

CODE OF CONDUCT

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

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

The Code of Conduct is effective during the following times and in the following places:

- At school or on school property at any time;
- Off school grounds at any school activity, function or event and while traveling to and from school events;
- On vehicles provided for student transportation by the school system.

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

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

AUTHORITY OF THE PRINCIPAL

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

A student who attempts to enroll or who is enrolled in a school in the school system during the time in which that student is subject to a disciplinary order will be refused enrollment or subjected to short-term suspension, long-term suspension, or expulsion for any time remaining in that other school system's or school's disciplinary order.

AUTHORITY OF THE TEACHER

A teacher shall have the authority, consistent with board policy, to manage his or her classroom, discipline students, and refer a student to the principal or his designee to maintain discipline in the classroom. Any teacher who has knowledge that a student has exhibited behavior which violates the student code of conduct and repeatedly or substantially interferes with the teacher's ability to communicate effectively with the students in his/her class or with the ability of such student's classmates to learn shall file a report of such behavior with the principal or his designee.

The teacher shall have the authority to remove a student from the class consistent with O.C.C.A. 20-2-738, board policy and procedures set forth by the district.

AUTHORITY OF THE BUS DRIVER

The bus driver is responsible for each student while the student is on the bus. Therefore, each student is expected to cooperate with the bus driver. The bus driver has complete charge of all students on the bus. The driver has the authority to enforce the rules and regulations of the school system. Disrespect to any school personnel, including the bus driver, is a major offense. Any student in violation of bus rules who has been reported to the principal's office risks losing their bus riding privileges.

PROGRESSIVE DISCIPLINE PROCEDURES

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

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

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

- Warning and/or Counseling with a School Administrator or Counselor
- Loss of Privileges
- Isolation or Time Out
- Temporary Removal from Class or Activity
- Notification of Parents
- Parent Conference
- Corporal Punishment

- Detention/Saturday School
- Temporary Placement in an Alternative Education Program
- Short-term Suspension
- Referral to a Tribunal for Long-term Suspension or Expulsion
- Suspension or Expulsion from the School Bus
- Loss of Student Driving Privileges
- Referral to Law Enforcement or Juvenile Court Officials: Georgia law requires that certain acts of misconduct be referred to the appropriate law enforcement officials. The School will refer any act of misconduct to law enforcement officials when school officials determine such referral to be necessary or appropriate.

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

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

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

School officials may search a student if there is reasonable suspicion that student is in possession of an item that is illegal or against school rules. Student vehicles brought on campus, student book bags, school lockers, desks and other school property are subject to inspection and search by school authorities at any time without further notice to students or parents. Students are required to cooperate if asked to open book bags, lockers or any vehicle brought on campus. Metal detectors and drug or weapon sniffing dogs may be utilized at school or at any school function, including activities which occur outside normal school hours or off the school campus at the discretion of administrators.

EXPECTED BEHAVIOR STANDARDS

Expected behavior is behavior that promotes learning and encourages maturity during the school day as well as during all school-related activities. Students and their parents need to know and understand this code in order to achieve these goals. Students SHOULD:

Participate fully in the learning process. Students need to report to school and class on time, attend all regularly scheduled classes, remain in class until excused or dismissed, pay attention to instruction, complete assignments to the best of their ability, and ask for help when needed.

Avoid behavior that impairs their own or other students' education achievement. Students should know and avoid the behaviors prohibited by this code, take care of books and other instructional materials, and cooperate with others.

Show respect for the knowledge and authority of teachers, administrators, and other school employees. Students must obey reasonable directions, use acceptable and courteous language, avoid being rude, and follow school rules and procedures.

Recognize and respect the rights of other students and adults. All students should show concern for and encouragement of the educational achievements and activity participation of others.

Disciplinary action for violations of expected behaviors will include appropriate hearings and reviews. In all cases, the rights of individuals will be ensured and protected. The Pulaski County School System will make every reasonable effort to administer the discipline code of conduct consistently in all schools. When applicable, individualized plans (i.e. IEP, 504, and SST) will be reviewed for appropriate consequences.

STUDENT SUPPORT PROCESSES

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

PARENTAL INVOLVEMENT

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

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

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

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

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

The law allows a local board of education to petition the juvenile court to require a parent to attend a school conference. If the court finds that the parent or guardian has willfully and unreasonably failed to attend a conference requested by the principal pursuant to the laws cited above, the court may order the parent or guardian to attend such a conference, order the parent or guardian to participate in such programs or such treatment as the court deems appropriate to improve the student's behavior, or both. After notice and opportunity for hearing, the court may impose a fine, not to exceed \$500.00, on a parent or guardian who willfully disobeys an order of the court under his law. O.C.G.A. §20-2-766.1

The Pulaski County School System encourages parents and guardians to inform their children on the consequences, including potential criminal penalties, of underage sexual conduct and crimes for which a minor can be tried as an adult.

SEXUAL HARASSMENT

It is the policy of the Pulaski County School System to maintain a learning environment that is free from sexual harassment. It shall be a violation of this policy for any student to harass any other student through conduct or communications of a sexual nature as defined below.

Unwelcome sexual advances, requests for sexual favors and other inappropriate oral, written, or physical conduct of a sexual nature when made by an employee or when made by any student to another student constitutes sexual harassment when:

Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education. Such conduct has the purpose or effect of substantially interfering with an individual's academic performance or creates an intimidating, hostile, or offensive academic environment.

Sexual harassment may include, but is not limited to, the following:

- Verbal harassment or abuse;
- Pressure for sexual activity;
- Repeated remarks to a person with sexual or demeaning implications;
- Unwelcome touching;
- Suggesting or demanding sexual involvement accompanied by implied or explicit threats.

Sexual harassment is not limited to demands for sexual favors. It also may include such actions as:

- Sexually-orientated verbal "kidding", "teasing" or jokes;
- Repeated offensive sexual flirtations, advances, or propositions;
- Continued or repeated verbal abuse of a sexual nature;
- Graphic or degrading comments about an individual or his or her appearance;
- The display of sexually suggestive objects or pictures;
- Subtle pressure for sexual activity; and physical contact or blocking movement.

Sexual harassment does not refer to occasional compliments of a socially acceptable nature or consensual personal and social relationships between students. It also does not apply to age appropriate behavior between very young students. Rather, it is behavior which is *not welcome* and which is *personally intimidating, hostile or offensive*.

Sexual advances, requests for sexual favors, and other conduct of a sexual nature by employees or volunteers toward students is *unwelcome* by definition, and will not be tolerated under any circumstances.

Any student who alleges sexual harassment by an employee or another student in the school district may complain directly to a principal, guidance counselor, or other individual designated to receive such complaints. Filing of a complaint or otherwise reporting sexual harassment will not reflect upon the individual's status nor will it affect grades or assignments.

The right to confidentiality, both of the complainant and of the accused, will be respected consistent with the school system's legal obligations, and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred.

All allegations of sexual harassment shall be fully investigated and immediate and appropriate corrective or disciplinary action shall be initiated. A substantiated charge against a student shall subject that student to disciplinary action including suspension or expulsion.

20-2-751.7.(a) *The Professional Standards Commission shall establish a state mandated process for students to follow in reporting instances of alleged inappropriate behavior by a teacher, administrator, or other school employee toward a student which shall not prohibit the ability of a student to report the incident to law enforcement authorities. Each local school system shall be required to implement and follow such state mandated process and shall include the mandated process in student handbooks and in employee handbooks or policies.*

STUDENT REPORTING OF ACTS OF SEXUAL ABUSE OR SEXUAL MISCONDUCT

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

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

(c) Any school principal or principal's designee receiving a report of sexual abuse as defined in O.C.G.A. 19-7-5 shall make an oral report immediately, but in no case later than 24 hours from the time there is reasonable cause to believe a child has been abused. The report should be made by telephone and followed by a written report to a child welfare agency providing protective services, as designated by the Department of Human Resources, or, in the absence of such agency, to an appropriate police authority or district attorney.

