

OCONEE COUNTY SCHOOLS - STUDENT BEHAVIOR CODE

Development of the Student Behavior Code

This code was developed in conjunction with Georgia school laws pertaining to student discipline in elementary and secondary public education outlined in the Official Code of Georgia Annotated (O.C.G.A.), commonly called the Georgia Code (specifically, O.C.G.A. § 20-2-730 – O.C.G.A. § 20-2-769). Such a code is mandated in O.C.G.A. § 20-2-735. The behavior code is reviewed on an annual basis. The revisions of the behavior code will go into effect on the first day of school each year.

When the Student Behavior Code Applies

The rules contained in the *Student Behavior Code* apply to students, both during and outside normal school hours, who are:

- On school system property
- Off school system property while attending a school activity, function, or event
- En route to or from school or school-related activities
- Off school system property if: (a) the student's off-campus conduct could result in the student's being charged with a criminal offense (or delinquent act) that would be a felony if committed by an adult and the off-campus conduct either makes the student's continued presence at school a potential danger to the educational environment or disrupts the school environment; or (b) the student's off-campus expressive behavior (including, but not limited to, written communication, internet postings, communication through social media, cyber bullying [threats or harassment], or texting) could reasonably be expected to come to the attention of school officials and create a substantial risk to the safety of students, staff or others and/or a risk of substantial disruption to the school, program, or school environment.
- School bus stops

Explanation of Consequences

Detention

A requirement that the student report to a specific school location and make up work missed or to receive specific instruction in behavior modification. Detention may require the student's attendance before or after school.

Alternative Placement for Elementary Students

Temporary removal of a student from the regular classroom and assignment to another classroom or administrative office for a period of time deemed appropriate by school administration.

Short-Term Alternative Placement (In-School Suspension or ISS)

Removal of a student from the classroom to work in an isolated area staffed with school system personnel. While in this setting, the classroom teacher provides work for the student to complete. This is used sometimes in lieu of out-of-school suspension. The student is excluded from all school-sponsored and extracurricular activities while assigned to this setting.

Therapeutic Removal of a Student

A student may be sent home from school for therapeutic purposes. The principal or designee and the parent/guardian may agree that, in some instances, it may be better for a student to leave school temporarily. This time away from class should not be considered as suspension.

Suspension

Removal of the student from the school campus and exclusion from all school-sponsored activities, extracurricular activities, and course work required. Suspension by the school principal or designee shall not exceed 10 consecutive days. The disciplinary hearing officer or the Board of Education may only impose suspensions beyond 10 days after a due process hearing to determine guilt or innocence. A student suspended beyond 10 days may be afforded the opportunity to enroll in the alternative program.

Expulsion

The removal of a student from the school system for an extended period of time; or permanent removal by the Board of Education or through a disciplinary hearing.

Long-Term Alternative Placement

A setting that a student may be offered when suspended from school for more than 10 days. The student is excluded from all school-sponsored and extracurricular activities while assigned to the alternative school (unless otherwise designated by the superintendent or designee). There are at least four ways a student may gain entry to this program:

- Through a disciplinary hearing process
- Through principal and parent/guardian agreement (proper waivers must be signed)
- By committing a third offense for bullying (applies to middle and high school students)
- By superintendent assignment (only for students in grades K-5)

Explanation of the Term “Possession”

A student is in “possession” of an illegal or prohibited item when it is found, or determined to be, in or on the person of the student, in his or her personal effects (including book bag, pocketbook, or athletic bag), located in the student’s locker, in a student’s vehicle (or a vehicle in which the student was transported), while the student is on school property or at any school event or function.

Discipline Incident Type Codes

CODE 01: ALCOHOL

Violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of intoxicating alcoholic beverages or substances represented as alcohol during the school year.

A student shall not possess, sell, use, transmit, consume, or be under the influence of any alcoholic beverage, stimulant, or intoxicant of any kind.

Disposition: Ranges from a Written Warning to Expulsion (Suspension time may be reduced if the student successfully completes a school-sponsored and approved intervention program.)

CODE 02: ARSON

Unlawful and intentional damage or attempted damage to any real or personal property by fire or incendiary device. Examples include firecrackers, fireworks, and trash can fires (if they are contributing factors to a damaging fire.) Without a fire, firecrackers and fireworks are included in the Discipline Incident Type Code 23 (Weapons – Other.) This code does not include the simple act of lighting a match or lighter.

