/other person who has control or charge of the student when the student has five (5) unexcused absences. The notice will outline penalty and consequences of such absences and that each subsequent absence shall constitute a separate offense. After two reasonable attempts to notify the parent/guardian/other person who has charge of the student, the school system shall send written notice via certified mail with return receipt requested, or first class mail;
  - c. Prior to any action to commence judicial proceedings to impose a penalty on a parent, guardian, or other person residing in this state who has control or charge of the student for failing to comply with compulsory attendance, the school shall send notice to such parent, guardian, or other person by certified mail, return receipt requested.
3. Excessive Absences

- a. All schools should keep daily attendance records verified by the teacher making such records. The reports are open to inspection by the school social worker or duly authorized representative at any time during the school day.
- b. The Student Attendance and School Climate Committee shall ensure coordination and cooperation among officials, agencies and programs involved in compulsory attendance issues, to reduce the number of unexcused absences from school, to increase the percentage of students present at school, and to address school climate issues.
- c. Each school should provide the school social worker or duly authorized representative the names, ages, and residence of all students enrolled at their schools who have violated the attendance policy or who exhibit a pattern of attendance that will lead to excessive absences.
- d. School and district administrators may make a referral to a school social worker or duly authorized representative at any time it is deemed appropriate. Truancy may also result in referral to appropriate law enforcement or court authorities at any time.
- e. The school social worker or duly authorized representative may initiate additional contacts with parents/guardians/enrolling persons if deemed necessary to address attendance issues.
- f. Students will face progressive disciplinary consequences for attendance-related offenses. See Policy JCDA for more information.

## **BEHAVIOR CODE (BOARD POLICY JCDA)**

### **OBJECTIVE:**

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

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

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

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

The disciplinary procedures outlined in this behavior code exist as required by law and state board of education rules to ensure that all students are aware of unacceptable behavior, as well as the consequences of such policy violations. Staff members should discuss the Behavior Code in full with their students at the start of school and at other times during the year as needed. It is the responsibility of parents or guardians to discuss the Behavior Code with their students and to inform them of the consequences and criminal penalties of violating this code. This includes underage sexual conduct and crimes for which a minor can be tried as an adult (O.C.G.A. § 20-2-735). The School System encourages parents to inform their students of the implications of this conduct. Nothing in this policy shall be construed to infringe the rights afforded under The Americans with Disabilities Act (Section 504) and the Federal Individuals with Disabilities Education Act.

### **DISRUPTIVE STUDENTS:**

The Superintendent of Marietta City Schools fully supports the authority of principals and teachers in Marietta City 5

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

Any teacher, who has knowledge that a student has exhibited behavior that repeatedly or substantially interferes with the teacher's ability to communicate effectively with the students in the classroom or with the students' ability to learn, is

required to file a report to the principal's office. The report shall be filed with the principal or his/her designee within one school day of the most recent occurrence of such behavior and shall not exceed one page and shall describe the behavior of the student. The principal or designee shall send a copy of the report to parents within one school day of receiving it and shall include information on how the parents may contact the principal or designee. The principal or designee shall also provide written notification of disciplinary action taken to both the parent and the teacher within one school day. (O.C.G.A. § 20-2-737)

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

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

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

The principal of each school in the Marietta School System or authorized representative has the authority to conduct reasonable interrogations of students in order to properly investigate and punish student misconduct and is authorized to conduct searches within the confines of applicable law of students, student lockers, automobiles driven by students, other property assigned to students, or articles carried upon their persons. Metal detectors may be used to search students for weapons. Students do not have a reasonable expectation of privacy for items stored on school property, which includes areas such as school lockers, within locker rooms, on-campus parked vehicles and other school areas.

#### **CHRONIC DISCIPLINARY PROBLEM STUDENTS:**

Chronic disciplinary problem student means a student who exhibits a pattern of behavioral characteristics which interfere with the learning process of students around him or her and which are likely to recur. (O.C.G.A. § 20-2-764)

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

Georgia law also requires at least one parent or guardian be invited to attend a conference to devise a disciplinary and behavioral correction plan. The principal or designee and the parent or guardian is expected to be present at the conference. The principal may also invite other appropriate staff members if he/she feels that it would be advisable to do so. If the parent or guardian fails to attend the conference, it will be the responsibility of the school personnel attending to devise a disciplinary and behavioral correction plan for the student and to provide copies of that plan to both the parent and the student. Before any chronic disciplinary problem student is permitted to return from an expulsion or suspension, the school to which the student is to be readmitted shall request by telephone call and by either certified mail or statutory overnight delivery with return receipt requested or first-class mail at least one parent or guardian to schedule and attend a conference with the principal or his or her designee to devise a new or revised disciplinary and behavioral correction plan. Failure of the parent or guardian to attend shall not preclude the student from being readmitted to the school. At the discretion of the principal, a teacher, counselor, or other person may attend the conference. The principal shall ensure that a notation of the conference is placed in the student's permanent file (O.C.G.A. § 20-2-766).

### **Multi-Tiered Systems of Support (MTSS):**

MTSS is prevention framework that relies on a systematic problem-solving process to address roadblocks that impede a student from meeting grade level expectations. For students requiring intensive support, Georgia mandates that a minimum of one Student Support Team (SST) is established in every school, K-12. The SST develops a plan of intensive intervention for student learning, known as Tier 3 Response to Intervention. RTI provides an additional layer of analysis, instruction, and intervention beyond standards-based differentiated instruction (Universal Instruction) and focused strategies (Tier 2), which are available school-wide to students.

At each school, the MTSS Facilitator brings together an interdisciplinary problem-solving team (including the student's teachers, other personnel, and parents) to address academic and/or behavior needs that are impeding the student's ability to meet grade level expectations. The team uses a problem-solving process to analyze data, identify target area(s) and create a plan of action. This collaborative, data-driven, decision-making process includes:

- Identify the problem (descriptive and measurable)
- Gather information and analyze data from a variety of sources and assessments
- Establish instructional and/or behavioral goals
- Develop an intervention plan which specifies appropriate evidenced based strategies and ongoing assessment measures
- Implement the plan (who, what, when and where)
- Monitor student progress towards intended goal, adjusting or discontinuing the intensity of instruction or intervention, as appropriate

School personnel should follow the process and procedures outlined in the **Marietta City Schools Multi-tiered Systems of Support Practitioner's Guide**.

A school staff member or a parent/guardian may refer a student for additional supports at any time. Occasionally, the school may receive requests for RTI from community professionals working with a MCS student. In these cases, the SST shall convene and determine the appropriate level of instruction and intervention to address area(s) of concern.

The SST initiates referrals to Student Services when the student is suspected or known to be disabled and in need of special education and related services. The SST documents the student's Response to Intervention (RTI) in general education as well as provides the student's present levels of academic, behavioral, and developmental functioning.

Increasing the intensity of instruction or interventions through RTI may not be appropriate to meet the unique learning needs of some students. In such case, the SST may expedite the special education evaluation and eligibility process. Also, the SST should consider "red flags" as it plans for focused instruction and intensive intervention is developed.

This includes but is not limited to students who enroll in MCS with SST records from another school district and students who demonstrate severe behavior difficulties that significantly impact their safety and /or the safety of others in school.

## **ENROLLMENT OF STUDENTS:**

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

School administrators shall notify all teachers and other school personnel of any student assigned to them who has been convicted of or has been adjudicated to have committed an offense which is a class A designated felony or class B designated felony act under O.C.G.A. § 15-11-2. Such teachers and other certified professional personnel as the

administrator deem appropriate may review information in the student's file. Such information shall be kept confidential.

## **UNSAFE SCHOOL STATEMENT:**

Major disciplinary offenses including, but not limited to drug and weapons offenses, can lead to schools being named as an Unsafe School according to the provisions of State Board Rule 160-4-8-.16.

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

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

## **ALLEGATIONS OF INAPPROPRIATE BEHAVIOR:**

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

Any teacher, counselor or administrator receiving such a report shall make an oral report of the incident immediately by telephone or otherwise to the school principal or principal's designee and shall submit a written report of the incident to the school principal or principal's designee within 24 hours. *If the principal is the person accused of the abuse, sexual abuse, sexual misconduct or other inappropriate behavior, the oral and written reports should be made to the Superintendent or the Superintendent's designee.*

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

## **REPORTING OF STUDENTS COMMITTING PROHIBITED ACTS:**

Any report of behavior contemplated in O.C.G.A. § 20-2-1184 will be made by the principal or designee to the

Superintendent's designee and school resource officer. The school resource officer will report the matter to the office of the district attorney.

