

Elementary School Code of Conduct

2026-2027



AIKEN COUNTY
PUBLIC SCHOOLS

2025-2026

2026-2027

THE CONSOLIDATED SCHOOL DISTRICT OF AIKEN COUNTY CODE OF
STUDENT CONDUCT

FOR ELEMENTARY SCHOOL GRADES (4K - 5)

IMPORTANT: *PARENTS AND STUDENTS SHOULD READ THIS DOCUMENT CAREFULLY AND ACKNOWLEDGE RECEIPT IN POWERSCHOOL.*

The policies set forth in the following Code of Student Conduct, as adopted by the Aiken County Board of Education, apply to all 4K - 5th grade students of The Consolidated School District of Aiken County. ***(Elementary School Principals have broad discretion in the application of this Code due to the early developmental nature of many of their students.)*** This Code of Student Conduct applies to summer school students and students who have an Individual Education Plan (IEP) or a 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 redirect inappropriate behaviors and to offer effective strategies for changing such behaviors, with opportunities to do so except in very serious circumstances. Ensuring 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 III offenses listed in this Code, the Assistant Superintendent 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, matters including (but not limited to), prior conduct (disciplinary record), academic achievement, citizenship, and contributions to the regular and extracurricular school programs by the student may be considered. Preferential treatment for the purpose of maintaining athletic or extracurricular 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 School 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. Jurisdiction of Student Conduct:

The provisions of this Code of Student Conduct apply to any student:

- who is on school property during and immediately before or after school hours;
- who is on the school grounds at any other time when the school is being used by a school group;
- who is in attendance at school or any school-sponsored activity;
- who is in enroute to and from school on a school bus or other school vehicle, or at an official school bus stop; or
- whose conduct at any time or in any place (including through electronic communications and the use of social media) has a direct and immediate effect on maintaining order and discipline in the schools.

V. Student Conduct Requirements:

While under school jurisdiction, students are required to always conduct themselves 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.*
- L. *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.*

HEARINGS AND APPEALS

***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.*

Process for Hearings and Appeals

MINOR INFRACTIONS:

Typical minor disciplinary actions consist of restriction of privileges, work assignments (such as picking up paper, washing desktops, 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 I**

SERIOUS INFRACTIONS:

Typically starting at Level II offenses: For any of the offenses listed in **Level II**, 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**

MAJOR INFRACTIONS:

For any of the offenses listed in **Level III**, 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.**

ADMINISTRATIVE ACTIONS:

Before disciplining a student, the principal, or the principal’s designated administrator, will investigate, 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 desktops, or sweeping floors); detention; in-school suspension; out-of-school suspension; expulsion, or referral to 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, they will be disciplined in accordance with federal and state law as set forth in special education procedure developed by the administration.

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 principal can uphold the recommendation or provide consequences in lieu of suspension. For violations in which the principal's recommendation is expulsion the hearing officer can uphold the recommendation or provide consequences in lieu of expulsion.

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.

PROCEDURES FOR ADMINISTRATIVE PLACEMENT IN AN ALTERNATIVE SETTING (XSEL):

In certain circumstances, a student may be placed in the alternative setting after an accumulation of level II infractions with a conference and **agreement by both** the administration and the parent/guardian. This agreement must be in place **prior** to the student committing an expellable offense.

PROCEDURES, HEARINGS, AND APPEALS:

A recommendation for expulsion will be confirmed by the school level Assistant Superintendent. The Assistant Superintendent 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, as provided below. **The student and his/her parent or guardian will attend the hearing before the 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 fails to attend the hearing designated, the expulsion recommendation will be forwarded to the Board of Education for ratification. In any hearing, 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.

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 recommendation for 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. The parent or guardian shall have the right to examine records and request copies of all information as it pertains to the student's case. All evidence/information intended to be presented by the school during the hearing should be requested from the student's host school. 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 the 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 before the Board.** An appeal 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 appeal. 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 the Hearing Officer's decision or as a result of an appeal of the Hearing Officer's decision to the 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 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 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.

Any appeal of an alternative placement will be conducted during a Board of Education Executive Session using only the record from the due process hearing conducted by the Hearing Officer.