A student shall not cause or attempt to cause damage to any real or personal property by fire or any incendiary device.

Disposition: Ranges from Alternative School Assignment to Expulsion
Law enforcement will be called.

CODE 03: BATTERY

Intentional and substantial physical harm or visible bodily harm to another. As used in the Georgia Code section for this offence, the term "visible bodily harm" means bodily harm capable of being perceived by a person other than the victim and may include, but is not limited to, substantially blackened eyes, substantially swollen lips, or other facial or body part, or substantial bruises to body parts.

This code is only used when the attack is very serious – enough to warrant calling the police.

Battery may include an attack with a weapon that causes serious bodily harm to the victim.

A student shall not cause or attempt to cause physical injury or behave in such a way as could reasonably cause injury to another person. A student shall not engage in verbal confrontation or other verbal misbehavior including insult, use of profanity, ethnic, racial, sexual, religious slurs, bullying, or harassment that might lead to this offense. Any student who commits an act of physical violence against a teacher, administrator, school bus driver, or any other school employee shall be suspended pending a disciplinary hearing before a tribunal.

The Board of Education shall appoint members of the tribunal (which will consist of three certified educators) to determine all issues of fact and intent relative to the alleged incident of physical violence. The tribunal shall submit its findings of fact and intent, along with its recommendations of punishment, to the Board as required by O.C.G.A. § 20-2-751.6. The Board shall review the findings and recommendations of the tribunal and may follow the recommendation or impose penalties not recommended by the tribunal.

If the student is found guilty of this offense, the discipline shall be expulsion, long-term suspension, or short-term suspension. In cases where the act of physical violence results in physical harm, the student shall be expelled for the remainder of his/her eligibility to attend public school. If the student is in grades K-8, the Board of Education may, at its discretion and on the recommendation of the tribunal, permit such student to re-enroll in the regular public school program for grades 9-12. The Board of Education may permit the student to attend alternative school for the period of the student's expulsion.

Disposition: Ranges from Short-Term Suspension to Expulsion
Law enforcement will be called.

CODE 04: BURGLARY (Not defined nor reported for student discipline.)

CODE 05: COMPUTER TRESPASS

The unauthorized use of a computer or computer network with the intent of deleting, obstructing, interrupting, altering, damaging, or in any way causing the malfunction of the computer, network, program(s), or data.

Students may not cause or attempt to cause damage to any computer hardware or software.

051 Violation of Computer Ethics

Stealing or copying software that is the property of the Oconee County Schools is strictly prohibited. Students are expected to fully comply with all components of the school system's technology usage agreement. Students who choose to abuse computer privileges are subject to disciplinary consequences. Any violation of the network usage agreement is considered a violation of this code.

Lap top computers and personal desk accessories are discouraged but may be allowed with administrative and teacher approval. Violation of any school rule with such a device will result in loss of privilege and may result in disciplinary consequences.

Disposition: Ranges from a Written Reprimand to Expulsion

CODE 06: DISORDERLY CONDUCT

Any act that substantially disrupts the orderly conduct of a school function; substantially disrupts the orderly learning environment; or poses a threat to the health, safety, and/or welfare of students, staff, or others.

If the action results in a more serious incident, report it in one of the following categories:

061 Misbehavior on the School Bus

In accordance with the law, any form of physical violence, bullying, physical assault, or battery is strictly prohibited on a school bus as it is on other school properties. Any form of verbal assault, disrespectful conduct, or unruly behavior will not be tolerated. Georgia law requires a meeting between the parent/guardian and school officials whenever a student is engaged in any form of bullying, physical assault, or battery on a school bus. This meeting will be for the purpose of assessing age-appropriate disciplinary sanctions/penalties and for developing a behavioral contract specific to the inappropriate behaviors being targeted. This contract will be effective for the period of time set forth by the school administration. Behavioral contracts may be used for other bus misconduct as deemed appropriate by local school administration.

Any violation of the bus rules and anything that the driver deems unsafe or inappropriate will result in a verbal warning, assigned seating, and/or a written referral. All referrals are turned in to the Director of Transportation. The referral will be sent to the appropriate school electronically. Some actions may result in the student being suspended from the bus for a short period of time or expelled from the bus for serious behavior or safety issues.