## JURISDICTION AND DEFINITIONS:

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

- A. **Alternative Educational Program (AEP)** – A placement that provides for the educational and behavioral needs of students who have been removed from the regular school programs due to violations of the behavior code or are returning from placement in a Department of Juvenile Justice (DJJ) facility or adult detention facility or are eligible to remain in their regular classroom but are more likely to succeed in a nontraditional setting such as that provided in an alternative education program. This term includes, but is not limited to, the programs operated by the School System, and facilities operated by providers under contract with Marietta City Schools.
- B. **Battery** - Making intentional physical contact of an insulting or provoking nature with another person, causing injury, or behaving in such a way as to intentionally cause physical injury to another person.
- C. **Bullying** means an act which occurs on school property, on school vehicles, at designated school bus stops, or at school related functions or activities, or by use of data or software that is accessed through a computer, computer system, computer network, or other electronic technology of Marietta City School, that is: Any willful attempt or threat to inflict injury on another person when accompanied by an apparent present ability to do so; intentionally exhibiting a display of force such as would give the victim reason to fear or expect immediate bodily harm; or any intentional written, verbal or physical act, which a reasonable person would perceive as being intended to threaten, harass or intimidate that:
  - Causes substantial physical harm or bodily harm capable of being perceived by a person other than the victim and may include, but is not limited to, substantially blackened eyes, substantially swollen lips or other facial or body parts, or substantial bruises to body parts;
  - Has the effect of substantially interfering with the victim student's education;
  - Is so severe, persistent or pervasive that it creates an intimidating or threatening educational environment; or
  - Has the effect of substantially disrupting the orderly operation of the school.

Bullying behavior is also defined as:

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

- Is directed specifically at students or school personnel
  - Is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school; and
  - Creates a reasonable fear of harm to the students' or school personnel's person or property or has a high likelihood of succeeding in that purpose.
- D. **Detention** - Restriction of student to the school site at times outside of regular school hours. School principals have the authority to require students to remain after school. Teachers have the authority to detain a student after school; however, they should advise the principal and notify the parents. In the case of students whose immediate detention would pose transportation problems, twenty-four (24) hours notice should be given before the detention takes place.
  - E. **Disciplinary Tribunal** - A disciplinary hearing to determine the guilt or innocence of a student accused of violating this behavior code. If the student is determined to be guilty of the alleged offense, tribunal officers or hearing officers determine the appropriate discipline for the student. Unless waived, tribunals are held in cases when long term suspension or expulsion is recommended, or a student is accused of a physical offense against a school employee. ALL DISCIPLINARY TRIBUNAL'S DECISIONS MUST CONFORM TO THE RANGES IN THIS BEHAVIOR CODE.
  - F. **Expulsion** means suspension or expulsion of a student from school beyond the current school quarter or semester.
  - G. **Harassment** is defined as a pattern of intentional, substantial, and unreasonable verbal or written contact that is initiated, maintained, or repeated after being given notice that the conduct is inappropriate.

- H. **In-School Suspension (ISS)** - Restriction of students to a specified location in the school so as to remove them from participation in regularly scheduled school activities in accordance with Policy JDD/JDE.
- I. **Long-Term Suspension** means the suspension of a student from school for more than ten (10) school days, but not beyond the current school quarter or semester.
- J. **Permanent Expulsion** means expulsion from Marietta City Schools for the remainder of the student's eligibility to attend school pursuant to Georgia law. Students permanently expelled from Marietta City Schools are not eligible for enrollment in the School System's Alternative Education Program (AEP).
- K. **Physical Threat** occurs when a student attempts to commit physical harm or injury to the person of another; commits an act which places another in reasonable apprehension of immediately receiving a physical injury or behaves in such a way as could reasonably cause physical injury to any person.
- L. **Saturday School** – As a result of violating the behavior code and assignment by an administrator, a student is required to report for a specified length of time on a Saturday. Academic assignments are required.
- M. **School property** includes, but is not limited to:
  - a. The land and improvements which constitute the school;
  - b. Any other property or building, including school bus stops, whenever located, where any school function or activity is conducted;
  - c. Any bus or other vehicle used in connection with school functions and activities including but not limited to, school buses, buses leased by the School System and privately-owned vehicles used for transportation to and from school activities; and
  - d. Personal belongings, automobiles or other vehicles which are located on school property.
- N. **School technology resources** includes, but is not limited to:
  - a. Electronic media systems such as computers, electronic networks, messaging, and Web site publishing, and
  - b. The associated hardware and software programs used for purposes such as, but not limited to, developing, retrieving, storing, disseminating, and accessing instructional, educational, and administrative information.
- O. **Semester** is defined as a division of the school year into two terms of approximately equal length totaling thirty- six (36) weeks. Disciplinary minimums and maximums within the code that are defined by semesters, will be measured by full semesters of suspension/expulsion, rather than a partial semester that may begin the sanction. However, any student completing 75% of a partial semester in an expulsion/long-term suspension status will be deemed to have completed one full semester.
- P. **Sexual battery** is defined as a student intentionally making physical contact with the intimate parts of the body of another person without the consent of that person. Intimate body parts include the primary genital area, anus, groin, inner thighs, or buttocks of a male or female and the breasts of a female.
- Q. **Sexual Harassment.** Verbal, visual or physical conduct of a sexual nature (including, but not limited to, unwelcome sexual advances or gestures, requests for sexual favors, sexually offensive slurs, sexually offensive drawings or posters directed towards another person) where there is a pattern of harassing behavior or a single significant incident. **See also Policy JAEB.**
- R. **Short-Term Suspension** means the suspension of a student from school for not more than ten (10) school days or less.
- S. **Tardies** – Arriving after the scheduled beginning of school or class.
- T. **Truancy** - Any child subject to compulsory attendance who, during the school calendar year, is absent from school more than five (5) days without a valid written excuse.
- U. **Valid Written Excuse** - A written explanation provided to the school within three days of a student's absence, signed by the student's parent or guardian.
- V. **Work Detail** - A student is required to report to a specific school location and faculty members for a specified length of time. A student should plan to do light physical labor.

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

#### **Section I DISCIPLINE LEVELS:**

**A. Level 1 Discipline:** Level 1 discipline is used for minor acts of misconduct which interfere with the good order of school. Following appropriate teacher intervention, students may be referred to an administrator. Consequences range from administrative conference to three (3) days of in-school Suspension

(ISS) and/or restitution. Consequences may also include detention, work detail and/or Saturday school.

**B. Level 2 Discipline:**

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

**C. Level 3 Discipline:**

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

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

School principals or designees may recommend that a student be considered eligible to apply to attend the AEP during long-term suspension/expulsion. Upon this recommendation or a decision of the Tribunal

Facilitator/Panel or Hearing Officer, expelled/long-term suspended students may attend the AEP for all or any assigned portion of their expulsion/long-term suspension pursuant to a contract. A student may be required to attend the AEP for a minimum length, which may extend past the long-term suspension/expulsion.

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

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

School principals or designees may also refer the student to the Marietta Student Life Center for behavior intervention services, when available, in lieu of out-of-school suspension (OSS) or in-school suspension (ISS), or any portion of the period of OSS/ISS. Exceptions to this provision include, but are not limited to, penalties for buying, selling, and possession with Intent to distribute drugs/alcohol (2<sup>nd</sup> offense); consequence for a tribunal finding of a third offense of bullying within a school year; consequences for physical offenses upon school employees; and consequences for a dangerous weapon or firearm.

**Section II STUDENT OFFENSES:**

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

**A. ALCOHOL/ILLEGAL DRUGS/INHALANTS:**

1. No student shall possess, consume, transmit, store, or be under any degree of influence of alcoholic beverages (including related products such as "near" beer, non-alcoholic beer, and non-alcoholic wine coolers) and/or illegal drugs, narcotics, hallucinogens, amphetamines, barbiturates, marijuana, prescription medications, or any other substance listed under the Georgia Controlled Substances Act or any substance believed by the student to be alcohol, a controlled substance or an illegal drug. Legal intoxication is not required for violation of this Code of Conduct. **(See consequences, below)**
2. No student shall possess, transmit, store, buy, sell, or otherwise distribute or possess with intent to sell any drug-related paraphernalia. **(Level 1-3)**
3. No student shall falsely present or identify a substance to be alcohol, a controlled substance or an illegal drug. **(Level 1-3)**
4. No student shall buy, sell, or otherwise distribute or possess with intent to distribute or attempt to buy, sell, or otherwise distribute or possess with intent to distribute alcoholic beverages, illegal drugs, narcotics, hallucinogens, amphetamines, barbiturates, marijuana, prescription medications or any other substance listed under the Georgia Controlled Substances Act, or any substance falsely identified as such, or is believed by the purchaser or seller to be an alcoholic beverage or illegal drug, narcotics, hallucinogens, amphetamines, barbiturates, marijuana, prescription medications or any other substance listed under the Georgia Controlled Substances Act. **(See consequences, below)**
5. No student shall sniff or be under the influence of inhalants and/or other substances. **(See consequences, below)**

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

**Consequences for Possession, Personal Use or Being Under the Influence (Elementary School): First Offense and Additional Offenses:**

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

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

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

**Second Offense:**

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

**Third Offense and Additional Offenses:**

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

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

Minimum of one (1) day of out-of-school suspension  
 Maximum of ten (10) days of out-of-school suspension with a recommendation for expulsion for a specified

time Contact Superintendent and School Resource Officer

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

**First Offense:**

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

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

Contact Superintendent and School Resource Officer

**Second and Additional Offenses:**

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

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

**B. ATTENDANCE VIOLATIONS:**

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

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

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

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

Schools shall notify parents when a student has accumulated five (5) unexcused absences. Schools shall also notify parents when the student has accumulated seven (7) unexcused absences during the school year.