PROCEDURES FOR ALTERNATIVE PLACEMENT APPEALS:

Written notice of the Hearing Officer's decision shall be given to the parent or guardian. All requests for appeal of an alternative placement recommendation that has been upheld by the Hearing Officer must be in writing. The appeal must distinctly set forth the question in dispute, the decision of the hearing officer, and a concise statement of the reasons why the decision is being appealed. The Board of Education will review the decision based solely on the record of the hearing and no new evidence or testimony will be considered.

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 recommendation for alternative placement will stand.

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 during the executive session utilizing the record from the due process hearing conducted by the Hearing Officer.

An appeal shall take place at the next Board meeting immediately following receipt of the written request to appeal, and a decision shall be rendered within ten (10) days of the appeal. To avoid truancy, the student will enroll and attend alternative placement while the appeal is pending. A

student in alternative placement 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.

PETITION FOR READMISSION FOR SCHOOL YEAR FOLLOWING EXPULSION:

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.

SEARCHES, CONFISCATIONS, ETC

UNAUTHORIZED ENTRY, AND PERSONAL DEVICE USAGE

SCHOOL SEARCHES AND RETENTION OF CONTROL OVER SCHOOL PROPERTY:

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 to be reasonably 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.

CONFISCATION OF WEAPONS AND/OR OTHER ILLEGAL, DANGEROUS, OR UNAUTHORIZED ITEMS OR DEVICES:

Any weapon, look-a-like 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 other item reasonably considered a weapon or inherently dangerous by school administration and confiscated may be held at 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 a 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)**

NON-STUDENTS ON GROUNDS:

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 Assistant Superintendent).

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, 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.

ACPSD Board Policy JICJ Personal Electronic Devices & Enforcement Procedures:

Pursuant to ACPSD [Board Policy JICJ](#), students are prohibited from utilizing **personal electronic devices** or **accessories** during the instructional school day.

For this policy, **personal electronic device** means any device utilized to access the internet, wi-fi, cellular telephone signals, or to capture images or video. This includes, but is not limited to cell phones, smart watches, tablets, and gaming devices.

This also includes the use of accessories. **Personal electronic device accessories** include any wired

or wireless accessory or wearable technology that connects to a device and any other accessory commonly used in conjunction with a personal electronic device.

Although middle and high school students may possess a personal electronic device, the device should not be activated or utilized for any function unless specifically authorized as part of an instructional directive by a teacher or other classroom supervisor. Unless school-specific exceptions apply, the above specified devices should be **turned off** and **placed out of sight** and **not in use** during instructional day. This rule applies during established school day hours and at off-campus activities during the school day. (Principals may further restrict use before and after school as necessary.)

For each violation the student will be informed that he or she is in violation of the Electronic Device Policy, and the student will be asked to turn the device off and put it away. A referral for Cell Phone Violation (Code 330) will be entered.

The following consequences will be followed when processing a referral:

- **1st Offense Personal Electronic Device or Accessory Violation – up to 1 Day ISS**
 - Upon processing, the administrator will remind the student of the policy and future consequences such as ISS, OSS, etc.
- **2nd Offense Personal Electronic Device or Accessory Violation – 1 to 3 days ISS**
- **3rd Offense Personal Electronic Device or Accessory Violation – Up to 3 Days OSS & Probation/Behavior Contract**
- **Subsequent Offenses** will follow the consequences outlined in the probation/behavior contract and may be considered Refusal to Obey (Code 270)

BULLYING - AS DEFINED BY THE NATIONAL CENTRE AGAINST BULLYING (NCAB):

Bullying is an ongoing and deliberate misuse of power in relationships through repeated verbal, physical and/or social behavior that intends to cause physical, social and/or psychological harm. It can involve an individual or a group misusing their power, or perceived power, over one or more

persons who feel unable to stop it from happening.

Bullying can happen in person or online, via various digital platforms and devices and it can be obvious (overt) or hidden (covert). Bullying behavior is repeated, or has the potential to be repeated, over time (for example, through sharing of digital records).

Bullying of any form or for any reason can have immediate, medium and long-term effects on those involved, including bystanders. Single incidents and conflict or fights between equals, whether in person or online, are not defined as bullying.

WHAT BULLYING IS NOT:

- *single episodes of social rejection or dislike*
- *single episode acts of nastiness or spite*
- *random acts of aggression or intimidation*
- *mutual arguments, disagreements or fights*

These actions can cause great distress. However, they do not fit the definition of bullying and they're not examples of bullying unless someone is deliberately and repeatedly doing them.

