THE CONSOLIDATED SCHOOL DISTRICT OF AIKEN COUNTY

2020-2021

CODE OF STUDENT CONDUCT FOR ELEMENTARY GRADES

IMPORTANT: PARENTS AND STUDENTS SHOULD READ THIS DOCUMENT CAREFULLY AND PROVIDE THE REQUIRED SIGNATURES ON PAGE 36. PLEASE TEAR OUT PAGE 36 AND RETURN IT TO THE SCHOOL.

The policies set forth in the following Code, as adopted by the Aiken County Board of Education, apply to all Pre-K through 5th grade students of The Consolidated School District of Aiken County. (**Elementary Principals have broad discretion in the application of this Code due to the early developmental nature of many of their students.**) This Code applies to summer school students, students who have an Individual Education Plan (IEP) or 504 Plan.

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INTRODUCTORY MATTERS

I. ***Philosophy:*** The Aiken County Board of Education believes that residents desire the best possible education for their children. A positive learning environment is safe, drug free, and without disruption. Good student conduct is essential to the achievement of the school's goals and objectives. This Code of Student Conduct establishes guidelines for students, parents, teachers, and administrators to maintain an appropriate school environment. The provisions in this Code of Student Conduct provide for firm but fair administration of disciplinary measures with an appropriate range of discretion for the application of consequences for behavioral needs, based upon individual assessments of every case, and in compliance with the philosophy set forth below.

Disciplinary action is best resolved among teacher, student, and parent in a calm, reasonable manner. However, serious violations of the Code must be handled quickly and effectively by the Administration. The objective of disciplinary action is to encourage good choices and acceptable behavior by the students with every reasonable effort being made to keep students within the school's influence, to rehabilitate and re-direct inappropriate behaviors and to offer effective strategies for changing such behaviors, and opportunities to do so except in very serious circumstances. Insuring the welfare of the greatest number of students can, in certain circumstances, and in accordance with state law, result in the dismissal of students who consistently fail to observe the required standards, or who become involved in criminal or other egregious misconduct. Although this Code of Student Conduct provides for an initial recommendation of expulsion for certain Level 3 offenses listed in this Code, the Executive Director and Hearing Officer, as well as the Board, reserve discretion to consider the merits of each case presented with particular regard to extenuating, mitigating, or aggravating circumstances. Whenever alternatives to expulsion are under consideration, such matters including (but not limited to) prior conduct (disciplinary record), academic achievement, citizenship, and contributions to the regular and extra-curricular school programs by the student may be considered. Preferential treatment for the purpose of maintaining athletic or extra-curricular eligibility is not allowed. This District's disciplinary code is not considered, nor is it to be interpreted as, a *zero tolerance* policy, even though certain misconduct may be serious or disruptive enough to warrant dismissal from school.

II. ***Legal Authority for Discipline in South Carolina:*** The regulation of student conduct and discipline in South Carolina schools is derived from the Code of Laws of South Carolina, 1976, as amended; from Regulations of the South Carolina State Department of Education; and by specific precedent and opinion. (For a more detailed reference to legal authority see Appendix (A).)

III. ***General provisions:*** Notice of Regulations and Distribution: Copies of this Code of Student Conduct for Elementary Grade Levels are distributed at the beginning of the school year and to those entering after the beginning of the school year. Signed acknowledgments are required. This Code of Student Conduct is a part of District Policy and is updated yearly pursuant to Policy JICDA. Policies may also be found online at the Aiken County Public Schools website (www.acpsd.net).

IV. DISCIPLINARY PROCEDURES – PROCESS FOR HEARINGS AND APPEALS

A. ***Minor Infractions:*** Typical minor disciplinary actions consist of restriction of privileges, work assignments (such as picking up paper, washing desk tops, sweeping floors, etc.), detention, in-school suspension, and out-of-school suspension. It is recognized, however, that situations serious enough to warrant immediate suspension may arise. In such cases, a warning conference prior to suspension is not required. **See Consequences in the Matrix for Level 1**

B. ***Serious Infractions: Typically starting at Level 2*** *offenses:* For any of the offenses listed in Level 2, a student may be suspended (and/or recommended for expulsion in limited instances) by the assistant principal or principal. In making such recommendation, the school administrator will follow the matrix of consequences and will include information as to any extenuating, mitigating, or aggravating

circumstances. For recommendations of suspension (or expulsion, if applicable), and for any offenses in which a student is to be suspended from a class or a school, the student's parent or guardian will be notified in writing and informed of the right to discuss the principal's action. This written notice will include the reason and time frame (dates) for the suspension (and/or recommendation for expulsion) and will set a time and place when the administrator will be available for a conference with the parent or guardian. Such conference will be set within three (3) school days of the date of the disciplinary action. After this conference, and prior to (or as part of) any due process hearing, the student – with written parental permission – may be offered voluntary participation in collaborative agency programs, or other interventions in lieu of, or in conjunction with, the continuation of discipline. **See Consequences in the Matrix for Level II**

C**.** ***Major Infractions:*** For any of the offenses listed in **Level 3,** a student may be suspended and recommended for expulsion by the principal. In making such recommendation**,** the principal will include information as to any extenuating, mitigating, or aggravating circumstances. For expulsion offenses, and for any offenses in which a student is to be suspended from a class or a school, the student's parent or guardian will be notified in writing and informed of the right to discuss the principal's action. This written notice will include the reason and the time frame (dates) for the suspension and/or recommendation for expulsion and will set a time and place when the administrator will be available for a conference with the parent or guardian. Such conference will be set within three (3) school days of the date of the disciplinary action. After this conference and prior to (or as part of) any due process hearing, the student – with written parental permission – may be offered voluntary participation in collaborative agency programs, or other interventions in lieu of, or in conjunction with, the continuation of discipline. **See Consequences in the Matrix for Level III**

Corporal punishment is not permitted by the District.
Staff members will exercise alternative means of discipline that reflect respect for the dignity of the individual student. However, incidental contact with a student or the use of reasonable force to restrain a student who is fighting with another student, or who is threatening a student or staff member, committing assault against another person, or otherwise displaying aggressive or excessive misbehavior does not constitute corporal punishment.

1) Procedures, Hearings, and Appeals of Suspensions

A parent or guardian has a right to one level of appeal above the administrator giving the suspension. The student is entitled to remain in school while the appeal of a suspension recommendation is pending, unless the exclusion of the student for his safety or the safety of others is indicated. FOR VIOLATIONS IN WHICH THE ASSISTANT PRINCIPAL'S RECOMMENDATION IS SUSPENSION, THE DECISION OF THE PRINCIPAL AS SET FORTH ABOVE, IS FINAL. FOR VIOLATIONS IN WHICH THE RECOMMENDATION IS EXPULSION AND HEARING OFFICER PROVIDES CONSEQUENCES IN LIEU OF EXPULSION, THE DECISION OF THE HEARING OFFICER IS FINAL.

If suspension is necessary, it should be in accordance with the matrix. (If so warranted, in the judgment of the principal, longer suspensions for first offenses of a serious nature may be utilized.) At the discretion of the **school administrator**, a student who has been suspended may not be allowed to return to school until a conference has occurred between the principal and parent, or guardian. Following a suspension, other consequences may be in order before another suspension is administered.

A student cannot attend any school-related function within or outside the School District while under suspension. Alternative sanctions may be used by the school administrator such as in-school suspension or Saturday school instead of out-of-school suspension, **if such programs**

are available. A parent or guardian may be required to come to school and take the student home. In addition to the discipline procedures listed within this code, schools are permitted to impose other restrictions which may impact athletic and/or other extracurricular activities as described in the written school procedures.

2) ~~**Procedures for Administrative Placement at The Center for Innovative Learning (CIL)**~~

~~In certain circumstances, a principal may decide to recommend a temporary placement at the Center for Innovative Learning at Pinecrest, rather than recommending expulsion. Only Principals have the authority to refer a student to CIL outside of the district hearing process. The principal should meet with the student and parent and notify them of the recommendation to the Center for Innovative Learning. The referral to this alternative setting is in lieu of an expulsion recommendation and the placement does not require a hearing with the Hearing Officer.~~

Procedures for Administrative Placement at the Elementary Social Emotional Learning Program (XSEL).

In certain circumstances, a principal may decide to recommend a temporary placement at the Elementary Social Emotional Learning Program (XSEL) due to a student's behaviors that cannot be corrected at the school level. After documented interventions at the school level, a principal may request placement at XSEL (through an Elementary Executive Director) after meeting with the student and parent to discuss this option. This referral does not require a disciplinary hearing with the HO as it is a continued intervention rather than a disciplinary placement.

3) **Procedures, Hearings, and Appeals of Expulsions**

A recommendation for expulsion will be confirmed by the school level Executive Director. The Executive Director may require an additional conference with the parent or guardian before confirming a recommendation for expulsion.

A parent or guardian will be advised of the date and time for a hearing before the Hearing Officer or the Aiken County Board of Education, as provided below. **The student and his/her parent or guardian will attend the appeal hearing before Hearing Officer.** Such initial hearing shall take place within fifteen (15) days of the date of the written notification of expulsion, unless waived in writing by the parent or student, either completely or for a later date. If the parent or guardian refuses to appeal or fails to attend the hearing designated, the expulsion recommendation will be forwarded to the Board of Education for ratification. In any appeal, the Hearing Officer, after reviewing the student's previous record, and in light of extenuating circumstances, may consider consequences other than expulsion and impose various conditions. **In such instances the Hearing Officer's decision will be final.**

Written notice of the Hearing Officer's decision shall be given to the parent or guardian. All requests for appeal of an expulsion recommendation that has been upheld by the Hearing Officer must be in writing. If no written request for appeal to the Board is made within ten (10) days of the date of the Hearing Officer's written decision notice to the parent or guardian, the action of the Hearing Officer upholding the expulsion will be presented to the Board for ratification. In any expulsion case which is appealed by, or on behalf of, the student to the Board of Education and in which the recommendation for expulsion is upheld by the Board of Education, the parent or guardian has the right to appeal to the courts.

The School Board supplies legal services to school employees who may be required to appear in court as a result of carrying out the policies of the School Board. The Board is not

responsible for a parent's legal expenses.