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

**C. BOMB THREATS:**

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

### **Consequences (Elementary School):**

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

### **Consequences (Middle and High School):**

#### **First Offense:**

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

#### **Second and Additional Offenses:**

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

### **D. BULLETS, BB'S, PAINT BALL PELLETS**

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

### **E. BUS BEHAVIORS:**

The Marietta Board of Education expects students to conduct themselves in an exemplary manner on school bus transportation, or any other mode of transportation used to transport students to and from school or to and from extra-curricular or interscholastic activities.

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

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

Students shall comply with the Safe Rider Code of Conduct. Additionally, students shall follow all student behavior policies and regulations while on school provided transportation including, but not limited to, the prohibitions on physical violence, bullying, assault, battery, disrespectful conduct, or other unruly behavior. Any referral to a school administrator for violating the behavior code while on school bus transportation will be resolved in accordance with the consequence levels prescribed in this policy. Inappropriate behaviors determined to be a violation of the behavior code do not require implementation of the Bus Safety Partnership Discipline Plan prior to submission of a referral to the school administration.

Consequences for violating the behavior code as it relates to student transportation range from Level 1 through Level 3 and/or suspension from the bus for a specified time: This may include permanent suspension from the bus. In the event a student's bus privileges are suspended, it shall be the responsibility of the parent/guardian, or the student if over 18 years old, to provide transportation to and from school and to and from extra-curricular and interscholastic activities.

Additionally, prohibited items may be temporarily confiscated by the driver, provided they are returned to the student, student's parent/guardian, school administrator, or Director of Transportation. Drivers should not keep student's personal property in their possession overnight.

Articles brought on the bus such as band instruments must be kept in possession of the owner at all times. Efforts will be made to accommodate instruments; however, those that are too large or pose a threat to safety

may be denied for transport. Students should be at the bus stop at least five (5) minutes before the bus is scheduled to arrive. Buses arriving within five minutes of scheduled pick-up time are considered to be on time. The bus will stop and load or unload passengers only at the designated bus stops. During inclement weather, the driver may make stops closer to a passenger's home.

In addition:

1. Students must always keep all body parts inside the bus. **(Level 1-3 and/or suspension from the bus for a specified time)**
2. Nothing may be thrown into, out of, within, or at the bus. **(Level 1-3 and/or suspension from the bus for a specified time)**
3. **Bus Disruption:** Students must not make unnecessary noise; converse in a loud tone or yell out the window of the bus; and must remain seated at all times unless directed by the driver. Students must remain quiet at all railroad crossings. **(Level 1-3 and/or suspension from the bus for a specified time)**
4. Emergency doors and windows are to be used only at the direction of the driver. **(Level 1-3 and/or suspension from the bus for a specified time)**
5. Students may not board or disembark a bus at a bus stop other than that assigned for their residence without submitting a written request from their parent or guardian to the principal or designee for approval. **(Level 1-3 and/or suspension from the bus for a specified time)**
6. Students shall not use mirrors, lasers, flashing lights, flash cameras, or any other lights or reflective surfaces which might interfere with the operation of the school bus. **(Level 1-3 and/or suspension from the bus for a specified time)**
7. Consumption of food and drinks, including gum and candy, are not permitted. **(Level 1-3 and/or suspension from the bus for a specified time)**
8. Students shall board and exit the bus quickly and quietly and are to cross the street in front of the bus in full view of the driver. After leaving the bus, students are not to stop to pick up anything that has fallen under or near the bus unless they first let the driver know there is a problem. Unsafe bus stop behavior should be reported to the school principal or his/her designee. **(Level 1-3 and/or suspension from the bus for a specified time)**
9. Students shall move behind the guardrail or white line on the floor before the bus is placed in motion, and they must be seated (if available) and remain seated and/or behind the guard rail and/or white line throughout the ride. **(Level 1-3 and/or suspension from the bus for a specified time)**
10. If a student has been found to have engaged in battery, acts of physical violence, bullying or physical threats on the school bus, the student's parent/guardian shall be required to meet with the principal/designee to execute a bus behavior contract. **(Level 2-3 and/or suspension from the bus for a specified time)**

**Marietta City School  
System BUS STOP  
NOTICE**

It is important that parents/guardians are aware of their child's bus stop information, including where and when students are dropped off by the bus in the afternoon.

It is the responsibility of the parent or guardian to ensure the student is appropriately supervised once a child is dropped off at his/her bus stop. Failure to do so can result in the filing of a report based upon Division of Family and Children Services (DFACS) guidelines.

The following are Georgia DFCS guidelines for leaving a child without adult supervision:

- Children age 8 years old and younger should not be left alone, even for short periods of time.
- Children between the ages of 9 and 12, based on level on maturity, can be left home alone for brief periods of time.
- It is strongly discouraged for parents to have 13 year old babysit infants, small children, and children that require special attention due to medical conditions.
- Children 15 and older can be left home alone overnight, depending on the level of maturity of the child.

When leaving a child unaccompanied, please consider the following recommended safety precautions:

- Don't leave the child responsible for food preparation that involves the stove.
- Have a neighbor or relative check in regularly or have the child check in with an adult.
- Make a safety plan that includes 911 and rehearse the plan with your child.

Please note that students 8 years old and younger may be brought back to a Marietta City School (MCS) satellite location (that houses an after school program) by the bus driver if the driver, subject to his/her discretion, has reason to believe the child could be in danger and/or is not properly supervised. If a student is returned to a MCS after school program (see below), his/her parents will be charged the ASP daily rate. Therefore, it is important that you communicate your arrangements with the bus driver if you or another responsible person of the appropriate age is not present to meet young children.

Parents in need of after school care can register their child at [https://mariettacommunityschool.ce.eleyo.com/BSP- ASP](https://mariettacommunityschool.ce.eleyo.com/BSP-ASP) or call 770-429-3170 for more information about the ASP program.

MCS Satellite Drop-Off  
Location Park Street  
Elementary  
105 Park Street, SE  
Marietta, GA 30060  
Phone: 770-429-3110 (Transportation Dept.)

#### **F. COMMUNICATIONS DEVICES:**

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

Students may use personal communication devices for personal reasons as follows:

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

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

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

#### **G. DISRESPECTFUL CONDUCT:**

1. No student shall use any type of profane, vulgar, obscene or ethnically offensive language (written or oral) or gestures towards students or other persons who are not school personnel or adults. **(Level 1-2)**
2. A student shall not use profane, obscene, or abusive language (written or oral) or gestures toward school personnel or other adults. **(Level 2-3)**
3. No student shall possess, display, or distribute profane, vulgar, pornographic, obscene, or ethnically offensive materials. **(Level 1-2)**
4. No student shall knowingly and willfully make false reports or statements; whether orally or in writing; falsify school records; or forge signatures. This includes, but is not limited to, falsifying, misrepresenting, omitting or erroneously reporting information regarding instances of alleged

inappropriate behavior by a school employee or student. **(Level 1-2)**

5. Insubordination: All students shall comply with reasonable directions or commands of authorized school personnel/designees. **(Level 1-3)**

6. No student shall refuse to identify oneself upon request of any School System employee/designee. **(Level 1-2)**

7. No student shall repeatedly violate the school or School System dress code, found in school handbooks or at Policy JCDB. **(Level 1-2)**

8. No student shall fail to attend detention, Saturday school or in-school suspension. **(Level 1-2)**

9. No student shall engage in a verbal altercation with any person. **(Level 1-3)**

#### **H. DISRUPTION OF SCHOOL:**

1. School/Class Disruption: No student shall, in any manner, by the use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or any other conduct, intentionally cause the disruption of any lawful mission, process or function of the school, or engage in any such conduct for the purpose of causing the disruption or obstruction of any such lawful mission, process or function. **(Level 1-3)**

2. Students shall not be on the campus of a school in which they are not enrolled during that school's hours or while that school is operational without permission from that school's administration. Students also may not enter a school building after hours without express permission. **(Level 2)**

3. Students may not attend any school function, on or off campus, while subject to suspension/expulsion or assigned to an alternative education program. **(Level 1-2)**

4. Students may not be present in an unauthorized area of school property. **(Level 1-2)**

5. Students shall not occupy nor block the entrance/exit of any school building, gymnasium, school grounds, properties or parts(s) thereof with the intent to deprive others of its use, or when the effect thereof is to deprive others of such use. **(Level 1-3)**

6. Students shall not prevent students from attending a class or school activity. **(Level 1-3)**

7. No student shall, except under the direct instruction of the principal or his/her designees, block normal pedestrian or vehicular traffic on a school campus or adjacent grounds. **(Level 1-3)**

#### **I. FALSE REPORTS:**

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

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

##### **Consequences (Elementary School):**

###### **First Offense and Additional Offenses:**

Minimum of one (1) day out-of-school suspension

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

##### **Consequences (Middle and High School):**

###### **First Offense:**

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

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

Contact Superintendent and School Resource Officer

###### **Second and Additional Offenses:**

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

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

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

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

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

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

**Second and Additional Offenses:**

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

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

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

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

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

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

**Second Offense:**

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

**Third Offense and Additional Offenses:**

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

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

#### **J. GAMBLING:**

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

#### **K. GANG RELATED ACTIVITY:**

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

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

#### **Consequences for Gang Related Activity (Elementary School): For first and additional offenses:**

Level 1-3 consequences.