The Director (or designee) have the authority to board any bus and address any safety/behavior issues that they observe, or when requested to do so by the school and/or driver. All transportation employees who enter a school bus should notify students of their name, position/title, and the reason for entering the bus.

The school system is committed to transporting students safely to and from school. All students are expected to behave appropriately while riding on the bus. To this end, students are expected to abide by

these specific rules as well as those set forth by the Pupil Transportation Department or school administrators. Failure to do so will result in loss of rider privileges.

The bus driver has the authority to assign seats at any time. Drivers also have the authority to add additional rules as they deem necessary.

Students shall be prohibited from the following while on the school bus:

- Use of any electronic devices that might distract the school bus driver including but not limited to pagers, cell phones, audible radios, tape or compact disc players without headphones, or any other electronic device used in a manner that might interfere with school bus communication equipment or the school bus driver's ability to operate the bus; such devices will be confiscated and turned in to school administration if used
- Use of mirrors, lasers, flash cameras, or any other lights or reflective devices that might interfere with the driver's ability to operate the bus
- Transporting inflated balloons, large bouquets in glass containers, or any other large item (including large school projects or band instruments), that might create visual restrictions to the bus driver or block the aisle of the bus
- Use of alcohol, tobacco products, or any other substance deemed illegal or inappropriate within the OCS Student Behavior Code
- Transporting weapons of any kind
- Use of loud, profane or abusive language, obscene gestures, or other unruly behavior; including but not limited to fighting, spitting, bullying, threatening, harassing, or taking objects that are not yours
- Falsifying or forging information
- Improper touching or public displays of affection
- Eating, drinking (except water, which can be brought on the bus in a closed container), chewing gum, or littering
- Damaging seats or any other part of the school bus
- Throwing objects in the bus or out of a bus window/door
- Extending arms, head, or hands outside of a bus window/door or across the aisle
- Moving from seat to seat while the bus is in motion
- Bringing animals on the bus

Disposition: Ranges from a Written Reprimand to Expulsion (This could include suspension from the bus.)

063 *Disruptive Behavior*

064 *Repeated Violations/Misbehavior*

065 *Throwing Objects*

No student shall threaten to or intentionally

- Occupy any school building, gymnasium, school grounds/properties or part thereof, with intent to deprive others of its use or where the effect thereof is to deprive others of its use; block the entrance or exit of any building or property (including any corridor or room thereof) so as to deprive others of access thereto; or block normal pedestrian or vehicular traffic on a school campus except under the direct instruction of the principal
- Prevent the convening of or force the disruption of any lawful mission, process, or function of the school by the use of any manner of violence, force, noise, coercion, treat, intimidation, fear, passive resistance, or any other conduct
- Burn or otherwise damage any school building or property
- Possess, discharge, display, or otherwise threateningly use any firearm, explosives, knives, or other weapons (or any object that can reasonably be construed as a weapon) on school premises
- Make noise or act in any manner so as to interfere seriously with the teacher's ability to conduct his/her class
- Refuse to identify oneself upon request of any teacher, principal, superintendent, school bus driver, or other authorized school personnel
- Make, or encourage others to make, prank phone calls; activate a fire alarm without justification; or falsely report a fire, bomb, terroristic act, or any other threat the student does not believe to exist

- Commit any act or crime of violence

Disposition: Ranges from a Verbal Reprimand to Expulsion

CODE 07: DRUGS (except alcohol or tobacco)

The unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation, or importation of any controlled drug or narcotic substance or equipment or devices used for preparing or using drugs or narcotics. Includes being under the influence of drugs or substances represented as drugs. Code includes over-the-counter medications if abused by the student.

A student shall not possess, sell, or transmit (or attempt to sell or transmit) any substance under the pretense that it is, in fact, a prohibited substance as described in this rule.

A student shall not possess, sell, or transmit (or attempt to sell or transmit) any illegal drug or drug paraphernalia.

Possession, sale, transfer, or use of prescription or non-prescription drugs can be a violation of this rule.

Misuse of prescription or non-prescription drugs shall be considered a violation of this rule.

Each school is assigned a nurse to oversee the clinic. All prescription and non-prescription drugs must be checked in and administered through the clinic. Use of a drug authorized by a medical prescription from a registered physician and taken in accordance with system guidelines shall not be considered a violation of this rule.

