



Garrett County Public Schools

2024-25



# STUDENT HANDBOOK



**Garrett County Board of Education  
2024**

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**NON-DISCRIMINATION STATEMENT**

It is the policy and practice of GCPS not to discriminate on the basis of race, color, national origin, sex, handicap, or age in its employment practices as required by Title VI of the Civil Rights Acts of 1964, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975, as amended; and Section 504 of the Rehabilitation Act of 1973, as amended.

GCPS will take steps to ensure that lack of English language skills will not be a barrier to admission and participation in all educational and vocational programs.

For information about your rights or grievance procedures, contact the Title IX Coordinator, Jane Wildesen [770 Dennett Road Oakland, MD 21550, 301-334-8903, [jane.wildesen@garrettcountyschools.org](mailto:jane.wildesen@garrettcountyschools.org)] and/or the Section 504 Coordinator, Brooks Elliott [770 Dennett Road Oakland, MD 21550, 301-334-8950, [brooks.elliott@garrettcountyschools.org](mailto:brooks.elliott@garrettcountyschools.org)].

## PREFACE

The purpose of this handbook is to outline the rights and responsibilities of students within the Garrett County Public School System. With these rights and responsibilities in mind, the Garrett County Board of Education has established standards and expectations within a code of conduct, has authorized interventions and supports, and has responses and consequences for attendance and disciplinary procedures. A grievance procedure has been established for students who feel that their rights have been violated regarding county policy.

Action taken by school authorities shall be free from bias on the basis of race, color, gender, age, national origin, religion, disability, genetic information, sexual orientation, or gender identity. The administration of these procedures is to occur within an expectation of equity for all students. Diversity contributes to the quality of the exchange of ideas inherent in the educational setting. These expectations and standards are implemented to provide a positive school climate free of speech, symbols, and actions that promote hate and conflict. The Garrett County Public Schools work to provide a school climate in which all students can explore, gain skills, and excel from high-quality instruction and educational programming. It is by accessing these opportunities that students can best prepare for their future.

The information and procedures in this document are guidelines for all schools; however, there is a recognized distinction among students of differing ages, maturity, and disabilities. School personnel may consider these developmental differences when administering this document. Each local school shall develop policies to govern the school consistent with this handbook, other Garrett County Board of Education policies, and state and federal laws.

WE, THE COMMITTEE MEMBERS FOR THE REVISION OF THE STUDENT'S RIGHTS AND RESPONSIBILITIES HANDBOOK, ENCOURAGE EACH PARENT TO REVIEW THIS HANDBOOK WITH THEIR CHILD/CHILDREN SO THAT BOTH PARENTS AND STUDENTS ARE AWARE OF THE STUDENT'S RIGHTS AND RESPONSIBILITIES AS REQUIRED BY FEDERAL LAW, THE MARYLAND ANNOTATED CODE, THE CODE OF MARYLAND REGULATIONS (COMAR), AND THE MARYLAND STATE DEPARTMENT OF EDUCATION.

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## I. ATTENDANCE

### A. Philosophy and Rationale of Attendance

We believe that education is a continuum, which spans an individual's life.

We believe that the major responsibility of the school is to develop each individual's intellectual capacity to its maximum.

We believe students must attend school and all classes regularly and be punctual because there is a direct relationship between regular attendance and academic achievement and the completion of a school program.

We believe that regular attendance and punctuality in school:

- Foster the universal value of education as a means of fulfilling individual and social needs.
- Facilitates the continuity of classroom instruction and participation.
- Provides students the opportunity to use their own abilities and talents.
- Helps students develop the habits of responsibility, self-discipline, and good work habits.
- Helps to develop close communication and cooperation between the home, school, and community.
- Helps to develop a more positive school climate.
- Enhances the students' potential to complete their high school education and become productive members of society.

We believe that each student has the responsibility to monitor his/her attendance and to be informed about the policy and the consequences of the policy.

We believe that each parent/guardian has the responsibility to monitor his/her students' attendance and to be informed about the policy and the consequences of the policy.

### B. Legal Foundations

The legal foundations for this policy and its accompanying procedures are found in Maryland State Law and By-Law as follows:

7-103 Required school days and holidays

7-301 Compulsory Attendance Law\*

7-302 Report of Absences and Maladjustment

7-304 Special Programs for Disruptive Students

7-305 Suspension and Expulsion

COMAR 13A.08.01 Students—General Regulations Effective July 1, 1990

3-804 Jurisdiction of the Courts

House Bill 118 - Excused Absences for Mental Health Needs

## C. Standards

### 1. Attendance

Each child who resides in this state and is 5 years old or older and under 18 shall attend a public school regularly during the entire school year unless the child is otherwise receiving regular, thorough instruction during the school year in the studies usually taught in the public schools to children of the same age or has received a one-year maturity waiver for kindergarten.

The Garrett County Public School System provides a full-day kindergarten for children who reach the age of five in conformance with the following guidelines to attend kindergarten:

2024-2025: September 2, 2018, through September 1, 2019

The Garrett County Public School System provides a Pre-Kindergarten Program at certain designated sites. A child must be four years old in conformance with the following guidelines in the year in which he/she applies for entrance into the Pre-Kindergarten program:

2024-2025: September 2, 2019, through September 1, 2020

Enrollment is based on MSDE and local student selection criteria and can be found in Policy and Procedure JEBA.

### 2. School Attendance: Days Attending/Absent

- a. A student is counted present for a full day if a student is absent no more than one hour of the school day.

Example: A student arrives at the school's designated arrival time, leaves for an appointment at 10:15, returns at 11:15, and remains in school until dismissal time.

- b. A student is counted absent for a full day if the student is present for less than two hours of the school day.

Example: A student arrives at 10:15 and leaves at 12:00 noon.

- c. A student will be credited with a partial [ $\frac{1}{2}$ ] day attendance if the student is in attendance for two hours or more of the school day and is absent for more than one hour of the school day.

Example: A student arrives at 10:15 and leaves at 12:15.

- d. Students shall be considered in attendance at school when participating in school-sponsored activities during the school day, and when the local superintendent of schools or the school principal, or their designee approves that participation.

### 3. Class Attendance:

- a. At the high school level, credit is awarded for individual classes. Attendance is recorded by class period as a requirement to earn credit in each class. A student who is in attendance in school for half or more of a scheduled class period will be counted as present. If they are in attendance in school for less than half of the class period, they will be counted as absent for that class.

Example: A high school student is scheduled for an 80-minute class period. If the student is in attendance for 40 or more minutes, he/she is counted as present for the entire period. If he/she is in attendance for 39 or fewer minutes, he/she is counted absent for the entire period.

Note: A student may be counted as being in school attendance at the high school level, while not being in a specific class sufficient time to be counted as present for that class.

Example: A student arrives at 10:15, attends an 80-minute class, lunch, and 30 minutes of an 80-minute class, and then leaves at 12:15. They would be counted present for half of a school day, but only receive credit for attendance in one class.

- b. A senior student who is on a modified schedule and is in attendance for half or more of a class period for their scheduled class (es) will be counted as present for the full day. A senior student who is on a modified schedule and is in attendance for less than half of a class period for their scheduled class (es) will be counted absent.

### 4. Tardiness/Early Dismissal

Any student who arrives at school after the appointed starting time and does not meet the definition of a half-day absence must be marked tardy. If the student is late as a result of a bus delay, the student should not be considered tardy. A student should not be habitually removed from school before the instructional day has been concluded and must have a bona fide excuse to be removed from school early. A student who is habitually tardy/dismissed early will be considered in violation of the Maryland compulsory school attendance law. A student shall be considered habitually tardy when he/she is late more than four (4) times per semester without a bona fide excuse as determined by the principal or his/her designee. These statements shall not be interpreted as limiting the authority of the school administration to develop and implement disciplinary measures to encourage promptness to school/class, to deter tardiness to school/class, and to discourage habitual early dismissals that disrupt the student's school day.

### 5. Virtual and Online Instruction:

At the high school level, attendance in and credit for virtual or online instruction through the Maryland State Department of Education, Maryland Virtual Learning Opportunities (MVLO) courses will only occur if requested from and pre-approved by the school principal and is provided within the student's schedule.

## D. Rules and Procedures

### 1. Lawful Excuses

- a. Death in the Immediate Family—The immediate family shall include parents, siblings, grandparents, great-grandparents, or other persons who regularly reside in the household. Sometimes, due to family and personal circumstances, the definition of “immediate family” must be modified. The principal (or designee) shall make the determination. (Code 01)
- b. Illness—Any illness which exceeds five (5) consecutive days will require a Doctor’s certificate. All absences due to pregnancy or parenting-related conditions including absences for labor, delivery, recovery, and prenatal and postnatal medical appointments will be excused. (Code 02)  
Illness—Any illness which results in less than or equal to five (5) days of absences may be certified by the parents/guardians. (Code 03)  
Any student who sees a doctor/dentist/psychologist for an illness that results in absences of less than five (5) days should secure a doctor’s certificate as a precautionary measure.
- c. Court Summons—Certified by the court, Juvenile Justice or lawyer, or Department of Social Services/caseworker. A pregnant or parenting student will be excused for any absence due to a legal appointment related to family law proceedings, including adoption, custody, and visitation. (Code 04)
- d. Hazardous Weather Conditions - Hazardous weather conditions shall be interpreted to mean weather conditions that would endanger the health or safety of the student when in transit to and from school. (Code 07)
- e. Work—Approved or sponsored by the school, the local school system, or the State Department of Education, accepted by the local superintendent of schools or the school principal as a reason for excusing students. (Code 08)
- f. Observance of a Religious Holiday—Must be certified by the parent. (Code 09)
- g. State Emergency—Certified by the Superintendent of Schools. (Code 10)
- h. Suspension—Certified by the principal. (Code 18)
- i. Lack of Authorized Transportation—This shall not include students denied authorized transportation for disciplinary reasons. (Code 19)
- j. Other Emergency or Set of Circumstances which, in the judgment of the superintendent or designee, constitutes a good and sufficient cause for absence from school. For circumstances that are not emergencies, the student must have prior approval from the principal or designee. Absences under this category shall not exceed five (5) days. (Code 13)
  - Absences under this code will be determined by the principal in consultation with other school staff, teachers, and administrators. Factors such as prior attendance and absences, grades and academic performance, school discipline, exams, and state-mandated testing schedule, and the reason/cause for absence will be considered in the response to the request. Students, including pregnant or parenting students, will have the opportunity to make up work missed due to lawful absences and will receive credit for this work. Absences not granted under this

code would be coded as unlawful absences (truancy).

- As stated in GCPS policy and procedure JIE – Pregnant Students and Parenting,
  - students must be lawfully excused for any pregnancy or parenting-related conditions, including absences for:
    1. labor
    2. delivery
    3. recovery
    4. prenatal and postnatal medical appointments
  - Pregnant or parenting students must be allowed at least ten (10) days of excused absences after the birth of the student's child.
  - Pregnant or parenting students must be allowed excused absences due to the illness or medical appointment of the student's child, including up to four (4) days per year for which the school may not require a note from a physician.
  - Pregnant or parenting students must be allowed excused absences for legal appointments related to family law proceedings, including adoption, custody, and visitation.
  - Parenting students must be excused from class due to the use of a lactation space to nurse or express milk.

Absences not granted under this code would be coded as unlawful absences (truancy).

- k. Health Exclusion (Code 17) – If the health condition exceeds the need to be absent from school for more than 2 days, a medical professional must approve additional days.
- l. Behavioral health needs of the student. (Code 17) The parent/guardian shall submit a personal note to document the lawful absence of the child for up to five (5) days per current school year. If the student accumulates more than five (5) absences during the current school year, the principal shall require further documentation such as a certificate from a physician or other qualified behavioral health professional. Any student who sees a doctor/psychologist/mental health specialist for a behavioral health need that results in absences of less than five (5) days should secure a doctor's certificate as a precautionary measure.
- m. Behavioral health needs of the student documented by a physician's or other qualified behavioral health professional's certificate. (Code 17)

## 2. Unlawful Excuses

- a. Truancy—A truant is a student (age 5 through 21) who is absent, for a school day or portion thereof, without lawful cause or an absence for which a note has not been submitted. Truancy is not an absence that is coded as Unlawful Other. (Code 20)
- b. Unlawful Other—This is an absence, including absence for any portion of the

school day, for any reason, except those cited as Lawful or truancy. Any absence over the limits set in any of the lawful categories shall be considered in this category, including absences attributed to illness and for which a doctor's note has been required and is not submitted. (Code 21)

### 3. School-approved educational activities

Students may be counted as in attendance at school when, in the judgment of the school administrator or their designee, a student is attending a school-approved educational activity. Students must obtain prior approval and will have the opportunity and responsibility to make up work missed and to receive credit for that work.

Students who are on a school-approved field trip must be listed on the required Field Trip form(s). Students (siblings, student relatives, etc.) who are not direct participants with the group or activity are not to be approved or listed as participants on the field trip. Those students who are not participants of the approved field trip but whose parent(s) / guardian(s) want them to attend and who are arranging their own transportation for their child may request a Code 13 absence, to be determined by the principal of the student's school based on the Code 13 requirements. Approval of a Code 13 absence does not indicate that the student is a participant with the approved field trip. An absence without approval would be coded as an unlawful absence.

## E. Attendance Procedures

Each school shall record and report attendance and absence using the school-based computerized record-keeping system.

### 1. Absences

- a. Notes must be submitted no more than three (3) school days after the student's return to school. The principal, in extreme emergency situations, may waive the three-day limit. The note shall state the reason for the student's absence, the date(s) of the absences, and be signed and dated by the student's parent/ guardian, a physician, or a qualified behavioral health professional.
  - a. When school personnel receive notification of an absence for a student's behavioral health needs, school personnel shall provide the student or the student's parent/guardian information about school or community behavioral health resources that are available to the student.
- b. It will be the student's responsibility to obtain and complete work missed due to absence regardless of code. However, work/assignments missed as a result of unlawful absences will not be given credit.
- c. Assignments that were given prior to the student's absence, and due prior to or on the first day that the student returns to school, will be due on the first day that a student returns to school. Assignments that were given during the student's absence will have a time limit of a two-day

make-up per day of absence, due in the sequence in which the assignments were given, in order to receive credit. The assignment from the first day of absence will be due two days after the student's return. Additional assignments will continue to be due in a two-day sequence based on the date of that assignment. Students who appear to be abusing this procedure shall be reported to the school administration for investigation.

- d. Whenever possible, the student shall be permitted to complete homework in advance of a planned absence (i.e.: when using "Other Emergency or Set of Circumstances" code)
- e. As stated in GCPS policy and procedure JIE – Pregnant Students and Parenting and in Section §7-301.1 (2017) of the Education Article,
  - a. schools are authorized to allow pregnant and parenting students to make up work in ways other than home and hospital teaching. Beyond home and hospital teaching, pregnant and parenting students may be allowed to make up work by the following means:
    - i. retaking a semester
    - ii. participating in an online course credit recovery program
    - iii. allowing the student six (6) weeks to continue at the same pace and finish at a later date
  - b. Make-up work considerations may include consultation with school counselors to discuss options for making up missed work. All options should be considered, including summer and night school, tutors, dual enrollment, Maryland Virtual Learning Opportunities (MVLO) courses, and other credit recovery programs.

## 2. Monitoring Procedures

- a. Parents of students shall be informed on a regular basis by progress reports and/or report cards of the student's absentee record. Parents may also be notified through means such as parent notes, teacher notes in student planners, and telephone calls. The school administration will notify parents when a student accumulates a total of eight (8) days of absences for elementary, middle, and high school year-long classes or four (4) days for high school semester classes. The school administration shall also notify the school's Pupil Personnel Worker.
- b. An investigation shall be conducted by the appropriate school staff and/or referred to the Pupil Personnel Worker for any student whose total absences for illness exceed eight (8) days for elementary, middle, and high school year-long classes or four (4) days for high school semester classes. If the investigation reveals questionable absences (Code 03, 20, 21, 22), the parent will be required to subsequently furnish a doctor's certificate for absences. If this course of action becomes a requirement, any subsequent absence for illness without a doctor's certificate would be listed under the unlawful category. This procedure will remain in effect for the remainder of the school year.

c. Unlawful absences

Student absences will be specifically monitored for unlawful excuses (refer to D.2.a-c, Codes 20, 21, and 22). Parents will be notified when a student accumulates a total of three (3) unlawful absences for elementary, middle, and high school year-long classes or two (2) days of unlawful absences for high school semester classes. The school administration will also notify the School's Pupil Personnel Worker. Students will be referred to the Student Services Office for investigation and case management when the student accumulates four (4) unlawful absences for elementary, middle, and high school year-long classes or three (3) days of unlawful absences for high school semester classes. This referral will include documentation by the school administration of parent notification and a parent conference or other face-to-face parent contact (home visit, etc.), or documented attempts of these contacts.

