



CHEROKEE
CHARTER ACADEMY

2023-24
DISCIPLINE
CODE

Mrs. April Wallis
Principal

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Statement of Purpose

Cherokee Charter Academy's purpose is to provide an environment that is safe for all students and in which all students can learn. Cherokee Charter Academy's behavior standards, outlined in this discipline code, regulate student actions while attending school, on school property and/or attending a school-sponsored event. As it relates to these standards, there is an expectation that students will conduct themselves in such a way so as to facilitate a learning environment for themselves and other students. We expect students to:

- Respect school employees
- Obey student behavior policies adopted by the Board of Directors
- Respect each other

We ask your cooperation in sharing this responsibility for maintaining a proper learning environment.

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 parent concerns and comments.
- Parents and students should contact assistant principal 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.
- Parents who have a conflict with a student other than their own child and/or parent are requested to speak to the Administration.
- At no time may parents approach the student or their parent directly.
- School administrators will not discuss the consequences assigned to another student with anyone but the student's parents and teachers.
- All students and employees will be treated with respect.
- Slurs, innuendoes, hostile treatment, violence or other verbal or physical conduct against a student or employee will NOT be tolerated. Law Enforcement will be called when necessary.

Student Infractions and Discipline Procedures

In accordance with disciplinary procedures of the Cherokee Charter Academy, and as required by Georgia Code (20-2-736), this publication of student behavior infractions and required or recommended consequences is submitted for the information of all school personnel, students and parents.

Student Discipline Procedures

Section I: Progressive Discipline

According to Georgia Department of Education, "Progressive discipline processes, shall be designed to create the expectation that the degree of discipline will be in proportion to the severity of the behavior leading to the discipline, that the previous discipline history of the student being disciplined and other relevant factors will be taken into account, and that all due process procedures required by federal and state law will be followed." (O.C.G.A. § 20-2-735).

Cherokee Charter Academy recognizes that every instance involving discipline is a unique circumstance. As such, depending on the grade level of the student, the discipline record of the student, and the specific situation surrounding the discipline incident, every discipline consequence can be at the discretion of the school administration if the listed consequences for the infraction are not appropriate.

Section II: Bullying Protocol

- It is the policy of Cherokee Charter Academy that all of its students and school employees have an educational setting that is safe, secure, and free from harassment and bullying of any kind.
- Accordingly, CCA will not tolerate bullying or harassment against any student, employee, visitor, volunteer, or agent who works on school-related activities, subjects to the control of school officials.
- According to the student handbook bullying/harassment is defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting or dehumanizing behavior which can cause discomfort or humiliation and/or interferes with the individual's school performance or participation.
- Please report any instances of bullying to the **student's teacher** immediately.
- CCA will follow the steps below in handling any bullying situation.
 - Investigation
 - Once an allegation is reported to the **teacher, the assistant principal and the teacher will determine if the report is an instance of bullying. If it is determined that the behaviors are bullying behaviors, then a designated staff member** will begin an initial investigation.
 - Anyone reporting an incident should give **the designated staff member** as much information about the incidents as possible including names of bystanders or witnesses.
 - Notification
 - The **designated staff member** will contact the parent of each student involved.
 - They will inform the parent of the allegations and that there is an investigation in place.
 - The **designated staff member** CANNOT disclose the name of any other students to parents that are involved in the investigation.
 - Discipline/Consequence
 - Upon confirming that bullying has occurred, the accused student should be charged with bullying and given an age-appropriate consequence which shall include, at minimum and without limitation, disciplinary action **and/or** counseling as appropriate under the circumstances.
 - Students in grades six through eight found to have committed the offense of bullying for the third time in a school year shall be assigned to an alternative education program.
 - Follow-up
 - Follow-up with the **designated staff member** to discuss the outcome of their investigation and how to prevent future incidents with the students involved.
 - The **designated staff member** will follow-up with the parents of all involved students.
 - All parties involved should report any future incidents between the students to **their teacher** immediately. Retaliation following a report of bullying is strictly prohibited and may result in strong penalties.

Section III: Investigation and Notification Procedures

A teacher must document a student's violation of the student code of conduct within one school day of the incident. The report/discipline referral will be filed with the **Assistant Principal** (or designee), and shall describe the student's behavior. Following an appropriate investigation of the alleged infraction, the **Assistant Principal** (or designee) will make a determination regarding consequence. Within one school day after determining a consequence, the **Assistant Principal** (or designee) will **have a referral copy available for pick-up at the front desk for** the student's parents or guardians a copy of the report and information relative to the **designated staff member** being utilized or the disciplinary action taken upon completion of the

investigation. Written notification will include information regarding how the student's parents or guardians may contact the **Assistant Principal** (or designee). The **Assistant Principal** (or designee) will send written notification to the teacher of the action taken relative to the student incident referred by that teacher.

Section IV: Student Searches

- Federal and state laws grant individuals reasonable expectations of privacy and freedom from unreasonable search and seizure of property.
- Such guarantees are not unlimited and must be balanced by the school's responsibility to protect the health, safety, and welfare of all students.
- Students may be subject to search of person or property if a reasonable suspicion exists that the student may have violated the Code of Student Conduct or state or federal law.
- All searches will be conducted in the presence of two adults (administrator and other), to include one person of the same sex as the student to serve as a witness and to ensure an effective and fair search.
- Be advised that, upon reasonable suspicion, student lockers and other storage areas (including, but not limited to book bags, pocketbooks, notebooks, pockets, personal electronic devices, etc.) may be searched.
- School personnel are permitted to conduct administrative searches for weapons and other contraband with reasonable suspicion.
- Administrative searches shall be carried out with a neutral plan for execution and in the least intrusive manner.

Description of Search Types:

- School Property Searches (i.e., lockers, desks, etc.): These searches may be conducted based on a pre-determined random basis or pursuant to "reasonable suspicion."
- Personal Property Searches (i.e., purses, book bags, etc.): These searches may be conducted pursuant to "reasonable suspicion" unless prior approval has been granted to the school (thus eliminating the expectation of "reasonable suspicion"); when there is no reasonable expectation of privacy; or, in crisis- or medically-related emergencies.

Section V: Illegal Acts

Parents and students should be aware that in some instances, an offense may constitute a violation of Georgia Law. As a result of any resulting violation of law, any court having jurisdiction may impose additional sanctions.

Section VI: Reporting of Threatening Behavior or Illegal/Suspicious Items at School

Students should notify an administrator or staff member when illegal or suspicious items, dangerous items or other items banned from school are found in the school building or on the school campus. Students should not pick up or handle illegal, dangerous, banned or unidentified items, or items not belonging to them.

Any threat by any individual in which if carried out would pose a potential danger to the life and safety of students and/or staff members or the destruction of property should be regarded and treated seriously. Any student who receives or has knowledge of information concerning such a threat (expressed or implied) should immediately report that information to a school administrator or staff member.

Section VII: Suspension/Expulsion of Students with IDEA Services

GUIDELINES FOR SUSPENSION/EXPULSION OF STUDENTS RECEIVING SPECIAL EDUCATION SERVICES

Students receiving special education services under the Individuals with Disabilities Education Act (IDEA) can be suspended out-of-school (OSS) for a total of 10 consecutive or cumulative school days in a school year without a consideration of whether the behavior is a manifestation of the student's disability. If school administration is imposing an OSS for a student with IDEA protections that exceeds 10 cumulative school days in a school year or is recommending a long-term suspension or expulsion, the School will convene a Manifestation Determination Review (MDR) to determine if the student's behavior is related to the student's disability. If the behavior is determined to be a manifestation of the student's disability, the student may not be suspended out-of-school. **If the behavior is found not to be related to the student's disability, the School may impose the recommended discipline; however, the student will continue to receive educational services in accordance with IDEA. The student's Individual Education Program (IEP) committee will determine the location of the education services.**

In cases in which a student is being considered for a suspension/expulsion, and there is no record indicating the student has a disability, but the parent(s) believe the School/has knowledge that the student may have a disability, School Administration should notify the Director of Special Education before proceeding with the discipline process.

TRIBUNAL GUIDELINES FOR STUDENT RECEIVING SPECIAL EDUCATION SERVICES

Students receiving special education services are afforded the same right to a disciplinary due process hearing before a tribunal as all other students where there is a recommendation for suspension/expulsion for longer than 10 consecutive school days.

TRIBUNAL GUIDELINES FOR STUDENTS HOLDING A "SECTION 504 PLAN"

A tribunal for a student holding a "Section 504 Plan" will only be held if (a) a committee reviews the student's plan and determines that behavior exhibited by the student resulting in the discipline infraction is not a result of the student's disability; or (b) the student maintains his/her innocence. In these two cases, the discipline should proceed in the same manner as prescribed for a student receiving special education services, except the role of the IEP committee will be replaced with the student's Student Support Team (SST).

Note: Parents should be aware that state and/or federal law may require modified disciplinary actions for special education students.

Section VIII: Reporting Infractions to the Law Enforcement or the District Attorney

Except where mandated by law, it shall be up to the Principal to determine whether a student will be reported to the Local Law Enforcement or District Attorney. However, this shall not prohibit an individual from filing a Law Enforcement report or pressing charges in his or her capacity as a victim.

Section IX: Internet Use Policy

Cherokee Charter Academy recognizes that the use of technology is prevalent in society. Students at Cherokee Charter Academy will only use computers with permission and must abide by Cherokee Charter Academy's Acceptable Use of Technology Policy outlined below. All of the Cherokee Charter Academy students are subject to the following rules and regulations:

- **Acceptable Use**
 - The purpose of the school Network/Internet is to support research and education in and among academic institutions in the United States and the world by providing access to unique resources and the opportunity for collaborative work.
 - The use of the network must be consistent with the educational objectives of the Cherokee Charter Academy.
 - Transmission of any material in violation of any U.S., or state regulation or Cherokee Charter Academy policy is prohibited.
 - This includes, but is not limited to: copyrighted material, threatening or obscene material or material protected by trade secret.
 - Use for commercial activities or product advertisement is not acceptable.
 - Use for political lobbying is prohibited, however, you may communicate with elected officials to express an opinion on political issues.
- **Privileges**
 - The use of a Cherokee Charter Academy computer is a privilege that may be restricted or removed at the discretion of school administration.
 - Inappropriate use will result in disciplinary actions.
 - Students have no expectation of privacy while utilizing the CCA network, computers, or any device that is attached to it.
- **Network/Internet Guidelines**

The user is expected to abide by the following guidelines. These include (but are not limited to) the following:

 - Students will not attempt to access websites blocked by the CCA policy, including use of proxy services, software, or websites. If the website is blocked, do not attempt to bypass the block by any means.
 - Students will not make any attempt to bypass firewall, intrusion detection/prevention system or any security designed to secure the network.
 - Students will not use sniffing (unauthorized monitoring of network traffic/usage) or remote access technology to monitor the network or other user's activity.