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

#### **Consequences for Gang Related Activity (Middle and High School): First Offense:**

Level 1-3 consequences

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

#### **Second Offense:**

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

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

Contact Superintendent and School Resource Officer

#### **Third and Additional Offenses:**

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

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

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

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

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

3. Bullying. No student shall bully another student or students. Parents/guardians/persons that have

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

#### **M. INCENDIARY DEVICES.**

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

#### **N. OFF-CAMPUS OFFENSES:**

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

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

#### **O. OTHER BEHAVIORS:**

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

#### **P. OVER-THE-COUNTER MEDICATION:**

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

#### **Q. PARTIES TO THE OFFENSE:**

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

#### **R. PHYSICAL OFFENSES:**

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

1. No student shall use any device, chemical, irritant, or substance in a manner inconsistent with its intended or prescribed use or in a manner designed to cause harm, shock, physical irritation, or allergic reaction. Examples include, but are not limited to, directing a laser optical pointer or similar device at another person's eyes, and applying "itching powder" or like substances to another person. **(Level 1-2)**
2. Students shall not engage in horseplay or rough or boisterous activities. **(Level 1-2)**

3. No student shall participate in any kind of physical harassment including intentional spitting on another. **(Level 2-3)**
4. Students shall not engage in fighting or mutual combat. Students that fight and incidentally or inadvertently injure another person in the process of fighting, being separated, or being removed from the area will receive higher consequences. **(Level 2-3)**
5. Battery on any Person Other Than a School Employee.

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

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

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

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

**Second and Additional Offenses:**

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

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

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

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

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

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

**Second and Additional Offenses:**

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

**7. Physical Offenses upon School Employees:**

**a. Physical Threat:**

**Hearing:** If a student commits an act of physical threat (assault) upon a school employee, a mandatory 21

disciplinary hearing shall be held in accordance with Policy JDD/JDE of JCDA regardless of the recommended discipline, unless the hearing is waived. A disciplinary hearing regarding a recommendation for a short-term out of school suspension (10 days OSS or less) may be waived by the employee. A disciplinary hearing regarding a recommendation for a long-term out of school suspension/expulsion (11 days OSS or more) may be waived only by agreement of both the employee and the parent/guardian/student over 18.

**Consequences (Elementary School):**

**First Offense and Additional Offenses:**

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

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

**First Offense:**

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

**Second and Additional Offenses:**

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

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

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

**Consequences (Elementary School):**

**First Offense and Additional Offenses:**

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

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

**First Offense:**

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

**Second and Additional Offenses:**

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

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

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

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

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

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

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

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

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

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

**S. PRESCRIPTION DRUGS:**

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

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

**PROPERTY RELATED OFFENSES:**

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

1. No student shall intentionally cause substantial damage to personal property belonging to a school employee or another student. **(Level 2-3)**
2. No student shall set fire to any private property or school property either while on school grounds or off school grounds during a school activity, function, or event. **(Level 2-3 and contact Superintendent**

**and School Resource Officer)**

3. No student shall attempt to, threaten to, or actually damage, destroy, vandalize, or steal private property or school property on school grounds. **(Level 2-3 and contact Superintendent and School Resource Officer)**

4. No student shall attempt to, threaten to, or actually damage, destroy, vandalize, or steal private property or school property off school grounds during a school-related activity, function or event. **(Level 2-3 and contact Superintendent and School Resource Officer)**

5. No student shall possess stolen private property or school property on school grounds. **(Level 2-3 and contact Superintendent and School Resource Officer)**

**U. SEXUAL OFFENSES:**

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

1. Sexual Misconduct:

a. No student shall be engaged in amorous kissing, or other inordinate displays of affection. **(Level 1-2)**

b. No student shall consent to and participate in any form of sexual activity. **(Level 2-3 and contact Superintendent and School Resource Officer)**

c. No student shall expose one's intimate body parts or "moon" in public. Intimate body parts include the primary genital area, anus, groin, inner thighs, or buttocks of a male or female and the breasts of a female. **(Level 2-3)**

d. No student shall commit any act of verbal, written, gesture-oriented, or physical sexual misconduct on school property, school buses, at school-sponsored events, or while using school technology resources. **(Level 2-3 contact Superintendent and School Resource Officer)**

2. Sexual Harassment: **(Level 2-3). If the harassment is a sexual offense under Georgia law (O.C.G.A. § 16-6- 1 through 16-6-25), contact Superintendent and law enforcement.**

3. Sexual Battery:

**Consequences (Elementary School):**

**First Offense and Additional Offenses:**

Minimum of one (1) day out-of-school suspension

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

Contact Superintendent and School Resource Officer

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

**First Offense:**

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

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

Contact Superintendent and School Resource Officer

**Second and Additional Offenses:**

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

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

4. Sexual Molestation:

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

**Consequences (Elementary School):**

### **First Offense and Additional Offenses:**

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

### **Consequences (Middle and High School):**

#### **First Offense:**

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

#### **Second and Additional Offenses:**

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

### **V. STIMULANTS:**

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

### **W. TECHNOLOGY OFFENSES:**

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

1. Students will not purposely look for security problems because such action may be considered an unauthorized attempt to gain access to school technology resources.

**(Level 2-3 and contact Superintendent and School Resource Officer)**

2. Students will not attempt to or actually disrupt the school technology resources by destroying, altering or otherwise modifying technology. Hacking is strictly prohibited. **(Level 3 and contact Superintendent and School Resource Officer)**

3. Students will not use school technology resources to solicit business, advertise, or engage in any other selling activities in support of non-school related fund-raising or private business enterprises. **(Level 1-3)**

4. Students will not engage in any activity that monopolizes, wastes, or compromises school technology resources. **(Level 1-3)**

5. Students will not copy computer programs, software or other technology provided by the School System for personal use. Downloading unauthorized files is strictly prohibited. **(Level 1-3)**

6. No student shall attempt to, threaten to, or actually damage, destroy, vandalize, or steal private property, private copyrighted material, or school property while using school technology resources on or off school grounds. **(Level 2-3, restitution and contact Superintendent and School Resource Officer)**

7. Students will not use school technology resources to distribute or display inappropriate material. Inappropriate material does not serve an instructional or educational purpose and includes but is not limited to material that:

- Is profane, vulgar, lewd, obscene, offensive, indecent, sexually explicit, pornographic or threatening;
- Advocates illegal or dangerous acts;
- Causes disruption to School System, its employees or students; Advocates violence;
- Contains knowingly false, recklessly false, or defamatory information; or
- Is otherwise harmful to minors as defined by the Children's Internet Protection Act. **(Level 2-3 and contact Superintendent and School Resource Officer)**

## **X. TOBACCO:**

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

### **Consequences (Elementary School):**

#### **First Offense and Additional Offenses:**

Level 1-2 discipline

### **Consequences (Middle and High School):**

#### **First Offense:**

Level 1-2 discipline

#### **Second Offense:**

Suspension from school for three (3) school days.

#### **Third and Additional Offenses:**

Suspension from school for five (5) school days.

## **Y. WEAPONS:**

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

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

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

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

### **1. Dangerous Weapon or Firearm:**

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

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

The penalty for any student possessing a dangerous weapon or loaded or unloaded firearm on school property is ten (10) days out-of-school suspension and a recommendation for expulsion for a specified time that will be no less than one calendar year as provided for in Georgia law and may include permanent expulsion.

The hearing officer, tribunal, panel, administrator, superintendent or Board of Education have the

authority to modify these expulsion requirements on a case-by-case basis.  
Contact Superintendent and School Resource Officer

### **First and Additional Offenses (Middle and High School):**

The penalty for any student possessing a dangerous weapon or a loaded or unloaded firearm on school property is ten (10) days out-of-school suspension and a recommendation for expulsion for a specified time that will be no less than one calendar year as provided in Georgia law and may include permanent expulsion.