The hearing will be conducted in an informal manner, but full opportunity will be afforded to the student to be heard and to present such relevant matters as he/she may wish. Such hearings will be private and not open to the public, unless a public hearing is requested in writing by the parent or guardian. At any hearing, the parents or legal guardian have the right to legal counsel and to all other regular rights, including the right to question all witnesses who appear. However, the cost of such counsel will not be paid by the School District. The parent or guardian shall have the right to appeal decision of the Hearing Officer upholding an expulsion to the Board of Education. **The student and his/her parent or guardian will attend the appeal hearing before the Board.** A hearing shall take place at the next Board meeting immediately following receipt of written request to appeal at a time and place designated by the Board, and a decision shall be rendered within ten (10) days of the hearing. The student may be suspended from school and all school activities while the expulsion procedures are pending. An expelled student is not allowed upon any school property (except for appeal procedures, or by prior permission) and may not attend any school-related function or athletic events involving Aiken School District students, whether occurring within the School District or at another location.

Any student recommended for expulsion who, as a result of an appeal of such recommendation to the Hearing Officer or Board of Education, is allowed to return to school on probation will receive a decision letter in which the consequences of the status of *probation* or *strict probation* are set forth. In either case, such student will be considered to have violated that probationary status on the occasion of a subsequent suspension or expulsion level offense, or a less than suspension offense if the same violates the terms of the imposed strict probation. Such violation of probation will result in immediate suspension from school and reinstatement of the expulsion recommendation. An appeal of this action may be made to the Hearing Officer or Board of Education, whichever imposed the probation.

4) <u>Petition for Readmission for School Year Following Expulsion</u>:

Any student expelled for the remainder of a school year, except for one who has been permanently expelled, has to petition for readmission the following school year. The parent or legal guardian of any student seeking to be re-enrolled will schedule a conference with the Hearing Officer for readmission (assuming the readmission itself is not an issue). The Hearing Officer may, where he/she deems it necessary impose certain conditions or restrictions to the student applying for readmission.

5) <u>Jurisdiction of Student Conduct</u>:

The provisions of this Code of Student Conduct apply to all school sponsored activities and are likewise fully applicable when students are off campus on field trips; engaged in, or attending, athletic events and other school related activities; while at, or in the immediate vicinity of, school bus stops and while utilizing school bus transportation for any purpose; and otherwise coming to or going home from school.

D. **<u>School Searches and Retention of Control Over School Property</u>:**

South Carolina statutes provide that any person entering any school premises in this state is deemed to have consented to a reasonable search of his person or effects. (Strip searches by school administrators or officials are prohibited.)

In order to help provide for the safety of the school population and to prevent weapons, illegal substances, and other contraband items from being brought upon school premises, notice is given that

occasional school-wide or random, large scale searches of student areas may be conducted. Such searches may include the use of sniffer dogs around lockers or other school spaces utilized by students**,** including automobiles parked on school premises, or on public right of ways immediately adjacent to school premises and ordinarily utilized for student parking when the school is in session. State law authorizes personal belongings such as purses, bookbags, wallets, and satchels reasonably to be searched by administrators or their designees. The Administration may use electronic detection devices as an aid for finding possible weapons on school premises and/or preventing the same from being brought. The administration, or its designee, may conduct a review of data or images displayed or stored in any cell phone or other personal electronic device being used by a student in violation of this code or the cell phone policy JICJ. Any searches conducted pursuant to these provisions will be implemented in a non-discriminatory manner. There is no expectation of privacy regarding live or recorded video images recorded by equipment in the commons areas of any school building or grounds or upon any school bus.

Any lockers, storage**,** or similar spaces on school premises assigned to, or regularly used by, individual students remain the property of the School District in all respects. Such use by, or availability to, students is a privilege and the schools reserve a right of control and access to such spaces. School commons areas, including but not limited to hallways, cafeterias, and outside grounds and traffic or parking areas are subject to video or photographic surveillance for security purposes.

E. **Confiscation of Weapons and/or Other Illegal, Dangerous, or Unauthorized Items or Devices:** Any weapon or contraband item found on a student, or on property under the possession or control of the student while on school grounds or at any school sponsored event, will be confiscated immediately from the student by the appropriate administrator, school personnel, or adult in charge. Thereafter, if required by law to be turned over to law enforcement authorities, such weapon or contraband item will be surrendered to law enforcement officials. Some weapons (including all handguns) are mandated by law to be forfeited upon such confiscation and surrendered to law enforcement personnel. Any item reasonably considered a weapon or dangerous instrumentality by school administration and confiscated, not required by law to be surrendered to law enforcement personnel, may be held in the discretion of the school administration (with the exception of cell phones) until the end of the then existing school term and turned over to the student's parent after written request. Other unauthorized devices found in use by a student during instructional time**,** or otherwise displayed or utilized in a distracting manner may be taken up by a teacher or administrator to be turned over to the student's parent or legal guardian. **(THE SCHOOLS CANNOT BE RESPONSIBLE FOR LOST OR STOLEN PERSONAL ITEMS BROUGHT TO SCHOOL BY STUDENTS, INCLUDING CELL PHONES.)**

F. **Possession/Use of Paging Devices and Cell Phones:** South Carolina law and School District policy define a *paging device* as "a telecommunications device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor" This definition includes cell phones. The law provides that each school district shall have a policy which addresses possession of such devices by any student. The policy of this District, as set forth in Policy JICJ appears as follows:

Policy JICJ Paging Devices, Cell Phones, and Other Personal Electronic Devices

Purpose: To establish the basic structure for any possession/use by students of paging devices, cell phones, and other personal electronic devices, including smartwatches, in school.

Definitions for Purposes of this Policy

- A *paging device* is defined in South Carolina law as a telecommunications device, to include a mobile

telephone (cell phone) that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor.

- A cell *phone*, while included in the general definition of a paging device, also includes any digital or analog portable communication device or multi-function device that has two-way communication capability (whether aural, visual or a combination thereof) and operates through a cellular telecommunication system, a global satellite system or an AM or FM two-way radio system.

- A *personal electronic device* includes any digital or analog portable electronic device that can capture, store, or transfer visual images such as a personal data assistant (PDA), Blackberry, iPhone (or similar smart phone), laptop computer or mini-computer (with or without wireless (WiFi) or cellular interface capability), and digital (or film-type) camera, but does not include a calculator or device utilized strictly for computational purposes.

- A *violation* is the activation on school grounds during the school day of any paging device, cell phone, or any other personal electronic device, including smartwatches, except as authorized by this policy.

The Aiken County Board of Education allows possession (but not use) of personal telecommunications devices by students in order to reflect societal trends and a relaxation in state law. However, the board of education finds that the activation and/or use of personal communication devices by students during the school day, as facilitated by, but in violation of the possession-only policy, has an adverse effect on classroom instruction, student punctuality, test security, personal student privacy, the ability of school officials to maintain discipline generally, and maintaining order during times of emergency. Therefore, this policy is intended to set forth the specific circumstances under which a student may bring and personally possess a paging device, cell phone, and/or other electronic communications device onto school grounds and to establish clearly the consequences for violations.

Middle and high school students may possess a paging device, cell phone, or other electronic communications device, including smartwatches, on school grounds provided that such device is not activated and/or utilized for any function unless specifically authorized as part of an instructional directive by a teacher or other classroom supervisor, such as with "bring your own device" type instructional utilization. This rule applies during the school day hours and at off-campus activities during the school day hours. Cell phones may be activated during school bus rides to and from school unless specifically prohibited by the driver for safety reasons such as excessive noise or disruption.

Elementary school students may not bring a paging device, cell phone, or other electronic device, including smartwatches, to school unless part of an instructional directive or under a "bring your own device" type program. (A principal may approve an occasional exception to this general prohibition by prior written permission.)

Cell phones or paging devices are permitted at school events during non-school hours.

A first unauthorized activation with no related infraction will result in a device otherwise permitted under this policy being taken by the school administrator for the remainder of the day and a warning being issued. The student must sign a "Condition for Return" acknowledgement and agreement before being able to bring the cell phone, pager, or electronic device back on the school campus.

A second unauthorized activation with no related infraction will result in a loss of the privilege for ten (10) school days and further warning.

A third unauthorized activation with no related infraction will result in loss of the privilege for the remainder of the school year, and at least one (1) day of suspension [in-school (ISS) or out-of-school (OSS)].

Should any unauthorized activation also involve other violations of the code of student conduct (such as cheating, invasions of personal privacy, etc.), more serious disciplinary consequences may be imposed as appropriate to the gravity of the violation (up to an expulsion recommendation for serious associated violations), but in no event with less than a minimum of three (3) days OSS.

A student needing a paging device or cell phone for a documented temporary or permanent medical need or accommodation or for volunteer service on a fire or emergency services team (for 18 year-old students or younger students who are interns in such programs and demonstrate that possession of such device is necessary to fulfilling his/her program requirements) may be exempted from the prohibition of this policy as approved in writing by the principal.

All cell phones, pagers, and personal electronic devices, such as smartwatches, permitted under this policy are brought at the risk of the possessor/owner thereof and the district cannot be liable for the loss, destruction, or theft of the device.

Adopted 5/22/07; Revised 8/11/09, 12/8/15, 2/23/21

Legal References:

A. S.C. Code of Laws, 1976, as amended:
1. Section 59-63-280 - Requires board to adopt a policy on student use of electronic devices.

Note: Utilization of such device in a restroom, even on first offense, will be subject to loss of privileges for the remainder of the year and at least a three-day suspension.

G. **<u>Non-Students on Grounds</u>:** The principal is empowered to take appropriate action against non-students who enter any school building or grounds without permission. Such action includes the right to request assistance from law enforcement authorities to remove such persons and if necessary to swear out arrest warrants (in consultation with the appropriate school level Executive Director).

H. **<u>Referral to School District Approved Counseling Programs</u>:** At the discretion of the Hearing Officer or the Board of Education, a student may be referred to an approved counseling program in addition to, or as an alternative to, other disciplinary action. The student must complete such program successfully and provide documentation to the principal. Such referrals impose no funding liability upon the School District.

V. ***Student Conduct Requirements***: While under school jurisdiction, students are required to conduct themselves at all times in a manner that is in the best interest of the school and community. It is expected that students will:

A. Conform to reasonable standards of speech, conduct, and dress and refrain from vulgar, obscene, and disrespectful conduct directed toward staff and other students.

B. Refrain from violating or impairing the rights of others, including physical abuse, sexual harassment, hazing, and conduct considered "bullying" as defined in state law and prohibited under School District policy.

C. Refrain from conduct that deprives other students of an orderly atmosphere for learning.

D. Refrain from knowingly possessing, handling, or transmitting any object that can reasonably be considered a weapon.

E. Refrain from the use, transmission, or possession of alcoholic beverages, hallucinogens, narcotics, chemical inhalant substances, or drugs not prescribed by an appropriately licensed physician or medical professional; nor be on school premises when school is in session or at any school related activity or event after having used or consumed or utilizing any quantity of the same.

F. Refrain from the use, transmission, or possession of tobacco products, including matches, lighters, or any incendiary device, or electronic type smoking devices on school premises or at any school related activity or event.