- i. Consecutive Absences After 10 school days of consecutive unlawful absences, the student should be exited from the school with an Exit Status "W" and Exit Code "50."

d. Each school's Pupil Services Team will regularly monitor those students whose absences, both lawful and unlawful, are impacting their instruction and promotion to the next grade. Interventions and strategies to address attendance concerns will be addressed and documented by the school and Pupil Services Team using tiered interventions of Response to Intervention (RTI).

- i. Habitual Truant - A student is a habitual truant if the student has been in membership in a school for 91 or more days in a school year and is unlawfully absent from school for a number of days or portion of days in excess of 20% of the school days within any marking period, semester, or year. A local school system has the prerogative of defining habitual truancy in a more, but not less, stringent manner.
- ii. Chronically Absent - A student is chronically absent if the student has been in membership in a school for at least 10 days and is absent 10% or more of the school days while enrolled at that school. For example, a student who is enrolled in a school for 30 days, and who is absent three of those 30 days, is considered chronically absent. A student can be counted as chronically absent in multiple schools, within the State, in the same year.

The following steps will be initiated to address the attendance concerns:

- 1) Student conference
- 2) School staff contact with parent/guardian
- 3) School conference with the parent and student
- 4) Individual and/or group counseling
- 5) Scheduled intervention periods/assigned classes to support missed instruction and academic deficits
- 6) Written school notification to parent/guardian when the student has three (3) unlawful absences, or eight (8) total absences for year-long classes or two (2) unlawful or four (4) total absences for

semester classes (high school).

- 7) School notification of the Pupil Personnel Worker when the student has four (4) unlawful or eight (8) total absences for year-long classes or three (3) unlawful or four (4) total absences for semester classes (high school).
- 8) Scheduled school conference with the Pupil Personnel Worker, School Social Worker, and/or involved school staff, which may include the teacher, school administrator, CTE Case Manager-Drop-out Prevention Specialist (high school), School Nurse, School Psychologist, School Counselor, community agency staff, and the parent/guardian and student.
- 9) Pupil Personnel Worker in conjunction with the school administration may determine whether to require doctor notes for any additional excused absences for illness.
- 10) Additional scheduled school conferences with the above staff, parents/guardians, and the student. If parent/guardian and student conferences have not been attended by the parent/guardian, phone contacts, and/or home visits with referrals to agencies to provide resources for the parents/guardians and student will be recommended and documented.
- 11) If a home visit has not been completed, one will be done by the Pupil Personnel Worker, School Social Worker, and/or the CTE Case Manager-Drop-out Prevention Specialist (high school), and/or other school staff.
- 12) If the above interventions have not been successful, the Pupil Personnel Worker will complete a referral that documents the above interventions to the State Attorney's Office for possible court action for those students under the compulsory attendance age who have exceeded the number of unlawful absences. Copies of the referral will also be sent to the Departments of Juvenile Services and Social Services.

### 3. Promotion/Retention

Any student whose total number of absences exceeds sixteen (16) days for elementary, middle, and high school year-long classes or eight (8) days of absences for high school semester classes shall not be promoted or shall lose credit in those classes. Any student whose total number of unlawful absences exceeds eight (8) days in elementary, middle, or high school year-long classes or four (4) days in high school semester classes shall not be promoted or shall lose credit in those classes.

The affected student and his/her parent/guardian may appeal this ruling to the local school attendance committee. If the student and parent can show good and acceptable cause, the committee may override the loss of credit or retention.

The above procedures will be applied in accordance with the Promotion/Retention policy and procedure (IKE).

#### 4. Partial Year Enrollment

This attendance policy also shall apply to any student who registers after the start of the school year. The number of days mentioned shall be prorated depending on the date enrollment takes place. A student's days shall be prorated according to the following formula:

a) Excused Absences:

1) Yearlong: 
$$\frac{(180 \text{ days} - \text{Number of Days Not Belonging}) \times 16}{180}$$

2) High School Semester Classes:

$$\frac{(90 \text{ days} - \text{Number of Days Not Belonging}) \times 8}{90}$$

b) Unexcused Absences:

1) Yearlong: 
$$\frac{(180 \text{ days} - \text{Number of Days Not Belonging}) \times 8}{180}$$

2) High School Semester Classes:

$$\frac{(90 \text{ days} - \text{Number of Days Not Belonging}) \times 4}{90}$$

#### F. Habitual Truant

1. Following an investigation, documented parent notification, and case management by the Student Services Office, a student and his/her parents may be referred to the Department of Juvenile Services, the States Attorney's Office, and/or the Department of Social Services for habitual truancy. The referral will be made through the school's Pupil Personnel Worker and approved by the Director of Student Services when a student, under age 18\*, is unlawfully absent from school for a number of days or portions of days in excess of five (5) days for elementary, middle and high school year-long classes or three (3) days for high school semester classes.
2. A student who is 18\* years or older who is unlawfully absent from school for a number of days or portions of days in excess of five (5) days for year-long classes or three (3) days for high school semester classes may be referred contingent upon court-ordered requirements for attendance.
3. Following investigation and attendance procedures (E.l.b.2) students and their parents may be referred to the Department of Juvenile Services, the State Attorney's office, and/or the Department of Social Services for unlawful absences in excess of sixteen (16) days for which no lawful excuse has been accepted. Upon referral to the Pupil Personnel Worker, absences due to illness that are verified by a parent note will be investigated. If it is determined that these absences are questionable, the Pupil Personnel Worker will notify the parent that any further absences due to illness must be verified by a doctor's note. Following documented notification, parent notes for illness will no longer be accepted and any of these absences will then be coded as truancy.

## G. Information Dissemination

Information regarding the attendance and discipline policy and procedures shall be distributed at the beginning of the school year to each student.

Each school shall include the attendance policy and procedure information in the school's student information packet, which is given annually to each student. A class discussion concerning the attendance and discipline policy and procedural information shall occur in each classroom at the beginning of the school year.

Each school shall notify parents of the attendance and discipline policy and procedural information at the beginning of each school year. This may be done through the school newsletter and by sending the handbook home with an acknowledgment form to be signed and returned.

In addition, each student who is new to the Garrett County Public Schools shall receive a copy of the Handbook at the time of his/her registration.

## H. Appeals Process

A student and his/her parent/guardian may appeal the loss of credit or retention as a result of missing a total number of absences in excess of sixteen (16) lawful or eight (8) unlawful days in elementary, middle, and high school year-long classes or eight (8) lawful or four (4) unlawful days for semester classes (high school) to a local school attendance committee.

The request for an appeal of a student's loss of credit or retention due to attendance should be made within fourteen (14) calendar days of the written notification that the student has lost credit or has been retained. The parent and student will be notified of the time and date of the appeal and have the right to attend the appeal conference. The decision of the attendance appeals committee is final unless policy or procedure is violated or misinterpreted. (Refer to Grievance Process on Page 45.) The appeal committee will address and consider the student's level of mastery of the academic content and skills impacted by their absences, as well as the circumstances of their absences. The voting members for the attendance committee will consist of certificated personnel and will involve the Pupil Personnel Worker and staff directly involved with the student, such as the School Social Worker, School Nurse, School Psychologist, School Counselor, CTE Case Managers, Special Education teachers, etc.

## I. Reward Process

Each school shall establish a reward/motivational program to encourage regular school attendance.

## J. Compulsory Attendance

### Who must attend:

Except as otherwise provided in this section, each child who resides in this State and is 5 years old or older and under 18\* shall attend a public school regularly during the entire school year.

### Excused absences:

A county superintendent, school principal, or an individual authorized by the county superintendent or principal may excuse a student for a lawful absence.

### Duty of parent or guardian:

Each person who has legal custody or care and control of a child who is 5 years old or older and under 18\* shall see that the child attends school or receives instruction as required by this section.

### Penalties:

Any person who induces or attempts to induce a child to be absent unlawfully from school or employs or harbors any child who is absent unlawfully from school while school is in session is guilty of a misdemeanor and on conviction is subject to a fine not to exceed \$500 or imprisonment not to exceed 30 days, or both.

Any person who has legal custody or care and control of a child who is 5 years old or older and under 18\* who fails to see that the child attends school or receives instruction under this section is guilty of a misdemeanor and:

For a first conviction is subject to a fine not to exceed \$50 per day of unlawful absence or imprisonment not to exceed 10 days, or both: and

A second or subsequent conviction is subject to a fine not to exceed \$100 per day of unlawful absence or imprisonment not to exceed 30 days, or both.

As to any sentence imposed under this section, the court may suspend the fine or the prison sentence and establish terms and conditions that would promote the child's attendance.

The suspension authority provided for under subparagraph (i) of this paragraph is in addition to and not in limitation of the suspension authority under § 6-221 of the Criminal Procedure Article.

\*Maryland Annotated Code§ 7-301. Compulsory attendance-(Amendment effective July 1, 2017\*.)

## II. BEHAVIOR

Constructive discipline is essential for an effective educational experience. The Board of Education, school administrators, teachers, staff members, and students have the responsibility to provide an environment in which appropriate standards of behavior are maintained and county and school policies are obeyed and consistently enforced. Students have the right to enroll in a safe school, free of persistent dangers (ESSA). An effective learning environment should provide these basic rights:

- To fair, consistent, and equitable treatment in the school environment through the use of graduated responses and interventions,
- To a learning environment free of disruption,
- To a learning environment free from harassment (i.e.: verbal, sexual, racial, ethnic, etc.),
- To be provided with instruction that fosters student engagement and encourages positive behavior and relationships.
- To access materials that enhance learning,
- To be provided with an environment, which teaches and encourages positive, desired behaviors, prevents misbehavior, and provides opportunities to remediate and re-learn behavior that fails to meet the standards and expectations for the school environment.
- To voice opinions and to participate in the learning process,
- To appeal using the established procedure if these rights have been violated.

The responsibilities, rights, and code of conduct herein will be enforced for all school activities.

### A. General Behavior

#### 1. Rights

- a. Each student has a right to a school environment free of disruption.
- b. Each student has the right to express concern about disruptions in the school environment.
- c. Each student has a right to be accepted as an individual.
- d. Each student has a right to seek help from school personnel.
- e. Each student has a right to receive make-up work from his/her teacher.
- f. Each student has a right to be evaluated on the basis of his/her own achievements.
- g. Each student has a right to a school environment free of vulgar, profane, or abusive language.
- h. Each student has a right to a school environment free of health and safety hazards.
- i. Each student has a right to a learning environment free from harassment and discrimination (i.e.: verbal, sexual, racial, ethnic, bullying, hazing, defamation, etc.).
- j. Each student has the right to use the due process procedure to protect his/her rights.

## 2. Responsibilities

- a. Each student has the responsibility to respect others' rights, to fully know and understand school regulations, uphold them, and respect the leadership role of the teacher and school administration in the learning process.
- b. Each student has the responsibility to seek help, either academically or emotionally, when needed.
- c. Each student has the responsibility to obtain and complete work missed due to absence.
- d. Each student has the responsibility to aid in creating a positive learning environment.
- e. Each student has the responsibility to use appropriate language at all times.
- f. Each student has the responsibility to follow the school's designated standards on appropriate apparel.
- g. Each student has the responsibility to refrain from willfully destroying or defacing school or private property either on or off the school grounds.
- h. Each student has the responsibility to report to school and class within the allotted time limits.
- i. Each student has the responsibility to do his/her own work and maintain academic honesty.
- j. Each student has the responsibility to conduct himself/herself in a manner that does not disrupt the learning process, which includes the classroom, cafeteria, hallways, bathrooms, field trips, and all other school activities.
- k. Each student has the responsibility to use discretion in bringing valuable personal possessions to school and to accept the responsibility for these items.
- l. Each student has the responsibility to maintain an environment, which is free of health and safety hazards.
- m. Each student has the responsibility to maintain a learning environment, which is free from harassment and discrimination (i.e.: verbal, sexual, racial, ethnic, bullying, hazing and defamation, etc.).
- n. Each student has the responsibility to aid school officials in enforcing the county and school codes of conduct and to adhere to local, state, and federal laws.

## B. Fighting

### 1. Rights

- a. Each student has a right to a school environment free of physical abuse.

### 2. Responsibilities

- a. Each student has the responsibility to find a peaceful solution to interpersonal problems. This should include notifying appropriate school personnel if the student feels he/she is being intimidated, threatened, verbally coerced, or abused by another individual while on school property.
- b. Each student has the responsibility to refrain from intimidating, threatening, verbally coercing, or physically abusing or sexually abusing others.

## C. Use/Possession of Alcohol or Drugs

### 1. Rights

- a. Each student has the right to an educational environment free of the pressures of the sale, distribution, and usage of alcohol or drugs.
- b. Each student has the right to obtain professional help regarding his/her misuse, use, or abuse of alcohol or drugs via the school counselor, pupil personnel worker, psychologist, or other personnel without fear of breach of confidentiality or prosecution.
- c. Each student has the right to obtain information concerning the health and related social/emotional problems regarding alcoholism and drug abuse.
- d. Each student has the right to take prescribed medication while at school or at a school activity.

### 2. Responsibilities

- a. Each student has the responsibility to refrain from possessing, using, or distributing alcohol, alcoholic beverages, narcotics, inhalants, hallucinogenic or other drugs, and similar substances including any non-controlled substance intended for use as a controlled dangerous substance (look-alikes) while at school, at a school activity or coming to school or a school activity after having been involved with any of the above-mentioned substances.
- b. Each student has the responsibility to follow school procedures when using prescribed medication while at school or at a school activity. (Garrett County Procedure JLCD) One can obtain Pupil Services Form PS 3 from the school office.

## D. Use/Possession of Tobacco

### 1. Rights

Each student has the right to a school environment free of health and safety hazards.

### 2. Responsibilities

Each student has the responsibility to refrain from possessing or using tobacco products or e-cigarettes:

- a. In the school building.
- b. On the school grounds.
- c. On the school bus.
- d. During school-sponsored activities on or off school property.

## E. Theft and Extortion

### 1. Rights

Each student has the right to expect that his/her personal possessions shall be safe from theft and/or extortion.

### 2. Responsibilities

- a. Each student has the responsibility to provide security (locks) when necessary to keep his/her possessions under his/her own personal control.
- b. Each student has the responsibility to respect the possessions of others by asking permission to borrow and by not stealing another's materials.

F. Weapons, Explosive Devices, False Alarms

1. Rights

Each student has the right to a school environment free of health and safety hazards.

2. Responsibilities

- a. Each student has the responsibility to refrain from bringing, possessing, or using any weapon, instrument, tool, or any explosive device that the school administrative staff reasonably finds could cause bodily harm.
- b. Each student has the responsibility to refrain from making any false reports or alarms.

G. Pupil Transportation

1. Rights

While on the bus,

- a. Each student has a right to a bus free of disruption.
- b. Each student has the right to express concern about disruptions on the school bus.
- c. Each student has a right to seek help from the driver/school personnel.
- d. Each student has a right to a school bus free of vulgar, profane, or abusive language.
- e. Each student has a right to a bus free of health and safety hazards.
- f. Each student has a right to a bus free from harassment (i.e.: verbal, sexual, racial, ethnic, etc.).

2. Responsibilities

- a. Pupils Awaiting Arrival of School Bus
  - 1) Should not stand or play on a roadway.
  - 2) Should not cross the highway until the bus arrives and has come to a complete stop. Before crossing, they should look in both directions for traffic and then pass at least ten (10) feet in front of the bus. No pupil should direct traffic.
  - 3) Should remain in line at least five (5) feet from the stopped bus and should move toward the bus only after the door is opened.
  - 4) Should not walk/run alongside the bus while the bus is stopped or in motion.
  - 5) Shall be at the designated bus stop five (5) minutes before the scheduled arrival of the bus and should board with the least possible delay.

- b. Pupils on Boarding and while Riding the School Bus
  - 1) Shall obey the bus driver at all times.
  - 2) Shall sit immediately and shall remain seated facing forward keeping their legs and feet out of the aisle.
  - 3) Shall never stand or walk while the bus is in motion or extend arms or heads out of bus windows.
  - 4) Shall keep aisles clear of lunch boxes, musical instruments, books, etc., on their lap or in an empty seat if one is available. Under no circumstances are these items to be kept in the aisle.
  - 5) Shall keep their hands to themselves and off other students' property at all times.
  - 6) Shall speak in a voice tone tolerable for the driver to operate the vehicle safely. Under no circumstances should students yell, scream, or make any noise that will distract the driver.
  - 7) Shall not eat or drink on the bus.
  - 8) Shall conduct themselves in an acceptable manner at all times. (No smoking, vaping, vulgarity, boisterous, or other improper conduct will be permitted.)
  - 9) Shall not deface or damage any part of the bus.
  - 10) Shall assist in keeping the bus clean.
  - 11) Shall obey the designated persons authorized to direct pupils during all drills.
  - 12) Shall use an assigned seat when so directed by the bus driver/administrator.
  - 13) Shall not create a disruption with a cell phone or any other electronic devices.
- c. Pupils Departing from the Bus
  - 1) Shall, if necessary to cross the highway, look for traffic in both directions; pass at least ten (10) feet in front of the bus, never crossing behind the bus.
  - 2) Shall, when not crossing the highway, walk directly away from the bus door and should never walk backward alongside the bus.
  - 3) Shall not run back to the bus once the door is closed to retrieve something that has been left on the bus.
  - 4) Shall not leave the bus at any other place but at the regular stop without the written consent of the principal and a written request from the pupil's parent or guardian.
  - 5) Shall not stand in the roadway to direct traffic or to assist other pupils to cross the road.