The hearing officer, tribunal, panel, administrator, superintendent or Board of Education have the authority to modify these expulsion requirements on a case-by-case basis.  
Contact Superintendent and School Resource Officer

### **2. Hazardous Object:**

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

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

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

### **Consequences (Middle and High School):**

#### **First Offense:**

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

### **Second and Additional Offenses:**

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

### **3. Category III Weapon:**

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

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

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

### **Consequences (Middle and High School):**

**First Offense:**

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

**Second and Additional Offenses:**

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

**Section III CLUBS AND ORGANIZATIONS:**

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

**DRESS AND GROOMING (BOARD POLICY JCDB)****Dress and Grooming**

The Board of Education of the City of Marietta recognizes that the dress and grooming of students are significant factors in the successful operation of the educational program. Furthermore, it is recognized as an educational responsibility of the school to make students aware that appropriate dress, appearance, and hygiene are conducive to their personal well-being and the well-being of others.

In keeping with these understandings, each student in the Marietta City Schools System shall be responsible for maintaining a dignified and well-groomed appearance while involved in all school activities or while acting as a representative of the school. The dress of students shall be appropriate for the activities of the school program in which they are participating.

School principals may accordingly regulate the dress and grooming of students.

**School Uniforms**

Each charter system school in the Marietta City Schools system shall have the option of implementing a site-based uniform policy at the opening of school in any given school year. Implementation shall be subject to the approval of the School Governance Team (SGT) in accordance with the procedures set forth below:

1. The SGT of each school shall notify the parent/guardians of students enrolled in the school of their intent to implement a site-based uniform policy at the opening of school no later than March 1 of the calendar year in which the policy is to be implemented.
2. Such notification shall include, but not be limited to the following:
  - a. The rationale for implementing a site-based uniform policy.
  - b. Detailed description of the uniform policy; including the scope of the opt-out provision (which at a minimum must include an opt-out for medical and/or religious reasons).
  - c. Funding sources with respect to students who cannot afford to purchase uniforms. No student shall be denied attendance at a school, penalized, or otherwise subject to discipline measures for failing to wear a uniform by reasons of financial hardship.
  - d. Information regarding vendor options, prices, discounts, and offerings.
  - e. Information regarding types of uniforms to be used, including styles, colors, etc.
3. Prior to SGT approval of a site-based uniform policy, the principal shall hold at least two information sessions to which all of the parents/guardians of students enrolled in the school are invited.
4. Seventy percent of the staff and 70% of all the parents/guardians of students enrolled in the school must signify their approval of a site-based uniform policy via a survey, petition, or ballot cast for that purpose; or any combination thereof.

5. The SGT shall annually review the site-based uniform policy to determine whether the policy has met the objectives for which it was implemented.
6. A school may terminate a site-based uniform policy by a majority vote of the faculty present at a faculty meeting and a majority vote of parents/guardians who attend an information session; both of which are held for the purpose of determining whether the site-based uniform policy should be discontinued.
7. In the event of termination of charter system status, a site-based uniform policy already approved and implemented shall remain in force unless termination is requested by the principal and approved by the Board.

## **ERIN'S LAW**

Many states, including Georgia, have passed laws with the intent of increasing the awareness of child sexual abuse. You may be familiar with this legislation under its more common name, Erin's Law. Erin Merryn has crossed the country advocating for laws that will increase awareness of this crime against children. One of the requirements of this law is that schools provide an age-appropriate curriculum to all students relating to sexual abuse prevention. The purpose of these lessons is to provide students tools needed for personal safety and to provide a nurturing and caring environment open for disclosure of any incidents.

If you have any questions regarding the curriculum, or would like to opt your student out of participation please contact your child's school. For more information on Erin's Law, please visit [www.erinslaw.org](http://www.erinslaw.org).

## **House Bill 287**

The legislation requires the inclusion of tobacco and vapor products in the list of mandatory instruction concerning drug and alcohol use for K-12 students in every grade, every year. Modifications to Georgia's health and physical education standards reflect the change in the standards. Physical education teachers met to identify grade-appropriate lessons on cigarettes and vapor products, and teachers are incorporating lessons and resources aligned to state standards in their lesson plans.

HB287 also requires state boards of education to prescribe a course of study about human trafficking awareness for students in grades 6-12. Changes to state curriculum standards have occurred to reflect the newly adopted legislation.

Information will be forthcoming from your student's school about student instruction and the opportunity to opt-out of participating. Additional information on health and PE standards can be found here: <https://www.georgiastandards.org/Georgia-Standards/Pages/Physical-Education.aspx>.

## **PRIVACY ACT (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

**(1) ACCESSING STUDENT RECORDS** - The right to inspect and review the student's education records within 45 days from the date the Marietta City Schools (School System) receives a request for access.

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

**(2) AMENDING STUDENT RECORDS** - The right to request the amendment of the student's education records that the parent/guardian or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents/guardians or eligible students may ask the School System to amend a record that they believe is

inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading. If the School System decides not to amend the record as requested by the parent/guardian or eligible student, the School System will notify the parent/guardian or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/guardian or eligible student when notified of the right to a hearing.

**(3) DISCLOSING STUDENT RECORDS** – The right to provide written consent before the school discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

FERPA permits the disclosure of PII from students’ education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student:

- a. To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))

A school official is a person employed by the School System as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a school or School System approved volunteer; a person or company that is under the direct control of the School System with respect to the use and maintenance of education records and with whom the School System has contracted or who volunteers to perform a service or function for which the School System would otherwise use employees (such as an attorney, auditor, medical consultant, therapist, insurance adjuster); or a parent/guardian or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility.

- b. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student’s enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- c. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student’s State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
- d. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- e. To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system’s ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
- f. To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- g. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))

- h. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- i. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- j. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- k. Information the school has designated as “directory information” under §99.37. (§99.31(a)(11)) (*see Section 5 for further information regarding directory information*)

#### **(4) COMPLAINTS**

- a. Complaints regarding alleged failures by the school district to comply with the requirements of FERPA may be filed with the U.S. Department of Education. The name and address of the Office is: Family Policy Compliance  
Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202.
- b. Complaints regarding the Title I-A, Title I-C, Title I-D, Title II-A, Title III-A, the McKinney-Vento Act, and/or the School Improvement (1003a) programs may be sent to the Dr. Brittney Wilson, Executive Director of Innovative Practices, Marietta City Schools, 250 Howard St. Marietta, GA 30060. If the complaint is not resolved at the school district level, complaints regarding the above-mentioned programs may be submitted to the Associate Superintendent of Federal Programs, Georgia Department of Education, 250 Jesse Hill Jr. Drive SE, Atlanta, GA 30334.
- c. The Georgia Student Data Privacy, Accessibility, and Transparency Act afford parents and students who are 18 years of age or older ("eligible students") the right to file a complaint with their local school system regarding a possible violation of rights under O.C.G.A. 20-2-667 or under other federal or state student data privacy and security laws. Such complaints may be filed with: Dr. Brittney Wilson, Executive Director of Innovative Practices, Marietta City Schools, 250 Howard St. Marietta, GA 30060.

#### **(5) DIRECTORY INFORMATION**

The School System may disclose appropriately designated “directory information” without consent, unless you have advised the School System to the contrary in accordance with School System procedures (See Section 7). Directory information is information that is generally not considered harmful or an invasion of privacy if released. Directory information includes a student’s name, address, email addresses, phone number, date and place of birth, grade level, dates of attendance and most recent previous school attended, degrees/honors/awards received, photograph, participation in school activities and sports, as well as weight and height of members of athletic teams; peripheral video footage, photographic images, or audio recordings of day-to-day student activities (See Section 7); and student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student’s social security number, in whole or in part, cannot be used for this purpose.)

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

Directory information may also be released without prior consent to only the following: law enforcement agencies, State and Federal Child Welfare Agencies, District Attorney and Solicitor’s Offices, the Professional Standards Commission, PTA and other school support organizations, U.S. Armed Forces recruitment agencies, schools and colleges accredited by the Southern Association of Colleges and Schools (AdvancEd), and companies the School System uses to manufacture school items such as class rings or yearbooks for non-political purposes. School System teachers, School System schools and the School System may also display a student’s name, email address, photograph, recording, footage, most recent previous school attended, awards received, participation in school activities and sports, as well as weight and height of members of athletic teams on School System or School Websites or blogs for the purposes of recognizing student achievement, instructional purposes, or informing the community about school events and activities.

#### **(6) AUDIO/VIDEO RECORDINGS, PHOTOGRAPHIC FOOTAGE**

The School System also records and maintains audio recordings and video or photographic footage (including accompanying audio) of students on school property and at school events in locations including, but not limited to, parking lots, school buses, lunchrooms, classrooms, and hallways. Such information is used and maintained for security and other purposes, including yearbooks, video yearbooks, and school publications and Websites. In many cases, videos contain peripheral video or photographic footage of students engaged in day-to-day activities including, but not limited to, walking to class, riding the school bus, attending, or participating in classroom or school activities, eating lunch, participating in club or performance activities, accepting awards and/or engaging in academic activities. Audio recordings of students may also include day-to-day peripheral recordings of noises or voices related to students, including but not limited to, student voices or noises in hallways, classrooms, at public performances, class presentations and/or during class participation.

