

BOARD AGENDA ITEM

May 24, 2016

SUBJECT:

Comprehensive Revisions to the Code of Student Conduct – Final Reading

BACKGROUND:

The Code of Student Conduct has been subject to an annual review and update for many years. However, as part of Dr. Alford's twenty-eight recommendations for the path forward to establishing a premier school district, there was a goal for incorporating community members, parents, educational leaders, teachers and administrators from all three levels to form a committee charged with undertaking a comprehensive review of the Code of Student Conduct. Recommendations include the provision of clear guidance for school administrators in addressing student incidents with the intent of increasing consistency throughout the District. The anticipated needs included more clearly articulated availability of reasonable discretion for administrators and better emphasis on the rehabilitative side of discipline as part of the District's disciplinary philosophy.

After receiving approval by the Board, a committee was established and began its meetings on November 19th and has worked continuously and energetically since that time to meet its goal of establishing a revised Code of Student Conduct for Aiken County Public Schools, consistent with these goals and strategies. The committee also focused on streamlining the appeals process, while adhering to due process requirements of the law.

The committee sought input from district staff and area advisory councils, principals, assistant principals, transportation supervisors, parent advisory council, attendance workers, the teacher forum, Public Education Partners, the Tribunal, and the community in general. There were direct presentations as well as posted surveys. Feedback from these sources was included in their deliberations. The committee is making the proposals outlined in this agenda item.

ADMINISTRATIVE CONSIDERATION:

The attached draft of the Code of Conduct, which is presented as three separate but similar Codes of Student Conduct with variations based upon grade level considerations, is now submitted to the Board for its study, review, discussion, and Board action upon the administration's recommendation. The most significant single change is the elimination of the prior listing "expulsion level offenses" and "suspension level offenses" and substituting for the same a grid or matrix of three distinct *levels* of offenses with explanations for each and with suggested disciplinary actions that would be typical for each. In the present Code of Conduct, the lowest level of offenses is dealt with generically and not outlined with specifics. In these new recommendations, the lower level of offenses (typically dealt with at the local school level) has its own matrix or grid with suggestions. The level two and level three offenses, generally speaking, have parallels to the present suspension level and expulsion level considerations.

The proposed Code of Conduct includes a recommendation for each level, district-wide, for standards of dress which will provide more consistent requirements district-wide, yet not infringe on students First Amendment rights to expression.

The transportation disciplinary procedures and requirements have been upgraded and incorporate both the necessary input and considerations of the Transportation Department for the District, as well as the committee members' valuable input based upon a wealth of experience from the perspective of school staff into this area of discipline, as it interfaces with regular discipline and behavior at the schools.

The changes for appeal procedures will reflect some streamlining from prior practice. In particular, all suspension level discipline will be handled at the school level but with a right of appeal for independent due process. Accordingly, only expulsion recommendations will be heard by the District's designated, formal hearing tribunal or officer, as the case may be, and only appeals of expulsion recommendations upheld by the designated tribunal or hearing officer will be appealable to the Board of Education. This requires the waiver by the Board of a primary right of administrators under the existing statutory law of the state, and that can be addressed more fully if there are questions. Nevertheless, this has been a much discussed need or desire, as expressed by Board members in the past, for this change.

RECOMMENDATION:

Approve the final reading the proposed comprehensive Code of Student Conduct for each level as presented by the administration.

ATTACHMENT:

Copies of all "Levels" of the proposed Code of Student Conduct, as revised

PREPARED BY

Shawn D. Foster, Ed. D.
William H. Burkhalter, Jr.