Any student who has asthma will be permitted to carry asthma medication prescribed by a physician on his/her person and self-administer it during school or at school-related activities as long as the school nurse has been notified and the appropriate paperwork has been filed as specified in Board policy.

Disposition: Ranges from a Written Reprimand to Expulsion (Suspension time may be reduced if the student successfully completes a school-sponsored and approved intervention program.)

CODE 08: FIGHTING

Mutual participation involving physical violence where there is no main offender and no major injury.

A student shall not cause or attempt to cause bodily injury or behave in such a way as could reasonably cause bodily injury to any person.

A student shall not make threatening, harassing, or intimidating remarks, gestures, or posturing toward any person that threatens the safety or well-being of that person or has the likelihood of provoking a fight. This includes but is not limited to fighting, use of profanity, or derogatory comments of ethnic, racial, sexual, or religious nature.

Disposition: Ranges from Short-Term Suspension to Expulsion

081 Verbal and/or Physical Contact

Any mutual act of arguing or pushing among students that could lead to an actual fight.

Disposition: Ranges from a Verbal Reprimand to Out-of-School Suspension (May be referred to a counselor or social worker.)

CODE 09: HOMICIDE (Not defined nor reported for student discipline.)

CODE 10: KIDNAPPING (Not defined nor reported for student discipline.)

CODE 11: LARCENY/THEFT

The illegal taking of another person's property without that person's freely-given consent by taking, by deception, by conversion, by taking lost or mislaid property, or by receiving stolen property without threat, violence, or bodily harm. Included are pocket-picking, taking a purse or backpack, theft from a building, motor vehicle, coin-operated machine, or all other types of larcenies.

111 Petty Theft

Theft of an item or items with a total monetary value under the amount of \$500. Anything greater is grand theft.

A student shall not steal the property of another (or attempt to do so) and shall not possess, sell, use, or transmit (or attempt to possess, sell, use, or transmit) stolen property.

The school will file any incident involving theft of property valued at \$100 or more with local law enforcement. Incidents involving theft of property valued at less than \$100 may be reported. The reporting of such incidents is at the discretion of the school.

For purposes of reporting - burglary, breaking and entering, robbery, theft by taking or the attempt to do any of these acts - will be reported as a violation of this rule.

Disposition: Ranges from a Verbal Reprimand to Expulsion (Restitution may impact disposition.)

CODE 12: MOTOR VEHICLE THEFT (Not defined nor reported for student discipline.)

CODE 13: ROBBERY (Not defined nor reported for student discipline.)

CODE 14: SEXUAL BATTERY (Not defined nor reported for student discipline.)

CODE 15: SEXUAL HARASSMENT

The deliberate, repeated, and unsolicited physical actions, gestures, or verbal/written comments (including statements posted on or contained in internet postings, email, texts, social media, or other electronic communication) of a sexual nature when such conduct has the purpose or effect of interfering with a student's academic performance or creating an intimidating, hostile, or offensive learning environment. Examples include behaviors such as leering, pinching, grabbing, suggestive comments or jokes, or pressure to engage in sexual activity.

Harassment of any nature is not tolerated by the Oconee County Schools and is a violation of this code and Board policy. Any student or staff member who feels they are the victim of harassment should follow the systematic steps for reporting a case of harassment as outlined in Board policy. All reports will be fully investigated and dealt with according to policy.

Disposition: Ranges from a Written Warning to Suspension (Requires a behavior contract; alternative school assignment is mandatory upon the third offense.)

CODE 16: SEX OFFENSES

Sexual intercourse, sexual contact, or other unlawful behavior/contact intended to result in sexual gratification without force or threat of force and where the victim is capable of giving consent. This includes indecent exposure and obscenity. Examples include entering or downloading pornographic content onto school computers.

161 Improper Touching/Public Display of Affection (PDA)

A student shall not perform any act of lewd or indecent exposure; lewd caressing or indecent touching/fondling of one's own body or that of another; shall not engage in any act of sexual contact; shall not engage in *streaking* or other display of nudity, or attempt to commit any act of indecent or lewd behavior. Public display of affection (PDA) is included under this rule.

Disposition: Ranges from a Written Reprimand to Expulsion

CODE 17: THREAT/INTIMIDATION

Fear of bodily harm through verbal or written threats (including statements posted on or contained in internet postings, email, texts, social media, or other electronic communication) without displaying a weapon or subjecting the person to an actual physical attack.