### III. STUDENT EXPRESSION

#### A. Expression

This section is enacted so that the 1st Amendment rights of the United States Constitution shall be instilled in the hearts and minds of the youth of Garrett County. It is the feeling that freedoms and responsibilities to handle them not only have to be taught but protected and practiced in the school setting to the extent that the students can handle the responsibilities and freedoms in the United States.

##### 1. Rights

Each student has the constitutional right to present his/her opinions verbally and nonverbally in a socially acceptable manner.

##### 2. Responsibilities

Each student, under the guise of free expression, has the responsibility to refrain from disrupting the educational process, using obscenities, advocating illegal acts, or engaging in hate speech, actions or use of associated symbols directed toward another person or groups of persons. The student has the responsibility to ensure that his/her expressions are not libelous or detrimental to the educational process.

#### B. Patriotic and Religious Exercises

##### 1. Rights

Each student has the constitutional right to participate or refrain from participation in religious exercises, including prayer, and/or patriotic exercises.

##### 2. Responsibilities

Each student has the responsibility to respect the constitutional rights of participants and non-participants.

#### C. School-Sponsored Publications

##### 1. Rights

Each student has the right to submit one's ideas and opinions to various school publications subject to the approved editorial policies and procedures of the school and/or Board of Education.

##### 2. Responsibilities

Each student has the responsibility to submit his/her name with any article, idea, or opinion to be considered for publication. Articles, ideas, opinions, and other forms of expression may be denied if, in the judgment of the principal, they are:

- a. Disruptive of school discipline or school programs and activities,
- b. Sexually explicit, vulgar, lewd, or obscene,
- c. A violation and disrespect of the rights of others,
- d. Beneath the standards of academic competence required by the school,

- e. Inappropriate in a school setting, or
- f. Slanderous, libelous, or otherwise illegal.

#### D. Distribution of Non-School Sponsored Publications

##### 1. Rights

Each student has the right to distribute non-school sponsored publications on the school premises in accordance with the Materials Distribution Policy and Procedure KHC.

##### 2. Responsibilities

Each student has the responsibility to obtain prior approval from the school principal for the distribution of non-school publications in accordance with the Materials Distribution Policy and Procedure KHC, in order to prevent disruption of or interference with school activities and to maintain a safe and orderly school environment.

#### E. Curriculum

##### 1. Rights

Each student has the right to be informed by appropriate school personnel about practices and policies relative to course offerings, requirements, grading policies, etc. Certain mandated programs, such as family life and A.I.D.S. instruction, offer parents the right to request an exemption for their children. Each student has the right to be provided with an alternative to instructional activities in lieu of actual dissection work. These alternatives may include the use of diagrams and models instead of specimens, the completion of supplementary reports, or the completion of other assignments, which may include video programs, computer simulations, or activities from laboratory manuals.

##### 2. Responsibilities

Each student has the responsibility to complete required course work, to enroll in programs commensurate with his/her ability, and to participate effectively in each of his/her classes. In addition, it is expected that students will enroll in programs leading to career goals and a high school diploma or certificate of completion.

#### F. Student Government

##### 1. Rights

Each student has the right to participate and be represented in the student government process.

##### 2. Responsibilities

It is the responsibility of the student government to voice collectively the desires of the student body.

- a. It shall be the responsibility of the leadership of such an organization to conduct the business of the organization in an atmosphere of respect and

- understanding of the total school community.
- b. Such student organizations selected to voice the opinions of the school community shall have the right to meet during the regular school day at reasonable intervals.

#### F. Right of Assemblage

##### 1. Rights

- a. Each student has the right to peaceful assembly for the purpose of expressing one's opinion with prior approval of the school administration and with adult supervision.
- b. Each student has the right to peaceful assembly with prior approval of the school administration.
- c. If the right of assemblage is granted, the students have a right to meet within a reasonable period of time, not to exceed 10 school days.

##### 2. Responsibilities

Students have the responsibility to first use the established procedures or processes of the school before petitioning the school administration for the right to assemble.

- a. Each student has the responsibility to obtain permission from the school administration prior to any assemblage.
- b. Each student in assemblage has the responsibility to conduct himself/herself in a manner, which will not disrupt the educational process of other students.

#### G. Co-Curricular and Extra-Curricular Activities

##### 1. Rights

Each student has the right to participate in co-curricular and/or extra-curricular activities and clubs.

##### 2. Responsibilities

- a. Each student who participates in co-curricular and/or extra-curricular activities has the responsibility to conduct himself/herself in a manner consistent with school policies and guidelines.
- b. Each student will expect that insofar as rules for co-curricular and extracurricular activities are reasonable, related, and necessary to the activity and unless otherwise prohibited by county or school policy, the sponsor may impose rules for the activity season. (See Policy and Procedure JJA)

#### IV. SCHOOL FACILITIES

##### A. Use of Facilities

###### 1. Rights

Each student has the right to use school facilities (with school administration approval) under adult supervision within the guidelines of school regulations.

###### 2. Responsibilities

When school facilities are in use, it is the user's responsibility not to abuse them and to ensure they are left in the condition in which they are found.

All users are required to have the approval of the school administration and to complete the appropriate forms prior to such use.

##### B. Use of School Lockers

###### 1. Rights

Use of a school locker is a privilege. In buildings where lockers are provided, a student has the right to expect a locker that is in good repair and operating condition.

###### 2. Responsibilities

Each student has the responsibility to keep his or her locker in a clean, neat, and non-disruptive condition. Any student may lose the privilege of using a school locker.

##### C. Textbooks/Materials/Technology

###### 1. Rights

Each student has a right to use the appropriate textbook/materials/ technology in each subject area.

###### 2. Responsibilities

- a. Each student has a responsibility to take care of and use appropriately textbooks/materials/technology, which has been provided to him/her.
- b. Each student and his/her parent or guardian shall be financially responsible for the cost of repair or replacement of textbooks/materials/technology equipment, which have been lost, damaged, and/or destroyed. Students who fail to make restitution may be referred to the Department of Juvenile Services and/or the State Attorney's Office for possible court action.

- c. See "Acceptable Use of Computers and Telecommunications." (GCBOE Policy 347.45)

#### D. Notification of Asbestos Management Plan

##### 1. Rights

Each student has the right to know that in October 1986, the U.S. Congress enacted the Asbestos Hazard Emergency Response Act (AHERA). Under this law, comprehensive regulations were developed to address asbestos problems in public and private elementary and secondary schools. These regulations require most schools to inspect for friable and non-friable asbestos, develop asbestos management plans that address asbestos hazards in school buildings and implement response actions in a timely manner.

These regulations assign schools many new responsibilities. Our program for fulfilling these responsibilities is outlined in our asbestos management plan. This plan contains information on our inspections, re-inspections, response actions, and post-response action activities, including periodic surveillance activities that are planned or are in progress.

##### 2. Responsibilities

Each student has the responsibility to maintain an awareness of environmental hazards. You may review this plan during normal business hours without cost or restriction.

If you have any questions about reviewing our management plan, please contact the Director of Maintenance at 301-334-8906.

## V. SCHOOL INVESTIGATION /REPORTS

### A. Procedures for School-Law Enforcement and Related Agency Matters

School Resource Officers will follow the procedures as indicated within the Memorandum of Understanding (MOU) established between the Garrett County Board of Education and the Garrett County Sheriff's Office. The procedures outlined within the Student Handbook: Rights, Responsibilities and Discipline, and particularly section V. School Investigations/Reports additionally address school procedures with law enforcement and related agency matters. As noted within section B.4., student conduct traditionally treated as a matter of school discipline is addressed administratively by each school and with the student's parent or guardian.

### B. Locker Checks

Lockers will be inspected periodically under the direction of the school administration. The principal or assistant principal at any time may conduct a search of the school, including student lockers, as is essential to the security, discipline, and sound administration of the particular school.

### C. Reporting Delinquent Acts (Crimes) Code 13A.08.01.15 of Maryland State Board of Education

1. Delinquent Acts are offenses committed by a person who is under 18 years of age, which would be crimes if committed by an adult.
2. School officials shall promptly report to the responsible law enforcement agencies all delinquent acts coming to their attention whether occurring on or away from the school premises, which involve students attending the particular school. The report shall be made immediately by telephone to request an investigation, as appropriate, and a report will be made by letter, including a copy to the Department of Juvenile Services.
3. School officials shall promptly report to the responsible law enforcement agencies any student who brings/possesses/uses or attempts to use a firearm, weapon of any kind, or chemical defense device onto school property or a school-related activity. School officials shall also promptly report to the responsible law enforcement agencies any student who possesses/distributes tobacco products, alcohol, drugs, inhalants, and or other controlled dangerous substances as well as lookalike or drug paraphernalia on to school property or a school-related activity. The report shall be made immediately by telephone to request an investigation, as appropriate, and a report will also be made by letter, including a copy to the Department of Juvenile Services.
4. School officials shall promptly report to the responsible law enforcement agencies any student who threatens a school employee. A person may not threaten with bodily harm any employee of any institution of elementary, secondary, or higher education. (Annotated Code of Maryland 7-303 - School Safety Act of 1999) The report shall be made immediately by telephone to request an investigation, as appropriate, and a report will also be made by letter, including a copy to the Department of Juvenile Services.

5. Delinquent acts do not include conduct, which has been traditionally treated as a matter of discipline to be handled administratively by the particular school, except that all conduct of a serious nature should be promptly reported to the parent or guardian concerned.
6. The local school system shall record, collect, and report student arrests and referrals to law enforcement agencies or to the juvenile justice system as required by the State Department of Education.

D. Reporting Suspected Child Abuse/Neglect  
(Article 27, Section 35A - 5-701, 5-903, and 5-704)

The Maryland Child Abuse and Neglect Laws mandate that any person who believes or has reason to believe that a child may have been abused or neglected must immediately report the incident orally to the Department of Social Services and in writing within 48 hours. Employees of the school system are also required to report the incident to the principal of the child's school. Those reporting in good faith are immune from any civil liability or criminal penalty. (See Garrett County Board of Education Policy 474.23 and 474.231). Forms may be obtained from the school office.

The law defines child abuse as "the physical or mental injury of a child by any parent or other person who has permanent or temporary custody or responsibility for supervision of a child, or by any household or family member, under circumstances that indicate that the child's health or welfare is harmed or at a substantial risk of being harmed; or sexual abuse of a child, including molestation, whether physical injuries are sustained or not."

According to the law, "child neglect means the leaving of a child unattended or other failure to give proper care and attention to a child by any parent or other person who has permanent or temporary care or custody or responsibility for the supervision of the child under circumstances that indicate that the child's health or welfare is harmed or placed at substantial risk of harm; or mental injury to the child or a substantial risk of mental injury." Mental injury "means the observable, identifiable, and substantial impairment of a child's mental or psychological ability to function."

Department of Human Resources regulations requires that the identity of the person reporting a case of suspected child abuse and/or neglect shall not be revealed. All persons are required by the law to protect the identity of the person reporting. Only a court order can allow disclosure of the person's name who is reporting. The school cannot provide a parent with the name of who has reported suspected child abuse and/or neglect.

School officials are not required to notify parents/guardians of investigations on school premises involving suspected child neglect and suspected child abuse.

E. Questioning on School Premises  
(Code 13A.08.01.12E and 13A.08.01.13 of Maryland State Board of Education)

1. "School officials may not permit questioning of a pupil under arrest on the

- school premises and shall request the arresting officer to remove the pupil from the premises as soon as practicable after the arrest is made.”
2. “Police investigations involving the questioning of pupils may not be permitted on school premises unless in connection with a crime committed on the premises or in connection with an investigation which, if not immediately permitted, would compromise the success of that investigation or endanger the lives or safety of the pupils or other persons, provided, however, a school official should be present throughout the questioning.”
  3. “A local school system shall permit personnel from a local Department of Social Services or a police officer to question a pupil on school premises during the school day in an investigation involving suspected child neglect under Family Law Article, Subtitle 7, Annotated Code of Maryland, or suspected child abuse under Family Law Article, Subtitle 9, Annotated Code of Maryland. The following applies:”
    - a. The principal “shall determine, after consultation with the individual from the local Department of Social Services or the police officer, whether a school official shall be present during the questioning of a pupil pursuant to this section.
    - b. Records and reports concerning child abuse or neglect are confidential, and unauthorized disclosure is a criminal offense under Article 88A, 6(b), Annotated Code of Maryland.” These records and reports will not become a part of the student’s permanent record.
  4. Except in the case of suspected abuse or neglect, (of which school officials are not required to notify parents or guardians of investigations), “whenever investigative questioning of pupils is permitted on the premises, the school official shall promptly advise the parent or guardian and the Superintendent’s Office (through the Office of Student Services) of the nature of the investigation and such other details as may be required.”
  5. In a case of suspected child abuse or neglect, “school officials are not required to notify parents or guardians of investigations on school premises involving suspected child neglect under Family Law Article, Subtitle 7, Annotated Code of Maryland, and suspected child abuse under Family Law Article, Subtitle 9, Annotated Code of Maryland.”
  6. “In the absence of an arrest, school officials may not authorize the removal of a pupil from school for the purpose of investigative questioning without the consent of the parent or guardian, except as provided below:
    - a. A pupil may be removed from school premises if that pupil is a suspected victim of child abuse or neglect, and the local department of social services has guardianship of the child or a court order to remove the child.
    - b. The Superintendent or the Superintendent’s designated representative shall ensure that prompt notification of a pupil’s removal from school under this section is made to the pupil’s parent or guardian.”

#### F. Search and Seizures

(Code 13A.08.01.14 of Maryland State Board of Education)

1. A principal, assistant principal, or school security guard of a public school may make a reasonable search of a student on the school premises or on a school-sponsored trip if that individual has a reasonable belief that the student

has in his or her possession an item, the possession of which is a criminal offense, under the laws of the state or a violation of any other state law or rule or regulation of the county board. The search shall be made in the presence of a third party.

2. A principal, assistant principal, or school security guard of a public school may make a search of the physical plant of the school and its appurtenances, including the lockers of students. The right of the principal, assistant principal, or school security guard to search the lockers of students shall be announced or published previously in the school.
3. A teacher may be authorized to make a reasonable search of a student on a school-sponsored trip if the teacher has a reasonable belief that the student has in the student's possession of an item, the possession of which is a criminal offense under the laws of this State, or a violation of any other State law, or rule or regulation of the local board. To qualify to conduct a search, the teacher must be designated in writing by the principal and receive training to conduct a search commensurate with the training received by a principal. A search must be made in the presence of a third party.
4. A school official may not conduct a search of the person of a student at the request of a police officer unless a search warrant has been issued authorizing the search.
5. Every effort shall be made to conduct searches in a manner that will minimize disruption of the normal school routine and minimize embarrassment to the student(s) affected.
6. Police officers shall conduct searches of students and the school premises in accordance with their established policies and procedures.
7. School officials may request enforcement agencies to use drug detection dogs to search the school building, and appurtenances, including lockers, school grounds, and vehicles on the school grounds to search for controlled dangerous substances. Police officers have the right to search any vehicle on the school grounds given probable cause for a search. The Superintendent or the Superintendent's designated representative will be notified when drug detection dogs are used in a search.
8. Cameras may be used by the schools to provide additional surveillance of the school's facility and premises.

#### G. Arrests

(Code 13A.08.01.12 of Maryland State Board of Education)

1. When possible and appropriate, arrests by police should be made during non-school hours and away from the school premises.
2. When an arrest on school premises during school hours is necessary, the responsible school official shall ascertain such facts from the arresting officer as will enable him to fully advise the parent or guardian and other school officials of the nature of the charge and the identity of the arresting officer.
3. When an arrest has taken place on school premises or during school hours, every effort shall be made by school officials to inform the parent or guardian immediately and thereafter promptly to advise the Superintendent's Office.
4. Arrest on school premises during school hours shall be effectuated in such a manner as to avoid both embarrassment to the pupil being arrested and

- jeopardizing the safety and welfare of other pupils.
5. School officials may not permit questioning of a pupil under arrest on the school premises and shall request the arresting officer to remove the pupil from the premises as soon as practicable after the arrest is made.
  6. The local school system shall record, collect, and report student arrests and referrals to law enforcement agencies or to the juvenile justice system as required by the State Department of Education.

#### H. Reportable Offenses

Garrett County Public Schools (GCPS) recognizes that the presence of a student who has been charged with a reportable offense in the community, especially an offense involving violence or weapons, may pose a threat to the safety and welfare of the student and others in the school community and disrupt the educational process in the school. GCPS also recognizes that the educational needs of a student who has been charged with a reportable offense in the community must be carefully balanced with the obligation to provide a safe school environment free of disruption for all students. In accordance with these principles, if school administrators determine that the presence of a student charged with a reportable offense in the community poses a threat to the student, to others, or to the educational process, the student may be assigned to a school other than the one the student is attending. The student may also be assigned to an alternative educational program pending a final administrative decision of the student's educational placement.