G. Refrain from malicious and willful damage, destruction, or theft of school or private property.

H. Remain at school, or at other officially designated places, upon coming under the school's jurisdiction, and follow daily schedules as prescribed by school officials.

I. Comply with the directions of principals, teachers, or other authorized school personnel during any period of time when under the authority of school personnel.

J. Refrain from any inappropriate physical display of affection while at school, on school property, or at any school related activity or event. Serious violations, including fondling, indecent exposure, and other sexual activity will result in disciplinary action.

K. Attend school regularly and be on time for all classes and scheduled activities and comply with all state attendance requirements.

Conduct by a student in any manner which interferes with classwork or involves substantial disorder, or invasion of the rights of others, is a basis for disciplinary action including suspension or expulsion of the student. In addition, certain other violations of the Code may result in suspension or expulsion.

ADMINISTRATIVE ACTION (INVESTIGATION) IN THE DISCIPLINE PROCESS – BASIC DUE PROCESS

VI. ***Administrative Actions***: Before disciplining a student, the principal, or the principal's designated administrator, will conduct an investigation, gather the facts, and develop a written report where necessary. The student will be advised of the alleged violation of the Code and the proposed consequences**,** such as restriction of privileges; work assignment (e.g. such picking up paper, washing desk tops, or sweeping floors); detention; in-school suspension; out-of-school suspension; expulsion, and/or referral to alternative programs, other agencies, and/or Family Court. If the student admits the charges, no further investigation is required. If the student denies the charges, the administrator will explain the evidence known to school authorities and permit the student a reasonable opportunity to state his/her version of the facts. The administrator may conduct further investigation if necessary. The administrator need not call witnesses, either to sustain or oppose the charges, although he/she may do so. Where the conduct of the student requires that he/she be suspended, written notice to the student and to the parent, or other person *in loco parentis* must be given. This written notice will include the reason for the suspension and/or recommendation for expulsion and will set a time and place when the administrator will be available for a conference with the parent or guardian. Referrals for consideration of voluntary participation in certain agencies and/or other interventions in lieu of, or in conjunction with, discipline may be recommended. Parents will be notified at least one day in advance if a student is assigned to detention hall. If a student has been injured, parents or guardians of the student should be notified. **Parents or guardians will be notified expeditiously concerning the arrest or incarceration of a student.**

Discipline of students with disabilities

When a student identified as disabled pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504) or the Individuals with Disabilities Education Act (IDEA) violates the student behavior code, that behavior may result in suspension or expulsion so long as the disciplinary sanction does not constitute a change of placement. These laws do not set an absolute limit on the number of cumulative school days needed to constitute a change of placement; however, school officials will consider any unique circumstances on a case-

by-case basis when determining whether a change in placement is appropriate for a student with a disability who violates a code of student conduct.

Self-Reporting of Inappropriate/Contraband Items

- A student who unintentionally possesses or finds a prohibited object shall immediately notify the school staff and surrender the object. A student may approach a school staff member and voluntarily surrender an object prohibited by the Code of Student Conduct without being subjected to discipline so long as the object is one that the student could lawfully possess off school grounds. **This rule does not apply to firearms or destructive devices.**
- If a student is in possession of an illegal drug and self-reports, school administration will contact law enforcement and administer appropriate consequences in accordance with the Code of Student Conduct.
- If a student discovers an illegal item (i.e. weapons or drugs) or other contraband on school property or at a school function, the student may approach a school official and report the discovery. A student shall not be in violation of the Code of Student Conduct solely for making such a report.
- This provision may not apply if the prohibited item is shown to a student or a group of students or is used in a threat to others, if a search is ongoing in any location of the school, if the object is surrendered during a search, or if the object is not turned in prior to discovery by school staff. With respect to objects that have been turned over to school staff, the parent/guardian must make arrangements to pick up the object from the school, unless it is an object that must be turned over to law enforcement.

DRESS CODE
ELEMENTARY SCHOOL

APPROPRIATE AND NON-DISTRACTING ATTIRE SHALL BE WORN IN THE EDUCATIONAL SETTING. THIS INCLUDES OFF-CAMPUS ACTIVITIES SUCH AS FIELD TRIPS, PERFORMANCES AND SCHOOL-SPONSORED EVENTS.

1. APPROPRIATE ATTIRE
   - Skirts, shorts**,** and skorts must be at least two inches below fingertip length or longer when standing (leggings or tights do not substitute for length)
   - Leggings/tights/thermal tights may only be worn under dresses, shirts, or skirts of the appropriate length described above. **LEGGINGS OR TIGHTS MAY ALSO BE WORN UNDER JEANS THAT HAVE HOLES TO COVER SKIN.**
   - Clothing must cover undergarments
   - Pants, shorts, skirts, and skorts must be worn at the waist
   - Shoes, shirts and pants must be worn at all times

2. INAPPROPRIATE ATTIRE FOR ALL STUDENTS
   - Hats, hoods on clothing or jackets, head scarves, bandanas, and sunglasses should not be worn inside the building (this does not apply to designated spirit days assigned by the administration)
   - Tank tops, tube tops, halter tops and tops with string straps, unless covered by a shirt or blouse
   - Bare midriffs and backs
   - See-through garments
   - Garments that have open holes higher than the knee, **UNLESS TIGHTS ARE WORN UNDER THEM, COVERING SKIN**
   - Leggings/jeggings and tights worn as pants
   - "Sagging" pants, shorts worn below the waist-line
   - Clothing/jewelry may not display alcohol, tobacco, or controlled substance advertisements. Clothing may not display vulgar writing or symbols that are sexual in nature or which illustrate violence. Also, while the displayed message may not be obscene or profane, the message conveyed may still be deemed inappropriate and students will be asked not to wear the clothing/jewelry.
   - NO shoes with wheels and/or cleats inside the school building
   - Flip Flops (refrain from wearing because of safety concerns)

3. HAIR STYLES AND COLORS
   - All students are asked to refrain from hair styles/colors that are potentially distracting in a school setting (any action related to hair styles/colors is at the discretion of administration).

NOTE: The administration will make the final judgment on the appropriateness of clothing and/or appearance and reserves the right to prohibit students from wearing any articles of clothing or other items which lead to or result in the disruption of or interference with the school environment and student safety. In the event the administration determines a student's dress is inappropriate for school in accordance with this policy, the administration will either require the student to change or will inform the student not to wear the garment to school again. Repeated violations of the Dress Code will be addressed as outlined in the District's Behavior Code. *****Exemptions to the dress code may be made by the principal in certain religious or medical circumstances.**

CATEGORIES OF OFFENSES AND DISCIPLINARY PROCEDURES

ELEMENTARY SCHOOL BEHAVIOR CONSEQUENCES

Though not specifically mentioned in the list of behaviors, students may be suspended or recommended for expulsion for first-time offenses or any act which is detrimental to the good order, best interest, and physical safety of the school. The student may be disciplined according to the nature and degree of the offense or act at the discretion of the administration.

Level One Infractions (PK-2nd grade)

Level One offenses for PK-2nd grade will be dealt with by the teacher until they reach chronic level (a minimum of three offenses) then violations can be moved to level two. **If moved to Level Two, all consequences should be modified so they are age or developmentally appropriate.**

War Warning
CP Contact Parent
CONF Conference
REST Restitution
ADH Administrative Detention
DH Detention Hall
OSA Other School Action
ISS In School Suspension
OSS Out of School Suspension
* Chronic and severe violations on Level 1 may move to the next level.

EXAMPLES *	PowerSchool Code	Consequences	
		1st Offense	2nd Offense
1. Inappropriate behavior– behavior which disrupts the orderly educational process of school (loud talking, yelling, out of line, etc.)	(017)	CP/Warn	CP/ISS/OSA
2. Throwing objects – items which disrupt the orderly educational process	(028)	CP/Warn	CP/ISS/OSA
3. Disrespectful towards students, words or gestures	(420)	CP/Warn	CP/GR/ISS/ OSA
4. Tardiness – arriving late for an assigned class or related activity	(180)	Conference with Parents/Attendance Intervention	
5. Refusal to obey/defiant – failure to comply/attitude of defiance	(270)	CP/Warn	CP/ISS/OSA
6. Hit/Kick/Push	(014)	CP/Warn/GR	CP/GR/ISS/ OSA
7. Inappropriate language	(016)	CP/Warn	CP/GR/ISS/ OSA
8. Bite/Pinch/Spit	(003)	CP/Warn	CP/ISS/OSA
9. Disrupting Class	(007)	CP/Warn/GR	CP/GR/ISS/ OSA

Level One Infractions (3rd grade- 5th grade)

Behavioral misconduct is defined as those activities engaged in by a student which tend to impede orderly classroom procedures or instructional activities, orderly operation of the school, or the frequency or seriousness of which disturb the classroom or school. The provisions of this regulation apply not only to within-school activities, but also to student conduct on school bus transportation vehicles, and other school sponsored activities.

War Warning
CP Contact Parent
CONF Conference
REST Restitution
ADH Administrative Detention
DH Detention Hall
OSA Other School Action
ISS In School Suspension
OSS Out of School Suspension
* Chronic and severe violations on Level 1 may move to the next level.