A student shall not threaten or intimidate another student, or any other person, located on school property or at a school-sponsored event.

Disposition: Ranges from Short-Term Suspension to Expulsion

CODE 18: TOBACCO

Possession, use, distribution, or sale of tobacco products on school grounds, at school-sponsored events, and on transportation to or from school or a school-sponsored event.

A student shall not possess, transmit, or use tobacco products of any type, including without limitation smoking tobacco, chewing tobacco, snuff, e-cigarettes, liquid vapor smoking devices or similar devices, or smoking paraphernalia. A student shall not wear attire that advertises or refers to possession or use of tobacco. Such items found in a car, locker, purse, or book bag will be considered as *being in the possession of* the student.

Disposition: Ranges from Saturday Detention to Suspension

CODE 19: TRESPASSING

Entering or remaining on a public school campus or school facility without authorization or invitation and with no lawful purpose for entry. Includes students under suspension or expulsion and unauthorized persons who enter or remain on campus after being directed to leave by the chief administrator/designee.

Students shall not enter or remain on a public school campus or school facility without authorization or invitation.

Disposition: Ranges from a Verbal Reprimand to Expulsion

CODE 20: VANDALISM

The willful and/or malicious destruction, damage, or defacement of public or private property, real or personal, without the consent of the owner or the person having custody or control of it. Examples include graffiti, carving initials or words in desktops, or spray-painting walls of buildings.

A student shall not cause or attempt to cause damage to property. The school will file any incident involving damage of property valued at \$100 or more with local law enforcement. Incidents involving damage of property valued less than \$100 may be reported. The reporting of such incidents is at the discretion of the school.

Disposition: Ranges from a Verbal Reprimand to Expulsion
(Restitution may impact disposition.)

CODE 21: WEAPONS – FIREARMS (See Code 25 and Code 26)

CODE 22: WEAPONS – KNIFE

The possession, use, or intention to use, any type of knife (including a pocket or pen knife) to inflict harm on another person or to intimidate any person.

A student shall not possess, handle, supply to another, use, or threaten to use a weapon. The term *weapon* in this case includes (without limitation): a knife of any type with a blade of two inches (2”) or longer, razor, box cutter, any martial arts device, sword, machete, or other tool or device used to inflict harm, or any other object that reasonably can be considered a weapon.

When it is the first offense of this code type and the student has in his/her possession a weapon that, in the opinion of the principal, is not inherently an offensive weapon (example: fingernail file, clippers or scissors) and where there is not a threat or actual confrontation, the principal may handle such violation internally once he/she consults with the superintendent and receives permission to handle the matter internally.

Disposition: Ranges from a Written Reprimand to Expulsion
Law enforcement will be called.

CODE 23: WEAPONS – OTHER

The possession, use, or intention to use any instrument or object to inflict harm on another person or to intimidate any person. Included in this code are chains, pipes, razor blades, ice picks, dirks, nunchakus, brass knuckles, Chinese stars, billy clubs, tear gas guns, cap guns, bb guns, pellet guns: “any weapon designed or intended to propel a missile or projectile of any kind.” Electrical weapons or devices, explosives, or propellants. Firecrackers and other fireworks are also included if fire is not involved.

A student shall not possess, handle, supply to another, use, or threaten to use a weapon. The term *weapon* in this case includes (without limitation): any gas repellent, mace, stun gun, chemical spray, pellet or bb gun: “any weapon

designed or intended to propel a missile or projectile of any kind.” Any martial arts devices, sword, machete, or other tool or device used to inflict harm or other object that reasonably can be considered as a weapon. (*It is a violation of this section to possess or threaten to use a toy gun, antique, replica, or other object which looks like or is represented to be a gun or weapon.*)

A student shall not falsely claim to have a weapon or explosive device in their possession; falsely claim that another person has a weapon or explosive device in their possession; or falsely claim that another person is bringing a weapon or explosive device onto school system property or to a school-related function.

Disposition: Ranges from Written Reprimand to Expulsion
Law enforcement will be called.

CODE 24: OTHER DISCIPLINE INCIDENT

Any other discipline incident for which a student is administered corporal punishment, in-school suspension, out-of-school suspension, expelled, suspended from riding the bus, assigned to an alternative school, referred to court/juvenile system authorities, or removed from class at the teacher’s request.