#### Administrative Procedures

1. Notice
  - a. Immediately upon receipt of information from a law enforcement agency of an arrest of a student for a reportable offense, the Superintendent or the Superintendent's designee shall provide the principal or the principal's designee of the school in which the student is enrolled with the arrest information, including the charges.
  - b. If the student has an Individualized Educational Program (IEP) and is enrolled in a non-public school program, the Superintendent or the Superintendent's designee shall provide the principal of the non-public school program or the principal's designee in which the student is enrolled with the arrest information, including the charges.
2. Administrative Actions
  - a. In accordance with COMAR, a notice of a reportable offense may not be the basis for the suspension or expulsion of a student. A student may only be placed in an alternative educational program if it is determined that the presence of the student at school poses a threat to the student, others, or the educational process at the school.
  - b. If it is determined that the student poses a threat to the student, others, or the educational process, the principal or the principal's designee shall make a recommendation to the Director of Student Services to remove the student from the student's home school or currently assigned school, at least until the offense has been adjudicated by the courts.

### 3. Educational Programming

- a. As part of the principal's or the principal's designee's recommendation, the principal or the principal's designee shall immediately develop a comprehensive plan that addresses appropriate educational programming and related services for the student and maintains a safe and secure school environment for students and staff until the new educational placement is provided.
- b. The principal or the principal's designee shall contact the student's parent(s)/guardian(s) to request that the student's parent(s)/guardian(s):
  - i. Participate in the development of the plan; and
  - ii. Submit information that is relevant to developing the plan.
- c. If the plan results in a change to the student's educational programming, the principal or the principal's designee shall schedule a conference within 24 hours to inform the parent(s)/guardian(s) of the recommended educational placement in an alternative educational program.
- d. The plan shall be implemented within five (5) school days after the school's receipt of the arrest information. A school-based liaison shall be identified to facilitate educational programming for the student until the new educational placement is provided.
- e. Immediately upon notification from the State's Attorney of the disposition of the reportable offense in the community or within thirty (30) calendar days after receipt of the information about the reportable offense, and every thirty (30) calendar days thereafter until the matter is resolved, the Director of Student Services and appropriate staff shall review the plan and the student's status and make any adjustments to the student's educational placement and educational programming as appropriate.
- f. The parent(s)/guardian(s) shall be informed of any adjustments to the new educational placement and advised that educational programming is not provided during the summer.
- g. If the student has been charged with a reportable offense and the charge is adjudicated, a final decision regarding the student's educational placement and educational programming shall be provided to the parent(s)/guardian(s) and impacted school(s). The student shall return to the student's home school or the last school of record unless there is a court order, protective order, or peace order which states that there shall be:
  - i. No contact between the student and another student at the school;
  - ii. Limited contact between the student and another student at the school; or
  - iii. There is another compelling reason to support a new educational placement. In such cases, the Director of Student Services shall facilitate an administrative transfer for another school placement.

- h. The confidentiality provisions of the Family Educational Rights Privacy Act shall be applied to the release of student information, including the identity of the student alleged to have committed the reportable offense.
- 4. Students with an IEP
  - a. If a student with an IEP or 504 Plan has been charged with a reportable offense in the community, an IEP or 504 Team meeting shall be convened to determine whether a new educational placement of an alternative educational program is necessary.
  - b. If it is determined that a new educational placement or an alternative educational program is necessary, the new educational placement or alternative educational program shall be created in accordance with the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973.
- 5. English Language Learners

If a student is an English Language Learner, the principal or the principal's designee shall ensure that the student receives the translation services needed.
- 6. Rape or Sexual Offenses
  - a. In accordance with State law and regulations, the Superintendent and the principal shall consider prohibiting a student who is arrested for a reportable offense involving rape or a sexual offense from attending the same school or riding on the same bus as the alleged victim if it is necessary or appropriate to protect the physical or psychological well-being of the alleged victim.
  - b. If a student is arrested for a reportable offense involving rape or sexual offense and is convicted or adjudicated delinquent for the rape or sexual offense, the student may not attend the same school or ride on the same school bus as the victim.
  - c. GCPS will also follow policy and procedure JLIG Registered Student Sex Offenders Entry Onto School Property
- 7. Appeal
  - a. If the student or the student's parent(s)/guardian(s) disagrees with the implementation of this regulation, that disagreement shall be addressed in accordance with Grievance Process found in the GCPS Student Handbook, Rights, Responsibilities, and Discipline which govern complaints and the regulations hereunder.
  - b. The student shall remain in the Superintendent-approved educational placement pending the outcome of any complaint hereunder.
  - c. In such cases whereby there has not been a satisfactory resolution to the decision, the aggrieved person may petition the Board of Education as outlined in Procedure BEEA.
- 8. Final Administrative Decision on Educational Placement

Once a final administrative decision has been made as to the educational placement of the student, the school shall meet with the student and the student's parent(s)/guardian(s) to discuss post-enrollment needs.

- a. The school shall offer a range of support and referral services to students. GCPS interventions and supports include:
  - i. Positive behavioral interventions;
  - ii. Education to correct behavior;
  - iii. Counseling;
  - iv. Conflict resolution;
  - v. Problem-solving skills;
  - vi. Social skills training;
  - vii. Anger management training;
  - viii. Peer support groups;
  - ix. Schedule modifications;
  - x. Restorative Practices; and
  - xi. Targeted supervision such as hallways, cafeteria, and school buses.
- b. Community and family referral sources include:
  - i. Public or private community-based mental health services;
  - ii. Faith-based services;
  - iii. Multi-service centers;
  - iv. County Department of Health programs;
  - v. Youth development organizations;
  - vi. Department of Juvenile Services;
  - vii. Department of Social Services; and
  - viii. Law enforcement agencies

Reportable offense is defined as a crime of violence as defined in the following Individuals with Disabilities Education Act (IDEA); Courts and Judicial Proceedings Article 3-804(3)(4) of the Annotated Code of Maryland; Criminal Law Articles §§4-101 to 4-104 of the Annotated Code of Maryland; Criminal Law Article §4-503 of the Annotated Code of Maryland; Criminal Law Articles §§5-602 to 5-609 of the Annotated Code of Maryland; Criminal Law Articles §§5-612 to 5-614 of the Annotated Code of Maryland; Criminal Law Articles §§5-617 to 5-618 of the Annotated Code of Maryland; Criminal Law Articles §§5-627 to 5-628 of the Annotated Code of Maryland; Criminal Law Articles §§6-102 to 6-105 of the Annotated Code of Maryland; Criminal Law Articles §§9-504 to 9-505 of the Annotated Code of Maryland; Criminal Law Articles §§9-801 to 9-803 of the Annotated Code of Maryland; Criminal Law Article §14-101 of the Annotated Code of Maryland; Education Article §7-303 of the Annotated Code of Maryland (Reportable Offenses); COMAR 13A.05.01 (Provision of a Free Appropriate Public Education); COMAR 13A.08.01.17 (School Use of Reportable Offenses)

#### I. Financial Obligations

Each student and their parent/guardian shall be financially responsible for repairing or replacing school property that is damaged or lost. Privileges may be revoked by the school administrator, as appropriate, pending restitution or replacement. Failure to make restitution may result in a referral to Juvenile Services and/or the State Attorney's Office for possible court action.

## VI. DISCIPLINARY MEASURES

Every Student Succeeds Act (ESSA) requires that schools address school climate and respond to behavior and discipline, as well as academic instruction by using a Multi-Tiered Systems of Support (MTSS) model. Accordingly, the Garrett County Public Schools have made a commitment to implement the Positive Behavior Intervention and Supports program (PBIS) and behavioral Response to Intervention (RTI) tiered strategies and interventions to address these requirements.

Implementing these programs will proactively address school climate and student behavior and discipline. Tier-based intervention will be used to address and remediate student behavior. Each school has established trained PBIS teams who have developed behavioral expectations for their schools. These teams meet on a regular basis to review school data and strategies to address student behavior and discipline. Annual evaluations provide each school with an assessment of their progress with PBIS. Schools also use the school-wide collection of data to collect and analyze specific school-wide discipline data. A review of the school-wide discipline data, in conjunction with the annual progress evaluation, enables each school to focus on specific discipline concerns that can be addressed with planned interventions and strategies.

### A. Level I: Classroom Procedures

A good classroom environment is developed through the teaching of classroom rules to students and the student's cooperation with the teacher to prevent potential behavioral problems. The implementation of school-wide Multi-Tiered Systems of Support (MTSS) and positive behavioral interventions has been established as part of a proactive program in each school. Students who repeatedly demonstrate misbehavior while having preventative, proactive universal strategies provided in the classroom will be provided with behavioral response to intervention (RTI) processes and strategies to identify, intervene and correct the inappropriate behavior.

1. When the classroom rules have been posted, and clearly and positively stated and the student's behavior continues to be disruptive after the teacher has called attention to the behavior, the teacher shall use the following corrective measures when appropriate:
  - a. Student/teacher communication both verbal and/or non-verbal
  - b. Reassignment of classroom seating,
  - c. In-classroom time out
  - d. Withholding of certain privileges,
  - e. Parent contact,
  - f. Temporary removal from the classroom to another supervised area, (i.e.: time out, alternative structure classroom)
  - g. Parent/teacher conference,
  - h. Implementation of Response to Intervention (RTI) process and strategies
  - i. Referral to office and/or counselor.
2. Among those measures a teacher will not use are:
  - a. corporal punishment,
  - b. use of unreasonable or irrelevant make-up work,

- c. isolation of the student outside the classroom,
- d. use of profanity or degrading remarks,
- e. responses that would constitute bullying, harassment, or intimidation of the student
- f. intentional embarrassment of the student
- g. other responses that disregard the basic rights of the student.

B. Level II: Administrative Procedures

Code (13A.08.01.11 of Maryland State Board of Education)

The school principal has the ultimate responsibility for maintaining an effective school learning environment. As such, in matters of student discipline, the principal will exercise his/her authority in determining the ultimate course(s) of action. The administrator shall confer with the teacher who referred the student to the administrator prior to returning the student to that teacher's classroom. (Confer is defined as a discussion or dialogue by any means where the views of the teacher are communicated and considered.) The school administrator may also institute the following steps:

1. Hold a conference with the student.
2. Discuss the problem with the parent and/or student and/or teacher(s) in an attempt to establish a more positive adjustment.
  - a. Behavioral probation/contract
  - b. Loss of privileges
  - c. Peer mediation
3. Consult with and utilize appropriate staff and ancillary support personnel.
4. Revise students' educational programs when appropriate.
5. If not previously done, initiate the Response to Intervention process to identify specific behavior and interventions to remediate the misbehavior through a tiered intervention process.
6. Review current behavioral RTI interventions and revise or implement additional interventions.
7. Provide for re-teaching of specific social-emotional learning skills.
8. Make referrals to the Pupil Services Team for review and implementation of identified Tier II interventions. These may include behavioral, counseling, and psychological services and interventions, including restorative practices or counseling programs and referrals for other services and support, including the Maryland Student Assistance Program or other agency and community resources not previously implemented.
9. At Tier III of behavioral RTI, conduct a Functional Behavior Assessment and implement a Behavior Intervention Plan.
10. Remove temporarily (up to an hour) without academic penalty from the regular school program to the time-out center, detention center, or intervention classroom where student instruction will continue.

11. Provide in-school removal/intervention. In-school suspension involves removing a student within the school building from the student's current educational program for up to but not more than 10 school days in a school year for disciplinary reasons by the school principal. An in-school removal (in-school intervention) is not considered a day of suspension as long as the student is afforded the opportunity to:
- a. appropriately progress in the general curriculum
  - b. receive the special education and related services specified on the student's IEP, if the student is a student with a disability in accordance with COMAR 13A.05.01\*
  - c. receive instruction commensurate with the program afforded to the student in the regular classroom, and
  - d. participate with peers as they would in their current educational program to the extent appropriate. (COMAR 13A.08.01.11) Live streaming of instruction may be utilized to enable the student to receive instruction commensurate with that of their regular classroom.

\*If the assignment exceeds 10 consecutive days for a special education or 504 student, it represents a change in placement, which must be approved by the IEP or 504 committee and indicated on the student's IEP/504 plan.

If the above requirements (a-d above under IV.B.11) are not being met for a student, then assignment to an alternate classroom setting would represent an in-school suspension rather than an intervention.

12. The school administrator may review and utilize behavioral interventions based on the RTI Tier at which the student is placed, utilize social-emotional skills, remedial learning, and/or use restorative justice practices to prevent suspension, or in lieu of suspension. This may also be used in conjunction with in-school intervention and/or an in or out-of-school suspension.
13. Suspension - The principal/building administrator must approve an in-school, short-term or long-term suspension. The superintendent or superintendent's designee must approve an extended suspension. Specific definitions and requirements are addressed under the Guidelines for Suspension (VI. C. 2).
14. Recommend attendance in a counseling/rehabilitation program.
15. Report to legal authorities.
16. Assign to an alternate intervention learning program (see #11 above) when appropriate.
17. Recommend expulsion. Expulsion is the exclusion of the student from the student's regular school program for 45 days or longer, which may only occur under the following circumstances:  
The principal shall invoke an out-of-school suspension of 10 days and a recommendation for expulsion for any student (Pre-Kindergarten – 12th grade) in possession of a firearm (NCLB Act of 2001, Section 4141 ESEA; COMAR 13A.08.01.12-1), or

Expulsion may be recommended for other disciplinary offenses when:

- a. The superintendent or the designated representative has determined that the student's return to school prior to the completion of the expulsion period would pose an imminent threat of serious harm to other students or staff; and
- b. This is substantiated by the completion of a threat assessment by a school psychologist including a review of behavioral response to intervention.
- c. The superintendent or designated representative limits the duration of the expulsion to the shortest time period practicable; and
- d. The school system provides the expelled student with comparable educational services and appropriate behavioral support services to promote a successful return to the student's regular academic program. (COMAR 13A.08.01.11).

CORPORAL PUNISHMENT MAY NOT BE USED  
IN GARRETT COUNTY PUBLIC SCHOOLS

### C. Garrett County Public School Disciplinary Code of Conduct:

Suspension and Expulsion (also see Guidelines for Suspension and Expulsion VI. C. 2). Students should be aware that disciplinary offenses and consequences might impact future careers, which require a security clearance. The school administrator will be guided by Section 1415 of Title 20 U.S.C. and COMAR 13A.08.03.05 for special circumstances.

1. The following Code of Conduct provides responses to offenses including cases in which suspension or expulsion may be invoked:

### **RESPONSES TO DISCIPLINARY OFFENSES**

The following chart provides a listing of discipline offenses and indicated disciplinary responses for each offense.

*Offense definitions from Maryland State Records Manual are italicized*

Offenses identified by the state suspension code					
	<b>LEVEL 1</b> Classroom and Support Responses (e.g., written apology, talk with school counselor, detention)	<b>LEVEL 2</b> Classroom, Support, In-school Removal Responses (e.g., community service, peer mediation, temporary removal from class)	<b>LEVEL 3</b> Support, Removal, Administrative Responses (e.g., restorative practices, in-school intervention, in-school suspension)	<b>LEVEL 4</b> Support and Out-of-School Removal Responses (e.g., restorative practices, mentoring programs, short-term suspension)	<b>LEVEL 5</b> Support, Out-of-School Removal, Referral Responses (e.g., long-term suspension, extended suspension, expulsion, refer to alternative ed.)
<b>LEVEL 5A OFFENSE<sup>1, 2, 3</sup></b>					
<b>Firearms (301)<sup>1</sup></b> (Expulsion Required)					<i>Possession of a firearm as defined in 18 U.S.C. §921. Examples include handguns, rifles, shotguns (loaded or unloaded, operable or inoperable), and bombs.</i>

For all Level 5A offenses, a report will be made immediately to a law enforcement officer and to the responsible law enforcement agency to request an investigation, as appropriate. A report will also be made by letter, including a copy to the Department of Juvenile Services. Other offenses may be reported by the school administration depending on the nature of the offense and incident.

The principal shall invoke an out-of-school suspension of 10 days and a recommendation for expulsion for any student in possession of a firearm.

<sup>2</sup> Refer to Policy and Procedure JK

<sup>3</sup> Intentional conduct, including verbal, physical or written conduct, or an intentional electronic communication, that creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities, or performance, or with a student's physical or psychological well-being and is:

(1) Motivated by an actual or a perceived personal characteristic, including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, or physical or mental ability or disability; or

(2) Threatening or seriously intimidating; and either occur on school property or at a school activity or event, or on a school bus, or substantially disrupts the orderly operation of a school. This can include harassment and stalking. MD.

ANN. CODE, EDUCATION §7-424.

Refer to Garrett County Public Schools Policy and Procedure JBA. Bullying and Harassment Reporting Forms are available on websites and at each school.