Reports of acts of sexual misconduct against a student by a teacher, administrator or other employee not covered by O.C.G.A. 19-7-5 or 20-2-1184 shall be investigated immediately by school or system personnel. If the investigation of the allegation of sexual misconduct indicates a reasonable cause to believe that the report of sexual misconduct is valid, the school principal or principal's designee shall make an immediate written report to the superintendent and the Professional Standards Commission Ethics Division.

Listed below are definitions for "sexual abuse" and "sexual misconduct."

"Sexual abuse" means a person's employing, using, persuading, inducing, enticing, or coercing any minor who is not that person's spouse to engage in any sexual act as defined in O.C.G.A. 19-7-5.

"Sexual misconduct" includes behavior by an educator that is directed at a student and intended to sexually arouse or titillate the educator or the child. Educator sexual misconduct may include, but is not limited to, the following behavior:

1. Made sexual comments, jokes, or gestures.
2. Showed or displayed sexual pictures, photographs, illustrations, or messages.
3. Wrote sexual messages/graffiti on notes or the internet.
4. Spread sexual rumors (i.e. said a student was gay or a lesbian).
5. Spied on students as they dressed, showered or used the restroom at school.
6. Flashed or "mooned" students.
7. Touched, excessively hugged, or grabbed students in a sexual way.
8. Forced a student to kiss him/her or do something else of a sexual nature.
9. Talked or asked about a student's developing body, sexuality, dating habits, *etc.*
10. Talked repeatedly about sexual activities or sexual fantasies.
11. Made fun of your body parts.
12. Called students sexual names.

DEFINITIONS

1. **Alternative Education Program:** The Alternative Learning Center is a non-traditional education program located in the Old Hawkinsville High School. Students may be placed in the Alternative Learning Center by tribunal referral or by the recommendation of the Student Support Team. Students served include the chronically disruptive students adjudicated by the courts, drop-outs, or potential drops-outs and others deemed appropriate. The Alternative School serves students in grades 6 through 12.
2. **Assault:** Any threat or attempt to physically harm another person or any act which reasonably places another person in fear of physical harm. (Example: threatening language or swinging at someone in an attempt to strike)
3. **Battery:** Intentionally making physical contact with another person in an insulting, offensive, or provoking manner or in a way that physically harms the other person. (Example: fighting)
4. **Bullying/Cyberbullying:** In accordance with Georgia law, bullying is defined as follows:
 - Any willful attempt or threat to inflict injury on another person, when accompanied by an apparent present ability to do so;
 - Any intentional 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 another person substantial physical harm within the meaning of Code Section 16-5-23.1 or visible bodily harm as such term is defined in Code Section 16-5-23.1;
 - Has the effect of substantially interfering with a 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.

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

5. Bus Suspension or Expulsion: Removal of a student from all Pulaski County System transportation for a designated period of time.
6. Chronic Disciplinary Problem Student: 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.
7. Corporal Punishment: Physical punishment administered by the principal or his/her designee. It must be administered in good faith and must not be excessive or unduly severe. It must be administered in conformity with regulations set forth by the Pulaski County Board of Education and state law.
8. Counseling: A formal process of counseling by a certified school counselor or other appropriate school personnel, government agency, or private agency personnel.
9. Detention/Saturday School: A requirement that the student report to a specific school location and to a designated teacher or school official to make up work missed or to receive specific instruction in behavior modification. Detention may require the student's attendance before school, after school, on Saturday, or during scheduled class or school activity time if school officials deem removal of the student from his or her regular school schedule essential to the well-being of the student or school. Students are given one day's warning so that arrangements for transportation can be made by the parents or guardians.
10. Disciplinary Hearing Tribunal: The Disciplinary Hearing Tribunal is a panel of certified school officials appointed by the Board of Education to hear student disciplinary matters in which the offense may warrant long-term suspension or expulsion. When referred, the student will be suspended until the hearing, but not to exceed 10 days.
11. Drug Free Zone: A Drug Free Zone is an area which must be drug free from school property or at school functions. The zone is defined to be an area within 1000 feet of any real property owned by or leased by the school system. "The use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful."
12. Expulsion: The denial to a student of continuing in school beyond the current school year. Only the Disciplinary Hearing Tribunal may impose expulsion.
13. Extortion: Obtaining money or goods from another student by violence, threats, or misuse of authority.
14. Fireworks: The term "fireworks" means any combustible or explosive composition or any substance or combination of substances or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, as well as articles containing any explosive or flammable compound and tablets and other devices containing an explosive substance.
15. Gambling: Engaging in a game or contest in which the outcome is dependent upon chance even though accompanied by some skill, and in which a participant stands to win or lose something of value.
16. In-school Suspension: The temporary removal of a student from all or some classes and school sponsored activities by the administration. Students are placed in the In-school Suspension Program.
17. Notification of Parents: A formal contact from a teacher, administrator and/or other school personnel to a parent or guardian. Parent notification may take several forms. Examples include, but are not limited to, the following: (1) a copy of a disciplinary referral given to the student with instructions to give it to his/her parent; (2) a letter mailed or emailed to the parent; (3) a face-to-face conversation; (4) a telephone conversation with the parent.
18. Parent Conference: A formal meeting between the parent, teacher, and/or administrator or other school personnel. The conference will provide to the parent the rule violation, disciplinary action taken, and consequences for future violations. In addition, the conference may include the student's academic standing and progress, means of behavior modification, other support agencies or individuals who may be of assistance and other topics relevant to the student's improving behavior.
19. Physical Violence: Intentionally making physical contact of an insulting or provoking nature with the person of another, or intentionally making physical contact which causes harm to another unless such physical contacts or physical harms were in defense of himself or herself.
20. Restriction of Driving Privileges: The denial of a student to operate an automobile or other motorized vehicle on school property. The operation of an automobile or other motorized vehicle on school property is a privilege extended to all students who have the appropriate state issued license and state required insurance. Driving on school grounds is not a right.
21. School Safety Zone: A school safety zone is an area which must be weapons-free from school property or at school functions. The zone is defined to be an area within 1000 feet of a school or the boundaries of the school campus.
22. Student Probation: A student has been informed that future occurrences of rule violations will result in further punishment for past conduct. Probation may include action to isolate the student from the extra-curricular activities of the school.
23. Student Support Team: The primary function is to identify, plan, and recommend alternative instructional strategies for a given student. The S.S.T./S.A.P.'s team members may include teachers, administrators, counselors and/or a school psychologist.
24. Suspension:
 - A. Short-term suspension is the denial to a student to attend school and to take part in any school function for a period not exceeding ten (10) school days.
 - B. Long-term suspension is the denial to a student to attend school and to take part in any school function for a period of more than ten (10) school days but not beyond the current school year. Only the Hearing Tribunal may impose long-term suspension.
 - C. Suspension with academic limitations: No make-up work or make-up tests shall be allowed with the exception of finals. Finals may be scheduled with the principal and upon good behavior at the testing station.
 - D. Suspension of special education students: Where the safety and/or welfare of other students, teachers, staff or property is not unduly threatened, special education students shall continue to receive special education services during suspension/ expulsion as per the Turlinton Case.
25. Theft: The offense of taking or misappropriating any property of another with the intention of depriving that person of the property, regardless of the manner in which the property is taken or appropriated.
26. Truancy: Any child subject to compulsory attendance having more than five unexcused absences during the school calendar year.

27. **Waiver:** A waiver is an agreement not to contest whether a student has committed an infraction of the Code of Conduct and the acceptance of consequences in lieu of a hearing before a disciplinary tribunal.