EXAMPLES *	Power School Code	OPTIONS FOR CONSEQUENCES (based on age and severity of offense) 1st	2nd	3rd
1. Possession or distribution of obscene literature, pictures, or devices	018	CP/ISS/ or OSS (1 day)	CP/ISS or OSS (2-3 days)	CP/ISS/OSS (3-5 days)
2. Forgery/tampering – changing, signing or altering records or documents of the school by any method	011	CP/ISS (1 day)	CP/ISS (2-3 days)	CP/ISS (3 days)
3. Cutting class – an unauthorized absence from an assigned class or related activity	160	CP/Warn and /or ISS (1 day)	CP/ISS (2-3 days)	CP/ISS (3 days)
4. Gambling – participation in games of chance for money and/other things of value	630	CP/Warn Rest.	CP/ISS/OSS (1 day)	CP/ISS/OSS (3 days)
5. Truancy – 3 consecutive unlawful, 5 unlawful absences	151	**SEE ATTENDANCE PROCEDURES p. 18-19**		
6. Smoking/Tobacco – use or possession of tobacco products (including electronic cigarettes/vapor pens) on school premises	230	CP/GR/ISS/OSS (1 day)	CP/GR/OSS (2-3 days)	CP/GR/OSS (3-5 days)
7. Leaving class without permission	320	CP/Warn/ISS (1 day)	CP/ISS/OSS (1-2 days)	CP/ISS/OSS (3-5 days)
8. Dishonesty – the intentional giving of false information, either verbally or in writing to a school employee	006	CP/ISS (1 day)	CP/ISS/OSS (1 day)	CP/ISS/OSS (2-3 days)
9. Profanity – directing profanity, vulgar language, ethnic/racial slurs, or obscene gestures toward adults, school staff, or visitors	016/210	CP/ISS (1 day)	CP/ISS/OSS (2-3 days)	CP/ISS/OSS (2-3 days)
10. Use of or display of electronic devices and/or cell phones	018/390	CP/Conf.	CP/Conf./ISS (1 day)	CP/Conf. ISS(2-3 days)
11. Disrespectful towards adults with words or gestures	420	CP/Conf. Parent pick up	CP/Conf./ISS Parent pick Up (1-2 days)	CP/Conf. ISS(2-3 days)

12. Hit/Kick/Push or Horseplay	014/520	CP/and/or ISS (1 day)	CP/ISS (1-3 days)	CP/OSS (2-3 days)
13. Disrespectful/Inappropriate Language (including profanity) or gestures towards peers.	016/210	CP/Conf/GR	CP/Conf/ISS/ Parent Pick-up (1-2 days)	CP/Conf/ISS/ OSA/OSS (2-3 days)
14. Gang Signs	250	CP/and/or ISS (1 day)	CP/ISS (1-3 days)	CP/OSS (2-3 days)
15. Disrupting Class	007	CP/Conf/GR	CP/Conf/ISS/ (1-3 days)	CP/ISS/OSS (2-3 days)
16. Computer Violation	220	CP/Warn	CP/Conf/OSA	CP/OSS (2-3 days)
17. Bite/Pinch/Spit	003	CP/Warn	CP/ISS/OSA	CP/OSS (2-3 days)

Level Two Infractions

Disruptive conduct is defined as those activities engaged in by a student which are directed against persons or property, and the consequences of which tend to endanger the health or safety of oneself or others in the school. Some instances of disruptive conduct may overlap certain criminal offenses, justifying both administrative sanctions and court proceedings. Behavioral misconduct (Level One) may be reclassified as disruptive conduct (Level Two) if it occurs three or more times. The provisions of this regulation apply not only to within school activities, but also to student conduct on school bus transportation vehicles and other school-sponsored activities.

War Warning
CP Contact Parent
CONF Conference
REST Restitution
ADH Administrative Detention
DH Detention Hall
OSA Other School Action
ISS In School Suspension
OSS Out of School Suspension
* Chronic and severe violations on Level 2 may move to the next level.

EXAMPLES *	Power School Code	CONSEQUENCES 1st	2nd	3rd
1. Threatening students - written/verbal/electronic or assault to other students	027	CP/ISS/OSS Up to 5 days, depending on severity	OSS Up to 5 days, depending on severity	OSS Up to 10 days, depending on severity
2. Threatening adults – written/verbal assault to school personnel or visitors	027	Up to 5 days OSS	Up to 10 days OSS	L3-RE
3. Vandalism – cutting, defacing, or in any way damaging property	760	CP/ ISS/OSS (1) Rest.	OSS (1-3) Rest.	OSS (3-5) Rest.
4. Stealing	017	OSS (1)	OSS (2)	OSS (3-5)
5. Inappropriate behavior	017	OSS (1)	OSS (2)	OSS (3-5)
6. Possession of stolen goods	017	OSS (1) Rest.	OSS (2) Rest.	OSS (3-5) Rest.
7. Possession of/or use of fireworks	010	CP/ISS/OSS (1)	OSS (3-5)	RE
8. Leaving school without permission	310	CP (Mandatory Conference) ISS (1-3)	CP/ISS (3-5)	CP/Counseling (Parent/Child) ISS/OSS (1-3)
9. Fighting, instigating a fight or physical abuse	009	CP/ISS/OSS (1-3)	ISS/OSS (3-5)	OSS (up to 10)
10. Sexual harassment (verbal/written/physical) using sexual comments and suggestive physical contact to torment another person	013	ISS/OSS (1-3) Counsel	ISS/OSS (3-5)	OSS (up to 10)

11. Indecent exposure	019	CP/ISS (1) OSS (1-3)	ISS/OSS (3-5)	OSS (up to 10) RE
12. Possession of contraband	004/018 789	CP/OSS (1-3) Conf.	OSS (2-4) Conf.	OSS (3-5) Conf.
13. Computer Violation (major)	220	CP/OSA	CP/OSS (1-3 days)	CP/OSS/OSA (3-5 days)
14. Defiance/Insubordination – refusal to comply with a school personnel request	270	ISS/OSS (1)	OSS (2-3)	OSS (3-5)
15. Bullying, retaliation for direct, indirect, and cyber bullying/false accusations of bullying	650, 651, 652	OSS (1-3)	OSS (3-5)	RE
16. Severe disrespect towards adults with gestures or words	420	OSS (1-3)	OSS (3-5)	RE
17. Possession of over the counter medication	31	OSS (1-3)	OSS (3-5)	RE
18. Possession of/or use of alcohol or other dangerous drugs or controlled substances	230-Tobacco 580-Drugs 680-Alcohol	OSS (3)	OSS (3-5)	RE

Level Three Infractions

Offenses which involve threats or acts against a person or property of another which seriously endanger the health and safety of others. Level Three offenses shall be dealt with by the administration.

LE Call to Law Enforcement
OSS Out of School Suspension
RAlt Recommended for Alternative Placement
RE (Recommended Expulsion) and possible criminal charges filed.
Note: Any student with serious criminal charges pending may be subject to recommendation for expulsion.

EXAMPLES *	**Power School Code**	**Consequences**	
1. Extortion/Coercion/Blackmail – obtaining money or other things of value from an unwilling person, or forcing an individual to act through the use of force or threat of force	600	LE/OSS/RAlt	RE/LE
2. Bomb Threat/Intentional false fire alarm	260/350	LE/RE	RE/LE
3. Possession/Use transfer of dangerous weapons – any weapon, firearm, knife, gun, BB gun, pellet gun, mace, box cutters, instrument or article that might be injurious to a person or property	789	LE/OSS/RAlt/RE	RE/LE
4. Major vandalism exceeding $100.00 in damage	760	LE/OSS/RAlt	RE/LE
5. Assault – an intentional, unlawful act to do violence to another person	510/520	LE/OSS/RAlt	RE/LE
6. Arson	500	LE/OSS/RAlt	RE/LE
7. Use of/Possession/Possession with intent to distribute/Selling illegal drugs, prescription drugs, or alcoholic beverage, including paraphernalia/ facsimile (materials passed as illegal drugs) and CBD oils and materials	570/580	LE/OSS/RAlt	RE/LE

Recommended Disciplinary Options *

-Parent contact (mandatory)
-Student and parent conference
-Referral to police agency for appropriate legal action
-Seek restitution or restoration
-Referral to Hearing Officer for recommendation of expulsion/or removal to an alternative placement
-Confiscation

Consequences for Level Three Offenses will be assigned at the discretion of school administration.

Weapons – Knives (Student action and Potential Consequences)

As a reminder, students may be suspended or recommended for expulsion for first-time offenses or any act which is detrimental to the good order, best interest, and physical safety of the school. The student may be disciplined according to the nature and degree of the offense or act at the discretion of the administration.

Weapon	Intent	K-2 Consequences		3-5 Consequences 1st Offense	3-5 Consequences 2nd Offense	3-5 Consequences 3rd Offense
Knife with blade less than 2”	Possession, Self - Reported	Parent Contact or Conference		Parent Contact or Conference	1-3 days OSS	RAlt/RE
	Possession – shown to others	1-3 days OSS		3-5 days OSS	5+ days OSS	RAlt/RE
	Possession – Threat to others	5+ days OSS		RAlt/RE & Call Law Enforcement	RAlt/RE & Call Law Enforcement	RAlt/RE & Call Law Enforcement
Knife with 2.5” blade	Possession, Self - Reported	Parent Contact or Conference		Parent Contact or Conference	1-3 days OSS	RAlt/RE
	Possession – shown to others	1-3 days OSS		3-5 days OSS	5+ days OSS	RAlt/RE
	Possession – Threat to others	5+ days OSS		RAlt/RE & Call Law Enforcement	RAlt/RE & Call Law Enforcement	RAlt/RE & Call Law Enforcement
Knife with 3” or greater blade	Possession, Self - Reported	Parent Contact or Conference		Parent Contact or Conference	1-3 days OSS	RAlt/RE
	Possession – shown to others	1-3 days OSS		3-5 days OSS	5+ days OSS	RAlt/RE
	Possession – Threat to others	5+ days OSS		RAlt/RE & Call Law Enforcement	RAlt/RE & Call Law Enforcement	RAlt/RE & Call Law Enforcement

DEFINITIONS

Alternative Placement — A student who violates the rules set forth in the Code of Student Conduct may be assigned Alternative Placement as a consequence of poor behaviors. Placement may include assignment to a virtual school setting, assignment to the Center for Innovative Learning, or home-based instruction. ****3rd – 5th Grades at Elementary Level.**

Assault — An actual offensive and intentional touching or striking of an individual, without use of a dangerous object or weapon, against his or her will, causing or intending to cause bodily harm.

Bullying — (Per state law 59-63-120) A gesture, an electronic communication, or a written, verbal, physical, or sexual act that takes place on school property, at any school-sponsored function where the school is responsible for the child, or on a school bus or other school-related vehicle, at an official school bus stop and that: a) a reasonable person should know, under the circumstances, the act(s) will have the effect of harming a student, physically or emotionally, or damaging the student's property, or placing a student in reasonable fear of harm to his person or damage to his property; or b) has the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

Cheating — Academic dishonesty involving copying another student's work or allowing a student to copy your own work on homework, classwork, tests, exams, projects. Includes but is not limited to plagiarism, passing another person's work as your own.

Computer Violation — Unauthorized or excessive personal use of school computers and computing equipment. This includes but is not limited to accessing websites without permission, sending inappropriate emails/messages, deleting other students' files, or accessing unauthorized staff/student information. See ACPSD Board Policy IJNDB.

Contraband — Items including but not limited to toys, lighters, matches, bullets, fireworks, stink bombs, which disrupt or distract from the learning process or pose safety hazards.

Cutting class — An unauthorized absence from an assigned class or related activity.

Defiance — Refusal to comply with a request from school staff/personnel.

DH — Detention Hall

Disrespect — Lack of courteous regard for another person.

Disrupting class — Behavior which disrupts the orderly educational process of school.

Electronic device — Device such as: cell phone, smart watches, iPod, headphones, handheld video game devices, etc.