Offenses identified by the state suspension code	Lowest level should be considered first, followed by progressively more intensive consequences. Consideration should be given to age, grade, developmental level, prior offenses, intentionality, and circumstances of the incident in determining appropriate course of action and consequence				
	LEVEL 1 Classroom and Support Responses (e.g., written apology, talk with school counselor, detention)	LEVEL 2 Classroom, Support, In-school Removal Responses (e.g., community service, peer mediation, temporary removal from class)	LEVEL 3 Support, Removal, Administrative Responses (e.g., restorative practices, in-school intervention, in-school suspension)	LEVEL 4 Support and Out-of-School Removal Responses (e.g., restorative practices, mentoring programs, short-term suspension)	LEVEL 5 Support, Out-of-School Removal, Referral Responses (e.g., long-term suspension, extended suspension, expulsion, refer to alternative ed.)
LEVEL 5B OFFENSES <sup>1,3</sup>					
Other Guns (302)	Possession of any type of gun, other than a firearm, loaded or unloaded, operable or inoperable. This may include any object that is a look-alike of a gun or firearm (e.g., B-B guns, pellet guns, water guns) unless it is part of the curriculum or educational program (e.g., ROTC, band). (Consideration would need to be made to the age, grade, developmental level, prior offenses, intentionality, circumstances in determining an appropriate course of action and consequences.)				
	Possessing, using, or threatening to use a look-alike gun (e.g., water guns)				
		Possessing, using, or threatening to use an unloaded/inoperable non-firearm gun. (e.g., pellet guns, BB guns)			
			Possessing, using, or threatening to use a loaded/operable non-firearm gun.		
Other Weapons (303)	Possession of any implement that the school administrative staff deems could cause or is intended to cause bodily injury/harm, other than a firearm or other gun.				
	Possessing an implement that could potentially cause injury, without intent to use it as a weapon.				
		Possessing an implement that could potentially cause injury, with intent to use it as a weapon.			
			Using or threatening to use as a weapon an implement that is likely to cause serious bodily harm.		

For all Level 5B offenses, a report will be made immediately to a law enforcement officer and to the responsible law enforcement agency to request an investigation, as appropriate to the offense. For those offenses being investigated, a report will also be made by letter, including a copy to the Department of Juvenile Services. Other offenses may be reported by the school administration depending on the nature of the offense and incident.

The principal shall invoke an out-of-school suspension of 10 days and a recommendation for expulsion for any student in possession of a firearm.

<sup>3</sup> Intentional conduct, including verbal, physical, or written conduct, or an intentional electronic communication, that creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities, or performance, or with a student's physical or psychological well-being and is:

(1) Motivated by an actual or a perceived personal characteristic, including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, or physical or mental ability or disability; or

(2) Threatening or seriously intimidating; and either occur on school property or at a school activity or event, or on a school bus, or substantially disrupts the orderly operation of a school. This can include harassment and stalking. MD. ANN. CODE, EDUCATION §7-424.

Refer to Garrett County Public Schools Policy and Procedure JBA. Bullying and Harassment Reporting Forms are available on websites and at each school.

Offenses identified by the state suspension code	Lowest level should be considered first, followed by progressively more intensive consequences. Consideration should be given to age, grade, developmental level, prior offenses, intentionality, and circumstances of incident in determining appropriate course of action and consequence				
	LEVEL 1 Classroom and Support Responses (e.g., written apology, talk with school counselor, detention)	LEVEL 2 Classroom, Support, In-school Removal Responses (e.g., community service, peer mediation, temporary removal from class)	LEVEL 3 Support, Removal, Administrative Responses (e.g., restorative practices, in-school intervention, in-school suspension)	LEVEL 4 Support and Out-of-School Removal Responses (e.g., restorative practices, mentoring programs, short-term suspension)	LEVEL 5 Support, Out-of-School Removal, Referral Responses (e.g., long-term suspension, extended suspension, expulsion, refer to alternative ed.)
LEVEL 5B OFFENSES (CONTINUED) <sup>1,3</sup>					
Explosives (503)	Possession, sale, distribution, detonation, or threat of detonation of an incendiary or explosive material or device including firecrackers, smoke bombs, flares or any combustible or explosive substance or combination of substances or articles, other than a firearm (see 18 U.S.C. §921.				
	Possessing an incendiary or explosive device or material or any combination of combustible or explosive substances, other than a firearm, that can cause harm to people or property. (e.g., firecrackers, smoke bombs, flares; but NOT “snap pops,” which should be treated as a disruption)				
		Detonating or threatening to detonate an incendiary or explosive device or material, including those described above.			
False Alarm/Bomb Threat (502) Schools should conduct a threat assessment and refer students to counseling.	The conveyance of threats or false information concerning the placement of explosive or destructive substances. Initiating a report warning of a fire or other catastrophe without cause in person or by phone. Misuse of 911. Discharging a fire extinguisher.				
		Initiating a warning or a fire or other catastrophe without cause. (e.g., pulling a fire alarm or misusing 911)			
		Making a bomb threat or threatening a school shooting.			
Arson/Fire (501)	Attempting to set, aiding in setting, or setting a fire.				
	Intentionally setting or attempting to set a fire or helping others to set a fire without intent to or the possibility of endangering others.				
		Intentionally setting a fire or helping others to set a fire with the intent to endanger others or with the result of destroying valuable property.			
Serious Bodily Injury (408) Schools should consider multiple factors, <i>See factors listed under “Fighting”</i>	Causing bodily injury which involves (1) a substantial risk of death; (2) extreme physical pain; (3) protracted and obvious disfigurement; or (4) protracted loss or impairment of a function of a bodily member, organ, or mental faculty. (20 U.S.C. §1415(k)(7)(D) referring to 18 U.S.C. §1365(h)(3).)				
			Intentionally misbehaving in a way that unintentionally causes serious bodily injury.		
				Intentionally causing serious bodily injury.	

Offenses identified by the state suspension code	<b>Lowest level should be considered first, followed by progressively more intensive consequences.</b> <b>Consideration should be given to age, grade, developmental level, prior offenses, intentionality, and circumstances of incident in determining appropriate course of action and consequence</b>				
	<b>LEVEL 1</b> <b>Classroom and Support Responses</b> (e.g., written apology, talk with school counselor, detention)	<b>LEVEL 2</b> <b>Classroom, Support, In-school Removal Responses</b> (e.g., community service, peer mediation, temporary removal from class)	<b>LEVEL 3</b> <b>Support, Removal, Administrative Responses</b> (e.g., restorative practices, in-school intervention, in-school suspension)	<b>LEVEL 4</b> <b>Support and Out-of-School Removal Responses</b> (e.g., restorative practices, mentoring programs, short-term suspension)	<b>LEVEL 5</b> <b>Support, Out-of-School Removal, Referral Responses</b> (e.g., long-term suspension, extended suspension, expulsion, refer to alternative ed.)
<b>LEVEL 5B OFFENSES (CONTINUED)<sup>1,3</sup></b>					
<b>Attack on Adult (401)</b>	<i>Intentionally shoving, pushing, or otherwise being physically aggressive toward an employee of the school system or another adult in the context of a fight (e.g., body check; intentionally bumping; but not horseplay); intentionally engaging in a fight. This includes physical contact with an adult who is intervening in a fight or other disruptive activity. (Consideration should be given to age, grade, developmental level, prior offenses, intentionality, and circumstances of the incident in determining an appropriate course of action and consequence.)</i>				
	Physically attacking an employee of the school system or other adult, including intentionally striking a staff member who is intervening in a fight or other disruptive activity.				
<b>Attack on Student (402)</b>	<i>Intentionally shoving, pushing, or otherwise being physically aggressive toward another student in the context of a fight (e.g., body check; intentionally bumping; but not horseplay); intentionally engaging in a fight. (Consideration should be given to age, grade, developmental level, prior offenses, intentionality, and circumstances of the incident in determining an appropriate course of action and consequence.)</i>				
<b>Fighting (405)</b> Schools should consider multiple factors, including: <ul style="list-style-type: none"> <li>• Whether student acted in the heat of the moment, as opposed to planning ahead.</li> <li>• Whether a student was verbally provoked</li> <li>• Whether a student acted in self-defense</li> <li>• Whether a student was intervening in a fight</li> <li>• The student's age</li> <li>• Whether the fighting is persistent/habitual</li> </ul>	<i>Intentional physical confrontation involving two or more students.</i>				
	Intentionally shoving, pushing or otherwise being physically aggressive toward another in the context of a fight.(e.g., body check; intentionally bumping; but NOT horseplay)				
	Intentionally engaging in a fight, which may be small, spontaneous, short, and/or result only in minor cuts, scrapes, and bruises.				
		Intentionally engaging in a fight, which may be large, pre-planned, extended, and/or resulting in major injuries like a broken limb, or is otherwise especially serious based on the listed factors.			
<b>Sexual Attack (601)</b> School staff should refer a student to appropriate counseling.			<i>Intentionally engaging in behavior towards a school system employee or student that is physically, or sexually aggressive.</i>		
<b>Sexual Activity (603)</b> School staff should refer a student to appropriate counseling.			<i>Engaging in inappropriate behavior of a sexual nature, including indecent exposure, consensual sex, inappropriate texts of a sexual nature, and other sexual activity not identified as sexual assault or harassment.</i>		
<b>Sexual Harassment (602)<sup>2</sup></b>			<i>Engaging in intentional unwelcome sexual advances, requests for sexual favors, or other intentional inappropriate verbal, written, or physical conduct of a sexual nature. (Consideration should be given to age, grade, developmental level, prior offenses, intentionality, and circumstances of the incident in determining an appropriate course of action and consequence.)</i>		

<sup>2</sup> Refer to Policy and Procedure GBAA

Offenses identified by state suspension code	Lowest level should be considered first, followed by progressively more intensive consequences. Consideration should be given to age, grade, developmental level, prior offenses, intentionality, and circumstances of the incident in determining an appropriate course of action and consequence				
	LEVEL 1 Classroom and Support Responses (e.g., written apology, talk with the school counselor, detention)	LEVEL 2 Classroom, Support, In-school Removal Responses (e.g., community service, peer mediation, temporary removal from class)	LEVEL 3 Support, Removal, Administrative Responses (e.g., restorative practices, in-school intervention, in-school suspension)	LEVEL 4 Support and Out-of-School Removal Responses (e.g., restorative practices, mentoring programs, short-term suspension)	LEVEL 5 Support, Out-of-School Removal, Referral Responses (e.g., long-term suspension, extended suspension, expulsion, refer to alternative ed.)
LEVEL 5B OFFENSES (CONTINUED) <sup>1,3</sup>					
Bullying <sup>3</sup> / Harassment (407) Schools should emphasize intervention strategies over removal strategies.	Intentional conduct, including physical conduct or verbal, written, or electronic communication, that creates a hostile educational environment by substantially interfering with a student’s physical or psychological well-being and is (1) motivated by an actual or perceived personal characteristic (including race, national origin, marital status, sex, sexual orientation, gender status, or physical or mental ability or disability; (2) is threatening or seriously intimidating. Conduct must occur on school property, at a school activity or event, or on a school bus, or must substantially disrupt the orderly operation of a school.				
	Engaging in harassment.				
		Engaging in bullying, including cyberbullying.			
Extortion (406)	Using a threat (without a weapon) to get a person to turn over property. (School should conduct a threat assessment.)				
		Using a threat, fear, or force (without a weapon) to get a person to turn over property.			
		Using a threat, fear, or force (with a weapon) to get a person to turn over property.			

<sup>3</sup> Intentional conduct, including verbal, physical, or written conduct, or an intentional electronic communication, that creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities, or performance, or with a student's physical or psychological well-being and is:

- (1) Motivated by an actual or a perceived personal characteristic, including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, or physical or mental ability or disability; or
- (2) Threatening or seriously intimidating; and either occur on school property or at a school activity or event, or on a school bus, or substantially disrupts the orderly operation of a school. This can include harassment and stalking. MD. ANN. CODE, EDUCATION §7-424.

Refer to Garrett County Public Schools Policy and Procedure JBA. Bullying and Harassment Reporting Forms are available on websites and at each school.

Offenses identified by the state suspension code	Lowest level should be considered first, followed by progressively more intensive consequences. Consideration should be given to age, grade, developmental level, prior offenses, intentionality, and circumstances of the incident in determining an appropriate course of action and consequence				
	LEVEL 1 Classroom and Support Responses (e.g., written apology, talk with the school counselor, detention)	LEVEL 2 Classroom, Support, In-school Removal Responses (e.g., community service, peer mediation, temporary removal from class)	LEVEL 3 Support, Removal, Administrative Responses (e.g., restorative practices, in-school intervention, in-school suspension)	LEVEL 4 Support and Out-of-School Removal Responses (e.g., restorative practices, mentoring programs, short-term suspension)	LEVEL 5 Support, Out-of-School Removal, Referral Responses (e.g., long-term suspension, extended suspension, expulsion, refer to alternative ed.)
LEVEL 5C OFFENSES <sup>3,4</sup>					
<b>Drugs/Controlled Substances (203)</b> School should refer the student to local health department or community group for prevention and treatment.	Possession, use, or showing evidence of use, sale, or distribution of controlled dangerous substances including prescription drugs, over-the-counter medicines, look-alike drugs, and substances represented as controlled substances or drug paraphernalia (unless documentation on file that student may self-carry).				
	Unauthorized using/possessing of non-illegal drugs. <sup>5</sup>				
	Being under the influence of illegal drugs.				
	Using/possessing illegal drugs.				
			Distributing/selling non-illegal or illegal drugs. <sup>6</sup>		
<b>Inhalants (202)</b> School should refer the student to the local health department or community group for prevention and treatment.	Possession, use, or showing evidence of use, sale, or distribution of any inhalants or other intoxicants.				
	Being under the influence of inhalants.				
	Using/possessing inhalants.				
	Distributing/selling inhalants.				
<b>Alcohol (201)</b> School should refer the student to the local health department or community group for prevention and treatment.	Possession, use, or showing evidence of use, sale, or distribution of any alcoholic substances.				
	Being under the influence of alcohol.				
	Using/possessing alcohol.				
		Distributing/selling alcohol.			

<sup>4</sup> For a Level 5C offense, a report will be made to a law enforcement officer and to the responsible law enforcement agency to request an investigation, as appropriate, and a report will also be made by letter, including a copy to the Department of Juvenile Services.

Students will be referred to the MSAP team, will be required to complete an addictions assessment, and will be required to attend a drug education class and/or addictions counseling through referral by the school administration (refer to C.2.e)

<sup>5</sup> For purposes of record-keeping, for students with disabilities ONLY, use code 892. ("Illegal drugs" for students with disabilities are defined as those substances that are not legally possessed, used under the supervision of a licensed health-care professional, or used under any other authority under the Controlled Substance Act or under any other provision of federal law.)

<sup>6</sup> For purposes of record keeping, for students with disability ONLY, use code 891 for the selling of a drug or substance identified under the schedules of controlled substances in 21 U.S.C. §812; 21 C.F.R. pt. 1308.

Offenses identified by the state suspension code	<b>Lowest level should be considered first, followed by progressively more intensive consequences.</b> Consideration should be given to age, grade, developmental level, prior offenses, intentionality, and circumstances of incident in determining appropriate course of action and consequence				
	<b>LEVEL 1</b> Classroom and Support Responses (e.g., written apology, talk with school counselor, detention)	<b>LEVEL 2</b> Classroom, Support, In-school Removal Responses (e.g., community service, peer mediation, temporary removal from class)	<b>LEVEL 3</b> Support, Removal, Administrative Responses (e.g., restorative practices, in-school intervention, in-school suspension)	<b>LEVEL 4</b> Support and Out-of-School Removal Responses (e.g., restorative practices, mentoring programs, short-term suspension)	<b>LEVEL 5</b> Support, Out-of-School Removal, Referral Responses (e.g., long-term suspension, expulsion, refer to alternative ed.)
<b>LEVEL 4 OFFENSES<sup>3,7</sup></b>					
<b>Disruption (704)</b>	<i>Intentionally engaging in behavior that distracts from the learning environment (e.g., talking out of turn, throwing items, horseplay, sending incendiary texts/social media messages, disrupting a fire drill).</i>				
	Intentionally engaging in minor behavior that distracts from the learning environment.				
	Intentionally and persistently engaging in minor behavior that distracts from the learning environment. (e.g., talking out of turn, throwing small items, horseplay)				
	Intentionally engaging in moderate to serious behavior that distracts from teaching and learning, and directly affects the safety of others. (e.g., throwing harmful items, sending incendiary texts/social media messages, disrupting a fire drill)				
<b>Theft (803)</b> Schools should consider the following factors: <ul style="list-style-type: none"> <li>• The monetary value of the property</li> <li>• Whether the student knew the property was valuable or expensive to replace</li> <li>• Whether the student acted in the heat of the moment, as opposed to planning ahead</li> <li>• The student's age</li> <li>• The student's purpose in taking the property</li> <li>• Whether the behavior is persistent/behavioral</li> </ul>	<i>Taking or obtaining property of another without permission and/or knowledge of the owner.</i>				
	Intentionally taking property without the owner's permission, where the taker is an elementary school student.				
		Intentionally taking property without the owner's permission.			
			Intentionally taking property without the owner's permission, where the theft is especially serious based on the listed factors.		