245 Other Conduct Subversive to Good Order

A student shall not perform any other act that is subversive to good order and discipline in the schools. This includes but is not limited to violation of local school rules, violation of state and federal law, providing false information to school personnel, actions that are ethnically and racially inflammatory, loitering or trespassing, or community misconduct that would be so serious as to pose a threat to the school community, or student being criminally charged with a felony (which makes the student’s continued presence at school a potential danger to persons or property of the school or disrupts the educational process).

Disposition: Ranges from a Written Reprimand to Expulsion

2410 Chronically Disruptive Student

A student who continually disrupts or repeatedly violates other school rules may be charged with repeated violations of school rules or behavior. This code applies after remediation attempts (including consideration of the Pyramid of Intervention) have been utilized.

Disposition: Ranges from Saturday Detention to Expulsion

CODE 25: WEAPONS - HANDGUN

Possession of a firearm which has a short stock and is designed to be held and fired by the use of a single hand, and any combination of parts from which a firearm described above can be assembled.

A student may not possess, transmit, sell, or attempt to sell, discharge, or threatening to discharge any firearm while on school grounds or while attending any school function. This rule deals specifically with handguns and any paraphernalia associated with them or their use.

Disposition: Ranges from Long-Term Suspension to Expulsion
Law enforcement will be called.

CODE 26: WEAPONS – RIFLE/SHOTGUN

Rifle - a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder; or designed or redesigned, made or remade, to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger.

Shotgun - a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder; or designed or redesigned, made or remade, to use the energy of an explosive to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

A student may not possess, transmit, sell, or attempt to sell, discharge, or threatening to discharge any firearm while on school grounds or while attending any school function. This rule deals specifically with *rifles* or *shotguns* and any paraphernalia associated with them or their use.

Disposition: Ranges from Long-Term Suspension to Expulsion
Law enforcement will be called.

CODE 27: SERIOUS BODILY INJURY

Bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

A student shall not cause (or attempt to cause) serious bodily injury or behave in such a way as could reasonably cause serious bodily injury to any person. A student shall not cause (or attempt to cause) an injury that involves substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

Disposition: Ranges from Long-Term Suspension to Expulsion
Law enforcement will be called.

CODE 28: OTHER FIREARMS

Firearms other than handguns, rifles, or shotguns as defined in 18USC921. This includes any weapon (including starter gun) which will (or is designed to or may readily be converted to) expel a projectile by the action of any explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device, which includes any explosive, incendiary, or poison gas (i.e. bomb, grenade, or rocket having a propellant charge more than 4 ounces, missile having an explosive or incendiary charge of more than ¼ ounce, mine, or similar device;) any weapon which will (or which may be readily converted to) expel a projectile by the action of an explosive or other propellant and which has any barrel with a bore of more than ½ inch in diameter; any combination of parts either designed or intended for use in converting any device into any destructive device described above and from which a destructive device may be readily assembled.

A student may not possess, transmit, sell, or attempt to sell, discharge, or threatening to discharge any firearm while on school grounds or while attending any school function. This rule deals specifically with all firearms other than handguns, rifles, or shotguns as defined in 18USC921 and any paraphernalia associated with them or their use.

Disposition: Ranges from Long-Term Suspension to Expulsion
Law enforcement will be called.

CODE 29: BULLYING

In accordance with O.C.G.A. § 20-2-751.4, bullying means an act that occurs on school property, on school vehicles, at designated school bus stops, or at school related functions or activities, or by use of data or software that is accessed through a computer, computer system, computer network, or other electronic technology, whether or not such electronic act or communication is on school property or is through the use of school equipment, that is:

- 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:
 1. Causes another person substantial physical harm or visible bodily harm as defined in the meaning of O.C.G.A. § 16-5-23.1;
 2. Has effect of substantially interfering with a student's education;
 3. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
 4. Has the effect of substantially disrupting the orderly operation of the school

A student shall not transmit any electronic communication that has the effect of bullying another student, including but not limited to sending e-mail or text messages, or making website postings (e.g., postings on Facebook, Twitter, or YouTube). This prohibition applies to cyberbullying that occurs on campus and, if the following conditions are met, to cyberbullying that occurs off-campus if the electronic communication (1) is directed specifically at students or school personnel, (2) is malicious or for the purpose of (i) threatening the safety of those individuals specified or (ii) substantially disrupting the orderly operation of the school or other program, 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.