- Students will not download or store unauthorized music, videos, movies, software, or games on the Cherokee Charter Academy network.
 - Students will not use technology for personal gain, profit, or any illegal conduct, such as fraud, copyright infringement, hacking, cheating, or distributing viruses or malware that result in minor disruptions.
 - Students will not use the network to access materials that is profane or obscene (pornography), that advocates illegal acts, or that advocates violence or discrimination towards other people.
 - Students will not use a personal device to share, promote, or encourage illegal behavior that could threatens school safety, materials that contain obscene or inappropriate content while in school.
 - Students will not post personal contact information about themselves or other people. Personal contact information includes address, telephone, school address, work address, e-mail address, etc. This information may not be provided to an individual, organization, or company, including websites that solicit personal information. **Accessing social media websites are also prohibited.**
 - All communications and information accessible via the network should be assumed to be subject to copyright law. The user is responsible for checking for copyrighted or licensing agreements. Data received through the Internet is subject to the same rules of documentation as traditional information. Credit is to be given for all material used in research.
 - Engaging in non-educational games and monopolizing resource time and materials is prohibited.
- Safety Guidelines
 - Any on-line communication should always be at the direction and with the supervision of a teacher.
 - Students shall immediately notify a teacher or administrator if inappropriate information is mistakenly accessed or found anywhere on the Cherokee Charter Academy network including student shares.
 - This may protect students against claim of intentional violation of this policy.
 - Promptly disclose to a teacher any messages received that are inappropriate or make you feel uncomfortable.

Section X: Compensation for Acts of Vandalism or Theft

A student who willfully damages or steals school property shall be properly disciplined. The parent(s) or legal guardian of a minor student shall reimburse the owner for restitution or replacement of any damaged school property in accordance with the true value as determined by the appropriate administrative staff.

Section XI: Definitions of Disciplinary/Educational Terms

COUNSELING AND/OR TREATMENT: A student may be required to obtain counseling and/or attend a recognized treatment program at parental expense and show proof of completion of such counseling or program. Such offenses may include, but are not limited to abuse of technology, substance abuse, stalking, threats, intimidation, bullying, harassment, violence, self-harm, or acts motivated by hate or bias.

DETENTION: A requirement that the student report to a specified school location and to a designated teacher or school official to **spend time writing a reflection paper**. Detention may require the student's attendance before school, after school, lunch (silent lunch), on Saturdays, during scheduled class or school activity time if school officials deem removal of the student from his/her regular school schedule essential to the well-being of the student or school.

HEARING OFFICER/PANEL: A person or persons that, by law and through an appointment of the Administration, may hear predetermined student discipline proceedings. This person or persons would be authorized to rule on discipline cases when there is a recommendation for suspension/expulsion for more than nine school days.

INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA): IDEA is a United States federal law that governs how states and public agencies provide early intervention, special education, and related services to children with disabilities. It addresses the educational needs of children with disabilities from birth to age 18 or 21 in cases that involve 13 specified categories of disability.

INDIVIDUALIZED EDUCATION PROGRAM (IEP): IEP is a written statement for each child with a disability that is developed, reviewed and revised in a meeting in accordance with State Board rule 160-4-7-.06.

POSSESSION: For purposes of this Policy and Code, possession shall be defined as the actual control or manual custody of anything which may be the subject of property for one's use, either as the owner or as the proprietor of a qualified right in it and either held personally or by another, who exercises it in one's place and name. This definition shall embrace the concept of actual possession as well as constructive possession and shall extend to items of contraband held personally by a student or maintained by a student in a space or spaces in which the student exercises control including but not limited to purses, book bags, lockers and vehicles.

SCHOOL ADMINISTRATOR'S DISCRETION: When a Consequence notes that Cherokee Charter Academy or the school may have "School Administrators discretion" in dealing with an infraction, that distinction should also be interpreted as a "Principal's/Assistant Principal's discretion."

SATURDAY SCHOOL: An optional discipline strategy that may be assigned by administrators to address certain school discipline infractions.

STUDENT SUPPORT TEAM (SST): The Student Support Team (SST) is a multi-disciplinary team which utilizes a problem-solving process to investigate the educational needs of students who are experiencing academic and/or social/behavioral difficulties. SST, which is required in every Georgia public school, uses a data-driven process to plan individualized supports and interventions and the method of assessing their effectiveness.

SUSPENSIONS: The removal of a student from class, school, or school-sponsored events for a specified period of time. **SHORT-TERM SUSPENSIONS** are suspensions for less than ten school days. **LONG-TERM SUSPENSIONS** are for ten or more school days and require a due-process hearing (tribunal) before being implemented.

1. **IN-SCHOOL SUSPENSION:** Temporary removal from classes by placing students in designated area. Students will continue to do classroom work and receive credit. **This may be for a certain number of hours or the entire school day.**
2. **EXTERNAL (or OUT-OF-SCHOOL) SUSPENSION:** Denial to a student of the right to attend CCA . Absences will be registered as excused absences. Students who have been externally suspended are not permitted on the Cherokee Charter Academy campus or at any school function while under suspension. Externally suspended students who return to school or attend a school function while under expulsion/suspension may be considered to have criminally trespassed and may be prosecuted accordingly if they have not obtained and carry written permission from School Administrators.

EXPULSIONS: Removal of student from Cherokee Charter Academy permanently, or for an extended period of time beyond the current semester. Expulsion of a student requires a due-process hearing (tribunal) as explained below.

DISCIPLINARY TRIBUNAL PROCESS:

A disciplinary tribunal will be held within 10 school days of any serious violation or numerous violations of the Code of Conduct in which the Principal believes that a suspension of more than ten days or an expulsion is appropriate. These violations typically fall in the Level III category in the Code of Conduct but can also include repetitive Level I and Level II behaviors.

- I. Hearing Officer(s)
 - a. Disciplinary tribunals will be conducted by an independent Hearing Officer(s).
 - i. A Hearing Officer must be an attorney in good standing with the State Bar of Georgia, an individual with experience as an administrator in Georgia public schools, or an individual trained in accordance with the requirements of State Board Rule 160-4-8-.15.
 - b. At the discretion of the School, a disciplinary tribunal may be conducted by one or a panel of Hearing Officers.
 - c. The Hearing Officer will serve as the presiding officer and may rule on issues of procedure and admissibility of evidence presented during the tribunal. If more than one Hearing Officer is used for a tribunal, then one Hearing Officers will be appointed as the presiding Tribunal Hearing Officer.
 - d. The Hearing Officer(s) will determine if the student violated the Code of Conduct; and if the Code was violated, imposing appropriate disciplinary action.
 - e. The maximum penalty that can be imposed by a Hearing Officer is permanent expulsion.
- II. Notice
 - a. The School shall provide written notice of the relevant procedures to the student's parent/guardian. The notification shall include the following:
 - i. A brief statement of the act(s) student is alleged to have committed, along with the portion of the Code of Conduct allegedly violated.
 - ii. The maximum penalty which maybe administered for the alleged misconduct, and a

recommendation for discipline.

- iii. A copy of this tribunal process.
 - iv. The date, time and place of the hearing.
 - v. The names of witnesses expected to be called at the hearing and a short summary of evidence that may be presented.
 - vi. A statement that a hearing is required unless the student's parent/guardian waives the hearing.
 - vii. A statement that at the hearing the student is entitled to be represented by an advocate (spokesperson) of his/her choice, including an attorney if so desired; and that the student may subpoena witnesses and utilize other compulsory process upon request. Provided however, the School must be notified at least 48 hours in advance of the hearing that the student intends to bring representation. Failure to provide notice may result in a delay of the hearing to allow the School to also have representation present.
 - viii. A statement that all parties are afforded an opportunity to present and respond to evidence and to examine and cross-examine witnesses.
- b. The notice of hearing shall be delivered to the student's parent/guardian either in person, by first class mail, certified mail return receipt requested, and/or delivery confirmation, to the last known address of the parent/guardian.
 - c. If notice is delivered in person, a written confirmation of delivery should be obtained by the person delivering the notice.
 - d. Service shall be deemed to be perfected when the notice is deposited in the United States mail with sufficient postage addressed to the last known address of the student/parent/guardian.

III. Continuance

- a. If good and sufficient cause exists, the School Administrators may reschedule a hearing. This includes, but is not limited to, a failure to provide the School with adequate notice that the student intends to bring representation to the tribunal.
- b. Upon rescheduling, written notice of the rescheduled date and time of the hearing will be sent to the student's parent/guardian/representative either in person, by first class mail, certified mail return receipt requested, and/or delivery confirmation.
- c. The student's parent/guardian/representative may request a continuance of the hearing from the Principal.
- d. Continuances should be requested no later than 24 hours in advance of the scheduled hearing date and time.
- e. Extenuating circumstances should be presented for approval.
- f. If a continuance is requested or caused by the student's parent/guardian or representative, the student will continue to serve his/her recommended School level discipline during the time of the continuance and until the hearing is conducted and the Hearing Officer has rendered a decision.

IV. Waiver of Hearing

- a. The formal tribunal may be bypassed if the school, the student and a parent/guardian agree that the student is guilty of the charges; that the disciplinary action proposed by the school is appropriate; and that the parent/guardian will waive the student's right to a hearing.
- b. Such agreement must be reduced to writing in a formal Tribunal Waiver Agreement that clearly states that the student admits guilt to the charges, that all parties agree to the consequences, and that the parent/guardian and student clearly waive the right to a hearing.
- c. A signed Tribunal Waiver Agreement will be presented to the Tribunal Hearing Officer(s) to determine if the tribunal is willing to accept the agreement as its decision.
- d. If the tribunal adopts the agreement as its decision, the decision becomes final and cannot be appealed by the School or the student's parent/guardian.
- e. If the agreement is not adopted as the decision of the tribunal, the Tribunal Waiver Agreement will become null and void, all parental rights will be restored and a new hearing date and time will be established.

V. Procedural Objections

- a. Objection to the sufficiency of the notice and/or other procedural objections shall be waived unless written notice thereof is filed with the School no less than 24 hours prior to the time the tribunal is scheduled to begin.
- b. The tribunal may be postponed until such defects have been removed or remedied.

VI. Hearing Process

- a. The Hearing Officer(s) will meet at the appointed time and place to review the case.
- b. At this time, the Principal or designee will present the facts of the case against the student as well as the reason for the recommendation.
- c. The Principal/designee, the School's attorney, the student's parent/guardian or representative, and the Hearing Officer(s) are entitled to question witnesses about any matters which are relevant to the charges against the student or the appropriate discipline.
- d. The presiding Tribunal Hearing Officer has the authority to limit unproductively long or irrelevant questioning.
- e. The student's parent/guardian, or other appointed representative present for the hearing, will be able to ask questions and present arguments against the recommendation.