<sup>7</sup> For a Level 4 offense, the principal may suspend up to ten (10) days in-school in a school year, and/or may suspend up to three (3) days out-of-school, and/or may assign the student to an in-school intervention program for up to ten (10) school days.

Offenses identified by the state suspension code	Lowest level should be considered first, followed by progressively more intensive consequences. Consideration should be given to age, grade, developmental level, prior offenses, intentionality, and circumstances of incident in determining appropriate course of action and consequence					
	LEVEL 1 Classroom and Support Responses (e.g., written apology, talk with school counselor, detention)	LEVEL 2 Classroom, Support, In-school Removal Responses (e.g., community service, peer mediation, temporary removal from class)	LEVEL 3 Support, Removal, Administrative Responses (e.g., restorative practices, in-school intervention, in-school suspension)	LEVEL 4 Support and Out-of-School Removal Responses (e.g., restorative practices, mentoring programs, short-term suspension)	LEVEL 5 Support, Out-of-School Removal, Referral Responses (e.g., long-term suspension, extended suspension, expulsion, refer to alternative ed.)	
LEVEL 4 OFFENSES (CONTINUED) <sup>3,8</sup>						
<b>Destruction of Property (806)</b> Schools should consider the following factors: <ul style="list-style-type: none"><li>• The monetary value of the property</li><li>• Whether the student knew the property was valuable or expensive to replace</li><li>• Whether the student acted in the heat of the moment, as opposed to planning ahead</li><li>• The student’s age</li><li>• The reason the student destroyed the property</li><li>• Whether the behavior is persistent/behavioral</li></ul>	Damage, destruction, or defacement of property belonging to the school or others.					
	Causing accidental damage					
	Intentionally causing damage to school/other’s property.					
		Intentionally causing damage to school/other’s property, where the act is especially serious based on the listed factors.				
<b>Trespassing (804)</b>	Unauthorized presence of school property, including while on suspension.					
		Being on school property without permission, including while on suspension or expulsion. (Where an older family member is on school grounds to pick up younger siblings, that person should be asked to seek school permission. School should then grant permission.)				
<b>Threat to Adult (403)</b>	Expressing orally, in writing (can be electronic), or by gesture the intent to do physical harm to an employee of the school system or another adult. Threats can be implicit or explicit. (School should conduct a threat assessment.)					
<b>Threat to Student (404)</b>	Expressing orally, in writing (can be electronic), or by gesture the intent to do physical harm to a student. Threats can be implicit or explicit. (School should conduct a threat assessment.)					

Offenses identified by the state suspension code	Lowest level should be considered first, followed by progressively more intensive consequences. Consideration should be given to age, grade, developmental level, prior offenses, intentionality, and circumstances of incident in determining appropriate course of action and consequence				
	LEVEL 1 Classroom and Support Responses (e.g., written apology, talk with school counselor, detention)	LEVEL 2 Classroom, Support, In-school Removal Responses (e.g., community service, peer mediation, temporary removal from class)	LEVEL 3 Support, Removal, Administrative Responses (e.g., restorative practices, in-school intervention, in-school suspension)	LEVEL 4 Support and Out-of-School Removal Responses (e.g., restorative practices, mentoring programs, short-term suspension)	LEVEL 5 Support, Out-of-School Removal, Referral Responses (e.g., long-term suspension, extended suspension, expulsion, refer to alternative ed.)
LEVEL 3 OFFENSES <sup>3,8</sup>					
Disrespect (701)	Making intentional and harmful gestures, verbal or written comments, or symbols to others (e.g., verbal put-downs, cursing, talking back); being insubordinate (repeatedly or persistently disrespectful, in defiance of authority.				
	Making intentional and harmful gestures, verbal or written comments, or symbols to others. (e.g., verbal put-downs, cursing, talking back)				
		Being insubordinate: repeatedly or persistently disrespectful, in defiance of authority.			
Inappropriate Use of Personal Electronics (802)  Excludes the use of a device in an emergency or preapproved situation. Cyberbullying or social media harassment is covered under other behaviors.	Inappropriate use of any electronic device carried, worn, or transported by a student to receive or communicate messages.				
	Having out a personal electronic device, <sup>9</sup> after a student has been warned.				
	Persistently having out a personal electronic device, in defiance of school rules.				

<sup>8</sup> For a Level 3 offense, the principal may suspend up to ten (10) days in-school in a school year, and/or may assign the student to an in-school intervention program for up to ten (10) school days.

<sup>9</sup> Devices include cell phones, PDAs, music players (e.g., iPods), tablets (e.g., iPads), electronic gaming devices and other portable communication devices.

Offenses identified by the state suspension code	Lowest level should be considered first, followed by progressively more intensive consequences. Consideration should be given to age, grade, developmental level, prior offenses, intentionality, and circumstances of the incident in determining an appropriate course of action and consequence				
	LEVEL 1 Classroom and Support Responses (e.g., written apology, talk with the school counselor, detention)	LEVEL 2 Classroom, Support, In-school Removal Responses (e.g., community service, peer mediation, temporary removal from class)	LEVEL 3 Support, Removal, Administrative Responses (e.g., restorative practices, in-school intervention, in-school suspension)	LEVEL 4 Support and Out-of-School Removal Responses (e.g., restorative practices, mentoring programs, short-term suspension)	LEVEL 5 Support, Out-of-School Removal, Referral Responses (e.g., long-term suspension, extended suspension, expulsion, refer to alternative ed.)
LEVEL 2 OFFENSES <sup>10</sup>					
<b>Tobacco (204)<sup>11</sup></b> <b>*Includes E-Cigarettes and other look-alike tobacco products</b>	<i>Possession, use, sale, or distribution of tobacco products or e-cigarettes. (Possession and/or use of any device, electronic or otherwise, used to deliver any substance not medically prescribed in accordance with Policy and Procedure 472.12 and 472.13.)</i>				
<b>Class Cutting (101)</b>	<i>Failing to attend a class or school activity, after arrival at school, without an excused reason.</i>				
	Persistently failing to attend a scheduled class, after arrival at school, without excused reasons.				
<b>Tardiness (102)</b> Elementary school students who are late should not be given any punitive or exclusionary consequence, but parents/guardians should be notified.	<i>Arriving late more than once to class or school, without an excused reason.</i>				
	Persistently arriving late to class or school.				
<b>Truancy (103)</b> Elementary school students with unexcused absences should not be given any punitive or exclusionary consequence, but parents/guardians should be notified.	<i>Being absent from school, for the school day or a portion of the school day, without an excused reason.<sup>12</sup></i>				
	Being truant. <sup>13</sup>				

<sup>10</sup> For a Level 2 offense, the principal may use in-school (classroom) removal or other responses as appropriate.

<sup>11</sup> A report will be made to a law enforcement officer to request a citation, and to Juvenile Services, along with a referral to the MSAP team. Counseling or a cessation program may be used and/or an in-school intervention program for up to ten (10) days.

<sup>12</sup> Excused reasons for absence include illness of the student, death in the student's immediate family, hazardous weather conditions, emergencies, religious holidays, and other specified circumstances. MD. CODE REGS. 13A.08.01.03.

<sup>13</sup> A student is "truant" if she or he is unlawfully absent from school for a number of days or portions of days in excess of five (5) days for elementary, middle and high school year long classes or three (3) days for high school semester classes.

Offenses identified by the state suspension code	Lowest level should be considered first, followed by progressively more intensive consequences. Consideration should be given to age, grade, developmental level, prior offenses, intentionality, and circumstances of the incident in determining an appropriate course of action and consequence				
	LEVEL 1 Classroom and Support Responses (e.g., written apology, talk with the school counselor, detention)	LEVEL 2 Classroom, Support, In-school Removal Responses (e.g., community service, peer mediation, temporary removal from class)	LEVEL 3 Support, Removal, Administrative Responses (e.g., restorative practices, in-school intervention, in-school suspension)	LEVEL 4 Support and Out-of-School Removal Responses (e.g., restorative practices, mentoring programs, short-term suspension)	LEVEL 5 Support, Out-of-School Removal, Referral Responses (e.g., long-term suspension, expulsion, refer to alternative ed.)
LEVEL 2 OFFENSES (CONTINUED)					
Academic Dishonesty (801)	Academic dishonesty through cheating, copying, plagiarizing, or altering records, or assisting another in such actions.				
Dress Code (706) (See GCPS Policy and Procedure JICA, Student Dress.)	Violating the local school system's dress code, after the student has been warned.				
	Persistently violating the dress code after the student has been warned.				

## Bus Misbehavior

Standing, distracting the driver, running on the bus, eating on the bus, being too loud or boisterous, sitting in the wrong seat, throwing or shooting objects, spraying perfumes and other aerosols, or using foul or abusive language. For more serious infractions on the bus, discipline will include at least the appropriate minimum consequences for the code violation. Except for students with an Individualized Education Program (IEP) providing transportation as a related special education service, riding the school bus is a privilege extended to students. This privilege may be temporarily denied or suspended when a student's behavior jeopardizes the safe operation of the school bus or the safety of the students riding the bus.

·Interventions from lower levels may be assigned.

·10+ days suspension of bus privileges. The Director of Transportation must approve the revocation of bus privileges for more than 10 days.

## **RESPONSES TO DISCIPLINARY OFFENSES ON SCHOOL BUS TRANSPORTATION**

The following chart provides a listing of School Bus Transportation discipline offenses and indicated disciplinary responses for each offense.

School Bus Transportation Offenses	<b>Lowest level should be considered first, followed by progressively more intensive consequences.</b> Consideration should be given to age, grade, developmental level, prior offenses, intentionality, and circumstances of the incident in determining an appropriate course of action and consequence				
	<b>LEVEL 1</b> Reminders/Redirection, Seat Change, Verbal Correction	<b>LEVEL 2</b> Parent/Legal Guardian Contact, Restitution, Detention, Written Reflection/, Apology	<b>LEVEL 3</b> Short term Suspension of School Bus Riding Privileges (1-3 days), Parent/Legal Guardian Conference, Restitution	<b>LEVEL 4</b> Long-Term Suspension of School Bus Riding Privileges (4-10 days)	<b>LEVEL 5</b> Extended or Permanent Loss of School Bus Riding Privileges (11 or more days)
<b>Insubordination and/or disruption</b>	Failing to follow the bus rules/bus driver's direction				
<b>REPEATED Insubordination and/or disruption</b>		Repeatedly failing to follow the bus rules/bus driver's direction			
<b>CHRONIC Insubordination and/or disruption</b>			Chronically failing to follow the bus rules/bus driver's direction		
<b>Dangerous Behavior or Actions</b>				Engaging in behavior that places the safety of someone or the bus at risk	

## 2. Guidelines for Suspension and Expulsion

(Code 13A.08.01.11 of Maryland State Board of Education, Annotated Code of Maryland 7-305 and 7-310)

- a. Suspension is considered one of the most serious outcomes for disciplinary offenses. It should be invoked when the behavior is serious enough to warrant the removal of the student from the student's regular school program, and when the Garrett County Discipline Policy provides for suspension, due to cases in which the student engages in chronic and extreme disruption of the educational process that has created a substantial barrier to learning for other students, across the school day, or when the student poses an imminent threat of serious harm to other students or staff. School administrators must consider factors such as developmental differences of age and maturity, and disability as mandated by state and federal regulations to modify the suspension, or the number of days of suspension required by these procedures.

Prior to the use of suspension, a review of other interventions, including the use of tiered behavioral response to intervention (RTI) strategies implemented to address student behavior and discipline will occur. Restorative justice practices, re-teaching of social-emotional skills, functional behavior assessments and behavior intervention plans, counseling interventions, and referral to Student Services Teams are various interventions that should be reviewed and implemented. In lieu of in or out-of-school suspension, school administrators may utilize assignment to in-school intervention and the live-streaming of instruction to meet the four requirements for intervention as noted below:

Provide in-school removal/intervention. In-school suspension involves removing a student within the school building from the student's current educational program for up to but not more than 10 school days in a school year for disciplinary reasons by the school principal. An in-school removal (in-school intervention) is not considered a day of suspension as long as the student is afforded the opportunity to:

- 1) appropriately progress in the general curriculum,
- 2) receive the special education and related services specified on the student's IEP; if the student is a student with a disability in accordance with COMAR 13A.05.01\*
- 3) receive instruction commensurate with the program afforded to the student in the regular classroom, and
- 4) participate with peers as they would in their current educational program to the extent appropriate. (COMAR 13A.08.01.11) Live streaming of instruction may be utilized to enable the student to receive instruction commensurate with that of their regular classroom.

\*Students who are under an IEP or 504 plan must have their plan reviewed by the IEP/504 team who would determine that the student's needs can be met in an in-school Intervention Program as noted above (#2) and that the removal is not a change in placement.

If the above requirements (1-4 above under 2.a.) are not being met for a student, then assignment to an alternate classroom setting would represent an in-school suspension rather than an intervention.

- b. The principal/building administrator must approve an in-school, short-term or long-term suspension. The superintendent or superintendent's designee must approve an extended suspension (13A.08.01.11):
  - 1) Suspension means the application of in-school suspension, short-term suspension, long-term suspension, or an extended suspension.
  - 2) In-school suspension — means the exclusion within the school building of a student from their regular education program for up to but not more than 10 days per school year for disciplinary reasons by the school principal. The student is required to complete all school assignments.
  - 3) Short-term suspension means the removal of a student from for up to but not more than 3 school days for disciplinary reasons by the school principal. (MD Disposition Code 910 – Short-Term Suspension with Educational Services)
  - 4) Long-term suspension means the removal of a student from school for a time period between (and including) 4 and up to 10 school days in a school year for disciplinary reasons by the principal. (MD Disposition Code 910 – Short-Term Suspension with Educational Services)
  - 5) Out-of-School suspension — student is removed from the regular school program and marked as an excused absence from school, and they are permitted to make up the work.
  - 6) Extended suspension means the exclusion of a student from a student's regular program for a time period between (and including) 11 days and up to 45 school days, (MD Disposition Code 911 – Extended Suspension with Educational Services) which only may occur under the following circumstances when the superintendent or designated representative has determined that:
    - a) The student's return to school prior to the completion of the suspension period would pose an imminent threat of serious harm to other students or staff (This would be substantiated by the completion of a threat assessment by the threat assessment team to include a school psychologist to include a review of behavioral Response to Intervention), or
    - b) The student has engaged in chronic and extreme disruption of the educational process that has created a substantial barrier to learning for other students across the school day, and other available and appropriate behavioral and disciplinary interventions have been exhausted.
    - c) When a request is made for an extended suspension of a student for chronic and extreme disruptive behavior, the principal will follow the GCPS guidelines for behavioral Response to Intervention (RTI). The request will include documentation of the implementation of tiered evidenced-based behavioral Response to Intervention. This will include

documentation that interventions were provided through referral to the Pupil Services Team (Tier II) and that a Behavior Intervention Plan (BIP) was implemented with fidelity, reviewed, and updated as needed (Tier III). This process is to ensure that the specified criteria that “other available and appropriate behavioral and disciplinary interventions have been exhausted” has been met (COMAR 13A.08.01.11).

- d) The superintendent or designated representative limits the duration of the exclusion to the shortest period practicable, and
  - e) The school system provides the excluded student with comparable educational services and appropriate behavioral support services to promote a successful return to the student’s regular academic program.
- 7) Educational Services. In order to establish accountability and keep suspended or expelled students on track with classroom work, as is reasonably possible, each local board shall institute education services that at a minimum provide that:
- a) Each student suspended or expelled out-of-school who is not placed in an alternative education program shall receive daily classwork and assignments from each teacher, which shall be reviewed and corrected by teachers on a weekly basis and returned to the student; and
  - b) Each principal shall assign a school staff person to be the liaison between the teachers and the various students on out-of-school suspension or expulsion and to communicate weekly about classwork assignments and school-related issues by phone or email with those out-of-school suspended/expelled students and their parents.
- 8) All students who receive short-term suspensions will be provided with:
- a) the opportunity to complete the academic work they miss during the suspension period without penalty; and
  - b) with their parents or guardians, with the contact information for a school employee who will be responsible for ensuring that the requirement for educational services is met.
  - c) All other aspects of the process for suspended students receiving missed assignments, completing missed assignments, and making up tests shall be identical with each school’s established policy and practice for makeup work in the event of any other excused absence.
- 9) A student who is suspended from school, other than one on in-school suspension, is not permitted on school grounds unless accompanied by a parent for a readmission conference during the period of suspension.
- 10) Students who are suspended out-of-school may not participate in or attend extra-curricular activities during the date(s) of suspension.
- 11) All students who are suspended will be given a copy of the Community Resource Guide.
- c. Students who are in pre-kindergarten, kindergarten, first-, and second-grade placements will not be suspended or expelled, with the exception of the federal requirement of a one-year expulsion for an offense that meets the definition of possession of a firearm. A student may be suspended for up to five school days if the school administration, in consultation with a school psychologist or other mental health professional, determines that there is an imminent threat of serious

harm to other students or staff that cannot be reduced or eliminated through interventions and supports.