Georgia Law requires the following once an allegation of bullying has been made:

- Immediate investigation by school administration;
- Notification of the parents of all parties involved, bully and victim;
- Discipline with age appropriate consequences; and
- Follow-up with both the bully and victim to ensure issues are being resolved.

Any student who knowingly files a false report of bullying is guilty of such and will be punished under the existing disciplinary provisions. Retaliation toward a person who makes a report is prohibited.

Georgia Law requires mandatory assignment to alternative school for any student in grades 6-12 who is found guilty of bullying for a third (3rd) time in a school year and authorizes local boards of education to assign students who have committed bullying actions to a school outside the student's attendance area.

Law enforcement personnel will be contacted when a student allegedly commits a physical assault or battery on another student or school employee.

Disposition: Ranges from a Written Warning to Suspension

291 Racial Harassment

A student shall not make deliberate, repeated, and unsolicited physical actions, gestures, or verbal/written comments of a racial nature, when such conduct has the purpose of affecting or interfering with a student's academic performance or creating an intimidating, hostile, or offensive learning environment. A student shall not encourage, urge, or counsel other students to violate this rule.

Harassment of any nature is not tolerated by the Oconee County Schools and is a violation of this code and Board policy. Any student or staff member who feels they are the victim of harassment should follow the systematic steps for reporting a case of harassment as outlined in Board policy. All reports will be fully investigated and dealt with according to policy.

Disposition: Ranges from Detention to Expulsion

292 Religious Harassment

A student shall not make deliberate, repeated, and unsolicited physical actions, gestures, or verbal/written comments about a student's religious beliefs/preferences when such conduct has the purpose of affecting or interfering with a student's academic performance or creating an intimidating, hostile, or offensive learning environment. A student shall not encourage, urge, or counsel other students to violate this rule.

Harassment of any nature is not tolerated by the Oconee County Schools and is a violation of this code and Board policy. Any student or staff member who feels they are the victim of harassment should follow the systematic steps for reporting a case of harassment as outlined in Board policy. All reports will be fully investigated and dealt with according to policy.

Disposition: Ranges from Detention to Expulsion

293 Disability Harassment

A student shall not make deliberate, repeated, and unsolicited physical actions, gestures, or verbal/written comments about a student who has a disability when such conduct has the purpose of affecting or interfering with a student's academic performance or creating an intimidating, hostile, or offensive learning environment. A student shall not encourage, urge, or counsel other students to violate this rule.

Harassment of any nature is not tolerated by the Oconee County Schools and is a violation of this code and Board policy. Any student or staff member who feels they are the victim of harassment should follow the systematic steps for reporting a case of harassment as outlined in Board policy. All reports will be fully investigated and dealt with according to policy.

Disposition: Ranges from Detention to Expulsion

CODE 30: OTHER - ATTENDANCE RELATED

Repeated or excessive unexcused absences or tardies; including failure to report to class, skipping class, leaving school without authorization, or failure to comply with disciplinary sanctions

301 Tardy to School or Class

A student shall not be absent from or tardy to school or any class or other required school function during school hours except for illness or other providential cause, except with the written permission of the teacher, principal, or other duly authorized school official; nor shall a student encourage, urge, or counsel other students to violate this rule.

Disposition: Ranges from Detention to Suspension Pending a Disciplinary Hearing

302 Absent Without Leave (AWOL)

A student shall not leave school grounds prior to the end of the day (after his/her initial arrival on campus) without the written permission of a teacher, principal, or other duly authorized school official; nor shall a student encourage, urge, or counsel other students to violate this rule.

Disposition: Ranges from a Written Reprimand and Loss of Driving Privileges to Suspension Pending a Disciplinary Hearing

CODE 31: OTHER – DRESS CODE VIOLATION

Violation of school dress code that includes standards for appropriate school attire.

311 Dress Code Violation

The school administration is authorized to determine appropriate dress for the school setting. Each school has determined (by committee) the appropriate dress for their school. The specific dress code for each school is outlined in the student agenda book (or by whatever means the school chooses to convey important student information). The school administration is responsible for enforcement of the school dress code and has at their discretion the right to assign the appropriate disposition for those students who violate the school dress code.