- f. The burden of proof is a preponderance of the evidence (more likely than not) and shall be on the School.
- g. The proceedings will be audio recorded for review by the Board of Directors in the event that the tribunal's decision is appealed.

VII. Legal Representation at the Disciplinary Tribunal

- a. If the student is represented by an attorney, the School's attorney will be present.
- b. The student's parent/guardian must notify the Principal not less than 48 hours prior to the tribunal if the student may be represented by an attorney.
- c. Failure to give such notice can result in the tribunal being continued so the School's attorney may be present.

VIII. Appeals

- a. Any party may appeal a tribunal decision on the merits to the Board of Directors by filing a written notice of appeal within fifteen (15) calendar days of the date of decision.
- b. The appeal should be addressed to the attention of the Board Chair and delivered to the Principal.
- c. Appeals via email alone may be accepted but appealing parties must confirm receipt with the Principal within the 15 calendar day appeal timeline.
- d. Appeals by the Principal must be approved by the Board Chair.
- e. Upon the appeal of a decision of the Hearing Officer, the Board will render its decision within 10 school days from the date the Local Board receives notice of the appeal, unless all parties agree to a different date.
- f. The decision shall be in writing and a copy shall be provided to the student/parent/guardian, and the Principal.
- g. The tribunal and any appeals will be closed as required by state and federal law.
- h. All evidence to be considered must be presented in the original tribunal.
- i. The parties shall have the right to be represented by legal counsel during the appeal.

Section XII: STATE CODING OF DISCIPLINE INFRACTIONS

The Georgia Department of Education requires that certain reportable discipline infractions be coded for identification purposes. The three classifications for these reportable infractions are mild, moderate and severe.

These infractions may be denoted in the Cherokee Charter Discipline Code by the use of a decimal, then a number. An example of this coding system would be:

Code # .1 = Mild level Code # .2 = Moderate level Code # .3 = Severe level

Codes that are not state reportable may not be divided into these code sections.

Section XIII: Amending the Discipline Code

Additions or changes in the student infraction codes and the corresponding Consequences may be made as deemed necessary. If this becomes necessary, appropriate announcements will be made to all students.

Student Infractions and Consequences

ACTIONS AGAINST EMPLOYEES

SECTION (01A; 01B)

For purposes of this section, the following definitions shall apply:

- School Employee. Teachers, paraprofessionals, staff, administrators, volunteers and any other employee of Cherokee Charter Academy.
- Non-verbal Disrespect. The use of insulting gestures/actions.
- Verbal Disrespect. Speech directed to a school employee that is insulting and also tends to disrupt the learning environment. Such speech may include, but is not limited to, the use of expletives, name-calling, derogatory remarks, statements of defiance, or any other public speech which a reasonable person would consider inappropriate and disruptive to the learning environment.
- Threats. Direct communication to commit a crime of violence or a threat to burn or damage property with the purpose of terrorizing a school employee or volunteer, whether written, verbal, or by means of electronic device.

01A NON-PHYSICAL ACTIONS AGAINST EMPLOYEES

- .1 **DISRESPECT DIRECTED AT A SCHOOL EMPLOYEE** - Any action which constitutes verbal disrespect to a School Employee and/or any verbal or non-verbal action directed at a School Employee which a reasonable adult would interpret as disrespectful;

Consequences:

- **Detention**
- Immediate suspension for 1-9 school days.
- Tribunal may be scheduled, with recommendation for long-term suspension or expulsion.

REPORTING: None

- .2 **ASSAULT OF AN EMPLOYEE** - An attempt to commit a violent injury to a School Employee, or any act which places that School Employee in reasonable apprehension of immediately receiving a violent injury.

Consequences:

- Immediate suspension for 9 school days.
- A tribunal will be scheduled. A recommendation of long term suspension or expulsion shall be made to the disciplinary tribunal.

REPORTING: None

- .3 **TERRORISTIC THREAT TO A SCHOOL EMPLOYEE** - Terroristic threats may include but are not limited to:

- a communicated threat to commit any crime of violence;
- the release of any hazardous substance or any simulated substance under the guise of it being a hazardous substance;
- to burn or damage property with the purpose of terrorizing another;
- shooting at or throwing an object at a vehicle or other conveyance which is loaded with passengers and being operated;
- causing the evacuation of a building, place of assembly, or facility to cause a serious public inconvenience in reckless disregard of the risk of causing such terror or inconvenience.

Consequences:

- Immediate suspension for 1-9 school days.
- Because of serious nature of infraction, a Tribunal will be scheduled with a possible recommendation for long-term suspension or expulsion.

REPORTING: State Report, Federal Report

01B PHYSICAL ACTIONS AGAINST EMPLOYEES

BATTERY OF A SCHOOL EMPLOYEE

For purpose of this offense, Battery of a School Employee shall be defined generally as the intentional unwanted physical contact by a student with a school employee.

The following definition shall apply with respect to this offense.

- Physical Violence. (a) Intentionally making physical contact of an insulting or provoking nature with the person of another; (b) Intentionally making physical contact, which causes physical harm to another unless such contact was in defense of himself or herself as provided by
- O.C.G.A. 16-3-21.
- School Employee. Teachers, paraprofessionals, staff, administrators, volunteers and any other employee of Cherokee Charter Academy.

.1 INCIDENTAL CONTACT WITH EMPLOYEE DURING AN ALTERCATION WITH A THIRD PARTY OTHER THAN SCHOOL EMPLOYEE

Consequences:

- Punishment at the discretion of the School Administrators depending on circumstances. Circumstances will determine which one or more of the following alternatives will be used: Counseling/Peer mediation, In-school suspension, External suspension of 1 to 9 school days. Recommendations for a tribunal to determine long-term suspension or expulsion at the discretion of the School Administrators for repeated violation or if the safety of others is seriously affected.

REPORTING: Local Law Enforcement, State Report

.2 PHYSICAL VIOLENCE DIRECTED AT A SCHOOL EMPLOYEE WITH NO PHYSICAL INJURY

Consequences:

- Immediate suspension for 9 school days.
- A tribunal will be scheduled. A recommendation for a permanent expulsion may be made to the disciplinary tribunal for long term suspension or expulsion from Cherokee Charter Academy.

REPORTING: Local Law Enforcement, State Report

.3 PHYSICAL VIOLENCE DIRECTED AT A SCHOOL EMPLOYEE RESULTING IN VISIBLE INJURIES

Consequences:

- Immediate suspension for 9 school days.
- A tribunal will be scheduled. A recommendation for a permanent expulsion will be made to the disciplinary tribunal. The disciplinary tribunal will conduct a due process hearing, and if the student is found to have committed this infraction, then the disciplinary panel will recommend the following:

Possible Consequences for ALL Students:

- Permanent expulsion.
- Permanent expulsion, with an opportunity to attend an alternate educational site for the period of the expulsion.

The student will be afforded an automatic review by the Governing Board. The Governing Board shall review such cases, and while accounting for the disciplinary panel's recommendation, make a determination relative to the student. These consequences shall be provisions of GA Code § 20-2-751.6, which are contained in the aforementioned menu of possible consequences to also be considered by the disciplinary panel.

- If the act(s) of physical violence rises to the level of Aggravated Assault or Aggravated Battery, pursuant to O.C.G.A. §16-5-21 or §16-5-24, local law enforcement may be notified.

REPORTING: Local Law Enforcement, State Report

ACTIONS AGAINST STUDENTS INFRACTION

SECTIONS (02A; 02B; 02C; 02D; 02E; 02F; 02G)

- 02A HORSEPLAY OR OTHER ACTIONS THAT ENDANGERS STUDENT(S)** - Any disturbance or act that endangers the well-being of any student including, but not limited to, behaving in a boisterous, unruly, or reckless manner.
- Consequences:
- Punishment will be at the discretion of the School Administrators. Circumstances will determine which one or more of the following alternatives will be considered: (a) Counseling with student, parents, and teachers, (b) In-school suspension, (c) After school detention, and (d) Removal from class for a period of time.
 - Tribunal may be scheduled, with recommendation for long-term suspension or expulsion.

REPORTING: None

- 02B PROVOKING A FIGHT AND/OR ASSAULT** - An attempt to commit a violent injury to a student, or an act which places that student in reasonable apprehension of immediately receiving a violent injury including participating in demeaning activities, threatening behavior or directly communicating a threat that could result in a fight.
- Consequences:
- Punishment at the discretion of the School Administrators depending on circumstances. Circumstances will determine which one or more of the following alternatives will be used: Counseling with student, parent, and teachers, In-school suspension, External suspension of 1 to 9 school days. Recommendations for long-term suspension or expulsion at the discretion of the School Administrators for repeated violation or if the safety of others is seriously affected.

REPORTING: None

02C FIGHTING WITH ANOTHER STUDENT

.1 MUTUAL FIGHTING WITH ANOTHER STUDENT RESULTING IN NO VISIBLE INJURIES

Consequences:

- Punishment at the discretion of the School Administrators depending on circumstances. Circumstances will determine which one or more of the following alternatives will be used: Counseling/Peer mediation, In-school suspension, External suspension of 1 to 9 school days, Recommendations for long-term suspension or expulsion at the discretion of the School Administrators for repeated violation or if the safety of others is seriously affected.

REPORTING: State Report

.2 MUTUAL FIGHTING WITH ANOTHER STUDENT RESULTING IN VISIBLE INJURIES

Consequences:

- Immediate suspension of 1 to 9 school days, Recommendations for long-term suspension or expulsion at the discretion of the School Administrators for repeated violation or if the safety of others is seriously affected.
- Local Law Enforcement may be contacted and charges may be filed.

REPORTING: Local Law Enforcement, State Report**.3 THE STRIKING OF ANOTHER STUDENT WITHOUT WARNING RESULTING IN VISIBLE PHYSICAL INJURY****Consequences:**

- Immediate suspension of 1 to 9 school days. A recommendation for a long-term expulsion will be made to the disciplinary tribunal.
- Local Law Enforcement be contacted and charges may be filed.
- If the act(s) of physical violence rises to the level of Aggravated Assault or Aggravated Battery, pursuant to O.C.G.A. §16-5-21 or §16-5-24 local law enforcement may be notified.

REPORTING: Local Law Enforcement, State Report**02D****BULLYING ANOTHER STUDENT**

Bullying Protocol in Section II of the School Discipline Procedures for Cherokee Charter Academy should be referenced for the protocol and definitions for Bullying.