Extortion — Attempting to obtain/obtaining money or other item(s) of value from an unwilling person or forcing an individual to act through the use of force or threat of force.

Facsimile/Imitation Drugs	A pill, capsule, tablet, or other item which is not a controlled substance, an alcoholic beverage, or illegal drugs, but which by appearance, including color, shape, size, marking or package, or by representations made, is intended to lead a person to believe that such a pill, capsule, tablet, or other item is a controlled substance, an alcoholic beverage, or marijuana.
Fighting	Actions involving serious physical contact where injury may occur. Two or more parties striking each other with the intent to cause bodily harm. A student who is assaulted and retaliates by hitting, striking, or kicking, may be disciplined for fighting.
Forgery	Signing someone else's name or using a signature which is not authentic.
Gambling	Participation in games of chance for money and/or other things of value.
Ganging/Gang-related activities	Group activity which involves intimidating, threatening, lynching, or physical violence.
Harassing	Repeated annoyance of students/staff.
Hit/Kick/Push	Silly horseplay, playful grabbing, pinching, nonaggressive punching or slapping, chasing, shoving. "Not keeping hands/feet to self." Shoving match, slapping, or other such low impact incident not severe enough to constitute a fight.
Horseplay	Rough or boisterous behavior that can unintentionally result in someone getting injured.
Inappropriate Behavior	Behaviors not generally accepted as desired or suitable for a school situation. Examples include Instigating misbehavior of others, taking other's items without permission (for example, pencils or milk/juice box), talking out, tantrums, etc.
Insubordination:	Failure to respond appropriately to written or verbal directions given by school personnel, chaperones/ volunteers, or law enforcement officers is considered insubordination. Refusal to complete assignments, refusal to participate in school activities.
Intimidating	To frighten/inhibit another person.
Intoxicating substance	Any substance which, when used in sufficient quantities, ordinarily or commonly disturbs a person's mental or physical capacities, including but not limited to alcoholic beverages, drugs, controlled substances as defined by state law, certain prescription medications when not used in accordance with physician's orders, glue, paint or other substances.
ISS	In School Suspension
Larceny/Theft	Taking materials that belong to students/staff/school. While both terms share the same definition, Theft may be considered the minor of the two, and classified as inappropriate behavior. Larceny should be considered the more serious offense, often

	with the stolen materials being of a higher monetary value.
Laser pointer	If used to inflict harm, will be considered a weapon.
Loitering	To stand idly by without legitimate reason or business.
Lynching	Group activity involving physical violence.
Misconduct	Behavior not conforming to school rules/regulations.
Non-forcible sex offense	Unlawful, non-forcible sexual intercourse; or unlawful sexual exposure.
Obscene/Profane	Offensive or degrading
OSS	Out of school suspension
Other Offenses	Problem behavior not specifically listed or defined in the student code of conduct.
Physical Altercation	Any physical contact occurring with the intent to cause discomfort or an incidence of slight physical contact will constitute an altercation between students. Physical contact of a threatening or provoking nature to another student.
Pornography	Printed or visual material containing the explicit description or display of sexual organs or activity, intended to stimulate erotic rather than aesthetic or emotional feelings.
Paging device	(Per state law 59-63-280/Safe Schools Act) electronic summoning device will be confiscated.
Public Display of Affection	Kissing, cuddling, necking or petting in public.
Refusal to Obey/Defiance:	Refusal to comply with established rules; disobedience or defiance of reasonable requests made by school personnel, chaperones/volunteers, or law enforcement officers. Refusal to accept consequences such as after school detention or failing to report to in school suspension.
Restitution	In the case of serious acts of vandalism, students shall pay for damage done to buildings, equipment or other property of the school, staff, or other students before returning to school.
Sexual Harassment	Unwanted or unwelcome behavior of a sexual nature that includes touching, groping, patting, snapping a bra or pulling down someone's pants, as well as sexual or derogatory comments, sexually suggestive gestures or sounds, spreading rumors, offensive text messages or emails, or postings to social media. ****Students should report all incidents of sexual harassment to administration immediately.**
Threat	To assault or commit any act which would cause a reasonable person to be put in fear of danger or harm.

Tobacco/Paraphernalia	Use/Possession of tobacco products, including cigarettes, chewing tobacco, snuff, rolling papers, lighters, matches, e-cigarettes, vapors etc.
Unauthorized Use of School Equipment	Low-intensity misuse of property; tampering with equipment/impairing its usefulness. Tampering with a computer's settings; Using staff copy equipment; using vending machines not allowed for student use.
Victimizing	Harming/Taking advantage of another person.

Persistently Dangerous Schools Report
(Definitions of Offenses from the 2016-2017 South Carolina Department of Education PowerSchool Incident Management Manual)

Aggravated Assault
Aggravated Assault is an unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. This category includes attempted murder. A weapon can be a commonly known weapon, such as a gun or knife, or any other item, which, although not usually thought of as a weapon, becomes one when used in a manner that could cause severe bodily injury (e.g., baseball bat, metal chain, large stick). A "severe laceration" is one that should receive medical attention. A "loss of consciousness" must be the direct result of force inflicted on the victim by the offender.

Homicide
Homicide is the killing of one human being by another. Do not include vehicular manslaughter or attempted murder as a homicide. Non-negligent manslaughter is defined as the willful (non-negligent) killing of one human being by another. Negligent manslaughter is defined as the killing of another person through negligence. This offense does not include vehicular manslaughter. Justifiable homicide - The killing of a perpetrator of a serious criminal offense by a peace officer in the line of duty or the killing, during the commission of a serious criminal offense, of the perpetrator by a private individual.

Drug Distribution (Drug Usage & Drug Possession)
Drug Distribution - Except as authorized by state law, it is unlawful for any person (1) to manufacture, distribute, dispense, deliver, or purchase; or to aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase; or to possess with intent to manufacture, distribute, dispense, deliver, or purchase a controlled substance and (2) to create, distribute, dispense, deliver, or purchase; or to aid, abet, attempt, or conspire to create, distribute, dispense, deliver, or purchase; or to possess with intent to distribute, dispense, deliver, or purchase a counterfeit substance.

Kidnapping/abduction
Kidnapping/abduction is the unlawful seizure, transportation, and/or detention of a person against his or her will or of a minor without the consent of his or her custodial parent(s) or legal guardian. This category includes hostage taking.

Robbery
Robbery is defined as the taking or attempting to take anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm. Because some type of assault is an element of the crime of robbery, an assault should not be reported as a separate crime if it is performed in furtherance of the robbery. If an injury occurring during a robbery results in death, the crime should be listed as a homicide.

Sex Offenses, Forcible
A Forcible Sex offense is any sexual act directed against another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent. This definition includes forcible rape, forcible sodomy, sexual assault with an object (to use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity), and/or forcible fondling (child molesting).

Weapons Offenses
The violation of laws prohibiting any person, except law enforcement officers or personnel authorized by school officials, to carry on his or her person, while on any elementary or secondary school property, a knife with a blade over two inches long, a blackjack, a metal pipe or pole, firearms, or any other type of weapon, device, or object that may be used to inflict bodily injury or death. This category also includes carrying in a concealed manner a dirk, slingshot, metal knuckles, razor, or other deadly weapon usually used for the infliction of personal injury.

Elementary School Attendance

1. Students are required to bring written documentation for absences within 5 days from the day they return from an absence.
2. The principal shall approve or disapprove absences in excess of 10 (5 for semester classes). A medical note or other documentation will be required after a student accumulates 10 absences (5 for semester) in order to assist the principal in making that decision.
3. Absences with no documentation are automatically considered unlawful.
4. Students who accumulate 3 consecutive unlawful absences or a total of 5 unlawful absences will be considered truant. Parents/guardians and students (12 years and older) will be contacted to develop a written Attendance Intervention Plan. Failure to participate and/or adhere to the plan will result in a referral to the District Attendance Office and/or Family Court.

Lawful Absence(s)

1. The student is ill and attendance at the school would endanger the student's health or the health of others.
2. There is a death in the student's immediate family. Three absences per occurrence.
3. There is a serious illness in the student's immediate family. Absences of this nature should not exceed three per year.
4. Recognized religious holiday of the student's faith.
5. Emergencies and/or extreme hardships at the discretion of the principal.

Unlawful Absence(s)

1. The student is willfully absent from school without the knowledge of his/her parents.
2. The student is absent without acceptable reason with the knowledge of his/her parents.
3. The student is absent and fails to turn in an acceptable note within 5 days of the student's return from an illness.
4. The student accumulates more than 10 absences and a medical note is not received.

Truancy

1. Truant: A child from age five until age seventeen years meets the definition of a truant when the child has three consecutive unlawful absences or a total of five unlawful absences.
2. Habitual Truant: A child, ages 12 to 17, who accumulates two or more additional unlawful absences after an intervention plan has been developed by the school, parent/guardian and the child.
3. Chronic Truant: A child, ages 12 to 17, who has been through the intervention process and who has reached the level of habitual truant, has been referred to Family Court and placed under a school attendance order, and continues to accumulate unlawful absences.

Section 59-65-10A Responsibility of parent or guardian. All parents or guardians shall require their children or wards to attend regularly a public or private school or kindergarten of this State which has been approved by the State Board of Education, a member school of the South Carolina Independent Schools' Association, a member school of the South Carolina Association of Christian Schools, or some similar organization, or a parochial, denominational, or church-related school, or other programs which have been approved by the State Board of Education from the school year in which the child or ward is five years of age on or before September first until child or ward attains his seventeenth birthday or graduates from high school.

Section 59-65-20 of the Code of Laws of South Carolina allows a penalty for failure to enroll or cause a child to attend school. The law reads as follows: Any parent or guardian who neglects to enroll his child or ward or refuses to make such child or ward attend school shall, upon conviction, be fined not more than **FIFTY DOLLARS ($50.00)** or be imprisoned not more than **THIRTY** days; each day's absence shall

constitute a separate offense; provided the court may in its discretion suspend the sentence of anyone convicted of the provisions of the article.

Tardiness

Unexcused/Unlawful tardies are considered a violation of the CSAL (Compulsory School Attendance Law) in that instruction time is missed. Unexcused tardies will be addressed in an Attendance Intervention Plan and may result in a referral to the District Attendance Office and/or Family Court.

Lawful Tardies: In order for a tardy to be excused <u>written documentation</u> must be provided.

1. Illness on part of the student with written medical excuse
2. Emergency and/or hardships at the discretion of the principal
3. Doctor or Dentist appointment
4. Late bus arrival
5. Teacher, Guidance or Administrator Conference

Unlawful Tardies: Three written parent excuses for any reason or combination of reasons will be accepted per semester. Any additional excuses must be official written medical excuses etc. or will be considered unlawful.