DISCIPLINE OF STUDENTS WITH DISABILITIES WHEN A CHANGE IN PLACEMENT IS PROPOSED

When a school official is considering a disciplinary action with a special education student which may constitute a “significant change in placement,” the IEP Placement Committee will convene prior to the time that the proposed exclusion becomes a “significant change in placement.” The IEP Committee will determine whether the student’s misconduct is a manifestation of the student’s disability. The purpose of the IEP Committee is not to decide whether the student knew right from wrong, but whether the behavior was a manifestation of the disability.

- A. If it is determined that the misconduct of the student is a manifestation of the student’s disability, the IEP Committee will continue the review to determine whether the student’s current educational placement is appropriate.
- B. If it is determined that the misconduct of the student is not a manifestation of the student’s disability, the IEP Committee will refer the student to the school administration for appropriate action.

When the IEP Committee proposes a change of placement for disciplinary reasons, the committee will provide notice to the student and his/her parent or guardian of the right to request a due process hearing if they disagree with the determination.

When a student with a disability presents an immediate threat to the safety of himself/herself or others, the student will be removed or excluded immediately. A meeting to determine whether the misconduct is a manifestation of the student’s disability will be convened as soon thereafter as is practical.

A student with a disability who is charged with using illegal drugs or alcohol is subject to the same disciplinary action as is applicable to other students for the same offense. The due process safeguards described above do not apply to illegal drugs or alcohol use offenses.

DEFINITIONS OF TERMS

Individual Education Program (IEP)-a written statement developed and implemented in accordance with all provisions of the law for each student with disabilities who is receiving or will receive special education. The IEP is an education and related services plan and a binding contract.

IEP Placement Committee-a committee to include a representative of the public agency, other than the student’s teacher, who is qualified to provide or supervise the provision of special education, the student’s teacher, one or both of the student’s parents/guardians, special education teacher, the student as appropriate; and other teachers/individuals at the discretion of the parent or agency.

Exclusion-the student is removed for disciplinary reasons from his current setting and offered instruction in a different setting (e.g., most in-school suspensions, home instruction, etc.) or is not offered instruction (e.g., out-of-school suspension or expulsion) or is denied a service provided others (e.g., exclusion from the school bus).

Significant change in placement-a proposed exclusion of the student with a disability is expelled or suspended for an indefinite period or for more than 10 school days.

CODE OF STUDENT CONDUCT AND DISCIPLINE

Rule 1	Disruption and interference with schools
Rule 2	Damage, destruction, or theft of school property
Rule 3	Damage, destruction, theft, or extortion of private property
Rule 4	Assault on a person employed by the school
Rule 5	Physical Violence against a teacher, school bus driver, or other school official or employee
Rule 6	Assault and/or battery on a person not employed by the school
Rule 7	Weapons and dangerous instruments
Rule 8	Possession of potentially dangerous objects or replicas
Rule 9	Narcotics, alcoholic beverages, and stimulant drugs or any other controlled substance
Rule 10	Use or possession of tobacco
Rule 11	Disregard of directions or commands
Rule 12	Truancy and tardiness
Rule 13	Dress and grooming
Rule 14	Parking and traffic violations on campus
Rule 15	Use of profane, vulgar, or obscene words, gestures, or other actions which disrupt school system operations
Rule 16	Gambling
Rule 17	Misbehavior on bus
Rule 18	Criminal law violations
Rule 19	Sexual misconduct or offense
Rule 20	Rude and disrespectful behavior
Rule 21	Cheating
Rule 22	Possession of electronic communication device
Rule 23	Harassment
Rule 24	Chronic disciplinary problem student
Rule 25	Cumulative offenses
Rule 26	Violation of probation
Rule 27	Violation of rules and regulations of extra-curricular activities
Rule 28	Secret societies/gang activities
Rule 29	Bullying
Rule 30	Falsifying, Misrepresenting, Omitting, or Erroneously reporting information of alleged inappropriate behavior by a school employee toward a student

CODE OF STUDENT CONDUCT AND DISCIPLINE

The principal may refer a student to the Hearing Tribunal for disciplinary action arising out of the violation of any of these rules. Upon such referral, the Hearing Tribunal may take such action, after proper notice and hearing, as it shall deem appropriate, including suspension and/or expulsion.

This Code of Student Conduct and Discipline and its rules and regulations are effective during the following times and in the following places:

1. on school grounds at any time.
2. off the school grounds during a school activity, function, or event.
3. en-route to and from school.
4. en-route to and from school functions, activities, or events.
5. off school grounds when the misconduct by the alleged perpetrator is relative to the school employee's performance of his/her official duties.

*Please refer to the Progressive Discipline Procedures at the beginning of the Code of Conduct. These will be used whenever feasible to address student discipline issues. Mandatory Dispositions are necessary for certain offenses and are addressed below.

Rule 1 - DISRUPTION AND INTERFERENCE WITH SCHOOL. No Student will:	
<u>OFFENSE</u>	<u>DISPOSITION</u>
a. Block any entrance, occupy any school building, prevent any class or function from taking place, prevent any student, guest, or employee from using any normal pedestrian or vehicular traffic path or otherwise deprive others of free access to, or use of, any facility, program or activity associated with the Pulaski County Schools.	Suspension Referral to Sheriff's Department.
b. Set fire to or in any school buildings or property.	<ul style="list-style-type: none"> • <u>Mandatory</u> short-term suspension. • Restitution for damages. • Referral to Hearing Tribunal. • Referral to Sheriff's Department.
c. Cause false fire alarm or make a bomb threat.	<ul style="list-style-type: none"> • <u>Mandatory</u> short-term suspension • Referral to Hearing Tribunal. • Referral to Sheriff's Department.
d. Discharge or otherwise threatening use of fireworks or other explosives.	<ul style="list-style-type: none"> • <u>Mandatory</u> short-term suspension • <u>Mandatory</u> referral to Hearing Tribunal • <u>Mandatory</u> referral to Sheriff's Department
e. Continuously and intentionally make noise or act in any other manner so as to interfere seriously with the teacher's ability to conduct class.	<u>Mandatory</u> Parent Conference Disposition may include: <ul style="list-style-type: none"> • Detention • Student Probation • Referral to Counselor and/or Social Worker • In-School Suspension • Suspension • Referral to Hearing Tribunal
f. In any other 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.	Refer to Progressive Discipline Procedures
g. Urge, encourage, or counsel other students to violate any of the preceding paragraphs of this rule.	Refer to Progressive Discipline Procedures
h. Refuse to identify oneself or give false information to any teacher, student teacher, substitute teacher, principal, superintendent, school bus driver, or other authorized school personnel.	Refer to Progressive Discipline Procedures

Rule 2 - DAMAGE, DESTRUCTION, OR THEFT OF SCHOOL PROPERTY	
<u>OFFENSE</u>	<u>DISPOSITION</u>
A student shall not cause willful or malicious damage to real or personal property of the school or to personal property of any person legitimately at the school; mark, deface, or destroy school property during school hours and off school hours. A student shall not possess, sell, use, or transmit stolen property.	<ul style="list-style-type: none"> • Suspension • Restitution for damages. • Referral to the Sheriff's Department and/or Hearing Tribunal

Rule 3 - DAMAGE, DESTRUCTION, THEFT, OR EXTORTION OF PRIVATE PROPERTY

<u>OFFENSE</u> A student shall not mark, deface, or destroy private property, shall not steal, or extort or attempt to steal or extort private property of another student or of any person legitimately at the school. A student shall not possess, sell, use, or transmit stolen property. A student shall not use an electronic device to steal private information from another student or staff.	<u>DISPOSITION</u> <ul style="list-style-type: none">• Suspension• Restitution for damages• Referral to Sheriff's Department and/or Hearing Tribunal.
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Rule 4 - ASSAULT ON A PERSON EMPLOYED BY THE SCHOOL