.1 BULLYING ANOTHER STUDENT, FIRST OFFENSE IN SCHOOL YEAR**Consequences:**

Consequences for grades K-5:

- Punishment at the discretion of the School Administrators. (The student's age/level of maturity or development should be considered in relation to the offense).

Consequences for grades 6-8:

- Three school days of suspension or other appropriate punishment at the discretion of the School Administrators.

The School Administrators or designee shall also convene a parent/guardian conference in which a behavior contract is entered into by and between the School, the student and the parents or guardian. Such behavior contract may specifically specify, among other things, prohibited behavior, seating assignment, or such other limitations or prohibitions as the School Administrators or designee deems appropriate.

REPORTING: State Report**.2 BULLYING ANOTHER STUDENT, SECOND OFFENSE IN SCHOOL YEAR****Consequences:**

Consequences for grades K-5:

- Punishment at the discretion of the School Administrators. (The student's age/level of maturity or development should be considered in relation to the offense).

Consequences for grades 6-8:

- Five school days of suspension or other appropriate punishment at the discretion of the School Administrators.

The School Administrators or designee shall also convene a parent/guardian conference in which a behavior contract is entered into by and between the school, the student and the parents or guardian. Such behavior contract may specify, among other things, prohibited behavior, seating assignment, or such other limitations or prohibitions as the School Administrators or designee deems appropriate.

REPORTING: State Report**.3 BULLYING ANOTHER STUDENT, THREE OR MORE INSTANCES IN SCHOOL YEAR****Disposition:**

Consequences for grades K-5:

- Punishment at the discretion of the School Administrators. (The student's age/level of maturity or development should be considered in relation to the offense).

Consequences for grades 6-8:

- Alternative Education Program

REPORTING: State Report

02E**CYBERBULLYING ANOTHER STUDENT**

Cyberbullying is defined the same as 02D BULLYING ANOTHER STUDENT above, but cyberbullying additionally is defined as bullying via the use of the Internet, interactive and digital technologies (such as computers, PDAs, etc.) and/or mobile telephones that includes the following:

- Is directed specifically at students or school personnel
- Is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school, and
- Creates a reasonable fear of harm to the students' or school personnel's person or property or has a high likelihood of succeeding in that purpose.

.1 CYBERBULLYING ANOTHER STUDENT, FIRST OFFENSE IN SCHOOL YEARConsequences:

Consequences for grades K-5:

- Punishment at the discretion of the School Administrators. (The student's age/level of maturity or development should be considered in relation to the offense).

Consequences for grades 6-8:

- Three school days of suspension or other appropriate punishment at the discretion of the School Administrators.

The School Administrators or designee shall also convene a parent/guardian conference in which a behavior contract is entered into by and between the school, the student and the parents or guardian. Such behavior contract may specifically specify, among other things, prohibited behavior, seating assignment, or such other limitations or prohibitions as the School Administrators or designee deems appropriate.

REPORTING: State Report**.2 CYBERBULLYING ANOTHER STUDENT, SECOND OFFENSE IN SCHOOL YEAR**Consequences:

- Consequences for grades K-5:

Punishment at the discretion of the School Administrators. (The student's age/level of maturity or development should be considered in relation to the offense).

- Consequences for grades 6-8:

Five school days of suspension or other appropriate punishment at the discretion of the School Administrators.

The School Administrators or designee shall also convene a parent/guardian conference in which a behavior contract is entered into by and between the School, the student and the parents or guardian. Such behavior contract may specifically specify, among other things, prohibited behavior, seating assignment, or such other limitations or prohibitions as the School Administrators or designee deems appropriate.

The Student may no longer be able to utilize Cherokee Charter Academy's electronic devices or Internet.

REPORTING: State Report**.3 CYBERBULLYING ANOTHER STUDENT, THREE OR MORE INSTANCES IN SCHOOL YEAR**Consequences:

- Consequences for grades K-5:

- Punishment at the discretion of the School Administrators. (The student's age/level of maturity or development should be considered in relation to the offense).

- Consequences for grades 6-8: Alternative Education Program

REPORTING: State Report

02F**RACIAL HARASSMENT AGAINST ANOTHER STUDENT**

No employee or student shall harass any person through racially disparaging conduct or communication based upon the person's race or ethnic origin. Racial harassment includes:

- Oral statements, written statements, gestures, use of slurs, or any other form of communication or conduct that stands for or implies any sort of intimidating, derogatory, demeaning, or prejudicial message towards an individual or group based upon their race or ethnic origin.
- Any type of conduct or activity exhibited by an individual or a group that is rooted in racial prejudice that conveys an intimidating, derogatory, demeaning, or prejudicial message towards an individual or a group based upon their race or ethnic origin.
- Wearing or possessing items depicting or implying any type of intimidating, derogatory, demeaning or prejudicial message towards another group or individual based upon their race or ethnic origin.
- Students must report in writing any alleged racial harassment to the School Administrators.

Consequences:

- Punishment shall be at the discretion of the School Administrators, depending upon the circumstances. Circumstances will determine which one or more of the following alternatives will be utilized: counseling, parent conference, in-school suspension, external suspension of 1-9 school days, recommendation for long-term suspension or expulsion at the discretion of the School Administrators for repeated violations, if the safety of others is seriously affected or if in the School Administrators' discretion, the violation is of an extreme or serious nature.
- In all cases the parents/guardians of all students involved shall be notified of the complaint, investigation and remedial actions taken with appropriate documentation of such contact. Students, parents, or guardians dissatisfied by the School Administrators' determination may appeal such determination to the Principal.
- Upon completion of the investigation, the School Administrators or designee shall forward a copy of the complaint, investigative notes, and Consequences to the Title VI Coordinator.

REPORTING: None

02G**TERRORISTIC THREATS AGAINST ANOTHER STUDENT**

Terroristic threats may include but are not limited to:

- a communicated threat to commit any crime of violence;
- the release of any hazardous substance or any simulated substance under the guise of it being a hazardous substance;
- to burn or damage property with the purpose of terrorizing another;
- shooting at or throwing an object at a vehicle or other conveyance which is loaded with passengers and being operated;
- causing the evacuation of a building, place of assembly, or facility to cause a serious public inconvenience in reckless disregard of the risk of causing such terror or inconvenience.

.1 **TERRORISTIC THREAT AGAINST ANOTHER STUDENT; INDIVIDUAL THREAT OR INTIMIDATION**

Consequences:

- Immediate suspension for 1-9 school days.
- Because of serious nature of infraction, a Tribunal will be scheduled with a recommendation for long-term suspension or expulsion.

REPORTING: Local Law Enforcement, State Report, Federal Report

.2 **TERRORISTIC THREAT AGAINST OTHER STUDENTS; SCHOOL-WIDE THREAT OR INTIMIDATION**

Consequences:

- Immediate suspension for 1-9 school days.
- Because of serious nature of infraction, a Tribunal will be scheduled with a recommendation for long-term suspension or expulsion.

REPORTING: Local Law Enforcement, State Report, Federal Report

EDUCATIONAL DISTURBANCE INFRACTIONS SECTIONS (03A; 03B; 03C; 03D; 03E)

03A**DISTURBANCE**

.1 **MINOR DISTURBANCE** – A disturbance in the classroom or on school property or at school activity that interrupts or disturbs the learning environment.

Consequences:

- Punishment will be at the discretion of the School Administrators. Circumstances will determine which one or more of the following alternatives will be considered: (a) Counseling with student, parents, and teachers, (b) In-school suspension, (c) After school detention, and (d) Removal from class for a period of time.
- Recommendation for expulsion or long-term suspension if disturbances continue.

REPORTING: None

.2 **DISTURBANCE TO SCHOOL OPERATIONS (OBSCENE LANGUAGE AND/OR OBSCENE DISPLAY) –**

- The use of profane, vulgar, or obscene words, gestures, or other inappropriate language or actions; the use/possession of pornographic or sexual materials; and/or
- The display of sexually explicit, vulgar, obscene, profane, drug-related or other inappropriate written expression or graphics. To include alcohol, cigarettes, illegal drugs, etc. displayed on a student's body, clothing, work materials or on school-owned property; or,
- The accumulation of three or more incidents of disruption in the same school year.

Consequences:

- Punishment will be at the discretion of the School Administrators. Circumstances will determine which one or more of the following alternatives will be considered: (a) Counseling with student, parents, and teachers, (b) In-school suspension, (c) After school detention, and (d) Removal from class for a period of time, or (e) external suspension from school for one 1-9 school days.
- Recommendation for expulsion or long-term suspension

REPORTING: None

- .3 **MAJOR DISTURBANCE (DISORDERLY CONDUCT)** - Disturbances that include any act on school property or at a school activity that causes disruption and/or threatens the safety of any other student.
Consequences:
- Punishment will be at the discretion of the School Administrators. Circumstances will determine which one or more of the following alternatives will be considered: (a) Counseling with student, parents, and teachers, (b) In-school suspension, (c) After school detention, and (d) Removal from class for a period of time, or (e) external suspension from school for 1-9 school days.
 - Recommendation for expulsion or long-term suspension school if disturbances continue.

REPORTING: LOCAL Law Enforcement, State Report**03B VIOLATION OF ANTI-GANG POLICY RESTRICTIONS**

- Cherokee Charter Academy is dedicated to preventing the influence and activities of gangs in Cherokee Charter Academy. It has been determined by the Cherokee Charter Academy that gangs create a significant negative influence upon the learning environment in schools by interfering with school routines and operations, impinging on the rights of other students, and/or impacting the basic educational mission. This policy is designed to eliminate or prevent such influence and activities and should be interpreted in the broadest form permissible to effectuate these purposes.
- For purposes of this policy, a "gang" is defined as any group or association of three or more persons, whether formal or informal, which encourages, solicits, promotes, urges, counsels, furthers, advocates, condones, assists, causes, advises, procures, or abets any illegal or disruptive activity/behavior of any kind whether on or off school campus or school property.
- No Student Shall:
 - (1) display or wear gang articles, paraphernalia or clothing which has been established as being gang related;
 - (2) recruit or solicit membership in any gang/gang-related organization;
 - (3) hold himself or herself out as a member of a gang, either through words, drawings, hand signs, or actions; or
 - (4) participate in any action that promotes the furtherance of a gang.

- .1 **WEARING OR POSSESSION OF GANG-RELATED APPAREL; CONVEYING PERSONAL MEMBERSHIP OR AFFILIATION WITH A GANG** - Possession or display of gang identified apparel, jewelry or accessories.

Consequences:

- Discipline will be at the discretion of the School Administrators.

REPORTING: State Report

- .2 **VIOLATION OF ANTI-GANG POLICY RESTRICTIONS; GANG-RELATED SOLICITATION, VIOLENCE, THREATS, DEFAACEMENT OF PROPERTY** - Promotion of or solicitation to enter into gang activity, or, violence or threats of violence related with gang activities, or, defacement or destruction of property related with gang activities.