In order to make a request for suspension of a student under this category, the school principal will follow the GCPS guidelines for requesting the school psychologist to conduct a threat assessment of the student and review documentation of the tiered behavioral RTI interventions, including the implementation of a Behavior Intervention Plan. The school psychologist will consult with the Director of Student Services (general education student) or the Director of Special Education (special education student) prior to making the recommendation for suspension. If the suspension is recommended, the school principal will then request approval to suspend from the Director of Elementary.

The principal shall invoke an out-of-school suspension of 10 days and a recommendation for expulsion for any student (Pre-Kindergarten – 12<sup>th</sup> grade) in possession of a firearm (NCLB Act of 2001, Section 4141 ESEA; COMAR 13.A.08.01.12-1).

- d. When a suspension is deemed necessary, the following procedures shall be implemented:
  - 1) The principal/building administrator will advise the student of the offense or allegation leveled against him/her, offer an explanation of the evidence, and permit the student to offer his/her side of the story.
    - a) A student whose presence poses a danger to self, others, or property or an ongoing threat of disrupting the academic process may be removed (suspended) immediately from the school. In such a case, the necessary due process shall follow as soon as practicable.
    - b) In the case of a student with a disability, the principal/building administrator may immediately remove the student from the school under the condition that he/she will not exceed ten (10) days (per school year) for any violation of school rules to the same extent removal is applied to students without disabilities. A student with a disability may be removed from the student's current placement for more than ten (10) school days if the removal does not constitute a change in placement (as determined by the IEP/504 team). The Director of Special Education and/or 504 Coordinator and the Director of Student Services shall be notified before any student with a disability is suspended for more than ten (10) school days per school year. If a special education (or 504) student carries a weapon, knowingly possesses or uses an illegal drug, sells or solicits the sale of a controlled substance, is thought to be a danger to self, or others, or property, the principal, in cooperation with the Office of Special Education and Department of Student Services, must gain permission from the parents or, as a last resort, request a due process hearing to seek removal of the student with a disability to an interim alternative educational setting for 45 days.
  - 2) The principal/building administrator will advise the parent/guardian and the student in writing of the reason(s) for the suspension, the length of the

suspension, and an appointment date for a private conference.

Notification of the suspension shall be forwarded to the Department of Student Services.

- 3) The principal/building administrator will readmit the student to the school program upon completion of the suspension, contingent on the requirements noted within d.1. of this section.
- 4) The principal may suspend a student in school for no longer than ten days per school year, out-of-school no longer than 10 consecutive school days if meeting the requirements for long-term suspension, or in the case of a student with a disability, no more than 10 school days per year.
- 5) When dealing with the bringing/possession of firearms to school, the student will be asked to identify his/her source of firearms.
- 6) The principal /building administrator shall institute the following steps prior to readmission to school when dealing with the use/possession and/or distribution of alcohol/drugs:  
The student will be asked to identify his/her source of the alcohol/drugs.
  - a) He/she may be asked to demonstrate via a medical certificate that he/she is free of any residual effect of the drug and that a doctor recommended that he/she be returned to school.
  - b) He/she will be referred to the MSAP team, will be required to complete an addictions assessment, and will be required to attend a drug education class and/or addiction counseling through referral by the school administration. The student's parents will be asked for confirmation of an assessment or scheduled appointment and are strongly recommended to comply with the recommendations of that assessment. Parents will be asked to sign a referral form and a release of information form to provide the school with the results and recommendations of the addictions assessment at the time of the suspension conference.
- 7) If the school principal feels a suspension of longer than ten school days is necessary, he/she shall petition the Superintendent of Schools or his/her designee for an extension. (Annotated Code of Maryland 7-303).
- 8) The principal may suspend the student for up to ten days and may request an extended suspension if the criteria for a request for an extended suspension are met (see 2. b.6.).

- e. The principal will remove the student from school, will suspend up to ten (10) days, and will recommend expulsion to the Superintendent of Schools when any student commits a Level 5A offense (NCLB Act of 2001, Section 4141 ESEA; COMAR 13.A.08.01.12-1).

For other offenses indicated for expulsion under Responses to Disciplinary Offenses, the principal may suspend up to ten (10) days and recommend expulsion when:

- 1) The superintendent or designated representative has determined that:
  - a) the student's return to school prior to the completion of the expulsion period would pose an imminent threat of serious harm to other students or staff, and
  - b) This is substantiated by the completion of a threat assessment by a

school psychologist including a review of behavioral response to intervention.

f. Special Education Students

- 1) Special Education policy requires that when a student with a disability is subject to a suspension(s) totaling more than ten (10) days and/or the removal constitutes a change in placement, the IEP Team shall meet within ten (10) business days of the removal to develop an assessment plan to conduct a functional behavior assessment if one has not been completed. As soon as possible after the completion of the assessments determined appropriate by the IEP Team, the team shall meet to develop appropriate behavioral interventions to address the behavior and implement the behavioral intervention plan. If the student with a disability has a behavior intervention plan, the IEP Team shall meet within ten (10) business days of the removal to review and make modifications to the plan or its implementation to address the behavior.
- 2) Special education policy also requires that when a student has been removed for more than ten (10) school days or a request for expulsion, carries a weapon at school or a school function, knowingly possesses or uses an illegal drug while at school or a school function, or sells or solicits the sale of a controlled substance while at school or a school function, the IEP Team shall meet to determine whether a student's behavior that resulted in a disciplinary removal is a manifestation of the student's disability and the services that are to be provided during the removal.
- 3) In making its determination, the IEP Team shall consider all relevant information in relation to the behavior that resulted in the disciplinary action including diagnostic results and evaluation, observations, information supplied by the parents, the student's IEP, and the student's current educational placement. To determine the behavior subject to the disciplinary action is a manifestation of the student's disability, the IEP Team and other qualified personnel must make the determination that the student's behavior was: (1) caused by or had a direct and substantial relationship to the student's disability, or (2) the direct result of the public agency's failure to implement the student's IEP. If the IEP Team determines that the student's behavior is a manifestation of the student's disability, the IEP Team shall revise the student's IEP, revise the student's behavior intervention plan, and review the student's placement to determine if it continues to be appropriate. If the IEP Team determines that the behavior is not a manifestation of the student's disability, the student may be disciplined in the same manner as students without disabilities, including a period of suspension or expulsion and the IEP Team shall determine the extent to which services are necessary during the period of suspension or expulsion to enable the student to appropriately progress in the general curriculum and advance toward achieving the goals of the student's IEP. The IEP Team will give the student's parents written notice of the IEP Team's determination and all applicable procedural safeguards. COMAR 13A.08.03.
- 4) If a student not previously identified as a student with a disability is

suspended for more than ten (10) school days or expelled, and the school system had knowledge that the student was a student with a disability before the student engaged in the behavior that precipitated the disciplinary action, the student immediately shall be referred to the IEP Team. The IEP Team shall initiate, within ten (10) days of the exclusion, an evaluation to determine whether the student is a student with a disability. If the student is determined to be a student with a disability, the requirements in (i) shall be met and the school shall promptly give the student's parents or guardians written notice of the IEP Team's determination and applicable procedural safeguards.

- 5) If the school system does not have knowledge that a student is a student with a disability prior to taking disciplinary action, the student may be subjected to the same disciplinary measures applied to students without disabilities who engage in comparable behaviors.
- 6) If the school system receives a written referral during the time period that the student is subject to disciplinary measures, the student shall be evaluated in an expedited manner. The student shall remain in the educational placement determined appropriate by school personnel, including suspension or expulsion without educational services until the evaluation is completed. If as a result of the evaluation, the IEP Team determined the student is a student with a disability, the school system shall provide special education and related services.
- 7) A crime committed by a student with a disability shall be reported to appropriate law enforcement authorities. The school system shall ensure copies of the student's special education and disciplinary records are transmitted to the appropriate authorities to whom the crime was reported, to the extent permitted in accordance with COMAR 13A.08.02

g. 504 Students

If a student is determined to be a "student with a disability" under Section 504, any action taken with respect to the suspension or expulsion of that student shall conform to the following procedures:

- 1) When a student with a disability under 504 is subject to a suspension(s) totaling more than ten (10) days and/or the removal constitutes a change in placement, the 504 Team shall meet within ten (10) business days of the removal to develop an assessment plan to conduct a functional behavior assessment if one has not already been completed. As soon as possible after the completion of the assessments determined appropriate by the 504 Team, the team shall meet to develop appropriate behavioral interventions to address the behavior and implement the behavior intervention plan. If the student with a disability has a behavior intervention plan, the 504 Team shall meet to review and make modifications to the plan or its implementation to address the behavior.
- 2) When a student with a disability has been removed for more than ten (10) school days or has a request for expulsion, the 504 Team shall meet to determine whether a student's behavior that resulted in a disciplinary

- removal is a manifestation of the student's disability.
- 3) If the 504 Team determines that the student's behavior is a manifestation of the student's disability, the 504 Plan shall be revised.
  - 4) If the 504 Team determines that the student's misconduct, which prompted the disciplinary action, was not a manifestation of the student's disability, the student may be disciplined in the same manner as similarly situated students without a disability.
  - 5) Any student engaging in the illegal use of drugs or alcohol may be disciplined in the same manner as similarly situated students without disabilities for possession or use of illegal drugs or alcohol. In this situation, the special disciplinary procedures do not apply.
  - 6) A student who is determined to be a student with a disability solely under Section 504 and brings a firearm to school shall be expelled for a minimum of one calendar year.

h. In-School Intervention Programs

Students may be assigned by the principal to attend an In-School Intervention Program, contingent on meeting those requirements. Students who have been placed on extended suspension or expelled by the Superintendent will be provided with comparable educational services and appropriate behavioral support services through an alternate intervention program. To provide for school safety, students who have been recommended for expulsion for a Level 5A offense and/or other serious and dangerous acts may not be eligible for an alternate intervention program within a school building. Assignments and placements of students with disabilities will be reviewed by the IEP/504 team to ensure that the goals, objectives, and services are provided in accordance with students' 504 plans, the IEP, and/or related requirements.

D. Disciplinary Action - Pupil Transportation

The purpose of the rules and regulations is primarily to provide a basic framework for the safe transportation of pupils to and from school and for the efficient operation of the Pupil Transportation Program. Responsibilities for enforcement of these rules are shared by the school bus contractor, the bus driver, the school administrator of the school, and the Transportation Office of the Garrett County Public Schools. Riding a school bus is a privilege. *"Don't Lose Your Riding Privilege!"*

FOLLOW THESE RULES POSTED IN ALL BUSES:

1. Obey the bus driver at all times.
2. Practice the same conduct as in the classroom, including cell phone use.
3. Remain seated facing forward when the bus is in motion.
4. Keep feet, legs, and book bags out of the bus aisle.
5. Keep your hands to yourself.
6. Talk quietly. No screaming or yelling.
7. Sit in an assigned seat when directed to do so by the driver/administrator.
8. Keep your head, hands, and feet inside the bus.
9. Be courteous, use no profane language.

10. Do not eat, drink, or leave trash on the bus.
11. Do not smoke, use chewing tobacco, or E-cigarettes, vaping.
12. Do not be destructive.

Failure to comply with regulations may result in a revocation of this privilege.

1. Parents are responsible for the safety of their children from the time the children leave home in the morning until they board the school bus and at the end of the day when the children exit the bus. Parents of PreK and Kindergarten students are required to be at the bus stop on a daily basis. If they cannot, they must arrange for someone else, like a family member, babysitter, neighbor, etc., to be there, especially in the afternoon. Blatant neglect to do so will result in revocation of the school bus privilege.
2. The School Bus Contractor is expected to cooperate fully by impressing upon drivers employed by him/her the driver's responsibilities for supervision of pupils riding the bus, for maintaining effective cooperation and communications with the school administrator of the school and for carrying out the instructions received from the Transportation Office.
3. The School Bus Driver/Attendant is expected to enforce regulations for pupil behavior while pupils' board, ride, and alight from the bus. If the driver/attendant is unable to enforce a rule, he/she should request assistance from the school administrator.
4. The school administrator should provide appropriate assistance and guidance to the school bus driver and the pupil when the pupil's behavior is not acceptable. When a pupil is not permitted to ride a school bus, the principal must notify the parent or guardian in writing of the pupil's infraction of the applicable rule. The school administrator should solicit full cooperation from the parent or guardian with the understanding that riding a school bus is a privilege, which can be revoked for the remainder of the school year. It is the responsibility of the school administrator to refer to the Director of Transportation questions concerning bus stops and routings, as well as serious disciplinary problems needing his/her assistance.
5. The Transportation Office shall review annually with bus drivers these rules and the bus driver's responsibilities or enforcement in cooperation with the school administrator of the school.
6. The Pupil, or parent or guardian, must reimburse the owner of the school bus for the cost of repairing damage to the bus willfully caused by the pupil. The pupil's riding privilege may be revoked if reimbursement is not made. Before the privilege is revoked, the parent or guardian shall be notified by the Director of Transportation in writing that the privilege may be revoked for nonpayment.
7. Cameras may be used to provide surveillance of students while on the bus.

E. Student Behavior Interventions (COMAR 13A.08.04) (Refer to Policy and Procedure JKE)

School personnel are encouraged to use an array of positive behavior interventions, strategies, and supports to increase or decrease targeted student behaviors. School personnel shall only use restraint after less restrictive or alternative approaches have been considered and attempted and determined to be inappropriate. These interventions can only be utilized in a humane, safe, and effective manner, without

intent to harm or create undue discomfort, and consistent with known medical or psychological limitations and the student's behavior intervention plan. These interventions will be provided by school staff who have received training in crisis intervention that includes de-escalation strategies and approved physical intervention strategies. (COMAR 13A.08.04)

In the performance of their duties, teachers, administrators, and other staff of each public school in Garrett County shall take reasonable action to control acts of destruction of property, physical abuse, and vandalism. Reasonable force may be applied by the teacher, administrator, and/or other staff in restraining a student in an attempt to prevent harm to the student, himself/herself, or others. (Annotated Code of Maryland 7-307)

When reasonable attempts to control a student are not successful, and the student presents an immediate danger of harming themselves or others, the school administrator will contact and request a law enforcement officer to intervene to provide for school safety.

"Physical restraint" means the use of physical force, without the use of any device or material, that restricts the free movement of all or a portion of a student's body.

"Physical restraint" does not include: (1) Briefly holding a student to calm or comfort the student; (2) Holding a student's hand or arm to escort the student safely from one area to another; (3) Moving a disruptive student who is unwilling to leave the area if other methods such as counseling have been unsuccessful; or (4) Intervening in a fight in accordance with Education Article 7-307, Annotated Code of Maryland. (COMAR 13A.08.04)

F. Appeal for Extended Suspension or Expulsion (COMAR 13A.08.01.11)

1. At the request of the principal, the local superintendent or the designated representative may suspend a student for more than 10 school days or expel the student.
2. Upon receipt of a written report from a principal requesting an extended suspension or expulsion, the local superintendent or designated representative promptly shall make a thorough investigation of the matter.
3. If after the investigation the local superintendent or designated representative finds that an extended suspension or an expulsion is warranted, the superintendent or designated representative promptly shall arrange a conference with the student or the student's parent or guardian.
4. The process shall be completed by the 10<sup>th</sup> day of the initial suspension. If additional time is necessary to complete the process, either because of delays due to parent or guardian unavailability or due to the complexity of the investigation, the student shall be allowed to return to school, unless the local superintendent or designated representative determines that the student's return to school would pose an imminent threat of serious harm to other students or staff.
  - a. If the student is not allowed to return to school after the 10<sup>th</sup> day, the superintendent or designee shall notify the student and the parent or guardian within 24 hours and provide the reasons for the delay in the

process and the denial of reentry; and send a copy of the notice to the State Superintendent of Schools.

- b. If after this conference the local superintendent or designated representative finds that an extended
- c. suspension of more than 10 school days or an expulsion is warranted, the student or student's parent may:
  - 1) appeal to the local board within 10 days following the student's/parent's/guardian's receipt (as documented by certified mail) of the Superintendent's or the Superintendent's designee's written determination on the suspension or expulsion decision,
  - 2) be heard before the local board or its designated committee, and
  - 3) bring counsel and witnesses to the hearing
- d. If an appeal is filed, the local board or its designated committee or hearing officer shall have 45 days from the date that the appeal was received to hear the appeal and issue a decision, as follows:
  - 1) This timeline period may be extended if the parent or guardian, or his/her representative requests additional time; and
  - 2) This timeline shall apply in the event that the local board elects to use a hearing examiner.
  - 3) If due to extraordinary circumstances or unusual complexity of a particular appeal, the local board determines that it will be unable to hear an appeal and issue a decision within 45 days, it may petition the State Superintendent for an extension of time.
- e. The student or student's parent or guardian or representative
  - 1) Shall be provided the school's witness list and a copy of the documents that the school system will present at the hearing 5 days before the hearing, and
  - 2) May bring counsel and witnesses to the hearing
- f. The appeal to the local board does not stay the decision of the county superintendent.
- g. The decision of the board is final. (COMAR 13A.08.01.11, Policy 110 and Procedure 110.2).
  - 1) Unless a public hearing is requested by the parent or guardian of the student, a hearing shall be held out of the presence of all individuals except those whose presence is considered necessary or desirable by the board.