<u>OFFENSE</u> A student shall not threaten to cause physical injury or behave in such a way as could reasonably cause physical injury to a school employee	<u>DISPOSITION</u> <ul style="list-style-type: none">• <u>Mandatory</u> referral to Hearing Tribunal for long-term suspension or expulsion.• The student will be suspended until the Hearing, but not to exceed <u>10</u> days.• <u>Mandatory</u> referral to Sheriff's Department
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Rule 5 - PHYSICAL VIOLENCE AGAINST A TEACHER, SCHOOL BUS DRIVER, OR OTHER SCHOOL OFFICIAL OR EMPLOYEE

<u>OFFENSE</u> A student shall not intentionally make physical contact of an insulting or provoking nature with the person of an employee or intentionally make physical contact which causes physical harm to an employee.	<u>DISPOSITION</u> <ul style="list-style-type: none">• <u>Mandatory</u> referral to Hearing Tribunal• <u>Mandatory</u> referral to Sheriff's Department.
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Student found by a disciplinary hearing officer, panel, or tribunal to have committed an act of physical violence against a teacher, school bus driver, school official, or school employee shall be expelled from the public school system.

Rule 6 - ASSAULT AND/OR BATTERY ON A PERSON NOT EMPLOYED BY THE SCHOOL

<u>OFFENSE</u> A student shall not cause or threaten to cause bodily harm or mental anguish to any person, students, or guests.	<u>DISPOSITION</u> In the case of a threat, discipline can range from ISS to referral to tribunal or report to Sheriff's Department. If serious injury is involved or if safety of another student or other person is seriously affected, mandatory 10 day suspension, referral to Hearing Tribunal, and referral to Sheriff's Department.
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Rule 7 - POSSESSION OF WEAPON ON SCHOOL PROPERTY OR AT SCHOOL FUNCTIONS

<u>OFFENSE</u> A student shall not carry, possess, or have under control any weapon at a school building, school function, or on school property or on a bus or other transportation furnished by the school	<u>DISPOSITION</u> <ul style="list-style-type: none">• <u>Mandatory</u> referral to Hearing Tribunal for long-term suspension or expulsion. The student will be suspended until the hearing, but not to exceed <u>10</u> days.• Mandatory referral to Sheriff's Department• Weapon will be confiscated.• Subject to a minimum of one-year expulsion for bringing a firearm to school.
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The term "Weapon" means and includes any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, or any other knife, especially those knives having a blade of three or more inches, straight-edged razor or razor blade, spring stick, metal knuckles, blackjack or any failing instrument consisting of two or more rigid parts connected in such a way to allow them to swing freely, which may be known as a nun chuck, or fighting chain, throwing star or oriental dart, or any weapon of like kind, any stun gun or taser.

In addition, an article which is designed for other purposes, but which easily could be used to inflict (for example, a pencil, comb, or compass) shall be considered a "weapon" if used in an aggressive or belligerent manner.

Rule 8- POSSESSION OF POTENTIALLY DANGEROUS OBJECTS OR REPLICAS OF OBJECTS

<p><u>OFFENSE</u> A student shall not carry, possess, or have under control any object or replica of object such as, but not limited to, mortar shell, firearm, cartridge, explosion device, any suspicious looking object, or any potentially dangerous object.</p>	<p><u>DISPOSITION</u></p> <ul style="list-style-type: none"> ● Suspension ● Referral to Hearing Tribunal ● Referral to Sheriff's Department
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Rule 9 - NARCOTICS, ALCOHOLIC BEVERAGES, AND STIMULANT DRUGS, OR ANY OTHER CONTROLLED SUBSTANCE

<p><u>OFFENSE</u> A student shall not possess, sell, use, transmit, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, any drugs requiring a prescription controlled by the Georgia State Board of Pharmacy (unless lawfully prescribed for the use by such student), alcoholic beverage or intoxicant of any kind. Nor shall any student possess, sell, or transmit any substance, represented to be one of such prohibited substances. Nor shall any student possess, sell, or transmit any drug paraphernalia.</p> <p>A student shall deposit in the principal's office (or other location determined by the principal) all lawfully prescribed drugs when he/she arrives at school. A student shall not sell, use, or transmit any medication, prescription or non-prescription, to another student.</p>	<p><u>DISPOSITION</u></p> <ul style="list-style-type: none"> ● <u>Mandatory</u> referral to Hearing Tribunal for long-term suspension or expulsion. The student will be suspended until the Hearing, but not to exceed <u>10</u> days. ● Mandatory referral to Sheriff's Department. ● Mandatory referral for Counseling
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Rule 10 - USE OR POSSESSION OF TOBACCO

<p><u>OFFENSE</u> The use or possession of tobacco in any form by students is prohibited. Possession of smoking paraphernalia is also prohibited.</p>	<p>Refer to Progressive Discipline Procedures</p>
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Rule 11 - DISREGARD OF DIRECTIONS OR COMMANDS

<p>A student shall not fail to comply with reasonable directions or commands of teachers, paraprofessionals, principals, school bus drivers, student teachers, substitutes, or other authorized personnel.</p>	
<p><u>OFFENSE</u> Refusal to carry out instructions</p>	<p><u>DISPOSITION</u> Refer to Progressive Discipline Procedures</p>
<p>Failure to accept disciplinary action.</p>	<p>Refer to Progressive Discipline Procedures</p>
<p>Failure to comply with safety rules or procedures including the failure to safely operate a motor vehicle.</p>	<p>Refer to Progressive Discipline Procedures</p>
<p>Failure to comply with decision of the Hearing Tribunal</p>	<ul style="list-style-type: none"> ● Referral to Sheriff's Department

Rule 12 - TRUANCY AND TARDINESS	
OFFENSE Chronic tardiness, unexcused absences, arriving to school or class late, skipping class, skipping school, leaving campus without authorization, or urging others to violate these rules.	Refer to Progressive Discipline Procedures

Rule 13 - DRESS AND GROOMING	
OFFENSE Students shall not dress, groom, or wear or use emblems, insignias, badges or other symbols where the effect thereof is to distract the attention of other students or otherwise to cause disruption or interference with the operation of the school. Apparel which advertises illegal, and/or controlled substances is considered distracting.	Refer to Progressive Discipline Procedures

The principal or his/her designee shall determine whether any particular mode of dress, apparel, grooming or use of emblems, insignias, badges, or other symbols results in such interference or distraction as to violate this rule, and shall give notice of such interference or disruption, and its cause, to all students by announcement, posting at the school, or in the student handbook.

Obscene pictures or symbols or lewd, profane, or suggestive language shall not appear on clothing. Hats, headbands, hair rollers, picks and combs, and visors are not considered appropriate attire inside the building.