Consequences:

- An immediate suspension for 1-9 school days and/or recommendation for long-term suspension or expulsion.

REPORTING: Local Law Enforcement, State Report

- .3 **VIOLATION OF ANY OTHER PROVISION OF THIS CODE FOR THE PURPOSE OF PROMOTING, HOLDING OUT, REPRESENTING OR SOLICITING STUDENTS FOR GANG INVOLVEMENT OR AS A DIRECT RESULT OF GANG INVOLVEMENT.**

Consequences:

- An immediate suspension for 1-9 school days and/or recommendation for long-term suspension or expulsion.

REPORTING: Local Law Enforcement, State Report

03C SUBVERSIVE BEHAVIORS – Cherokee Charter Academy reserves the right to punish behavior which is subversive to good order and discipline in the schools, on school property, or at school functions, even though such behavior is not specified in the preceding written rules and practices. This infraction might include, but is not limited to, inciting others to violate the Cherokee Charter Academy’s Conduct Code and/or school rules.

Consequences:

- Discipline will be at the discretion of the School Administrators.

REPORTING: None

03D DISRUPTIVE PRESENCE – Cherokee Charter Academy reserves the right to exclude a student’s enrollment/attendance at school due to the off-campus behavior which could result in the student being criminally charged with a felony, and which makes the student’s continued presence at school a potential danger to persons or property at the school or which disrupts the educational

Consequences:

- Enrollment/admission status will be at the discretion of the School Administrators.

REPORTING: None

03E FALSE REPORTING AND STATEMENTS - No student shall knowingly and/or willingly make false reports or statements, whether orally or in writing; falsely accuse other students or school staff of wrong actions. Relative to accusations against employees, this would include false, misleading or erroneous accusations of a staff member’s inappropriate behavior toward a student. This infraction also includes falsifying school records; or, forging signatures.

Consequences:

- Discipline will be at the discretion of the School Administrators.

REPORTING: None

Weapons Infractions

Sections 04A, 04B, 04C, 04D, 04E

- 04A POSSESSION OF ANY DEVICE CAPABLE OF INJURY, OR DEATH, OR DESTRUCTION OF PROPERTY BY MEANS OF CAUSING AN EXPLOSION, OR ANY ITEM DEEMED TO BE USED IN A DESTRUCTIVE MANNER OR USED TO INJURE, WOUND, OR KILL AN INDIVIDUAL BY THE RELEASE OF A SPRAY, FOAM, GAS, SPARK, OR SMOKE. FOR PURPOSES OF THIS SECTION, SUCH DEVICES SHALL BE REFERRED TO AS “EXPLOSIVE DEVICES” AND SHALL INCLUDE BUT ARE NOT LIMITED TO:**
- Bullets or ammunition of any kind
 - Fireworks of any type and size including consumer fireworks as defined in O.C.G.A. 25-10-1
 - Smoke bombs, paint bombs, stink bombs, any type of homemade bomb
- .1 **UNINTENTIONAL POSSESSION OF ANY EXPLOSIVE DEVICE** – Unknowingly possessing any explosive device on school grounds or at any school event.
Consequences:
- Immediate suspension for 1-9 school days;
 - Tribunal may be scheduled, with recommendation for long-term suspension or expulsion.
- REPORTING: Local Law Enforcement; State Report**
- .2 **INTENTIONAL POSSESSION OF ANY EXPLOSIVE DEVICE WITH NO INTENT TO DO HARM** - Knowingly possessing any explosive device on school ground or at any school event with no intent to harm.
Consequences:
- Immediate suspension for 1-9 school days;
 - Tribunal will be scheduled, with recommendation for long-term suspension or expulsion.
- REPORTING: Local Law Enforcement, State Report**
- .3 **INTENTIONAL POSSESSION OF ANY EXPLOSIVE DEVICE WITH INTENT TO DO HARM OR DO DAMAGE TO PROPERTY** — Knowingly possessing any explosive device on school grounds or at any school event with the manifest intent to harm.
Consequences:
- Immediate suspension for 1-9 school days;
 - Tribunal will be scheduled, with recommendation for long-term suspension or expulsion.
- REPORTING: LOCAL Law Enforcement, State Report**

04B POSSESSION OF A FIREARM OR DANGEROUS WEAPON

- a) Firearm is defined by O.C.G.A. 16-11-131 as a handgun, rifle, shotgun, or other weapon which will or can be converted to expel a projectile by the action of an explosive or electrical discharge
- b) Dangerous Weapon is defined by O.C.G.A. 16-11-121 as any weapon commonly known as a rocket launcher, bazooka, recoilless rifle, mortar, or hand grenade.

Possession is prohibited on school property or at any school function. For purposes of this section, action may be taken without regard to whether the weapon is loaded or unloaded or is presently capable of firing or detonating.

- .1 **UNINTENTIONAL POSSESSION OF A FIREARM OR DANGEROUS WEAPON** – Unknowingly possessing a firearm or dangerous weapon on school property or at any school function.

Consequences:

- Immediate external suspension for 9 school days;
- Tribunal will be scheduled, with recommendation for long-term suspension or expulsion. Within PowerSchool, it must be noted if the firearm is a rifle (this is reported separately to the State).

REPORTING: Local Law Enforcement, District Attorney, Federal Report, State Report

- .2 **INTENTIONAL POSSESSION OF A FIREARM OR DANGEROUS WEAPON WITH NO INTENT TO DO HARM** – Knowingly possessing a firearm or dangerous weapon on school property or at any school function with no intent to do harm.

Consequences:

- Immediate external suspension for 9 school days;
- Tribunal will be scheduled, with recommendation for expulsion for a minimum of one year. Within PowerSchool, it must be noted if the firearm is a rifle (this is reported separately to the State).

REPORTING: Local Law Enforcement, District Attorney, Federal Report, State Report

- .3 **INTENTIONAL POSSESSION OF A FIREARM OR DANGEROUS WEAPON WITH INTENT TO DO HARM OR CAUSE DAMAGE TO PROPERTY** – Knowingly possessing a firearm or dangerous weapon on school property or at any school function with the manifest intent to do harm. For purposes of this section, action may be taken without regard to whether the weapon is loaded or unloaded or is presently capable of firing or being detonated.

Consequences:

- Immediate external suspension for 9 school days,
- Tribunal will be scheduled, with recommendation expulsion for a minimum of one year.
- Within PowerSchool, it must be noted if the firearm is a rifle (this is reported separately to the State).

REPORTING: Local Law Enforcement, District Attorney, Federal Report, State Report

04C

POSSESSION OF OTHER WEAPONS (as defined by O.C.G.A. 16-11-127.1, excluding firearms, pistol, revolver, or any weapon designed or intended to propel a missile of any kind).

Weapon means and includes any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, knuckles, whether made from metal, thermoplastic, wood, or other similar material, blackjack, any bat, club, or other bludgeon-type instrument, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any object of like kind and any stun gun or Taser as defined in subsection (a) of Code Section 16-11-106. Also included as weapons are permitted medical accessories (i.e. Hypodermic needle, lancet) and/or any other item not traditionally considered to be a weapon when such items are used in a manner to injure or threaten injury to students, school employee or third parties.”

- .1 **UNINTENTIONAL POSSESSION OF OTHER WEAPONS** – Unknowingly possessing Other Weapons on school property or at any school function.

Consequences:

- Penalty at the discretion of the School Administrators, up to suspension from 1-9 days and referral to a discipline tribunal.
- Because of serious nature of infraction a Tribunal will be scheduled with a recommendation for long-term suspension or expulsion.

REPORTING: Local Law Enforcement, Federal Report, State Report

- .2 **INTENTIONAL POSSESSION OF OTHER WEAPONS WITH NO INTENT TO DO HARM** - Knowingly possessing Other Weapons on school property or at any school function with no manifest intent to do harm.

Consequences:

- Immediate external suspension for 9 days;
- Because of serious nature of infraction, a Tribunal will be scheduled with a recommendation for long-term suspension or expulsion.

REPORTING: Local Law Enforcement, Federal Report, State Report

- .3 **INTENTIONAL POSSESSION OF OTHER WEAPONS WITH THE INTENT TO DO HARM AND/OR USED IN AN ASSAULT** - Knowingly possessing Other Weapons on school property or at any school function with the manifest intent to do harm.

Consequences:

- Immediate external suspension for 9 days.
- Because of serious nature of infraction, a Tribunal will be scheduled with a recommendation for long-term suspension or expulsion
- If the act(s) of physical violence rises to the level of Aggravated Assault or Aggravated Battery, pursuant to O.C.G.A. §16-5-21 or §16-5-24, the local law enforcement may be notified.

REPORTING: Local Law Enforcement, Federal Report, State Report

- 04D POSSESSION OF A HOAX EXPLOSIVE DEVICE, FIREARM, WEAPON OR DANGEROUS WEAPON SHALL BE DEFINED AS** — Any “look alike/hoax” device, or replica of an explosive device, firearm, weapon, or dangerous weapon which by virtue of its shape, design, or representation causes another person to believe the hoax device to be an explosive device, firearm, weapon, or dangerous weapon as defined by Georgia law on school property or at any school function.
- .1 **UNINTENTIONAL POSSESSION OF A HOAX WEAPON** - Unknowingly possessing a Hoax Device on school property or at any school function with NO intent to cause bodily injury, death, or property damage/destruction
- Consequences:
- Penalty at the discretion of the School Administrators, up to suspension from 1-9 days and referral to a discipline tribunal.
 - A Tribunal maybe scheduled with a recommendation for long-term suspension or expulsion.
- REPORTING: Local Law Enforcement, Federal Report, State Report**
- .2 **INTENTIONAL POSSESSION OF A HOAX WEAPON WITH NO INTENT TO DO HARM** - Possessing a Hoax Weapon on school property or at any school function with no manifest intent to do harm.
- Consequences:
- Immediate external suspension for 1–9 days.
 - Because of serious nature of infraction, a Tribunal will be scheduled with a recommendation for long-term suspension or expulsion.
- REPORTING: Local Law Enforcement, Federal Report, State Report**
- .3 **INTENTIONAL POSSESSION OF A HOAX WEAPON WITH INTENT TO DO HARM** – Possessing a Hoax Weapon on school property or at any school function WITH the manifest intent to cause bodily injury, death, or property damage/destruction. Intent to harm may be inferred if firearm/weapon is represented as an actual weapon.
- Consequences:
- Immediate external suspension for 9 days.
 - Because of serious nature of infraction, a Tribunal will be scheduled with a recommendation for long-term suspension or expulsion.
- REPORTING: Local Law Enforcement, Federal Report, State Report**
- 04E FAILURE TO REPORT FIREARMS, EXPLOSIVE DEVICES, WEAPONS AND DANGEROUS WEAPONS ON CAMPUS** - Students who have personal knowledge of any firearms, explosive devices, weapons and dangerous weapons (as defined in O.C.G.A. §16-11-121, §16-11-127.1 and §16-11-131) or other dangerous device (e.g. ammunition, explosive devices, hoax devices) shall immediately report the information to an administrator or teacher. Failure to report the information shall be viewed as “conscious disregard” for the safety of others and the safety of the school campus.
- Consequences:
- The punishment will be at the discretion of the School Administrators depending on the circumstances of the violation. The School Administrators may suspend the student for up to nine school days or may recommend long-term suspension or expulsion.
- REPORTING: None**

PUBLIC ALARM INFRACTIONS

SECTION (05A)

05A FALSE ALARM

- .1 **FALSE FIRE ALARM** -The transmittal, through any verbal/non-verbal manner or action, to any fire department or other source of a false report of fire, knowing at the time that there is no reason to believe that a fire exists. This offense shall specifically include the activation of a FIRE ALARM without cause.