THE PRINCIPAL MAY, IN CASES OF EMERGENCY OR THE SERIOUSNESS OF THE SITUATION(S), ELIMINATE ANY OR ALL OF THE SUGGESTED STEPS BEFORE INVOKING A SUSPENSION AND/OR RECOMMENDATION FOR AN EXTENDED SUSPENSION OR EXPULSION.

#### G. Exclusion

The principal will exclude a student from school for failure to abide by the Health Regulations regarding immunizations, and other health-related policies until compliance is met. (Absence Code 17)

## VII. STUDENT MEAL CHARGE POLICY (JQB)

### **Meal Benefit Application**

- Each student will receive a meal benefit application at the beginning of the school year. Meal benefit forms will also be sent home when a student reaches a negative balance of \$50.00.
- Meal Benefit Applications may be submitted at any time throughout the school year. Parents who need assistance may contact the Food & Nutrition Service office at 301-334-8917, 1-888-285-7248, or [food.services@garrettcountyschools.org](mailto:food.services@garrettcountyschools.org).
- If students are eligible for free or reduced priced meals, parents/guardians are responsible for all charges incurred until a new meal benefit application is received and approved. GCPS cannot absolve charges to student accounts resulting from the delay in receiving paperwork from households.

### **Meal Charges**

- Students will be allowed to charge meals. A la Carte items may NOT be purchased by any student until a negative balance is paid in full, even if payment for a la carte items is made with cash.
- All charges incurred by students are the responsibility of the parents/guardians.
- No change to a student's meal will occur regardless of the unpaid meal debt on his or her meal account.
- Parents will be notified when their child's meal balance reaches \$3.00 or less for paid students. This notification will occur each Monday.
- Messages will go to parents whose child has a negative balance twice a week.
- When unpaid meal debt of a student reaches \$30.00, principals will reach out to the parents of the child.
- When unpaid meal debt of a student reaches \$50.00, the Food & Nutrition Services Office will send a letter to the parents /guardians that will include a meal benefit application.
- When unpaid meal debt of a student reaches \$75.00 a certified letter will be sent to parents. The letter will explain payment options, explain how to set up a payment plan and will include a meal benefit application along with an explanation that when the deficit amount reaches \$100.00, the account may be turned over to a collection agency.
- When unpaid meal debt of a student exceeds \$100.00, the Supervisor of Food and Nutrition Services, in consultation with the school principal, may recommend to the Superintendent or his/her designee that the account be referred to a collection agency. This will only occur after consultation with the family and a payment plan is not agreed upon or the family does not respond to numerous attempts for consultation.
- If after consultation with the family, it is determined that the family does not have the financial ability to pay, the Food and Nutrition Services Supervisor, in consultation with the Finance Director, is to seek other sources of funding to satisfy the obligation.
- Students will not receive an alternate meal, regardless of unpaid meal debt on his or her meal account.

- According to SP 47-2016, Food & Nutrition Services funds may not be used to pay unpaid meal debt. Therefore, any amount not paid or recovered from collections will be covered from the general fund at the end of each school year.

#### **Payment Portal:**

- Parents can utilize the payment portal to monitor their child's meal balance at no cost. Email notifications may be set up to notify a parent of a low balance. Parents can also monitor what their child is purchasing using the payment portal. Funds may be added to a child's account for a fee; auto pay can also be set up to allow funds to be added to a student's account when she/he reaches an amount determined by the parent. GCPS does not manage the payment portal, so any problems or questions should be directed to the payment portal company. Information regarding the payment portal may be found on the Food & Nutrition Services website.

#### **Communication**

- All communication will go directly to the parent; no child will be informed regarding his or her meal balance unless the student requests the information.
- The meal charge policy and procedure will be published in the GCPS Student Handbook each year to assure each parent and student is aware of the policy and procedure.

#### **Refunds**

- Deposits made to a student's account will follow the student from year-to-year and to other GCPS schools as the student graduates to new levels or transfers within the district.
- GCPS will refund money left on a student's account at the request of the parents/guardians at any time.
- When students leave GCPS through transfer or graduation, all requests for refunds must be made to the Food & Nutrition Services Office by calling 301-334-8917, 1-888-285-7248, or emailing [food.services@garrettcountyschools.org](mailto:food.services@garrettcountyschools.org) or filling out the refund request form on the Food & Nutrition Services Department website
- After one year of transfer or graduation, GCPS will assume that remaining funds are being donated to assist other students who may be in financial need, and the funds will become the property of GCPS.

#### **Other**

- GCPS will not restrict a student from access to school records or participation in any school-related extracurricular activity due to a negative account balance.

## VIII. HOMELESS STUDENTS

If you are or believe that you may be in transition and qualify as homeless, please discuss your situation with a school official in your child's school or with the Department of Student Services to determine what services and arrangements are in the best interest of your child/children. This would include staying in their current school or attending the school closest to their current location. Transportation will be provided to the extent feasible with your current situation. Lack of required documentation for enrollment will not prevent the enrollment of homeless students. A homeless student has a right to all programs and services, including school meals, before and after school programs, transportation, special education, and career and technology education. Student Services may be contacted at 301-334-8926.

## IX. STUDENT RECORDS

- A. Rights (COMAR 13A.08.02.04) (20 U.S.C. 1232g. Regs 34CFAR Part 99. (FERPA) (20 U.S.C. 1232h. Regs 34CFR Part 98 (NCLB- PPRA)

Students have a right to be informed annually concerning the Garrett County Board of Education Procedure Number JRAA, Confidentiality of Student Records Procedure.

1. Students have a right to have access to all their records in accordance with Garrett County Board of Education Procedure Number JRAA, Confidentiality of Student Records Procedure.
2. Students have a right to enjoy confidentiality and privacy in regard to the disclosure of information contained in those records.
3. Students have a right to a copy of the mini guide to the Garrett County Board of Education Procedure Number JRAA, Confidentiality of Student Records Procedure.
4. Students have a right to have amended or removed from their records any information about the student, which is determined, under conditions outlined in Garrett County Procedure JRAA, to be inaccurate or misleading.
5. Students should know that non-custodial parents will be given access to or copies of "school-related information," unless otherwise restricted by court order.
6. Students should be aware that school officials with legitimate educational interests have access to a student's educational record. These school officials include contractors, consultants, volunteers, and other outside service providers with legitimate educational interests used by the school district to perform institutional services and functions. These persons must be under the direct control of the disclosing institution and are subject to the same conditions on the use and disclosure of educational records as govern other school officials.

B. Retention of Student Records: (Maryland Student Record Manual 2020, GCPS Policy and Procedure 474.212)

1. Only four Maryland Student Record Cards are identified as permanent cards:
  - a. SR1, Side 1 Student's personal data (demographic information).
  - b. SR1, Side 2 Student's school attendance data
  - c. SR3, Side 1 Annual secondary school performance
  - d. SR3, Side 2, Maryland High School Graduation Requirements
2. All other Student Record Cards may be disposed of at 5 years after graduation or exit from a Maryland public school, or age 21.
3. Student records that are not part of the permanent record may be destroyed upon graduation and/or exiting. The following records may be disposed of sooner in accordance with regulations:
  - a. Reportable Offense Records
  - b. State-mandated bullying, harassment, or intimidation reports
  - c. Tip-line bullying reports
  - d. Maryland Student Assistance Program records
  - e. State-mandated reports of incidents of suspected gang activity or similar destructive or illegal group behavior.

Students should be aware that disciplinary offenses and consequences might impact future careers, which require a security clearance.

C. Responsibilities

Students have the responsibility of familiarizing themselves with the Garrett County Board of Education Procedure Number JRAA, Confidentiality of Student Records Procedure. This policy, or any other, may be read/obtained in the school's main office or media center upon request.

X. PROTECTION OF STUDENT RIGHTS

(20 U.S.C. 1232g. Regs 34CFR Part 99 (FERPA)

(20 U.S.C. 1232h. Regs 34CFR Part 98)

(NCLB - PPRA)

No student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation that reveals information concerning:

- A. political affiliations;
- B. mental and psychological problems potentially embarrassing to the student or his family;
- C. sex behavior and attitudes;
- D. illegal, anti-social, self-incriminating and demeaning behavior;
- E. critical appraisals of other individuals with whom respondents have close family relationships;
- F. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or
- G. religious practices, affiliations, or beliefs of the student or student's parent.
- H. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an emancipated minor, without the prior written consent of the parent.)

## XI. GRIEVANCE PROCESS

Each school shall develop a grievance process to deal with issues, which are deemed to be a violation or misinterpretation of a local school policy or procedure. In cases whereby a student feels there has been a decision made or an action taken that has been a violation or a misinterpretation of any county policy or procedure, the student may seek redress of the decision. This grievance process does not include a decision made by school personnel unless it is a violation or misinterpretation of county policy. Students and parents who seek a satisfactory resolution of their grievance must use the following steps:

Level I: A student with a grievance will discuss the problem directly with the person responsible for the decision which is in question. This discussion will take place within seven calendar days of the decision. Both parties have a responsibility to seek the counsel and advice of any and all resources that are available.

Level II: If the student is not satisfied with the decision at Level I, he/she may request that a conference be arranged between the student himself/herself, his/her parents, and the person responsible. This conference must be held within fourteen calendar days of the Level I discussion. Level I and Level II may encompass 21 calendar days unless timelines are adjusted. In some cases, Level I and Level II may not be appropriate, and the grievance process may start at Level III.

Level III: In cases whereby a satisfactory resolution to the grievance has not been rendered, the student and his/her parents may continue the grievance procedure. They must request a conference with the principal or his/her designee and the person responsible for the decision and must file with the principal a written grievance within seven calendar days of the Level II conference. The written grievance shall include the resolution that the aggrieved person desires. The principal shall within seven calendar days of the Level III conference render a decision in writing.

Level IV: In case the aggrieved person is dissatisfied with the principal's decision, the written Level II grievance will be filed with the Superintendent of Schools within seven calendar days of the principal's formal reply. The Superintendent shall submit his/her recommendation in writing to the principal and the aggrieved person within fourteen calendar days.

Level V: In such cases whereby there has not been a satisfactory resolution to the decision, the aggrieved person may petition the Board of Education as outlined in Procedure BEEA.

Timelines may be adjusted as needed

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## Grievance

I, \_\_\_\_\_, hereby note my grievance to the final decision of the principal of \_\_\_\_\_ School made regarding the following situation/concern:

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Identify the relief/remedy you seek:

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\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip*

\_\_\_\_\_  
*Phone Number*

Please mail the completed form to:

Garrett County Public Schools  
Office of the Superintendent  
770 Dennett Road  
Oakland, MD 21550



## GARRETT COUNTY PUBLIC SCHOOLS ANNUAL NOTIFICATION OF RIGHTS Mini Guide to Student Records Policy

### Types of Data in a Pupil Record

Information collected for all Garrett County Public Schools pupils includes (1) name of pupil and siblings, address and telephone number of pupil, (2) birthdate, (3) names and addresses of parents or guardians, years of education and their employment, (4) minority group membership, (5) enrollment and attendance data, (6) grades and courses completed and level of achievement, (7) standardized test results, (8) routine health information. Information collected about individual pupils required to develop the most effective educational program may include reports such as (1) results of personality tests, (2) evaluative reports by teachers, (3) medical and/or psychological evaluations, (4) referrals to Student Services and/or outside agencies (other than referrals to Department of Social Services for Child Abuse and Neglect).

### Maintenance of Records

The principal is the official responsible for school records at your schools.

### Review of Records

Records are reviewed at the end of the pupil's fifth, eighth, and twelfth grade school year, prior to their transfer to another school, and upon withdrawal for any other reason.

### Access to Records

Access to a student's records is granted to parents, eligible students, and the professional staff of the Garrett County Public Schools who are directly involved with the educational process of the individual student in a teaching, guidance/counseling, or consulting situation without a release of information being needed. It will be presumed that either parent of the student has the authority to inspect and review the educational records of the student and receive school-related information. This includes the non-custodial parent unless the school has been provided with evidence that there is a legally binding instrument that states otherwise. Except in cases where consent is not required by state or federal laws, other persons or agencies will need a signed (by parent, guardian, or age of maturity student) and dated release of information form stating specifically what kind of information they seek and the purpose for which they are seeking that information. Records of "sole possession" (i.e.: personal notes) are not required to be released. Records will be released in compliance with a court order or subpoena, or as requested by an agency involved in a child abuse or juvenile justice investigation. A reasonable effort will be made to notify the parent or guardian in advance of disclosure as a result of a court order or subpoena unless the court order or subpoena specifically directs that the release is not to be disclosed. Requests for and disclosures of personally identifiable information to parties not exempted by State Bylaws will be logged in the student's records.

### Challenging Contents of Records

Records can be amended or changed informally through the mutual consent of the parties involved. If an agreement cannot be reached informally, the parent(s) or eligible student has a right to a hearing to challenge the educational record(s) in question. Reasons for a change of record would address only information, which is inaccurate, misleading, or otherwise in violation of the student's privacy rights. The student and/or parent concerning an alleged failure to comply with FERPA requirements.

### Cost of Reproduced Copies

There will be no charge to the parents or eligible students for copies of school records being contested through the hearing process. In other cases, a fee will be charged.

### Directory Information

Directory information is a student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight, and height of members of athletic teams, dates of attendance, degrees, and awards received, and the most recent previous educational agency or institution attended. Directory information can be released without parental or eligible student permission. A parent or guardian may refuse to permit personally identifiable information from being designated as directory information by informing the school in writing of this refusal within the first two weeks of the school year.

### Notification of Native Language

If the primary or native language of the parents is other than English, the school will ensure that the parent is notified, in the primary or native language, of the student records policy including the right of confidentiality of personally identifiable information.

### Other Rights and Requirements

Other rights and requirements, not mentioned above, are set forth in the county policy regarding student educational records. For more detail, interpretation, review of the original policy, or a copy of said policy, please contact your local school or the Garrett County Public Schools, Student Services Office, at 301-334-8926.

# STUDENT HANDBOOK 2024-2025 ACKNOWLEDGEMENT FORM

because we work as a team with you, staff, parents, and community members. You, the student, are an important member of our team. Your cooperation shows in many ways.

You take responsibility for your attendance, behavior, and achievements in academics and all other areas.

- You help create a safe, secure, and caring learning environment and positive school climate.
- You respect your school and community.
- You contribute to your school as a community of learners and by being responsible citizens.

We know this and appreciate your hard work. With your help, Garrett County Public Schools will continue to excel.

This form must be signed and dated by you and your parent/guardian after reviewing the 2024-2025 *Student Handbook*. You must return the signed form to your school within five school days.

Student Last Name	Student First Name
School	Homeroom Teacher

I have received a copy of the Garrett County Public Schools 2024-2025 *Student Handbook*. The handbook was explained, and I was given an opportunity to ask questions. I read and understand the attendance and discipline policy and procedures contained in the handbook and the consequences for all offenses. I understand that I may meet individually with my principal, assistant principal, or their designee to discuss the handbook in more detail.

Student Signature	Date
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I have discussed the *Student Handbook* with my child. I have also reviewed the *Annual Notification of Parents' Rights*. The GCPS has also adopted the *School Health, Wellness, and Student Nutrition Policy and Procedure (JLCG)*, which may be accessed on the GCPS webpage.

I understand that I must provide written notice to my child's principal if I do not want my child's directory information to be released. Denial of release is inclusive of all the noted records and information and a parent/guardian may not limit the denial to one specific type of record or information. This includes all records and information listed below.

- My child's intellectual property published/produced/displayed.
- My child is photographed, videotaped, and/or audiotaped during school-sponsored activities and/or learning experiences (including yearbook, webpages, and all school publications).
- My child's "Directory Information" released publicly.
- My child's name, address, and telephone number released to United States military recruiters and/or institutions of higher education.

The request must be submitted to the principal within the first two weeks of the school year or within two weeks of my child's enrollment in school. If I do not refuse the release of directory information, the principal has permission to release my child's directory information and my child may be photographed, videotaped, and/or audiotaped during school-sponsored activities and/or learning experiences.

Parent/Guardian Signature	Date
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## **988 SUICIDE AND CRISIS LIFELINE**

988 Is Here to Help

*Need immediate emotional support?*

*Call 988 to connect to a counselor who can help.*

*Our specialists provide confidential care 24/7.*

*Because we all need help sometimes.*

Office of Student Services  
Garrett County Public Schools  
770 Dennett Road  
Oakland, Maryland 21550

301-334-8926