Rule 14 - PARKING AND TRAFFIC VIOLATION ON CAMPUS	
OFFENSE Students shall not abuse school parking regulations or operation of a motor vehicle in such a way as to cause damage to public or private property located on school grounds or in such a way as to endanger life or limb of persons utilizing school facilities, driveways, or parking areas.	Refer to Progressive Discipline Procedures

Rule 15 - USE OF PROFANE, VULGAR, OR OBSCENE WORDS; POSSESSION OF PORNOGRAPHIC MATERIALS; OR OTHER ACTIONS WHICH DISRUPT SCHOOL	
OFFENSE a. A student shall not use profane, vulgar, or obscene words, gestures, or performs other similar actions. b. A student shall not carry, possess, or have under control any pornographic materials.	Refer to Progressive Discipline Procedures

Rule 16 - GAMBLING OR GAMES OF CHANCE	
OFFENSE A student shall not gamble or participate in games of chance or urge, encourage, or counsel other students to gamble or participate in games of chance. A student may not be in possession of gambling devices.	DISPOSITION <ul style="list-style-type: none"> • Suspension • All monies of participants will be confiscated • Referral to Sheriff's Department

Rule 17 - MISBEHAVIOR ON BUS	
OFFENSE A student shall not exhibit any behavior, which will distract a bus driver's attention or disrupt or interfere with the safe operation of a school bus. The following bus rules must be adhered to without hesitation: <ol style="list-style-type: none"> 1. Remain seated at all times. 2. The bus driver or monitor has the right to make reasonable request, including the assigning of students seats. 3. Talk in a normal tone of voice. 4. Keep hands, arms, and objects inside the bus. 5. Do not play radios, tape players, CD players, or other sound producing devices without headphones. 6. No food, drink, or gum is permitted on the bus. 7. No item that obstructs the driver's view is allowed on the bus. 8. Do not use profane, vulgar, or obscene words; possess pornographic materials; or create other actions that could disrupt safe operation of the bus. 	DISPOSITION <ul style="list-style-type: none"> • Parent Contact • Bus suspension • Suspension • Referral to the Hearing Tribunal. • School bus behavior contract <p>O.C.G.A. 20-2-751.5 states that: "If a student is found to have engaged in bullying as defined by subsection 20-2-751.4 or in physical assault or battery of another person on the school bus, the local school board policy shall require a meeting of the parent or guardian of the student and the appropriate school district officials to form a school bus behavior contract for the student."</p>

<p>9. Do not possess a weapon, potentially dangerous object, or replicas of objects that could disrupt safe operation of the bus.</p> <p>10. Do not possess tobacco, narcotics, alcohol, stimulant drugs, or any other controlled substance on the bus. (Unless lawfully prescribed for use by the student, and has been reported to the driver.)</p> <p>11. Cell phones, pagers or any other electronic communication devices are not allowed on the bus without headphones.</p> <p>12. Students shall not use mirrors, lasers, flash cameras or other lights or reflective devices in a manner that might interfere with the bus driver's operation of the school bus.</p> <p>13. Students shall not engage in bullying, physical assault or battery of other persons.</p> <p>14. Students shall not engage in disrespectful conduct toward the school bus driver or other persons.</p> <p>15. Students shall not engage in a verbal assault of other persons or engage in other unruly behavior.</p>	
<p><i>A student who violates rules of the Code of Student Conduct while on a school bus is subject to the discipline of the rule violated and Rule 17. Riding the school bus is a privilege, not a right, extended to all eligible students. Students living more than 1 1/2 miles from school are eligible. Students living closer than 1 1/2 miles may ride on a space available basis.</i></p>	

Rule 18 – CRIMINAL LAW VIOLATIONS	
<p><u>OFFENSE</u> A student who has been formally charged with violation of the criminal law, and whose presence on the school campus may endanger the safety of other students and/or cause substantial disruption to school operations.</p>	<p><u>DISPOSITION</u></p> <ul style="list-style-type: none"> • Mandatory Suspension • Referral to Hearing Tribunal

Rule 19- SEXUAL MISCONDUCT OR OFFENSE	
<p><u>OFFENSE</u> No student shall be guilty of molesting another student, indecent exposure, rape, or any other overt heterosexual or homosexual act.</p>	<p><u>DISPOSITION</u></p> <ul style="list-style-type: none"> • Mandatory Suspension • Referral to Hearing Tribunal • Referral to Sheriff's Department

Rule 20 - RUDE AND DISRESPECTFUL BEHAVIOR	
<p><u>OFFENSE</u> A student shall not use vulgar or profane language or intentionally argue in a demanding or disruptive manner or otherwise exhibit disrespectful conduct towards teachers, administrators, other school personnel, other students, or persons attending school-related functions.</p>	<p>Refer to Progressive Discipline Procedures</p>

Rule 21 - CHEATING	
<p><u>OFFENSE</u> A student shall not cheat on any exam, project, homework, or report.</p>	<p><u>DISPOSITION</u> Mandatory Parent Conference</p> <ul style="list-style-type: none"> • 1st offense—"0" grade and parent conference • 2nd offense—referral to administration

Rule 22 - POSSESSION OF ELECTRONIC COMMUNICATION DEVICE	
<p>A student shall not have visible a pocket pager, telephone, or electronic communication device in school except for health or other reasons approved by the principal.</p>	<p><u>DISPOSITION</u> Device will be confiscated.</p> <ul style="list-style-type: none"> • Parent Conference • In-School Suspension or Suspension • Referral to Hearing Tribunal • School May Impose a Fine

Rule 23 - HARASSMENT	
<p><u>OFFENSE</u> Any behavior based on student's race, national origin, sex, or disability that is unwelcome, unwanted, and/or uninvited by the recipient is prohibited, including verbal or non-verbal taunting, physical contact, unwelcome sexual advances, request for sexual favor, and other verbal or physical contact of a sexual nature</p>	<p><u>DISPOSITION</u> Parent Conference</p>

Rule 24 - CHRONIC DISCIPLINARY PROBLEM STUDENT	
<p><u>OFFENSE</u> A student who exhibits a pattern of behavior characteristics which interferes with the learning process of students around him or her which are likely to reoccur will be considered a chronic disciplinary problem.</p>	<p><u>MANDATORY</u></p> <ul style="list-style-type: none"> • Notification of parent to observe child in classroom. Encouragement of parent to attend a conference to develop a disciplinary and behavioral correction plan. Encouragement of parent to attend a conference to develop a disciplinary and behavioral correction plan. • Suspension • Referral to the Hearing Tribunal

Rule 25 - CUMULATIVE OFFENSES	
<p><u>OFFENSE</u> Students who have repeatedly violated the rules of the <u>Student Code of Conduct and Discipline</u> over a period of time will be considered cumulative offenders.</p>	<p>Refer to Progressive Discipline Procedures</p>

Rule 26 - VIOLATION OF PROBATION	
<p><u>OFFENSE</u> A student shall not fail to comply with the conditions of probation imposed by the principal or Hearing Tribunal</p>	<p><u>DISPOSITION</u></p> <ul style="list-style-type: none"> • <u>Mandatory</u> referral to Hearing Tribunal for long-term suspension or expulsion. The student will be suspended until the Hearing, but not to exceed <u>10</u> days.

Rule 27 - VIOLATION OF RULES AND REGULATIONS OF EXTRA-CURRICULAR ACTIVITIES.	
<p><u>OFFENSE</u> A student shall not violate any rule and/or regulation set by the sponsor of the activity, the school, the Pulaski County School System, the Georgia Department Of Education, the Georgia High School Association, and/or any other governing agency.</p>	<p><u>DISPOSITION</u></p> <ul style="list-style-type: none"> • Suspension from participation for a definite period of time • Expulsion from participation • <u>Mandatory</u> compliance with disposition of rule violation as set by this Code of Conduct or any other governing agency such as the Georgia High School Association.

Student participation in extra-curricular activities is a privilege extended to all students who meet the eligibility requirements for participation. Student participation in extra-curricular activities is not a right. Extra-curricular activities include, but are not limited to, sports, marching band, clubs, literary events, and other identified school sponsored activities.

Rule 28 - SECRET SOCIETIES/GANG ACTIVITIES	
<p><u>OFFENSE</u> A student shall not: A. wear, carry, or display gang paraphernalia that symbolize gang membership B. exhibit behavior or gestures that symbolize gang membership. C. cause and/or participate in activities that intimidate or affect the attendance of another student.</p>	<p><u>MANDATORY</u> Parent Conference</p>

Gang activities include the use of hand signals, graffiti, or the presence of any apparel, jewelry; accessory or manner of grooming that, by virtue its color, arrangement, trademark, symbol, or any other attribute that indicates or implies membership or affiliation with such a group. In addition, incidents involving initiations, hazing, intimidations, and/or related activities of such group affiliations that are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm are considered gang activities.