Consequences:

- Immediate suspension for 1-9 school days.
- Because of serious nature of infraction, a Tribunal may be scheduled with a recommendation for long-term suspension or expulsion.
- Restitution to be determined by the Board or court having jurisdiction (when applicable).

REPORTING:Local Law Enforcement, Federal Report

- .2 **FALSE PUBLIC ALARM** - The false transmittal, through any verbal/non-verbal manner or action, to any source to the effect that a destructive device or hazardous material of any nature is concealed in such a place that its explosion, detonation or release would endanger human life, cause injury or damage property, or that any other threat is imminent to or at the School.

Consequences:

- Immediate suspension for 1-9 school days.
- Because of serious nature of infraction, a Tribunal will be scheduled with a recommendation for long-term suspension or expulsion.
- Restitution to be determined by the Board or court having jurisdiction (when applicable).

REPORTING Local Law Enforcement, Federal Report

- .3 **PUBLIC ALARM DUE TO FIRE/EXPLOSION/ARSON** - Alarm caused by means of fire, gun and/or explosion.

Consequences:

- Immediate suspension for 1-9 school days.
- Tribunal will be scheduled, with recommendation for expulsion of at least 1 year.
- Restitution to be determined by the Board or court having jurisdiction (when applicable).

REPORTING Local Law Enforcement, Federal Report, State Report

ALCOHOL/DRUG/TOBACCO INFRACTIONS

SECTIONS (06A; 06B; 06C; 06D; 06E)

Any use of alcohol and illicit drugs is illegal and harmful.

Medications at school must be handled in compliance with school guidelines. Non-prescription and prescription medications must be delivered to, and distributed by, the school clinic. STUDENTS MAY NOT POSSESS MEDICATION ON THEIR PERSON. Forms acknowledging possession of asthma inhalers, EpiPen's, insulin, etc. are available from CCA.

For the purposes of this Code of Conduct, tobacco and tobacco-related products also include e-liquid solutions and vapor products.

Tobacco and tobacco-related products include, but are not limited to, cigarettes, candy cigarettes, chewing tobacco, blunts, blunt wraps, rolling paper, pre-wrapped blunt cones and tubes, cigars, cigarillos, bidis, pipes, cigarette packages or smokeless tobacco containers, electronic cigarettes, lighters, ash trays, key chains, t-shirts, coffee mugs and any other item containing or reasonably resembling tobacco or tobacco products.

Vapor product is defined as any product that uses a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size that can be used to produce vapor from an e-liquid solution. The term "vapor product" also includes, but is not limited to, any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of e-liquid that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

E-liquid solution includes all solutions used with a vapor product from which vapor is created regardless of whether the solution is flavored or contains nicotine or tobacco.

06A POSSESSION OR TRANSFER OF TOBACCO-RELATED/DRUG-RELATED ITEMS

Possession of drug or smoking paraphernalia (i.e., lighter/matches, pipe, rolling paper, electronic cigarettes, electronic cigarette cartridges, vaporizers, ordinary items that have clearly been used as drug or smoking paraphernalia, etc.).

Consequences:

- Punishment will be at the discretion of the School Administrators, depending upon the nature and circumstances of the violation. The School Administrators may recommend suspension of 1-9 schooldays or may recommend long-term suspension or expulsion.

REPORTING None

06B POSSESSION, USE OR TRANSFER OF TOBACCO

Possession, use and/or transfer of tobacco or tobacco-related products. Smoking or other use of tobacco will not be permitted on school property or while attending a school function.

- .1 **UNINTENTIONAL POSSESSION OF TOBACCO PRODUCTS** - Unknowingly possessing tobacco or tobacco products on school grounds or at a school function or event.

Consequences:

- Punishment will be at the discretion of the School Administrators, depending upon the nature and circumstances of the violation. The School Administrators may recommend suspension of 1-9 school days or may recommend long-term suspension or expulsion.

REPORTING State Report

- .2 **INTENTIONAL USE OR POSSESSION OF TOBACCO PRODUCTS** - Knowingly possessing tobacco or tobacco-related products on school grounds or at school function or event.

Consequences:

- First offense: 3 days of suspension or other appropriate punishment at the discretion of the School Administrators.
- Second Offense: 5 school days of suspension or other appropriate punishment at the discretion of the School Administrators.

REPORTING State Report

- .3 **SALE, AND/OR DISTRIBUTION OF TOBACCO PRODUCTS** - The sale or distribution of tobacco or tobacco-related products or the attempt to sell or distribute tobacco or tobacco-related products.
- Consequences:
- Depending upon the nature and circumstances of the violation, the School Administrators may recommend suspension of 1-9 school days or may recommend long-term suspension or expulsion.

REPORTING State Report

06C

POSSESSION/USE/INFLUENCE/DISTRIBUTION OF ALCOHOL - Possession or attempt to possess, conspiring with one or more persons to possess or use, use or under influence of alcohol or the distribution of alcohol on school property or while attending school function.

- .1 **UNINTENTIONAL POSSESSION OF ALCOHOL** - Unknowingly possessing alcohol products on school property or at a school function.

Consequences:

Punishment will be at the discretion of the School Administrators, depending upon the nature and circumstances of the violation. The School Administrators may recommend suspension of 1-9 school days or may recommend long-term suspension or expulsion.

REPORTING State Report

INTENTIONAL POSSESSION OF ALCOHOL OR UNDER THE INFLUENCE OF ALCOHOL -

Under the influence of alcohol; the intentional possession of alcohol on school property or any school function or event, or the possession of any substance purported to be alcohol.

Consequences:

Punishment will be at the discretion of the School Administrators, depending upon the nature and circumstances of the violation. The School Administrators may recommend suspension of 1-9 school days or may recommend long-term suspension or expulsion.

REPORTING Local Law Enforcement, State Report

- .3 **SALE, PURCHASE, OR TRANSFER OF ALCOHOL** - The sale or purchase of, transfer of, conspiring with one or more persons for the sale or transfer of, or the attempt to sell or transfer alcohol on school property or while attending school functions.

Consequences:

Punishment will be at the discretion of the School Administrators, depending upon the nature and circumstances of the violation. The School Administrators may recommend suspension of 1-9 school days or may recommend long-term suspension or expulsion.

REPORTING Local Law Enforcement, State Report

06D POSSESSION/USE/UNDER THE INFLUENCE OF OVER-THE-COUNTER

- .1 **UNINTENTIONAL POSSESSION OF OVER-THE-COUNTER DRUGS AND/ OR FAILURE TO REPORT POSSESSION OF DRUGS** - Unknowingly possessing over-the-counter drugs on school property or at a school function.

Consequences:

- Punishment will be at the discretion of the School Administrators, depending upon the nature and circumstances of the violation. The School Administrators may recommend suspension of 1-9 school days or may recommend long-term suspension or expulsion.

REPORTING State Report

- .2 **INTENTIONAL POSSESSION OF OVER-THE-COUNTER DRUGS** - Knowingly possessing or attempting to possess, conspiracy by one or more persons to possess or use or under the influence of over-the-counter drugs, look-alike drugs, inhalants, pills, tablets, capsules, any substance purported to be a controlled substance, or any synthetic over-the-counter substance that is misused.

Consequences:

- The School Administrators may recommend suspension of 1-9 school days or may recommend long-term suspension or expulsion.

REPORTING State Report

- .3 **SALE/TRANSFER OF OVER-THE-COUNTER DRUGS** - The sale of, transfer of, conspiring with one or more persons for the sale or transfer or the attempt to sell or transfer over-the counter drugs, look-alike drugs, inhalants, pills, tablets, capsules or anything purported to be a controlled substance or alcohol on school property.

Consequences:

- Punishment will be at the discretion of the School Administrators, depending upon the nature and circumstances of the violation. The School Administrators may recommend suspension of 1-9 school days or may recommend long-term suspension or expulsion.

REPORTING Local Law Enforcement, State Report

06E POSSESSION, USE, UNDER THE INFLUENCE OR TRANSFER OF CONTROLLED DRUGS OR DANGEROUS SUBSTANCES

- .1 **NON-FELONY POSSESSION/USE/UNDER THE INFLUENCE OF CONTROLLED AND/OR DANGEROUS SUBSTANCES**

- Non-felony possession or use, or attempt to possess or use, conspiracy by one or more persons to possess or use or under the influence of “narcotic drugs, marijuana, or stimulant, depressant or hallucinogenic drugs” on school property or while attending school functions.
- Non-felony drug possession/use has been defined by O.C.G.A. §16-13-2(b), and administrators may work with the Local Law Enforcement Department in the application of this code to student discipline infractions.

Consequences:

- An immediate external suspension for 9 days from school.
- Because of serious nature of infraction, a Tribunal will be scheduled with a recommendation for long-term suspension or expulsion.

REPORTING Local Law Enforcement, State Report, Federal Report

.2 **FELONY POSSESSION/USE/UNDER THE INFLUENCE OF CONTROLLED SUBSTANCES –**

- Felony possession or use, or attempt to possess or use, conspiracy by one or more persons to possess or use or under the influence of “narcotic drugs, marijuana, or stimulant, depressant or hallucinogenic drugs” on school property or while attending school functions.
- Felony drug possession/use has been defined by O.C.G.A. §16-13-32.4 and O.C.G.A. §16-13-30, and administrators should work with the Local Law Enforcement the application of this code to student discipline infractions.

Consequences:

- An immediate external suspension for 9 days from school.
- Because of serious nature of infraction, a Tribunal will be scheduled with a recommendation for long-term suspension or expulsion.