1. Illness on part of the student without a written medical excuse
2. Oversleeping, traffic, carpool trouble or other "personal reasons"
3. Missed Bus
4. Car trouble

To support the goal of the Compulsory School Attendance Law and decrease a possible referral to the District Attendance Office and/or Family Court schools may implement the following actions:

Tardies	Actions
1-3	Verbal and/or written warning by school personnel (Level 1)
4-6	Verbal and written offer to connect parent with support services (Level 2)
7-9	Verbal and written letter for an Unlawful Tardy Intervention Plan (School Level) (Level 3)
10-15	Verbal and written letter for an Unlawful Tardy Intervention Plan (School Level) (Level 4)

Level 1: Warning Level
Level 2: Support Services Letter: (i.e. Student Services Worker, Guidance, Transportation, etc.)
Level 3: Unlawful Tardy Intervention Plan (School Level)
Level 4: Unlawful Tardy Intervention Plan (School Level)
*All referrals to District Attendance Office will be dependent upon amount of loss instructional time.
**Students attending a school on hardship/special permission, may have the special permission status revoked if a student has excessive absences or excessive tardies, which violates the agreement for this status.

SCHOOL BUS TRANSPORTATION DISCIPLINE CODE
ELEMENTARY

LEVEL I –BEHAVIORAL MISCONDUCT

Behavioral misconduct is defined as those activities which tend to impede the orderly operation of a school vehicle. Repeated violations may lead to more serious disciplinary actions including suspension from the bus for an extended period of time including the remainder of the school year. Discipline records of violations are cumulative. Acts of behavioral misconduct with enforcement procedures or sanctions to be applied shall include but are not limited to the following violations – **depending upon severity. All final disciplinary actions are left to the discretion of the administration.**

Level I - Behavioral Misconduct

- Behavioral misconduct on the bus
- Getting on or off the bus at other than the designated stop
- Eating and/or drinking on the bus
- Littering on the bus
- Minor violation of any safety procedures (standing, sitting improperly, etc.)
- Making loud noises (yelling, etc.)
- Pushing, tripping, or general horseplay
- Encouraging misbehavior
- Use of electronic device (example: listening to electronic device without earbuds/headphones, etc.). **ACPS Board Policy prohibits elementary students from having electronic devices/cell phones at school.**

Consequences

1st referral – warning and contact parents
2nd referral – suspended from the bus up to three days and contact parents
3rd referral – suspended from the bus up to five days and contact parents
4th referral – suspended from the bus up to ten days and contact parents
5th referral or more – suspended from the bus for ten or more days

Level II - Disruptive Conduct

Disruptive conduct is defined as those activities directed against persons or property, which tend to endanger the health or safety of oneself or others on a school vehicle. Disruptive records of violations are cumulative. Acts of disruptive conduct with enforcement procedures or sanctions to be applied shall include but are not limited to the following violations. **All final disciplinary actions are left to the discretion of the administration.**

Violations

- Possession and/or using any tobacco products (electronic cigarettes, vapors, etc.) on the bus
- Throwing objects on or out of the bus
- Refusing to sit in an assigned seat
- Using profanity, abusive language or obscene gestures
- Severe violation of safety procedures (having head, arms, hands, extended from the bus etc.)
- Defacing property (writing or marking on seats, etc.)
- Disrespect/refusal to obey the bus driver (depending on severity)
- Harassing, threatening, intimidating, or physically abusing another person on the bus
- Pushing, tripping, or general horseplay (depending on severity)
- Spraying/use of scented products

Consequences

1st referral – suspended from the bus up to three days and contact parents
2nd referral – suspended from the bus for up to five days and contact parents
3rd referral – suspended from the bus for up to ten days and contact parents
4th referral – suspended from the bus for up to thirty days and parent conference
5th referral – suspended from the bus for the remainder of the school year and parent conference

*Transportation Supervisor must be involved in conference for bus suspensions of 30 days or longer

Level II violations may also result in out-of-school suspensions and/or restitution of property.

Level III - Criminal Conduct

Criminal Conduct is defined as those activities that result in violence to oneself, another person, or destruction of property. These actions pose a direct and serious threat to the safety of oneself or others on a school vehicle. Criminal conduct usually requires administrative actions, which could result in the immediate removal of the student from school, the intervention of law enforcement authorities, and/or action by the Board of Trustees. Level III violations may lead to a student's immediate removal from the bus at the school or bus transportation office. Acts of criminal conduct may include, but are not limited to the following violations.

Violations

- Fighting on the bus
- Physically abusing or hitting another passenger
- Possessing, using, or distributing explosives and/or fireworks
- Carrying a weapon or any object that might be used as a weapon
- Persistent uncontrollable conduct
- Possessing, using, or distributing alcohol, drugs, paraphernalia and/or look-alike drugs on the bus
- Pushing or tripping that leads to injury
- Harassing, threatening, intimidating, physically abusing persons on the bus (depending on severity)
- Vandalism – destruction of any part of the bus (seats, interior and/or exterior)
- Sexual misconduct

Consequences

Any Referral that results in a suspension from bus for the remainder of the school year must include a conference with parents. **Transportation Supervisor must be involved in conference for bus suspensions of 30 days or longer.*

****Level III violations may also result in out-of-school suspension, recommendation of expulsion from school for the remainder of the school year, notification of law enforcement authorities and/or restitution of property.***

If a student is removed from the bus for the remainder of the school year for a combination of Level I and/or Level II offences, the student must remain off the bus for at least 45 school days. If parents wish to appeal the removal after 45 school days have been served, the parents should contact the principal to request reinstatement of bus privileges. The principal will contact the transportation director and the bus supervisor regarding reinstatement and inform the parents of the decision. If a student does have bus privileges reinstated, any further referral of any nature will result in removal from the bus for the remainder of the year with no further appeal under this code. If a student is removed from the bus for the remainder of the school year for a Level III offense, the student must remain off of the bus with no appeal under this code.

***Students in grades kindergarten – second grade must have an adult at the bus stop to receive the student. If no one is present, the child will be returned to school and parents will be responsible for picking the student up. Multiple cases can result in further discipline action by administration. If this behavior occurs three (3) times, the student will be removed from the bus for the remainder of the quarter/semester.**

SECTION 21-816

A PUPIL MAY BE SUSPENDED FROM RIDING THE BUS FOR ONE WEEK FOR THE FIRST OFFENSE, TWO WEEKS FOR THE SECOND OFFENSE, THREE WEEKS FOR THE THIRD OFFENSE. IF, AFTER A THIRD OFFENSE, A PUPIL PERSISTS IN UNCONTROLLABLE CONDUCT WHILE RIDING A SCHOOL BUS, HE/SHE SHALL BE SUSPENDED FROM RIDING SAID BUS FOR THE REMAINDER OF THE SCHOOL SESSION THEN IN PROGRESS.

The South Carolina Department of Education (SCDE) maintains the following position regarding transporting band instruments and other carry-on items on school buses:

The primary purpose of the school bus is to provide safe transportation for students to and from school and school related activities. The safety of students and other passengers is paramount when transporting band instruments and other large items. Any item carried on a school bus must be of such size that it can be transported in the student's lap. Any home project, musical instrument, or other item which would create a hazard or block the aisle or vision of the driver is prohibited. This is necessary to ensure that all items are kept under the control of the student at all times in case of an accident or an emergency, and that those items do not prevent or hinder the evacuation of the bus in the event of an emergency.

The United States Department of Transportation, National Highway Traffic Safety Administration, Standard 17, Pupil Transportation Safety, reads in part:

…baggage and other items transported in the passenger compartment should be stored so that the aisles are kept clear and the doors and emergency exits of school vehicles remain unobstructed at all times.

Compliance with this standard is mandatory. Carry-on items cannot be placed at any door or emergency exit, and these items must be properly secured to prevent them from becoming flying objects in the event of an accident. Loose items on the seats or floor, or anything which obstructs the aisle, endanger all passengers on the bus.

School district transportation personnel should use prudent judgement when deciding which band instruments will be allowed on buses. The size of the instrument as well as the physical characteristics of the student may factor into determining if the instrument can be safely transported on a school bus.

Allowed Instruments: Flute, Clarinet, Oboe, Bassoon, Saxophone, Trumpet, Violin, Viola.

Instruments Not Allowed: Bass Clarinet, Tenor Sax, Bari Sax, French Horn, Trombone, Euphonium, Tuba, Cello, Double Bass, Drums, Drum Kit, Guitars

APPENDIX (A)

Legal Authority for Discipline in South Carolina:

A. The Code of Laws of South Carolina, 1976, Section 59-19-90, outlines the general powers and duties of school trustees and states that the Board of Trustees shall also . . . . (3) Promulgate rules prescribing scholastic standards of achievement and standards of conduct and behavior that must be met by all pupils as a condition to the right of such pupils to attend the public schools of such district. See, also, Opinions of the Attorney General, Number 2051, page 134, 1965-66 as to authority of school superintendents to regulate discipline.

B. Title 59, Chapter 63, Article 3, Discipline (Section 59-63-210, et seq., Code of Laws for South Carolina, 1976). Note: Under authority of state law, certain violations set forth in the Code of Student Conduct may lead to expulsion for the remainder of the school year or even to permanent expulsion.

C. Section 59-5-65 of the South Carolina Code of Laws, 1976 (as amended) includes power and responsibility of the State Board of Education to prescribe minimum standards of conduct and behavior and to promulgate a uniform system of minimum enforcement of rules of conduct.

D. State Board of Education Regulations establishing minimum standards of student conduct and disciplinary enforcement procedures (R 43-279).

E. ***Kowalski v. Berkeley County Schools,*** 652 F.3d 565 (4th Cir, 2011)

****

Student Records Notice: Under the Family Educational Rights and Privacy Act parents or eligible students have the right to 1) inspect and review a student's educational records; 2) request an amendment to incorrect or misleading records, or records otherwise in violation of a student's privacy rights; 3) consent to disclosures of personally identifiable information (except as allowed without consent by law); and 4) file with the U. S. Dept. of Education a complaint for any alleged failure by this School District to comply with the Act. A more detailed explanation of rights and procedures may be found in the Policy Manual located at any school, area office, or the District office (Policy JRA and Administrative Rule JRA-R). Policies may also be found online at the Aiken County Public Schools website (www.acpsd.net). A copy of this policy will be mailed to any parent upon request. **Parents or eligible students who have limited or no visual acuity, who have a primary home language other than English, or who may be disabled in some other way which effectively impairs their ability to see, comprehend, or become aware of this notice will be accommodated upon discovery of such limitations by the District. Patrons who may be aware of others with such limitations are requested to notify the District of these circumstances.**

APPENDIX (B)

Policy IJNDB Use of Technology Resources

Purpose: to establish the basic structure for the use of technology resources in the district.