Peripheral video footage, photographic images, or audio recordings of day-to-day student activities do not include footage of a student or students committing or being involved in a violation of law or School System or School Rule, Procedure, or Policy. The School System may also determine that other activities do not qualify as peripheral images, footage, or recordings on a case-by-case basis. Peripheral or day-to-day recordings, images or video footage (including

accompanying audio) of students may be released without prior written parental/guardian consent, subpoena and court order to only the following: law enforcement agencies, State and Federal Child Welfare Agencies, District Attorney and Solicitor's Offices, the Professional Standards Commission, PTA and other school support organizations, U.S. Armed Forces recruitment agencies, and schools and colleges accredited by the Southern Association of Colleges and Schools (AdvancEd) for non-political purposes. School System teachers, School System schools and the School System may also post these images or recordings on School or School System Websites or blogs.

A student or the parent/guardian of a student involved in any prohibited conduct may review a recording of prohibited conduct, which may contain other students' peripheral video or audio information. This review may be allowed without obtaining the consent of the peripheral student(s) or his/her parent(s)/guardian(s). However, if any other students are involved in the recorded prohibited conduct, the school will require compulsory process or appropriate written consent from those parents/guardians/eligible students prior to the review of the recording.

#### **(7) DIRECTORY INFORMATION – PARENTAL NOTIFICATION PROCEDURE**

Parents/Guardians of students under 18 years of age or a student 18 years of age or older objecting to the release of directory information should notify the school principal in writing within 10 days of enrollment.

#### **(8) STUDENTS WITH DISABILITIES**

To the extent that the Individuals with Disabilities Education Act (IDEA) or Section 504 expand upon the privacy and access rights described above, the District shall comply with those requirements.

## **FIT Georgia**

In 2009, the Georgia Student Health and Physical Education (SHAPE) Act was passed and is outlined in Official Code of Georgia Annotated § 20-2-777. The law requires each local school district to conduct an annual fitness assessment program for all students in grades 1-12 enrolled in classes taught by certified physical education teachers. In SY2024-25, the Georgia Department of Education (GaDOE) released FIT Georgia Assessment for students across our state.

As a part of your child's physical education program, your school will be administering the FIT Georgia Assessment this year. FIT Georgia assesses cardiovascular fitness, muscular strength and endurance, flexibility, and body composition. It's important to note that the assessment does not compare your child to anyone else, nor does it assess skill or athletic ability. The results of the assessment can be used to support your child in setting healthy fitness goals from year -to-year. Your child's physical education teacher will share your school's testing window.

If you have any questions regarding the FIT Georgia Assessment, or if you like to receive a copy of your child's results, please feel free to contact your child's physical education teacher.

## HOMELESS STUDENTS

A homeless child or youth is defined as a student lacking a fixed, regular and adequate nighttime residence that is living in any of the following situations: sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; living in an emergency or transitional shelter; living in a motel, hotel, trailer park or camping ground due to lack of alternative adequate accommodations; abandoned in hospitals; awaiting foster care placement; primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and migratory children who qualify as homeless for the purposes of this subtitle because the children are living in preceding circumstances. These preschool-aged and school-aged children have

certain rights or protections under the McKinney-Vento Homeless Education Assistance Act 42 U.S.C. 11431 et seq. These rights include enrollment without delay in school without proof of residency or permanent address; without immunization, school records, or other documents or while documents are being obtained; a choice between the local school where you are living or the school last attended before becoming homeless (when requested by the parent/guardian and determined by the district to be feasible and in the student's best interest); a right to initiate the dispute resolution process when the parent/guardian or student disagrees with the determination at the district and state level; and a right to attend school and participate in school programs to the extent that all students are eligible to participate. To be considered eligible and for further information regarding the dispute resolution process, families or unaccompanied homeless youth should contact the Homeless Liaison that serves the school zoned for the location where they reside. Homeless eligibility is for one school year only, so the parent/guardian or student should verify their homeless status at the beginning of the school year in order to renew their eligibility.

## INFORMATION REGARDING DISCRIMINATION AND HARASSMENT NOTICE OF NON-DISCRIMINATION

The Board of Education of the City of Marietta does not discriminate on the basis of race, color, religion, national origin, age, disability, or gender in its employment practices, student programs and dealings with the public. Policies of the Board of Education 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, along with Title IX of the Educational Amendments of 1972; Age Discrimination and Employment Act (ADEA), along with Age Discrimination Act (Age Act) of 1975, 42 U.S.C. Sections 6101, et seq., 34 C.F.R. Part 110; Americans with Disabilities Act of 1990 (ADA, Title II); Section 504 of the Rehabilitation Act of 1973; Public Law 101-476, Individuals with Disabilities Education Act (IDEA).

District's non-discrimination policies:

### **Title VI Compliance Officer**

(Issues of discrimination on basis of race, color, or national origin, gender, sexual harassment)

### **Title II of the Americans with Disabilities Act and Section 504 Compliance Officer**

(Issues of discrimination on the basis of disability)

### **Assistant Superintendent for Special Services Marietta City Schools**

250 Howard Street, Marietta, GA 30060

(770) 422-3500, ext. 7238

### **Title IX Compliance Officer**

(Issues of discrimination on the basis of gender or sexual harassment)

### **Employment Issues**

(Issues of discrimination on the basis of any category listed in policy GAAA)

### **Executive Director of Innovative Practices Marietta City Schools**

250 Howard Street, Marietta, GA 30060

(770) 422-3500, ext. 7285

**Chief Human Resource Officer Marietta City Schools**

250 Howard Street, Marietta, GA 30060

(770) 422-3500, ext. 7292

Complaints may also be filed directly with the Office of Civil Rights at the address below: Office for Civil Rights U.S. Department of Education  
61 Forsyth Street S.W., Suite  
19T10 Atlanta, GA 30303-8927  
Telephone: (404) 974-9406  
Facsimile: (404) 974-9471

**REPORTING DISCRIMINATION OR HARASSMENT**

Any student who believes he or she has been the victim of discrimination on the basis of race color, religion, national origin, age, disability or gender, which may include sexual harassment, sexual violence, or any other form of prohibited discrimination or harassment, should report the incident to an administrator, counselor, teacher at the school he or she attends or the applicable Compliance Officer.

Discrimination and harassment are prohibited in all School System programs and activities. This includes School System academic, extracurricular, athletic, and other School System programs, as well as on School System buses, during field trips, and in classes or training programs that take place on or off school grounds. The School System is committed to upholding these laws and takes discriminatory behaviors seriously. Investigations involving allegations of sexual harassment allegations will be handled per Board of Education of the City of Marietta Policy JAEB, Student Sexual Harassment. This policy and the Report of Harassment form can be found on the Legal Information webpage at [www.marietta-city.org](http://www.marietta-city.org) or by contacting the school.

**NOTICE OF CHILD FIND**

In accordance with state rule 160-4-7-.03 and IDEA regulations, Marietta City Schools (MCS) conducts child find activities to identify, locate and evaluate all children, who reside within the district, who are suspected of having disabilities that may result in a need for special education and related services. Child Find responsibilities extend to all children (ages birth through 21) suspected of having disabilities, including those attending private school, highly mobile children, migrant children, unhoused children, those who are wards of the state, and home school children located within the district, regardless of the severity.

The final identification of students with disabilities and the development of programming for such students occur only after an analysis of intervention data, an appropriate evaluation, and a determination of eligibility by a Multidisciplinary Placement Team. Once it is determined a student needs special education and related services, he/she may receive these services from ages 3 through 21 and up until their 22nd birthday. If you suspect your child has a disability, or if you know of a child who you suspect may have a disability, or if you have questions about special education and related services, please contact:

Student Services  
250 Howard Street  
Marietta, Georgia 30060  
(678) 695-7240

**NOTICE OF RIGHTS OF STUDENTS AND PARENTS UNDER SECTION 504**

Section 504 of the Rehabilitation Act of 1973, commonly referred to as "Section 504," is a nondiscrimination statute enacted by the United States Congress. The purpose of Section 504 is to prohibit discrimination and

to assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

For more information regarding Section 504, or if you have questions or need additional assistance, please contact the Marietta City Schools' Section 504 Coordinator at the following address:

Dr. Tris  
Gilland  
Marietta City  
Schools 250  
Howard  
Street  
Marietta, GA 30060  
678-695-7238  
[tgillard@marietta-city.k12.ga.us](mailto:tgillard@marietta-city.k12.ga.us)