Rule 29 – BULLYING / CYBER BULLYING	
<p><u>OFFENSE</u> A student shall not bully another student by:</p> <ol style="list-style-type: none"> a. Willfully attempting or threatening to inflict injury when accompanied by an apparent present ability to do so. b. Intentionally display any force such as would give the victim reason to fear or expect immediate bodily harm. c. Committing any intentional written, verbal, or physical act, which a reasonable person would perceive as being intended, to threaten, harass, or intimidate, that: <ul style="list-style-type: none"> • Causes another person substantial physical harm or visible bodily harm (Code Section 16-5-23.1); • Has the effect of substantially interfering with a student’s education; • Is so severe, persistent, or pervasive that it creates an intimidating or threatening education environment; or 	<p><u>DISPOSITION</u></p> <ul style="list-style-type: none"> • Counseling • Suspension • Mandatory referral to Hearing Tribunal upon the third offense in school year for placement in alternative school.

<ul style="list-style-type: none"> • Has the effect of substantially disrupting the orderly operation of the school. <p>This includes any act of cyberbullying which occurs through the use of electronic communication, whether or not the electronic act originated on school property or with school equipment. Electronic communication includes, but is not limited to, any transfer of signs, signals, writings, images, sounds, data or intelligence of any nature transmitted in whole or part by a wire, radio, electromagnetic, photo electronic or photo optical system.</p>	
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Students found in violation of this rule may also be in violation of Rule 5: ASSAULT AND/OR BATTERY ON A PERSON NOT EMPLOYED BY THE SCHOOL

<u>Rule 30 FALSIFYING, MISREPRESENTING, OMITTING, OR ERRONEOUSLY REPORTING INFORMATION OF ALLEGED INAPPROPRIATE BEHAVIOR BY A SCHOOL EMPLOYEE TOWARD A STUDENT.</u>	
<p><u>OFFENSE</u></p> <p>A student shall not falsify, misrepresent, omit, or erroneously report any information regarding instances of alleged inappropriate behavior by a teacher, administrator, or other school employee toward a student. Such prohibition applies both during school hours and activities and to off-school hours.</p>	<p><u>DISPOSITION</u></p> <ul style="list-style-type: none"> • Mandatory parent notification • Suspension • Referral to Hearing Tribunal

The Pulaski County Board of Education does not discriminate on the basis of race, color, national origin, sex, age or handicap in educational programs, activities or employment.

APPENDIX A

Compliance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Rehabilitation Act of 1973, the Americans with Disabilities Act, The Family Educational Rights and Privacy Act, the Hatch Amendment, the Vocational Education Guidelines, and the Gender Equity in Sports Act, and other state and federal requirements.

It is the intent of the Pulaski County School District to comply with the above referenced federal and state statutes and regulations adopted pursuant thereto, in terms of employment, programs and other related activities in the school district. Part of our compliance effort is to periodically apprise employees, parents, and students of the existence of these statutes and regulations, and our intent to carry out the mandates thereof.

Coverage

The final regulations cover all operations of the Pulaski County School District with the exception that the Vocational Education Guidelines cover vocational programs only.

Treatment

All schools must treat students and employees without discrimination on the basis of race, sex, color, national origin, religion, age, or disability. The regulations cover the following areas:

- Access to and participation in course offerings and extracurricular activities, including campus organizations and competitive athletics.
- Eligibility for and receipt or enjoyment of benefits and services.

Use of facilities

A recipient school district may not participate with single-sex organizations other than the following: Boy Scouts, Girl Scouts, YWCA, YMCA; and certain voluntary youth services organizations that meet the provisions of Title IX.

Health Education

Classes in health education may not be offered separately on the basis of sex except that separate sessions for boys and girls are permissible during times when materials and discussions deal exclusively with human sexuality.

Physical Education

Sex segregated physical education classes are prohibited. The regulations allow separation by sex within physical education classes during competition in wrestling, boxing, basketball, football, and other sports involving bodily contact.

Athletics

Where selection is based on competitive skill or the activity involved is a contact sport, athletics may be provided through separate teams for males and females, or through a single team open to both sexes. If separate teams are offered, they must provide equal opportunity-comparable facilities, equipment; etc.-but equal aggregate expenditures are not required.

Gender Equity in Sports

State law prohibits discrimination based on gender in athletic programs of school districts (Equity in Sports Act, O.C.G.A. § 20-2-325). Students are hereby notified that the Pulaski County School District does not discriminate on the basis of gender in its athletic programs. The Sports Equity Coordinator for the Pulaski County School District is the Assistant Superintendent, 72 Warren Street, Hawkinsville, Georgia 31036, (478) 783-7200. Inquires or complaints concerning sports equity in this school district may be submitted to the Sports Equity Coordinator.

Organizations

The school district may not provide significant assistance, in connection with its education program or activity, to any organization, agency, or person which discriminates on the basis of race, sex, color, national origin, religion, age or disability.

Counseling Materials

Counseling materials developed and disseminated in keeping with these regulations must exclude references which portray biases toward race, sex, color, national origin, age, religion, or disability.

Employment

The regulations apply to nondiscriminatory policies and practices including both full-time and part-time employment and students. Specifically the regulations cover:

- Employment criteria;
- Recruitment;
- Compensation;
- Job classification and structure;
- Fringe benefits;
- Marital or parental status;
- Effect of state or local law or other requirements;
- Advertising;
- Pre-employment inquiries.

Employment coverage generally follows the policies of the Equal Employment Opportunity Commission.

Student Records

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

The right to inspect and review the student’s education records within 45 days of the day the district receives a request for access. Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

The right to request the amendment of the student’s education records that the parent or eligible student believes is inaccurate or misleading. Parents or eligible students may ask the Pulaski County School District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task, (such as an attorney, auditor, medical consultant, or therapist); or parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

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

The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

The school district has designated the following types of personally identifiable information about students as “Directory Information.” Directory information may be released by the school district without consent of a parent or student.

- Student’s name, address, and telephone listing;
- Date and place of birth
- Dates of attendance;
- Participation in officially recognized activities and sports;
- Weight and height of members of athletic teams;
- Photographs;
- Video and audio images and records;
- Diplomas and awards received;
- Major field of study;
- The name of the most recent previous educational agency, institution, or school attended by the student.

A parent or eligible student who desires that the school district not release any or all of the directory information about a student must notify the school district to that effect in writing addressed to the Pulaski County School District, Attention: Superintendent, 72 Warren Street, Hawkinsville, Georgia 31036 by no later than September 1, 2011.

Research and Student Surveys

The Protection of Pupil Rights Amendment (PPRA) affords parents certain rights regarding the school’s conduct of surveys, collections and use of information for marketing purposes, and certain physical exams. These include the right to:

- 1) Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education:
 - a) Political affiliations or beliefs of the student or student’s parent;
 - b) Mental or psychological problems of the student or student’s family;
 - c) Sex behavior or attitudes;
 - d) Illegal, anti-social, self-incriminating, or demeaning behavior;
 - e) Critical appraisals of others with whom respondents have close family relationships;
 - f) Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 - g) Religious practices, affiliations, or beliefs of the student nor parents; or
 - h) Income, other than as required by law to determine program eligibility.
- 2) Receive notice and an opportunity to opt a student out of:
 - a) Any other protected information survey, regardless of funding;
 - b) 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 Activities involving collection, disclosure, or use of personal information
 - c) Obtained from students for marketing or to sell or otherwise distribute the information to others.
- 3) Inspect, upon request and before administration or use:
 - a) Protected information surveys of students;
 - b) Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 - c) Instructional material used as a part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law. The School District has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the

collections, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The School District will also directly notify, such as through U.S. Mail or e-mail, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The School District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- a. Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- b. Administration of any protected information survey not funded in whole or in part by the U.S. Department of Education.
- c. Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated with respect to the Protection of Pupil Rights Amendment may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5901

Employees, students or other persons who believe that they have been discriminated against because of their sex, race, color, national origin, age, religion, or disability, or have been subjected to sexual harassment should contact the Title VI, VII, IX, Section 504 and Gender Equity in Sports Coordinator.