REPORTING Local Law Enforcement, State Report, Federal Report

.3 **POSSESSION/USE/UNDER THE INFLUENCE AND DISTRIBUTION OF CONTROLLED SUBSTANCES –**

- Felony or non-felony possession or use, or attempt to possess or use, conspiracy by one or more persons to possess or use or under the influence of “narcotic drugs, marijuana, or stimulant, depressant or hallucinogenic drugs” on school property or while attending school functions, and the sale of, transfer of, conspiring with one or more persons for the sale or transfer of, or the attempt to sell or transfer felony or non-felony drugs on school property or while attending school functions.
- Felony/non-felony drug infractions are defined by O.C.G.A. §16-13-32.4, O.C.G.A. §16-13-30 and O.C.G.A. §16-13-2, and administrators should work with the Local Law Enforcement Department in the application of these codes to student discipline infractions.

Consequences:

- An immediate external suspension for 9 days from school.
- Because of serious nature of infraction, a Tribunal will be scheduled with a recommendation for long-term suspension or expulsion.

REPORTING Local Law Enforcement, State Report, Federal Report

VANDALISM/THEFT INFRACTIONS SECTIONS (07A;07B;07C;07D)

07A

THEFT

- .1 **MINOR THEFT OR VANDALISM; VALUE OF \$25 OR LESS**- Unlawfully taking property, or assisting another person in unlawfully taking or maliciously damaging property, which belongs to another person or Cherokee Charter Academy, during/after school hours. For the purposes of distinction, this code should be used when the value of this item or items stolen does not exceed \$25.00 (with the value of item determined by School Administrators).

Consequences:

- The punishment will be at the discretion of the School Administrators depending on the circumstances of the violation. The School Administrators may suspend a total of nine school days or may recommend long- term suspension or expulsion.
- Restitution should be requested.

REPORTING None

- .2 **THEFT/LARCENY; VALUE GREATER THAN \$25 BUT LESS THAN \$100** - For the purposes of distinction, this code should be used when the value of this item or items stolen is more than \$25 but less than \$100 (with the value of item determined by School Administrators).

Consequences:

- The punishment will be at the discretion of the School Administrators depending on the circumstances of the violation. The School Administrators may suspend a total of nine school days or may recommend long- term suspension or expulsion.
- Local Law Enforcement will be contacted. Charges may be filed.
- Restitution should be requested.

REPORTING Local Law Enforcement, State Report

- .3 **THEFT/LARCENY; VALUE OF \$100 OR MORE**- For the purposes of distinction, this code should be used when the value of this item or items stolen is \$100 or more (with the value of item determined by School Administrators).

Consequences:

- The punishment will be at the discretion of the School Administrators depending on the circumstances of the violation. The School Administrators may suspend a total of nine school days or may recommend long- term suspension or expulsion.
- Local Law Enforcement will be contacted. Charges may be filed.
- Restitution should be requested.

REPORTING Local Law Enforcement, State Report

07B

POSSESSION OF STOLEN PROPERTY -Possession of unlawfully-taken property belonging to another person or Cherokee Charter Academy during/after school hours.

Consequences:

- The punishment will be at the discretion of the School Administrators depending on the circumstances of the violation. The School Administrators may suspend a total of nine school days or may recommend long- term suspension or expulsion.
- Restitution may be required.

REPORTING Local Law Enforcement

07C

VANDALISM OF PROPERTY - Willful, intentional or malicious acts of damage to public or private property during/after school hours, to include, but not limited to damaging property, defacing or writing on property, disordering property, deliberately altering (without permission) property or any unauthorized depositing or littering/dumping on property.

.1 VANDALISM OF PROPERTY; DEFACEMENT OF PROPERTY WITH LOSS/DAMAGE/REPAIR COST VALUED AT \$25 OR LESS

Consequences:

- The punishment will be at the discretion of the School Administrators depending on the circumstances of the violation. Circumstances will determine which one or more of the following alternatives will be considered to include, but not limited to: Restitution; Community Service; Loss of privilege (i.e., school events; athletics; student government) Detention; Counseling; in-school, out-of- school suspension; Recommendation for expulsion or long-term suspension,).

REPORTING Local Law Enforcement, State Report

.2 VANDALISM OF PROPERTY; MALICIOUS DESTRUCTION OR DAMAGE TO PROPERTY WITH DAMAGE VALUED GREATER THAN \$25 BUT LESS THAN \$250

Consequences:

- The punishment will be at the discretion of the School Administrators depending on the circumstances of the violation. Circumstances will determine which one or more of the following alternatives will be considered to include, but not limited to: Restitution; Community Service; Loss of privilege (i.e., school events; athletics; student government) Detention; Counseling; in-school, out-of- school suspension;; Recommendation for expulsion or long-term suspension).

REPORTING Local Law Enforcement, State Report

.3 VANDALISM OF PROPERTY; MALICIOUS DESTRUCTION OR DAMAGE TO PROPERTY WITH DAMAGE VALUED AT \$250 OR MORE

Consequences:

- The punishment will be at the discretion of the School Administrators depending on the circumstances of the violation. Circumstances will determine which one or more of the following alternatives will be considered to include, but not limited to: Restitution; Community Service; Loss of privilege (i.e., school events; athletics; student government) Detention; Counseling; in-school, out-of- school suspension; Recommendation for expulsion or long-term suspension).

REPORTING Local Law Enforcement, State Report

07D

ILLEGAL ENTRY - Entering the school building on weekends or during non-school hours without authorization. Entry in Cherokee Charter Academy at any time without prior permission.

Consequences:

- The punishment will be at the discretion of the School Administrators depending on the circumstances of the violation. The School Administrators may suspend a total of nine school days or may recommend long- term suspension or expulsion.

REPORTING Local Law Enforcement, State Report

SEXUAL-RELATED INFRACTIONS

SECTIONS (08A; 08B; 08C)

* Georgia Code (O.C.G.A. § 20-2-735) encourages parents/guardians to inform their student(s) on the consequences, including potential criminal penalties, of underage sexual conduct and crimes for which a minor can be tried as an adult.

08A SEXUAL OFFENSES /MISCONDUCT

- .1 **PUBLIC DISPLAY OF AFFECTION** - Physical contact including, but not limited to, kissing or embracing on school property, or at a school activity.

Consequences:

- Punishment will be at the discretion of the School Administrators. Circumstances will determine which one or more of the following alternatives will be considered: Counseling with student; Notification of parents; Suspension from school for 1-9 school days; Recommendation for expulsion/long-term suspension at the discretion of the School Administrators.

REPORTING None

- .2 **VIEWING, DISPLAYING, PORNOGRAPHIC MATERIALS/CONTENT** -The viewing or displaying of pornographic drawings, pictures, electronic images, or videos. This offense can include downloading, uploading or transmitting pornographic content while at school or on any computers, cell phones, tablets, or other electronic devices. This policy shall apply to both real and simulated materials and content.

Consequences:

- Punishment will be at the discretion of the School Administrators. Circumstances will determine which one or more of the following alternatives will be considered: Counseling with student; Notification of parents; Suspension from school for 1-9 school days; Recommendation for expulsion/long-term suspension at the discretion of the School Administrators.

REPORTING Local Law Enforcement

- .3 **CONSENSUAL SEXUAL CONTACT AND/OR EXPOSURE** - Sexual intercourse, sexual contact, or other unlawful behavior or content intended to result in sexual gratification without force or threat of force, and where the victim is capable of giving consent (16 years of age or older). This offense can include inappropriate exposure and obscenity.

Consequences:

- Punishment will be at the discretion of the School Administrators. Circumstances will determine which one or more of the following alternatives will be considered: Counseling with student; Notification of parents; Suspension from school for 1-9 school days; Recommendation for expulsion/long-term suspension at the discretion of the School Administrators.

REPORTING Local Law Enforcement, State Report

08B SEXUAL HARASSMENT

Sexual harassment is generally defined as unwelcome sexual advance(s), request for favor(s) or other verbal and/or visual contact of a sexually explicit and/or sexually-directed nature including, but not limited to inappropriate references to body parts, inappropriate references regarding a student's reputations, inappropriate gestures, sexually oriented jokes, sexually oriented innuendoes, obscenities, displaying of sexually suggestive objects, pictures, cartoons, and/or the utterance of sexually suggestive writings. Any student alleging a complaint of sexual harassment should take immediate steps to inform an employee of the Cherokee Charter Academy responsible for student supervision.

- Upon receiving any complaint of sexual harassment, the responsible employee shall assist the student in making an appropriate reporting to the Title IV coordinator and immediately notify the School Administrators.

.1 **SEXUAL HARASSMENT; UNWELCOME COMMENTS, STATEMENTS, OR ACTIONS, NOT DIRECTED TOWARDS AN INDIVIDUAL**

Consequences:

- Punishment at the discretion of the School Administrators, depending on the circumstances. Circumstances will determine which one or more of the following alternatives will be used: Counseling; In-school suspension; suspension of 1-9 school days; or Recommendations for long-term suspension or expulsion at the discretion of the School Administrators for repeated violation or if the safety of others is seriously affected.

REPORTING State Report

.2 **SEXUAL HARASSMENT; UNWELCOME COMMENTS, STATEMENTS, OR ACTIONS, DIRECTED TOWARDS AN INDIVIDUAL**

Consequences:

- Punishment at the discretion of the School Administrators, depending on the circumstances. Circumstances will determine which one or more of the following alternatives will be used: Counseling; In-school suspension; suspension of 1-9 school days; or Recommendations for long-term suspension or expulsion at the discretion of the School Administrators for repeated violation or if the safety of others is seriously affected.

REPORTING State Report

.3 **SEXUAL HARASSMENT; REPEATED VIOLATIONS OF SEXUAL HARASSMENT POLICY**

Consequences:

- Punishment at the discretion of the School Administrators, depending on the circumstances. Circumstances will determine which one or more of the following alternatives will be used: Counseling; In-school suspension; suspension of 1-9 school days; or Recommendations for long-term suspension or expulsion at the discretion of the School Administrators for repeated violation or if the safety of others is seriously affected.

REPORTING State Report

08C

SEXUAL BATTERY/ABUSE - The intentional, inappropriate exposure of/to another or inappropriate bodily contact of a sexual nature.

Consequences:

- Suspension of 1-9 school days will be at the discretion of the School Administrators. A recommendation for expulsion/long-term suspension at the discretion of School Administrators.

If the act(s) of physical violence rises to the level of Aggravated Assault or Aggravated Battery, pursuant to O.C.G.A. §16-5-21 or §16-5-24, the local law enforcement may be notified.