1. The implementing regulations for Section 504 as set out in 34 CFR Part 104 provide parents and/ or students with the following rights: Your child has the right to an appropriate education designed to meet his or her individual educational needs as adequately as the needs of non-disabled students. 34 CFR 104.33.
2. Your child has the right to free educational services except for those fees that are imposed on non-disabled students or their parents. Insurers and similar third parties who provide services not operated by or provided by the recipient are not relieved from an otherwise valid obligation to provide or pay for services provided to a disabled student. 34 CFR 104.33.
3. Your child has a right to participate in an educational setting (academic and nonacademic) with non-disabled students to the maximum extent appropriate to his or her needs. 34 CFR 104.34.
4. Your child has a right to facilities, services, and activities that are comparable to those provided for non- disabled students. 34 CFR 104.34.
5. Your child has a right to an evaluation prior to a Section 504 determination of eligibility. 34 CFR 104.35.
6. You have the right to not consent to the school system's request to evaluate your child. 34 CFR 104.35.
7. You have the right to ensure that evaluation procedures, which may include testing, conform to the requirements of 34 CFR 104.35.
8. You have the right to ensure that the school system will consider information from a variety of sources as appropriate, which may include aptitude and achievement tests, grades, teacher recommendations and observations, physical conditions, social or cultural background, medical records, and parental recommendations. 34 CFR 104.35.
9. You have the right to ensure that placement decisions are made by a group of persons, including persons knowledgeable about your child, the meaning of the evaluation data, the placement options, and the legal requirements for least restrictive environment and comparable facilities. 34 CFR 104.35.
10. If your child is eligible under Section 504, your child has a right to periodic reevaluations, including prior to any subsequent significant change of placement. 34 CFR 104.35.
11. You have the right to notice prior to any actions by the school system regarding the identification, evaluation, or placement of your child. 34 CFR 104.36.
12. You have the right to examine your child's educational records. 34 CFR 104.36.
13. You have the right to an impartial hearing with respect to the school system's actions regarding your child's identification, evaluation, or educational placement, with opportunity for parental participation in the hearing and representation by an attorney. 34 CFR 104.36.
14. You have the right to receive a copy of this notice and a copy of the school system's impartial hearing procedure upon request. 34 CFR 104.36.
15. If you disagree with the decision of the impartial hearing officer (school board members and other district employees are not considered impartial hearing officers), you have a right to a review of that decision according to the school system's impartial hearing procedure. 34 CFR 104.36.
16. You have the right to, at any time, file a complaint with the United States Department of Education's Office for Civil Rights.

## THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA) NOTICE

The Protection of Pupil Rights Amendment (PPRA) affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to: Consent before students 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; or
8. Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of -

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

Inspect, upon request and before administration or use -

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

These rights transfer to/from the parents to a student who is 18 years old or an emancipated minor under State law. The School System is requesting parental input to develop and adopt policies 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. After development, the School System will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. All input should be directed to the Office of the Superintendent, Attention PPRA Input, no later than **October 1, 2025**.

The School System will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The School System will make this notification to parents at the beginning of the school year if the School System has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and will be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement: Collection, disclosure, or use of personal information for marketing, sales, or other distribution; Administration of any protected information survey not funded in whole or in part by ED; Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with the Family Policy Compliance Office; U.S. Department of Education; 400 Maryland Avenue, SW, Washington, D.C. 20202.

## ESSA PARENT NOTICE OF TEACHER and PARAPROFESSIONAL QUALIFICATIONS

In compliance with the requirements of Every Student Succeeds Act (ESSA), Marietta City Schools informs parents that you may request information about the professional qualifications of your child's teacher(s) and paraprofessional(s) providing services to your child.

The following information may be requested:

- Whether the teacher/paraprofessional has met the Georgia Professional Standards Commission certification requirements for the grade level and subject area(s) in which he/she is teaching;
- Whether the teacher is teaching under an emergency or other provisional status through which Georgia qualifications or certification criteria have been waived;
- Whether the teacher is teaching the field of discipline of the certification of the teacher;
- Whether the student is provided services by paraprofessionals, and if so, their qualifications.

If you would like more information regarding your child's teacher's qualifications, please contact your school principal.

### SECTION 504 PROCEDURAL SAFEGUARDS

**1. Overview:** Any student or parent or guardian ("grievant") may request an impartial hearing due to the school system's actions or inactions regarding your child's identification, evaluation, or educational placement under Section 504. Requests for an impartial hearing must be in writing to the school system's Section 504 Coordinator; however, a grievant's failure to request a hearing in writing does not alleviate the school system's obligation to provide an impartial hearing if the grievant orally requests an impartial hearing through the school system's Section 504 Coordinator.

Marietta City Schools' Chief of Special Services and Educational Supports, Dr. Tris Gilland ([tgilland@marietta-city.org](mailto:tgilland@marietta-city.org) or 770-427-7238), will assist the grievant in completing the written Request for Hearing.

**2. Hearing Request:** The Request for the Hearing must include the following:

- a. The name of the student.
- b. The address of the residence of the student.
- c. The name of the school the student attending.
- d. The decision that is the subject of the hearing.
- e. The requested reasons for review.
- f. The proposed remedy sought by the grievant.
- g. The name and contact information of the grievant.

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

**3. Mediation:** The school system may offer mediation to resolve the issues detailed by the grievant in his or her Request for Hearing. Mediation is voluntary and both the grievant and school system must agree to participate. The grievant may terminate the mediation at any time. If the mediation is terminated without an agreement, the school system will follow the procedures for conducting an impartial hearing without an additional Request for Hearing.

**4. Hearing Procedures:**

- a. The Section 504 Coordinator will obtain an impartial review official who will conduct a hearing within 45 calendar days from the receipt of the grievant request for Hearing unless agreed to otherwise by the grievant or a continuance is granted by the impartial review official.
- b. Upon a showing of good cause by the grievant or school system, the impartial review official, at his or her discretion, may grant a continuance and set a new hearing date. The request for a

- continuance must be in writing and copied to the other party.
- c. The grievant will have an opportunity to examine the child's educational records prior to the hearing.
  - d. The grievant will have the opportunity to be represented by legal counsel at his or her own expense at the hearing and participate, speak, examine witnesses, and present information at the hearing. If the grievant is to be represented by legal counsel at the hearing, he or she must inform the Section 504 Coordinator of that fact in writing at least 10 calendar days prior to the hearing. Failure to notify the Section 504 Coordinator in writing of representation by legal counsel shall constitute good cause for continuance of the hearing.
  - e. The grievant will have the burden of proving any claims he or she may assert. When warranted by circumstances or law, the impartial hearing officer may require the recipient to defend its position/decision regarding the claims (i.e., a recipient shall place a disabled student in the regular educational environment operated by the recipient unless it is demonstrated by the recipient that the education of the person in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. 34 C.F.R. §104.34). One or more representatives of the school system, who may be an attorney, will attend the hearing to present the evidence and witnesses, respond to the grievant testimony and answer questions posed by the review official.
  - f. The impartial review official shall not have the power to subpoena witnesses, and the strict rules of evidence shall not apply to hearings. The impartial review official shall have the authority to issue pre-hearing instructions, which may include requiring the parties to exchange documents and names of witnesses to be present.
  - g. The impartial review official shall determine the weight to be given any evidence based on its reliability and probative value.
  - h. The hearing shall be closed to the public.
  - i. The issues of the hearing will be limited to those raised in the written or oral request for the hearing.
  - j. Witnesses will be questioned directly by the party who calls them. Cross-examination of witnesses will be allowed. The impartial review official, at his or her discretion, may allow further examination of witnesses or ask questions of the witnesses.
  - k. Testimony shall be recorded by court reporting or audio recording at the expense of the recipient. All documentation related to the hearing shall be retained by the recipient.
  - l. Unless otherwise required by law, the impartial review official shall uphold the action of school system unless the grievant can prove that a preponderance of the evidence supports his or her claim.
  - m. Failure of the grievant to appear at a scheduled hearing unless prior notification of absence was provided and approved by the impartial review official or just cause is shown shall constitute a waiver of the right to a personal appearance before the impartial review official.

**5. Decision:** The impartial review official shall issue a written determination within 20 calendar days of the date the hearing concluded. The determination of the impartial review official shall not include any monetary damages or the award of any attorney's fees.

**6. Review:** If not satisfied with the decision of the impartial review official, any party may pursue any right of review, appeal, cause of action or claim available to them under the law or existing state or federal rules or regulations.

## **MARIETTA CITY SCHOOLS COMPUTERS AND NETWORK RESOURCES STUDENT ACCEPTABLE USE GUIDELINES (BOARD POLICY IFBG-E1)**

*Please read the following carefully, as well as related sections of the Behavior Code, Policy JCDA, the Internet Safety Policy, Policy IFBGE, and the Internet Acceptable Use Policy, IFBG. Violations of the "Acceptable Use Guidelines" may cause a student's access privileges to be revoked, personal technology devices to be confiscated, disciplinary action and/or appropriate legal or remunerative action may be taken.*

The Marietta Board of Education (the "Board") provides technology resources, Internet access and, where specifically authorized by school administration, allows student to access approved personally owned technology devices during non-instructional designated times. These resources are utilized as educational tools which facilitate communication, innovation, resource sharing and access to information. Internet and technology resources are provided for educational purposes that promote and are consistent with the educational mission, vision, instructional and educational goals and objectives of Marietta City Schools

("School System").