The use of technology to support the curriculum and the instructional process must be selected on the basis of its potential to enhance the direct implementation of district and state academic achievement standards. Technology must not be used to substitute for teaching, except when it is used as a delivery medium such as distance learning, web-based educational approaches, etc.

Internet acceptable use policy (Internet and other electronic media and on-line connections)

Technology is a vital part of education and the curriculum of the district and the district's operations. In an effort to promote learning and expand educational resources for students, the district has made arrangements to provide worldwide electronic on-line connection access to students and staff. While the Internet will be a primary on-line source, this policy and any implementing administrative rule are intended to cover the use of the district's computer-related electronic on-line connections, generally, as well as the district's computer hardware and software. Reference to "Internet" as used herein will be construed as a term of convenience to cover the intended scope of this policy. The district's goal in providing this service is to promote educational excellence by communication, innovation and facilitation in sharing of teaching and learning resources. Access to such "electronic highways" connecting millions of computer users all over the world will allow district students and staff the opportunity to communicate with others on a global level and access educational materials worldwide. It will also enhance professional development for staff.

The internet can provide a vast collection of educational resources for students and employees. It is a global network that makes it impossible to control all available information. Because information appears, disappears and changes constantly, it is not possible to predict or control what students may locate. The school district makes no guarantees as to the accuracy of information received on the internet. Although students will be under teacher supervision while on the network, it is not possible to constantly monitor individual students and what they are accessing on the network. Some students might encounter information that is not of educational value.

Access to the Internet is a privilege, not a right. With this privilege, there also is a responsibility to use the Internet solely for educational purposes and not to access inappropriate materials not suitable for students. To that end, the district administration is directed to develop appropriate guidelines governing the use of district computers to access the Internet.

As part of the implementation of the administration's guidelines, students and staff must be instructed on the appropriate use of the Internet. In addition, parents must sign a permission form to allow students to access the Internet. Students also must sign a form in the Code of Student Conduct acknowledging that they have read and understand the acceptable use policy and administrative rule, that they will comply with this policy and rule, and that they understand the consequences of violating this policy or rule. District staff must sign a similar acknowledgment form IJNDB-E before they will be allowed to access the Internet. Inappropriate use by any person will not be tolerated.

Adopted 11/12/96; Revised 1/8/02, 5/22/12

Purpose and scope

This administrative rule is adopted to implement the district's Internet acceptable use policy. While the rule primarily addresses utilization of the Internet and other electronic on-line connection services, it also applies, where appropriate, to the general use of district-owned computer hardware and software.

Terms and conditions of use

Acceptable use

The purpose of the district's decision to provide Internet access is to allow an expanded opportunity for education, research and professional development by providing access to unique resources and the opportunity for collaborative work. All use of the Internet must be in support of education and research and consistent with the educational and staff development objectives of the district. Use of any organizations' network or computing resources must comply with the rules appropriate for that network. Transmission of any material in violation of any federal or state laws or regulations is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, or material protected by trade secret. Violations will result in appropriate disciplinary action against the staff member or student involved.

Accessing inappropriate sites

Student Internet activities will be monitored by the district to ensure students are not accessing inappropriate sites that have visual depictions that include obscenity, child pornography or are harmful to minors. The school district uses CIPA approved technology protection measures to protect students from inappropriate access in addition to monitoring.

The district will provide reasonable notice of and at least one public hearing or meeting to address and communicate its Internet safety measures.

Reporting

District and school computer technicians who are working with a computer and come across sexually explicit images of children must report this to local law enforcement. The report must include the name and address of the owner or person in possession of the computer.

Online behavior

The district will educate minors about appropriate, safe, and secure online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. The superintendent or his/her designee will develop a program to educate students on these issues in accordance with Internet Safety Standards and grade bands published on the State Department of Education website.

Off-campus conduct

Students, parents/legal guardians, teachers and staff members should be aware that the district may take disciplinary actions for conduct initiated and/or created off-campus involving the inappropriate use of the Internet or web-based resources if such conduct poses a threat or substantially interferes with or disrupts the work and discipline of the schools, including discipline for student harassment and bullying.

Procedures for use

Employees may access the Internet for educational or work-related purposes at any time that is not disruptive and does not interfere with the performance of other responsibilities by the employee or other staff members. Students will be allowed to access the Internet only under the supervision of designated staff. No students may access the Internet without permission.

Rules governing use

The following guidelines for acceptable use will be applicable.

- Users are expected to employ appropriate net etiquette; profanity, vulgarity or abusive, inappropriate language is prohibited. Illegal activities are forbidden, including unauthorized access or "hacking" by any users.
- Users are not to reveal their personal address or phone number or that of other individuals, students or colleagues.
- Users are not to use another school's or individual's account without written permission from that individual.
- Vandalism will not be tolerated. Vandalism includes, but is not limited to, malicious damage to hardware, harm or destruction of software or the data of another user, and creating, uploading or downloading computer viruses.
- Users should consider all communications and information accessible via the network to be private property. All quotes, references and sources should be cited.
- Users are not to access inappropriate or restricted information or other information not directly related to the educational or staff use purposes for which access is being provided. Restricted information includes obscene, libelous, indecent, vulgar, profane or lewd materials; advertisements for products or services not permitted to minors by law; insulting, fighting and harassing words; and other materials which may cause a substantial disruption of the academic environment.
- Users should remain on the system only as long as necessary to complete their work so that other individuals will have equal opportunities to access the Internet. Users are not to disrupt, harass or annoy other users.
- The system is not to be utilized for financial or commercial gain or for personal use other than professional activities.

Penalties for improper use

An employee who violates the terms of this administrative rule will be subject to disciplinary action consistent with the nature of the offense, including cancellation of Internet privileges, suspension, or termination if circumstances so warrant. Students who violate the terms of this administrative rule or who otherwise misuse their access to the Internet also will be subject to disciplinary action in accordance with the district's Code of Student Conduct to include suspension or expulsion if circumstances so warrant. Violations of the laws of the United States or the State of South Carolina also may subject the user to criminal prosecution. If a user incurs unauthorized costs, the user, as well as the user's parents (if the user is a student), will be responsible for all such costs.

Issued 11/12/96; Revised 5/26/98, 1/8/02, 5/22/12

Legal references:

A. Federal law:
1. 47 USC Section 254(h) - Children's Internet Protection Act.
2. The Digital Millennium Copyright Act of 1998, Section 512 - Limitations on liability relating to material online.

B. S.C. Code of Laws, 1976, as amended:
1. Section 10-1-205 - Computers in public libraries; regulation of Internet access.
2. Section 16-3-850 - Encountering child pornography while processing film or working on a computer.
3. Section 16-15-305 - Disseminating, procuring or promoting obscenity unlawful; definitions; penalties; obscene material designated contraband.
4. Section 59-19-90 - General powers and duties of school trustees.

C. Court cases:
1. Purdham v. Fairfax Co. Sch. Bd., 637 F.3d 421, 427 (4th Cir. 2011).

APPENDIX (C)

Policy JICFAA Harassment, Intimidation or Bullying

Purpose: To establish the basic structure for promoting the health and welfare of the district's students by maintaining a safe, positive learning environment for students and teaching environment for staff that is free from harassment, intimidation or bullying.

The board prohibits acts of harassment, intimidation or bullying of a student by another student or students, staff or third parties that interfere with or disrupt a student's ability to learn and the school's responsibility to educate its students in a safe and orderly environment whether in a classroom, on school premises, on a school bus or other school-related vehicle, at an official school bus stop, at a school-sponsored activity or event, whether or not it is held on school premises, or at another program or function where the school is responsible for the student.

For purposes of this policy, harassment, intimidation or bullying is defined as a gesture, electronic communication or a written, verbal, physical or sexual act reasonably perceived to have the effect of either of the following:

- harming a student physically or emotionally or damaging a student's property, or placing a student in reasonable fear of personal harm or property damage
- insulting or demeaning a student or group of students in such a manner as to cause substantial disruption in, or substantial interference with, the orderly operation of the school

Any student who feels he/she has been subjected to harassment, intimidation or bullying is encouraged to file a complaint with the principal or his/her designee in accordance with procedures established by the superintendent. Complaints will be investigated promptly, thoroughly and confidentially. All school employees are required to report alleged violations of this policy to the principal or his/her designee. Reports by students or employees may be made anonymously, but formal disciplinary action must not be taken solely on the basis of an anonymous report.

The district prohibits retaliation or reprisal in any form against a student or employee who has filed a complaint or report of harassment, intimidation or bullying. The district also prohibits any person from falsely accusing another as a means of harassment, intimidation or bullying, and any student or staff member knowingly violating this prohibition will be subject to disciplinary action as described in this policy.

The board expects students to conduct themselves in an orderly, courteous, dignified and respectful manner. Students and employees have a responsibility to know and respect the policies, rules and regulations of the school and district. Any student or employee who is found to have engaged in the prohibited actions as outlined in this policy will be subject to disciplinary action, up to and including expulsion in the case of a student. Individuals may also be referred to law enforcement officials. The district will take all other appropriate measures reasonably calculated to correct or rectify the situation. (Employees engaged in harassment, intimidation or bullying may be disciplined or recommended for termination, as provided elsewhere in district policy, for unprofessional or unlawful conduct.)

Students, parents/legal guardians, teachers and staff members should be aware that the district may take disciplinary actions for conduct initiated and/or created off-campus involving the inappropriate use of the Internet or web-based resources if such conduct poses a threat or substantially interferes with or disrupts the environment, work and/or discipline of the schools, including discipline for student harassment and bullying.

The superintendent will be responsible for ensuring notice of this policy is provided to students, staff, parents/legal guardians, volunteers and members of the community including its applicability to all areas of the school environment as outlined in this policy.

The superintendent will also ensure that an age-appropriate process is established for discussing the district policy with students, as with other aspects of the code of conduct currently utilized during the beginning of each school year.

The superintendent will ensure that information regarding this policy is incorporated into the school district's training program and that volunteers who have frequent contact with students are likewise informed of the policy.

Information concerning this policy, upon adoption, will be included in the district's code of student conduct for the next year and will be circulated to all administrators. Immediate information will be provided to students by building administrators and to parent groups through reasonable communication methods currently utilized by the various schools.