Disposition: Ranges from a Written Reprimand to Suspension

CODE 32: ACADEMIC DISHONESTY

Receiving or providing unauthorized assistance on classroom projects, assignments or exams

321 Academic Dishonesty

Any student who cheats (which includes both accepting from, and giving information to, others), utilizes any form of illegal academic aid during testing or on specified assignments, or changes answers/grades is in violation of academic ethics and is subject to disciplinary consequences. Plagiarism is considered a violation of this rule. Consequences for violation are at the discretion of school administration and/or teacher. Student may be referred to the Pyramid of Intervention.

Disposition: Ranges from a Written Reprimand to Expulsion

CODE 33: OTHER – STUDENT INCIVILITY

Insubordination or disrespect to staff members or other students; includes but is not limited to refusal to follow school staff member instructions, use of vulgar or inappropriate language, and misrepresentation of the truth

331 Refusal to Follow Instructions/Direction

332 Disrespectful Behavior

333 Profanity or Obscene Language/Gestures

A student shall not make threatening, harassing, or intimidating remarks, gestures, or posturing toward any person, which threatens the safety or well-being of that person or has the likelihood of provoking a fight. This includes but is not limited to fighting, use of profanity, or derogatory comments of an ethnic, racial, sexual, or religious nature.

Disposition: Ranges from Short-Term Suspension to Expulsion

334 Providing False Information/Forgery

A student shall not forge another person's signature, present a document with a forged signature, or give false identification/information to any school official or representative for any purpose including falsifying, misrepresenting, omitting, or erroneously reporting information regarding instances of alleged inappropriate behavior by a teacher, administrator, or other school employee toward a student. Consequences for violation are at the discretion of school administration.

Disposition: Ranges from a Written Reprimand to Expulsion

335 Failure to Comply With Assigned Discipline

A student shall comply with directions, commands, or assigned discipline of teachers, student teachers, substitute teachers, paraprofessionals, principals, school bus drivers, and other authorized school personnel.

Disposition: Ranges from a Written Reprimand to Expulsion

CODE 34: OTHER – POSSESSION OF UNAPPROVED ITEMS

The use or possession of any unauthorized item disruptive to the school environment. (*Note: The use of fireworks or incendiary devices must be coded as Arson.*)

341 Possession/Transmission of Prohibited Items

A student shall not possess any form of laser pointer, pocket pager, or any two-way radio during the school day. Cell phones and other electronic devices may be used at the discretion of the principal and teacher for instructional activities or health reasons only.

Disposition: Ranges from Confiscation of the Device to Expulsion

CODE 35: GANG - RELATED

Any group of three or more students with a common name or common identifying signs, symbols, tattoos, graffiti, or attire which engage in criminal gang activity (O.C.G.A. § 16-15-3)

Disposition: Ranges from a Written Reprimand to Expulsion

CODE 36: REPEATED OFFENSES

Collection of offenses not previously assigned a state reportable action that occurs on a single or across multiple school days that leads to a state reportable disciplinary action.

Disposition: Ranges from a Written Reprimand to Expulsion

CODE 40: OTHER- NON-DISCIPLINARY INCIDENT

This code is used exclusively for the reporting Physical Restraint. When the INCIDENT TYPE = '40', then the ACTION CODE must = '95' for Physical Restraint. Do not report a Teacher ID when Incident Code is "Other Non-Disciplinary Incident."

Disposition: Ranges from a Written Reprimand to Expulsion

CODE 42: Electronic Smoking Device

Any device used to deliver nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the device.

Disposition: Ranges from a Written Reprimand to Expulsion

CODE 44: Violence Against a Teacher

Intentional physical attack against a teacher with the intent to cause bodily harm resulting in severe injuries or any physical attack against a teacher. Violence against other school personnel should be reported as Battery (03) – Level 3.

Disposition: Ranges from Short-Term Suspension to Expulsion

Questions regarding the *OCS Student Behavior Code* should be directed to the Office of Student Services, 706-769-5130. This revision is effective 7/20/2020.

All major offenses including but not limited to drugs and weapon offenses can lead to schools being named an unsafe school according to SBOE Rule 160-4-8-16.

DISCLAIMER

Any policy or procedural changes that take place after the publishing of the student handbook will be sent home with the student. Such changes will supersede what may be listed in the student handbook.