The Board makes no assurance of any kind, whether expressed or implied, regarding any Internet services provided. The School System or individual schools in the system will not be responsible for any damages the student/user suffers. Use of any information obtained via the Internet is at the student's own risk. The School System specifically denies any responsibility for the accuracy or quality of information or software obtained through its services. Staff and students must be advised that privacy in the use of the Internet is not guaranteed.

Any student who uses the school's computers or other technology resources must be aware of the requirement for appropriate use of the equipment and for accessing the Internet. Procedures are in place for the protection of students and equipment. Students will be held accountable for any violation of the following guidelines in accordance with the behavior code (JCDA). Students and/or their parent/guardian are responsible for damages to equipment and/or the network and will be liable for costs for service or repair.

The Board will assume no responsibility for damages, charges or fees incurred by the student, and identical guidelines apply for student responsibility for the same, regardless of whether these occur through use of school or personally provided technology. The Board assumes no responsibility for loss or damage to student's personal technology while on school grounds. Student and parent accept this risk when the choice is made to utilize personal technology.

Students are only allowed to utilize computers and other technology devices to access the school network to retrieve information and run specific software applications as directed by their teacher. Students are not permitted to access computer operating systems for any reason or attempt to do anything they are not specifically authorized by the teacher to do. Students are not allowed to download any software from the Internet or to load software from a device brought from home onto any system-owned computer unless specifically authorized by his/her teacher or an administrator.

Students bringing personal technology and storage devices (USB devices, cell phones, tablets, or any other type of device) from outside the school are responsible for all material contained on said device. Should the use of any such technology or storage device result in a virus outbreak on a computer or the network, costs incurred for repairs are the responsibility of the student's parent/guardian. The student may have no expectation of privacy for material contained on said personal technology or storage device.

Students should take the following precautions while accessing the Internet:

1. Any on-line communication should always be at the direction and supervision of a teacher.
2. Never provide last name, address, telephone number, or school name on-line.
3. Never respond to, and always report, any messages that make you feel uncomfortable or that are from an unknown origin.
4. Never send a photo of yourself or anyone else to an unfamiliar source or website.
5. Never arrange a face-to-face meeting with someone you met on-line.
6. Never open attachments or files from unknown senders.

Examples of prohibited conduct include, but are not limited to:

- A. Accessing, sending, creating, or posting materials or communications that is damaging to another person's reputation; is abusive, obscene, sexual in nature, threatening or demeaning to another person's gender, race, or religion; or otherwise violates the behavior code. Cyber-bullying and related misuse of the internet will not be tolerated.
- B. Using the network for financial gain or advertising.
- C. Posting or plagiarizing work created by another person without their consent.
- D. Posting anonymous or forging electronic mail messages.
- E. Attempting to read, alter, delete, or copy the electronic mail messages of other system users.
- F. Giving out personal information such as phone numbers, addresses, driver's license or social security numbers, bankcard or checking account information, without the consent of the other party.
- G. Using the school's computer hardware or network for any illegal activity such as copying or downloading copyrighted software in violation of copyright laws.
- H. Loading/using games, public domain, shareware or any other unauthorized program on school computers or computer system.
- I. Purposely infecting any school computer or network with a virus or program designed to damage, alter, destroy, or provide access to unauthorized data or information.

- J. Gaining access/attempting to access unauthorized/restricted network resources or the data and documents of another person, or any use of the personal technology device of another individual without express permission.
- K. Using/attempting to use the password/account or personal technology device of another person or using a computer while logged on under another's account.
- L. Using the school's computers, personal technology devices or network while access privileges have been suspended.
- M. Using the school's computer hardware, personal technology devices, school network, or Internet link in a manner that is inconsistent with a teacher's directions and generally accepted network etiquette.
- N. Altering or attempting to alter the configuration of a computer, the operating system, or any of the software.
- O. Attempting to vandalize, disconnect or disassemble any network or computer component whether school- owned or owned by another.
- P. Utilizing school or personal computers and devices, and the school network to retrieve information or run software applications not assigned by a teacher.
- Q. Providing another student with user account information and passwords.
- R. Connecting to or installing any computer hardware, components, or software which are not school system property to or in the district's technology resources without prior approval of the district technology supervisory personnel.
- S. Participating in unauthorized chat rooms or news groups.
- T. Hacking or attempting to degrade or disrupt network services or equipment.

Posting or plagiarizing work created by another person without their consent or use of a personalized generative artificial intelligence tool

**RECEIPT OF THE FAMILY INFORMATION GUIDE**  
**2025-2026 School Year**

Student Name: \_\_\_\_\_ Age: \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_ Home Phone: \_\_\_\_\_

I have received the *Parent Guide*, which includes the **Student Code of Conduct** and the **Computers and Network Resources Student Acceptable Use Guidelines** and understand that I am responsible for reading and understanding all the information contained in this *Guide*. I understand that parents/guardians are responsible for ensuring their students understand this information.

**Student Conduct.** I understand that this *Parent Guide* contains rules that students are expected to follow at school, on school grounds; off school grounds at a school activity, function, or event; going to and from school by bus or other transportation provided by the School System; at school bus stops; while in any vehicle used in connection with a school function or activity; while using the school or personal technology resources; and to certain off campus offenses as outlined in this *Guide*.

**Compulsory Attendance.** I also understand that this *Parent Guide (Guide)* contains information about possible legal consequences if a student does not attend school as required by Georgia law, O.C.G.A. 20-2-690.1. If a child has more than five (5) unexcused absences, parents, guardians, or other persons who have control or charge of a child are subject to fines, imprisonment, community service or any combination of these penalties. Absences that are excused are defined by the Georgia Board of Education and are listed in Board Policy JB, which may be accessed at [www.marietta-city.org](http://www.marietta-city.org).

**Mandatory Reporting for Volunteers.** Parents and community members may volunteer to assist in school functions and extracurricular activities, at the direction of local school administration. All volunteers who work with children in the State of Georgia are required by law to report suspected child abuse, per Georgia law, O.C.G.A. 19-7-5.

**Residency Notice.** To be enrolled in Marietta City Schools, students must reside full-time within the city limits of Marietta with their natural parent(s), legal guardian(s), or legal custodian(s). Students and their parent(s)/guardian(s)/custodian(s) must remain full-time City of Marietta residents for the entire period of enrollment in Marietta City Schools (Exception: students who pay tuition or are the child of a school system employee). I understand that a student admitted under false information is illegally enrolled and will be dismissed or reassigned from Marietta City Schools upon discovery.

If I have any questions about information contained in the *Guide*, I understand that I may ask a school administrator to discuss those questions with me. Failure to sign and return this form does not relieve me from complying with and understanding the information enclosed in the *Parent Guide*.

I understand that it is my responsibility as the Parent/Legal Guardian to immediately inform the school district of any changes in the information provided on this form, including, but not limited to, phone numbers, change in custody, etc. I also understand that I may be asked to furnish proof of residency at any time during the school year as a component of the district's residency verification process.

Parent/Guardian Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**AND**

Student Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Survey Information**

Each year, the Georgia Department of Education conducts a statewide needs assessment survey about substance abuse and violence. This survey takes about 15 minutes to complete and is anonymous. The data collected goes to the State where reports are produced and sent back to the School System. This information helps us to determine the effectiveness of our drug and violence prevention programs, the critical needs areas, and where to supplement our instruction. If you have questions about inspecting this survey, please contact (770) 422-3500.

If you **do not** wish for your student to participate in the survey, please sign below.

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Student Clubs**

Information regarding student clubs and organizations will be available in student handbooks, school-provided information and/or on school Websites.

I **decline** permission for my child (under the age of 18) to participate in the following curriculum-related student groups and all faculty-led non-curriculum related student groups which do not hold or espouse any particular religious, political, or philosophical beliefs.

I understand that I should discuss this prohibition with my student.

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Progress Reports/Report Cards**

Progress Reports and Report Cards will be published to the Aspen Parent Portal. When the Progress Report/Report Card has been published, parents will receive an email letting them know that it is available for viewing on the portal. Final Report Cards at the end of the school year will be published and mailed to all families.

I **do not** have internet access. I would like to receive a printed copy of my child's Progress Reports/Report Card at the end of the grading periods.

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Marietta Student Life Center**

The Marietta Student Life Center (MSLC) partners with community organizations to provide supports requested by our students, families, and staff. Our no-cost academic, personal/social, and family engagement opportunities are for every member of the school community. The MSLC is accessible during the school day. Students participating in small group or individual therapy with a licensed clinician at the MSLC must have written parent/guardian permission to do so.

I **do not** want my child accessing any service or support offered by the Marietta Student Life

Center. Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_