Assistant Superintendent
Pulaski County School District
72 Warren Street
Hawkinsville, Georgia 31036
(478) 783-7200

OR

The Office of Civil Rights
U.S. Department of Education
61 Forsyth Street, S.W., Suite 19T70
Atlanta, Georgia 30303
(404) 562-6350

Contact should be made in writing stating the nature of the complaint and indicating how you may be reached in order to schedule a conference. After an initial contact to the School District, complaints will be handled according to the following procedure:

Equal Opportunity Complaint Procedure

Complaints made to the Pulaski County School District regarding alleged discrimination on the basis of race, color, national origin, sex, or on the basis of handicap, in violation of Title(s) VI, VII, IX or

Section 504/ADA, will be processed in accordance with the following procedures:

- a. Any student, employee or other person with a complaint alleging a violation as described above shall promptly notify, in writing or orally, the appropriate coordinator designated above for the school system. If the complaint

is oral, the coordinator shall promptly prepare a memo or written statement of the complaint as made by the complainant and shall have the complainant read and sign the memo or statement if it accurately reflects the complaint made.

- b. The coordinator shall have fifteen days to gather all information relevant to the complaint made, review the information, and determine the facts relating to the complaint with the complainant and any other persons involved. The coordinator shall prepare a written response to the complaint detailing any action to be taken in response to the complaint and the time frame in which such action will be taken and copies of this response shall be furnished to the complainant and the Superintendent.
- c. If the complaint is not resolved at the conclusion of this fifteen-day period or if the complainant is not satisfied with the resolution of the complaint, the complainant shall have the right, within five days of receiving a copy of the written response, to have the complaint referred to the Superintendent of Schools.
- d. The Superintendent shall have fifteen days to review the complaint and the response of the coordinator and attempt to resolve the complaint. The Superintendent shall furnish to the complainant a written response setting forth either approval of the action recommended by the coordinator or the action to be taken by the system in response to the complaint in lieu of that recommended by the coordinator and the time frame in which such action shall be taken.
- e. If the complainant is dissatisfied with the response of the Superintendent, then the complainant shall have the right within five days of the receipt of the written response of the Superintendent to have the complaint referred to the Board of Education. In order to have the Board review the Superintendent's decision, the complainant must file with the Superintendent a written statement setting forth the reasons he or she disagrees with the response of the Superintendent and the action the complainant is requesting the system take. The complainant shall also include in the written response that the complaint be referred to the Board of Education.
- f. Within thirty days of receipt of the written request of the complainant, the Superintendent shall present the matter to the Board of Education at its regular meeting or at a special meeting called for that purpose. The Board shall review the original complaint, the response of the coordinator, the response of the Superintendent and the response of the complainant. In addition, the Board may, but is not required to, hear directly from any individuals with knowledge of any relevant facts relating to the complaint.
- g. The Board of Education will either uphold the recommendation of the Superintendent or require the system to take some other action in response to the complaint. A copy of the action of the Board will be furnished to the complainant, either as a part of the minutes of the Board of Education or as a separate written statement. The Board shall be the final reviewing authority within the system.
- h. This procedure is not intended to deprive any employee of any right they may have to file a grievance pursuant to any other policy or the Board of Education, specifically including policy GAE, where appropriate. This policy is not intended to provide an alternative process for resolving evaluation and employment disputes where there already exists a due process procedure mandated by state law or State Department of Education regulations, specifically including, but not limited to, hearings to be conducted pursuant to the Fair Dismissal Act of Georgia, Official Code of Georgia Annotated 20-2-940 through 947. The complainant retains at all times the right to contact the Office of Civil Rights with regard to any allegations that the system has violated the statutes described above.
- i. This procedure is available to students, employees and the general public. The School District Policy Manuals are available in all media centers and central office facilities at 72 Warren Street, Hawkinsville, Georgia 31036.

Sexual Offender Registry

Georgia law requires individuals convicted of certain crimes against minors and/or sexually violent offenses to register with the Pulaski County Sheriff's Office when they are convicted or released and move into Pulaski County. Information concerning registered sex offenders is located on the Georgia Bureau of Investigation (GBI) website at www.ganet.org/gib/. Click on the link entitled "Sex Offenders" and follow the instructions to obtain information concerning any sex offenders who have registered in Pulaski County.

Note: This Appendix is a review of federal and state laws and regulations cited above. Only those areas related to the Pulaski County School District are reviewed in this summary. The complete implementation plan includes the Regulations, the Pulaski County School District's Policies and Rules related to personnel and students, a Grievance Procedure, and a Title IX record of implementation activities.

If it is determined that a student has a physical or mental impairment that substantially limits a major life activity and, as a result, requires instructional or other appropriate accommodations within the school environment, that student is disabled under Section 504 of the Rehabilitation Act of 1973. In addition, if a student does not have a disability but has a record of a disability or is considered disabled by school personnel, that student is protected from discrimination under Section 504. If a child is disabled or a parent believes that his or her child is disabled or has been discriminated against because of a disability, that parent is entitled to certain rights. This notice is designed to provide Pulaski County School District's parents and students with information about those rights.

While services provided to qualified students are not required to produce identical results or levels of achievement with non-disabled peers, services must be designed to offer an equal opportunity to gain the same benefit within the least restrictive environment with non-disabled peers to the maximum extent appropriate.

Under Section 504, a student has the right to:

1. Participate in all school activities without discrimination solely on the basis of disability;
2. Be educated in facilities and receive services that are comparable to those provided to non-disabled students;
3. Receive an education designed to meet the student's individual educational needs as adequately as the needs of non-disabled students;
4. Receive 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 School District are not relieved from an otherwise valid obligation to provide or pay for services provided to a disabled student;
5. To participate in an educational setting (academic and nonacademic) with non-disabled students to the maximum extent appropriate to the student's needs;
6. To an evaluation prior to a Section 504 determination of eligibility;
7. If the student is eligible for services under Section 504, the right to periodic reevaluations, including prior to any subsequent significant change of placement; and
8. A student with a disability may not be discriminated against based solely on the basis of disability with regard to the opportunity to compete for participation in nonacademic and extracurricular activities offered by the District.