Cf. GBEB, JIC, JICDA
Adopted 12/12/06, Revised 9/27/11
Legal references:

Section 16-3-510 - Organizations and entities revised (hazing unlawful; definitions).
Section 59-19-90 - General powers and duties of school trustees.
Sections 59-63-210 through 270 - Grounds for which trustees may expel, suspend or transfer pupils; petition for readmission; notices and parent conferences; expulsion for remainder of year and hearings; transfer of pupils; corporal punishment; regulation or prohibition of clubs or like activities.
Section 59-63-275 - Student hazing prohibited.
Section 59-67-240 - Other duties of bus driver; discipline of students for misconduct.
Section 59-63-110, et. seq. - Safe School Climate Act.

State Board of Education Regulations:
R-43-279 - Minimum standards of student conduct and disciplinary enforcement procedures to be implemented by local school districts.

Policy ADD Face Covering

Issued 8/20

To reduce the spread of the coronavirus disease 2019 (COVID-19), the Centers for Disease Control and Prevention (CDC) recommends that a face covering be worn in public settings when other social distancing measures are difficult to maintain. The district will consider the circumstances in the community and consult local health officials for the implementation of this policy.

Definitions

A face covering is a piece of fabric, cloth, or other material that covers the wearer's nose, mouth, and chin simultaneously and is secured to the wearer's face by elastic, ties, or other means. Acceptable face coverings may be homemade, and they may be reusable or disposable.

Staff Members

Staff members are expected to wear a face covering while on district property or conducting business on behalf of the district (e.g. driving a bus, conducting a home visit, supervising athletic events, etc.). Staff members include, but are not limited to, salaried and hourly employees, school volunteers, student teachers, and interns. The district may provide masks to staff members and expects that reusable masks will be washed regularly to ensure maximum protection.

Staff members, including bus drivers, who have trouble breathing and/or those with special healthcare needs as noted by a medical doctor should NOT be required to wear face coverings.

Students

All students are expected to wear face coverings while on district property, on district transportation, or while attending a school related activity (e.g. athletic events, field trips, etc.). Certain classes or activities may be granted a limited exception to this requirement at the discretion of the superintendent or his/her designee. The district may provide masks to students and expects that reusable masks will be washed regularly to ensure maximum protection.

Students who should NOT be required to wear face coverings:

- those younger than two years old
- those who have trouble breathing those unable to remove the covering without assistance
- those with special healthcare or educational needs as determined by an individualized education program (IEP), 504 Accommodations Plan, or an individual student healthcare plan, or by a medical doctor

Additional exceptions for wearing a face covering may include, but are not limited to, the following activities:

- mealtimes
- outdoor recess where students can maintain a physical distance of at least six feet
- administration of medication

Visitors

Non-essential visitors to district buildings will be limited in accordance with policy KI, Visitors. Visitors include, but are not limited to, parents/legal guardians, contract service providers, and delivery persons. Visitors will wear a face covering while on district property. Visitors will be asked to leave district

property if they refuse to wear a face covering.

Accommodations

Requests for exceptions under this policy for health or developmental conditions or religious exemption will be considered by the superintendent or his/her designee, who may request documentation justifying the exception.

Students (or parents/legal guardians) who request to be exempted from wearing a face covering for reasons other than a health or developmental condition or religious exemption will be offered virtual learning for the period that face coverings are required on district property.

Harassment and Bullying

The district will not tolerate harassment of anyone wearing face coverings or those with recognized exemptions to the face covering requirement and will appropriately discipline students, staff members, or visitors who engage in behavior that interferes with any student or staff member's ability to comply with this policy.

This policy is intended to be effective until further notice and to align with district policies including, but not limited to, student and staff dress codes. To the extent this policy does not align, it will supersede others in accordance with applicable laws and regulations in effect at the time. For clarification on potential conflicts between policies, the interpretation of the superintendent or his/her designee is final.

The board authorizes the superintendent or his/her designee to amend these requirements as necessary to meet health and safety guidelines.

Adopted 8/25/20

Aiken County Public Schools

Aiken Innovate Program

Parents may choose to enroll their child or children in the Aiken Innovate Virtual Program. Parents who choose this alternative setting are reminded that the students will need to follow the established rules set by Aiken Innovate and are will be expected to follow the rules and procedures set by the Aiken County Code of Student Conduct.

TECHNOLOGY USE and DIGITAL CITIZENSHIP

Aiken County School District Policy IJNDB-R, Use of Technology Resources, provides students with guidelines for the acceptable use of technology equipment and resources. While this policy is provided online through our district website and in our Code of Student Conduct, students participating in Aiken Innovate and remote learning days, should be reminded of the expectations of good digital citizenship established in this policy:

- Users are expected to employ appropriate net etiquette; profanity, vulgarity or abusive, inappropriate language is prohibited. Illegal activities are forbidden, including unauthorized access or “hacking” by any users.

- Users are not to reveal their personal address or phone number or that of other individuals, students or colleagues.

- Users are not to use another school's or individual's account without written permission from that individual.

- Vandalism will not be tolerated. Vandalism includes, but is not limited to, malicious damage to hardware, harm or destruction of software or the data of another user, and creating, uploading or downloading computer viruses.

- Users should consider all communications and information accessible via the network to be private property. All quotes, references and sources should be cited.

- Users are not to access inappropriate or restricted information or other information not directly related to the educational or staff use purposes for which access is being provided. Restricted information includes obscene, libelous, indecent, vulgar, profane or lewd materials; advertisements for products or services not permitted to minors by law; insulting, fighting and harassing words; and other materials which may cause a substantial disruption of the academic environment.

- Users should remain on the system only as long as necessary to complete their work so that other individuals will have equal opportunities to access the Internet. Users are not to disrupt, harass or annoy other users.

- The system is not to be utilized for financial or commercial gain or for personal use other than professional activities.

OFF CAMPUS CONDUCT for TECHNOLOGY USE

Policy IJNDB-R further explains that “Students, parents/legal guardians, teachers and staff members should be aware that the district may take disciplinary actions for conduct initiated and/or created off-campus involving the inappropriate use of the Internet or web-based resources if such conduct poses a threat or substantially interferes with or disrupts the work and discipline of the schools, including discipline for student harassment and bullying”.

ATTENDANCE for VIRTUAL STUDENTS

Virtual attendance refers to the delivery of instructional content that does not occur in a physical classroom in a traditional brick and mortar setting. Students who are enrolled in Aiken Innovate (virtual learning) will need to log into their courses daily. Parents are expected to ensure that students are logging in and participating in their coursework on a daily basis.

Parents and students should be aware that completion of assignments is evidence of a student’s attendance on their virtual learning days. Failure to complete assignments, or no evidence of attempts to complete assignments, will result in absences for the virtual learning days. Parents of virtual students are expected to review their children’s work and ensure that it is submitted on time.

Regardless of the platform, if there are any difficulties in a course, such as difficulty understanding concepts or electronically submitting work, parents must contact the teacher to correct the issue.

STUDENT CONDUCT

The Philosophy of the Aiken County Schools remain the same: *A positive learning environment is safe, drug free, and without disruption. Good student conduct is essential to the achievement of the school's goals and objectives.* Students enrolled in either Aiken Innovate or in a face to face setting will be held to the same behavioral expectations established in the Code of Student Conduct including avoiding creating minor disruptions and adhering to the student dress code. Students will be given an opportunity to correct minor disciplinary infractions whether in person or online.

If behaviors persist, administrative disciplinary actions will be pursued at the discretion of school administration, according to the consequences outlined in the Code of Student Conduct. For minor Level I behavior issues that occur online, a teacher may choose to mute the student or close him/her out of that specific online class period. In such case, the teacher should contact the parent.

Students who commit an infraction online that falls into Level II (Disruptive Conduct) may be temporarily suspended from virtual courses by administration if the disruptive behaviors continue. Students who commit a Level III (Criminal Conduct) offense during remote learning will be suspended from the program, pending an expulsion hearing if necessary, and will be provided an opportunity for due process hearing to be held with the District Hearing Officer.

IMPORTANT - DUPLICATE OF SIGNATURE PAGE
THIS PAGE REMAINS IN BOOK FOR FUTURE REFERENCE

PARENT AND STUDENT ACKNOWLEDGMENT

IMPORTANT NOTICE TO PARENTS AND GUARDIANS:

Maintaining discipline and appropriate student behavior is necessary for the operation of our schools. Invoking disciplinary procedures may at times be stressful and emotional for parents and the students involved. Nevertheless, the Board of Education expects communications and meetings between school personnel and parents to be conducted reasonably, even if there are differences of opinion.

THE BOARD DOES NOT EXPECT STAFF MEMBERS TO BE SUBJECTED TO VERBAL OR PHYSICAL ABUSE. ADULTS WHO ABUSE STAFF MEMBERS CAN EXPECT TO HAVE APPROPRIATE LAW ENFORCEMENT OFFICIALS SUMMONED AND LEGAL RECOURSE PURSUED, IF NECESSARY.

We, parent/guardian and student, have read the conduct regulations (Code of Student Conduct) which are in effect in the schools of The Consolidated School District of Aiken County during the school year 2020-2021.

We understand, as set forth in greater detail in this Code of Student Conduct, that students may be expelled for the remainder of the year, even permanently, for violations including, but not limited to:

1) firearms or other weapons
2) drugs
3) alcohol
4) violent acts, or threats thereof, committed against school staff or other students
5) arson/damage to property
6) major disruptions
7) conduct involving sexual activity or offenses and/or offenses against common decency

The undersigned further acknowledge having read and understood the School District's Internet Acceptable Use policy (Policy IJNDB and Administrative Rule IJNDB-R), which are set forth in their entirety in this pamphlet, and which require student and parental consent and include potential disciplinary infractions covered within the Rule and within this Code of Student Conduct.

PRINTED NAME OF PARENT (GUARDIAN) _____ PRINTED NAME OF STUDENT _____ GRADE _____

SIGNATURE OF PARENT (GUARDIAN) _____ SIGNATURE OF STUDENT _____

DATE _____ DATE _____

****

NOTE: ***State law makes it criminal conduct in South Carolina to threaten bodily harm or death to a teacher, principal, school staff member, or family member of any of these persons; to disturb schools; or to interfere with the operation of a school bus. State law also mandates that conduct which may constitute a crime be reported to law enforcement. Parents and students need to be advised of the seriousness of any such threatening statements (even when made by very young and immature students), as these will be reported to law enforcement and may result in charges being brought. Threats of violence, harm, or death by students against other students, or against other third parties, are serious violations of this Conduct Code and will lead to strict disciplinary consequences which may include expulsion (and referral to law enforcement where appropriate).***

FOR PARENT / GUARDIAN REFERENCE
GO TO NEXT PAGE FOR SIGNATURE SHEET

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DATE		DATE

****

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PLEASE SIGN, REMOVE AND RETURN TO SCHOOL