REPORTING Local Law Enforcement, State Report

ATTENDANCE-RELATED INFRACTIONS SECTIONS (09A; 09B; 09C)

- 09A UNEXCUSED ABSENCES/TRUANCY** - Unlawful school absences.
Consequences:
 Punishment at the discretion of the School Administrators, depending on the circumstances. Circumstances will determine which one or more of the following alternatives will be used: Detention; Parent conference and Counseling; Saturday School; Suspension for 1-9 school days.
REPORTING State Report
- 09B UNEXCUSED TARDIES TO CLASS/SCHOOL** - Unexcused tardies to school/class, as well as unexcused school check-ins/check-outs.
Consequences:
 Punishment at the discretion of the School Administrators, depending on the circumstances. Circumstances will determine which one or more of the following alternatives will be used: Detention; Parent conference and Counseling; Saturday School; Suspension for 1-9 school days.
REPORTING None
- 09C SKIPPING CLASS** - Skipping class.
Consequences:
 Punishment at the discretion of the School Administrators, depending on the circumstances. Circumstances will determine which one or more of the following alternatives will be used: Detention; Parent conference and Counseling; Saturday School; Suspension for 1-9 school days.
REPORTING None
- 09D SKIPPING CLASS/LEAVING CAMPUS** - SKIPPING CLASS AND LEAVING CAMPUS.
Consequences:
 Punishment at the discretion of the School Administrators, depending on the circumstances. Circumstances will determine which one or more of the following alternatives will be used: Detention; Parent conference and Counseling; Saturday School; Suspension for 1-9 school days.
REPORTING State Report
- 09E OTHER ATTENDANCE INFRACTIONS/OUT OF DESIGNATED AREA**
 - Other attendance infractions, to include, but are not limited to, such things as not signing in upon late arrival to school or not remaining in assigned area within school/on campus without the permission of that school's administration.
Consequences:
 Punishment at the discretion of the School Administrators, depending on the circumstances. Circumstances will determine which one or more of the following alternatives will be used: Detention; Parent conference and Counseling; Saturday School; Suspension for 1-9 school days.
REPORTING State Report

TECHNOLOGY-RELATED INFRACTIONS

SECTIONS (10A; 10B; 10C; 10D)

All activities related to technology usage within Cherokee Charter Academy should be ruled by Cherokee Charter Academy's Internet Use Policy regarding "Use of Electronic Media". This Policy is commonly referred to as the "Acceptable Use Policy" and should be reviewed by all students, parents, and School Board employees (located in Section VI of the Student Discipline Procedures).

10A UNAUTHORIZED USE OF COMPUTER, TECHNOLOGY TAMPERING, OR ALTERING RECORDS - Unlawful use of Cherokee Charter Academy computers, or attempts or threats to tamper with technological hardware, software, cabling, and associated equipment, intentional interruption of technology services, or unauthorized access to or altering of computer

Consequences:

- Punishment at the discretion of the School Administrators depending on circumstances of the violation. Suspension for 1-9 school days, expulsion, or long-term suspension
Restitution may be required.

REPORTING State Report

10B TECHNOLOGY TRESPASSING/DAMAGE/VIOLATION OF ACCEPTABLE USE POLICY - Destruction or alteration of computer programs and/or data, or violating acceptable use policy (Section VI of the Student Discipline Procedures).

Consequences:

- Punishment at the discretion of the School Administrators depending on circumstances of the violation. Suspension for 1-9 school days, expulsion, or long-term suspension
Restitution may be required.

REPORTING State Report

10C INAPPROPRIATE OR UNAUTHORIZED USE OF ELECTRONIC DEVICE - Failure to comply with Cherokee Charter Academy Internet Use Policy or the use of an electronic device to create a disruption or disturbance in the school or at any school function or event, OR, using a computer, computer network, or other electronic device to disseminate any picture, photograph, drawing, or similar visual representation or verbal description of any information designed to encourage, solicit, or otherwise promote terroristic threats, acts of bullying another student, upskirting (observing, photographing, videotaping, filming, or video recording such individual underneath or thorough such individual's clothing), or transmission/possession of pornographic content.

Consequences:

- Punishment at the discretion of the School Administrators depending on circumstances of the violation. Suspension for 1-9 school days, expulsion, long-term suspension.
- Violations of this initiative will result in disciplinary consequences which may include but are not limited to:
 1. Suspension of privilege to access the network on campus.
 2. Appropriate disciplinary or legal action in accordance with the Student Code of Conduct and applicable laws including monetary damages.
- Possible criminal action.

REPORTING Local Law Enforcement

10D USE/POSSESSION OF LASER POINTER - Use or possession of a laser pointer is prohibited during school hours.

Consequences:

- Punishment at the discretion of the School Administrators.

REPORTING None

DRESS-CODE INFRACTIONS

SECTION (11A)

- 11A DRESS CODE VIOLATIONS** - Failure to comply with the CHEROKEE CHARTER ACADEMY Dress Code (as outlined in Student Handbook).
- .1 **DRESS CODE VIOLATIONS; NON-OFFENSIVE OR NON-SUGGESTIVE CLOTHING**
Consequences:
 Punishment will be at the discretion of the School Administrators. Circumstances will determine which one or more of the following alternatives will be considered: Parent notification; Counseling with student and/or parents to include opportunity to correct dress.
REPORTING State Report
- .2 **DRESS CODE VIOLATIONS; OFFENSIVE OR SUGGESTIVE CLOTHING**
Consequences:
 Punishment will be at the discretion of the School Administrators. Circumstances will determine which one or more of the following alternatives will be considered: Parent notification; Counseling with student and/or parents to include opportunity to correct dress.
REPORTING State Report
- .3 **DRESS CODE VIOLATIONS; THREE OR MORE OFFENSES IN THE SAME SCHOOL YEAR**
Consequences:
- Punishment will be at the discretion of the School Administrators. Circumstances will determine which one or more of the following alternatives will be considered: Parent notification; Counseling with student and/or parents to include opportunity to correct dress.
 - Refusal to comply with the dress code, repeated offenses, or violations of a severe nature may result in a higher degree of discipline as outlined in the disciplinary code under such offenses as “violation of anti-gang policy”, “disruption”, “major disruption”, “willful refusal to comply”, “refusal to accept/attend discipline action”, and/or “repeated violation of school rules.”
- REPORTING State Report**

MISCELLANEOUS INFRACTIONS

SECTIONS(12A;12B;12C;12D;12E;12F)

- 12A UNPREPARED FOR CLASS** - Failure to carry paper, pencil, pen, books, and other materials to class that have been designated by the teacher as necessary for work and participation in the class.
- Consequences:
Punishment will be at the discretion of the School Administrators.
- REPORTING None**
- 12B WILLFUL REFUSAL TO COMPLY** - Willful refusal to carry out valid instructions of any faculty member or staff member when at school or at any school function.
- Consequences:
- Punishment will be at the discretion of the School Administrators. Suspension for 1-9 school days, depending on the circumstances. Recommendation for long-term suspension or expulsion will be at the discretion of the School Administrators.
- REPORTING State Report**
- 12C FAILURE TO ATTEND/ACCEPT DISCIPLINE ACTION** - Failure to attend detention or accept disciplinary action.
- Consequences:
- Punishment will be at the discretion of the School Administrators. Suspension of 1-9 school days, depending on the circumstances. Repeated violations could result in recommendation for long-term suspension or expulsion.
- REPORTING State Report**
- 12D ACADEMIC DISHONESTY; CHEATING/PLAGIARISM** - Cheating and/or plagiarism on school assigned work.
- .1 **ACADEMIC DISHONESTY; UNAUTHORIZED ASSISTANCE TO OR BY ANOTHER PERSON ON CLASSROOM ASSIGNMENTS OR PROJECTS**
- Consequences:
- The student will be required to properly complete the assignment for any test, project or other school assignment for which the student was found to have cheated or plagiarized.
 - Additionally, at the discretion of the School Administrators, and upon notification of the parent(s), the following consequences may be added to the Consequences regarding any student found to have cheated or plagiarized a test, project or other school assignment: Detention, In-School Suspension, and Saturday School.
- REPORTING State Report**
- .2 **ACADEMIC DISHONESTY; PLAGIARISM OR CHEATING ON CLASSROOM ASSIGNMENTS OR PROJECTS**
- Consequences:
- The student will be required to properly complete the assignment for any test, project or other school assignment for which the student was found to have cheated or plagiarized.
 - Additionally, at the discretion of the School Administrators, and upon notification of the parent(s), the following consequences may be added to the Consequences regarding any student found to have cheated or plagiarized a test, project or other school assignment: Detention, In-School Suspension, and Saturday School.
- REPORTING: State Report**

.3 **ACADEMIC DISHONESTY; PLAGIARISM OR CHEATING ON MAJOR EXAMS OR STATEWIDE/NATIONAL ASSESSMENTS; OR, THREE OR MORE OFFENSES IN THE SAME SCHOOL YEAR ON ANY PROJECT OR ASSIGNMENT**

Consequences:

- The student will be required to properly complete the assignment for any test, project or other school assignment for which the student was found to have cheated or plagiarized.
- Additionally, at the discretion of the School Administrators, and upon notification of the parent(s), the following consequences may be added to the Consequences regarding any student found to have cheated or plagiarized a test, project or other school assignment: Detention, In-School Suspension, and Saturday School.

REPORTING State Report

12E **GAMBLING** - Gambling on school property or while attending school functions.

Consequences:

- Punishment at the discretion of the School Administrators depending on circumstances.

REPORTING: None

12F **REPEATED VIOLATIONS OF SCHOOL RULES** - Multiple and/or repeated violations of any school rules.

Consequences:

- Punishment will be at the discretion of the School Administrators depending on circumstances. Consequences can include suspension for 1-9 school days, expulsion, or long-term suspension.

REPORTING: State Report

OTHER STATE-REPORTABLE OFFENSES SECTION (13)

- 13** The Georgia Department of Education requires that the following criminal offenses be reported annually to the State by LEAs upon determination the offense occurred during the violation of a school rule: (a) burglary, (b) robbery, (c) arson, (d) motor vehicle theft and (e) other firearms.

REPORTING: Local Law Enforcement, District Attorney, State Report

UNSAFE SCHOOL CHOICE OPTION SECTION (14)

- 14** In conjunction with the Federal Every Student Succeeds Act (ESSA) legislation, the Georgia Department of Education has identified the following criminal offenses as ones that are to be reported annually to the State by LEAs upon determination the offense occurred during the violation of a school rule: (a) aggravated battery to employee; (b) aggravated battery to student; (c) aggravated child molestation; (d) aggravated sexual battery; (e) aggravated sodomy; (f) armed robbery; (g) first degree arson; (h) kidnapping; (i) murder; (j) rape; or, (k) voluntary manslaughter.

REPORTING: LOCAL Law Enforcement, District Attorney, State Report, Federal Report