With respect to the provision of educational services under Section 504, a parent has the right to:

1. Notice with respect to actions regarding the identification/eligibility, evaluation or educational placement for your child;
2. Access all records relevant to decisions concerning identification/eligibility, evaluation or educational placement of your child;
3. Have evaluation, education and placement decisions made based on a variety of information sources, and by persons who know the student and are knowledgeable about the evaluation data and placement options;
4. To ensure that the School District will consider information from a variety of sources as appropriate, which may include aptitude and achievement tests, grades, teacher recommendations and observations, physical conditions, social or cultural background, medical records, and parental recommendations;
5. Challenge any action regarding the identification/eligibility, evaluation or educational placement of your child by requesting mediation and/or an impartial hearing;
 - The procedures and forms for the initiation of an impartial hearing regarding the identification, eligibility, evaluation or educational placement of your child may be obtained from the District's Section 504 Coordinator or your child's principal.
6. To receive a copy of this notice and a copy of the School District's impartial hearing procedures upon request.
7. Participate in any hearing requested;
8. Be represented at your expense by counsel at the requested hearing; and

9. Appeal any decision by the impartial hearing officer to the State Board of Education.
10. With regard to disability discrimination or any other disability issue unrelated to the identification/eligibility, evaluation or placement of the student, a parent has the right to file a local grievance with the District in accordance with Board Policy JCE-R. Board Policy JCE-R may be obtained from the School District's website, from the District's Section 504 Coordinator or your child's principal.
11. The District may not retaliate against any person who has made a complaint, testified, assisted or participated in any manner in an investigation or proceeding under Section 504 of the Rehabilitation Act of 1973. If a parent contends that he or she is or has been retaliated against because of his or her child's disability or because of asserting any rights under Section 504, that parent should notify the District's Section 504 Coordinator listed below.
12. If a parent believes the School District has not acted in compliance with the law, that parent has the right to file a complaint with the Office of Civil Rights at U.S. Department of Education, 61 Forsyth Street SW, Suite 3B70, Atlanta, GA 30303-8927.

If you think your rights or the rights of your child have been violated, you may contact the Section 504 Coordinator for the Pulaski County School District, Rhonda Black, at 72 Warren Street, Hawkinsville, Georgia 31036, for all complaint procedures and forms or at (478) 783-7200 if you have any questions or concerns.

Section 504 Procedural Safeguards

1. Overview: Any student or parent or guardian (the "Complainant") may request an impartial hearing due to the School District's actions or inactions regarding the student's identification, evaluation, or educational placement under Section 504. Requests for an impartial hearing must be in writing to the School District's Section 504 Coordinator; however, a Complainant's failure to request a hearing in writing does not alleviate the School District's obligation to provide an impartial hearing if the Complainant orally requests an impartial hearing through the School District's Section 504 Coordinator. The School District's Section 504 Coordinator will assist the Complainant in completing the written Request for Hearing.

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

- 1) The name of the student.
- 2) The address of the residence of the student.
- 3) The name of the school the student is attending.
- 4) The decision of the School District that is the subject of the hearing.
- 5) The requested reasons for review.
- 6) The proposed remedy sought by the Complainant.
- 7) The name and contact information of the Complainant.

Within 10 business days from receiving the Complainant'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 Complainant of the specific information needed and assist in the completion of the Request for Hearing. All timelines and processes will be stayed until the Request for Hearing contains the necessary information noted above.

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

4. Hearing Procedures:

The Section 504 Coordinator, with the assistance of the Superintendent, will identify and obtain a Hearing Officer who will conduct a hearing within 45 calendar days from the receipt of the Complainant's Request for Hearing unless

agreed to otherwise by the Complainant or a continuance is granted by the Hearing Officer. The Hearing Officer must (i) have knowledge or training in Section 504, (ii) not be an employee of the School District, and (iii) not have a personal or professional interest that would conflict with his/her objectivity in the hearing. It is not required that the Complainant consent to the Hearing Officer who is selected.

Upon a showing of good cause by the Complainant or School District, the Hearing Officer, in 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.

The Complainant will have an opportunity to examine the child's educational records prior to the hearing.

The Complainant will have the opportunity to be represented by legal counsel at his or her own expense and participate, speak, examine witnesses, and present information at the hearing. If the Complainant 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.

The Complainant will have the burden of proving any claims he or she may assert. When warranted by circumstances or law, the 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 District, who may be an attorney, will attend the hearing to present the evidence and witnesses, respond to the Complainant's testimony and answer questions posed by the Hearing Officer.

The Hearing Officer shall not have the power to subpoena witnesses or require the parties to conduct any discovery. The strict rules of evidence shall not apply to hearings. The Hearing Officer 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 and testify.

The Hearing Officer shall determine the weight to be given any evidence based on its reliability and probative value.

The hearing shall be closed to the public.

The issues of the hearing will be limited to those raised in the written Request for Hearing.

Witnesses will be questioned directly by the party who calls them. Cross-examination of witnesses will be allowed. The Hearing Officer, at his or her discretion, may allow further examination of witnesses or ask questions of the witnesses. The Hearing Officer retains the right to set time parameters and restrictions on the hearing and the examination of witnesses and presentation of evidence. Either party may request that the witnesses be sequestered.

Testimony shall be recorded by court reporting or audio recording at the expense of the School District. All documentation related to the hearing shall be retained by the School District.

Unless otherwise required by law, the Hearing Officer shall uphold the action of School District unless the Complainant can prove that a preponderance of the evidence supports his or her claim(s).

Failure of the Complainant to appear at a scheduled hearing unless prior notification of absence was provided and approved by the Hearing Officer or just cause is shown shall constitute a waiver of the right to a personal appearance before the Hearing Officer.

5. Decision: The Hearing Officer shall issue a written determination within 20 calendar days of the date the hearing concluded. The determination of the Hearing Officer shall not include any monetary damages or the award of any attorney's fees. The decision of the Hearing Officer is final and binding unless appealed.

6. Review: If not satisfied with the decision of the Hearing Officer, 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.

Please NOTE the following: The School District is responsible for costs directly related to providing impartial hearings described in these procedures, including compensation of the Hearing Officer, transcripts, or recordings of the hearing and other related costs.

The School District is not responsible for costs of legal counsel or other representatives of the Complainant, or for the costs of producing or reproducing the evidence presented by the Complainant.

Any timelines specified herein may be extended by agreement between the School District and the Complainant, or by order of the Hearing Officer.

Complaints and Grievances

It is the policy of the Pulaski County Board of Education not to discriminate on the basis of race, color, national origin, sex, handicap, or religion in the educational programs and activities of/or admissions to facilities operated by the Board or in the employment practices of the Pulaski County Education Agency.

Any individual, organization, or agency (“complainant”) may file a complaint with the Pulaski County School District Board of Education if that individual, organization or agency believes and alleges that a violation of a Federal statute or regulation that applies to a federal program has occurred. The complaint must allege a violation that occurred not more than one (1) year prior to the date that the complaint is received, unless a longer period is reasonable because the violation is considered systemic or ongoing.

Federal Programs for which complaints can Be filed are Title I, Part A; Title I, Part C; Title I, Part D; Title II, Part A; Title III, Part A; Title VI, Part B; Title X, Part C—McKinney-Vento Act; School Improvement 1003(a) and 1003(g) (SIG); and IDEA.

Any student, employee, or other person with a complaint alleging a violation as described above shall promptly notify, in writing or orally, the appropriate coordinator designated below for the school system. The complaint procedure is available to students, employees, and the general public through EBOARD policies on the website at www.pulaski.k12.ga.us.

Coordinators:

Title I, Part A; Title I, Part C; Title II, Part A, Title III, Part A; Title X, Part C:

Debbie Puckett, Pulaski County Board of Education, 72 Warren Street, Hawkinsville, GA 31036

IDEA:

Debbie Puckett, Pulaski County Board of Education, 72 Warren Street, Hawkinsville, GA 31036

ESSA:

Dr. Al Pollard, Pulaski County Board of Education, 72 Warren Street, Hawkinsville, GA 31036

GRIEVANCES

Students’ complaints and grievances shall be resolved through orderly processes and at the lowest possible level. Complaints and grievances shall be approached in the following manner:

1. The opportunity shall be provided for any student or his/her parent to discuss with his/her teacher a decision or situation that he/she considers unjust or unfair.
2. If the matter remains unresolved, the student or his/her parents, or the teacher, may bring the matter to the principal’s attention for his/her consideration.
3. If the matter remains unresolved, it may be brought to the Superintendent or a designee for his/her consideration.
4. Complaints that remain unresolved following any action of the Superintendent may be referred in writing to the Board. The Board’s decision, if it chooses to make one, shall be final.