DRESS CODE

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.

APPROPRIATE ATTIRE:

- *Dresses (and splits in dresses), skirts (and splits in skirts), skorts, and shorts must be no more than five (5) inches above the knee when standing, (leggings, including sheer material, or tights do not substitute for length).*
- *Clothing must cover undergarments.*
- *Leggings/tights/thermal tights may only be worn under dresses, shirts, shorts, or skirts of the appropriate length, no more than five (5) inches above the knee. Leggings or*

tights may also be worn under jeans that have holes to cover skin. Pants, shorts and skirts must be worn at the waist. Pants/shorts/skirts should not be so tight as to show undergarments.

- *Shirts and tops with sleeves at least 3" wide at the shoulder.*
- *Religious head coverings.*
- *Appropriate undergarments must be worn.*

INAPPROPRIATE ATTIRE FOR ALL STUDENTS:

- *Hats, hoods on clothing, or jackets, athletic headbands, and sunglasses. ANY VIOLATION WILL RESULT IN CONFISCATION OF THE ITEMS*
- *Head coverings such as ~~headbands~~, bandanas, and bonnets*
- *Tube tops, halter tops, tops with string straps, and plunging necklines that expose cleavage*
- *Bare midriffs and backs*
- *See-through garments or sheer garments*
- *Shoes with wheels or cleats*
- *Bedroom shoes/house slippers, lounge wear, pajamas/sleepwear, and blankets*
- *Wallet/pocket chains*
- *"Sagging" pants. Sagging is identified as pants that are not worn at the waist, underwear/shorts should not be showing. Exposed undergarments may be considered Refusal to Obey and lead to further disciplinary action*
- *Clothing that promotes tobacco, alcohol or other drugs*
- *Clothing that promotes guns, violence, gangs, sex, or disrespect to others*
- *Rips, tears, holes and worn places in clothing must be no more than five (5) inches above*

the knee UNLESS TIGHTS ARE WORN UNDER THEM, COVERING SKIN (excludes pants that have a sewn-on patch outside or inside the pants leg). No undergarments should be showing.

- *The display of obscene or profane language or gestures on clothing may result in an out of school suspension. 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.*
- *Accessories/Jewelry with spikes or items that can be used as weapons*
- *Flip Flops (refrain from wearing because of safety concerns)*

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. School will notify parents. Repeated violations of the Dress Code will be addressed as outlined in the Student Code of Conduct.

Exemptions to the dress code may be made by the principal in certain religious or medical circumstances.

OFFENSES AND DISCIPLINARY PROCEDURES

ELEMENTARY SCHOOL BEHAVIOR CONSEQUENCES BY LEVEL

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 I Infractions (PK-2nd Grade)

Level I offenses for PK-2nd grade will be dealt with by the teacher until they reach a chronic level (a minimum of three (3) offenses) then violations can be moved to Level II. If moved to Level II, all consequences should be modified so they are age or developmentally appropriate.

Abbreviation	Meaning	Abbreviation	Meaning
WRN	Warning	CP	Contact Parent
CNF	Conference	REST	Restitution
LP	Loss of Privileges/Confiscation	DET	Detention
BC	Behavior Contract	RE	Recommended for Expulsion
ISS	In-School Suspension	OSS	Out of School Suspension
CS	Community Service		
<p><i>Chronic and severe violations on Level I may move to the next level</i></p> <p><i>Counselor Support can be used in addition to any consequence Any DET, ISS, or OSS will initiate parental contact</i></p>			

Infraction	PowerSchool Code	Consequences	
		1 st Offense	2nd Offense
1. Other minor offenses– behavior that disrupts the orderly educational process of school (loud talking, yelling, out of line, etc.)	002	CP/WRN	ISS
2. Throwing objects – items that disrupt the orderly educational process	028	CP/WRN	ISS
3. Tardiness – arriving late for an assigned class or related activity	180	See Tardy Policy	
4. Defiance/Disrespect – failure to comply/attitude of defiance, disrespectful towards students, words and gestures Disrespect Lack of courteous regard for another person	420	CP/WRN	ISS
4. Hit/Kick/Push	014	CP/WRN	ISS
5. Inappropriate language	016	CP/WRN	
6. Bite/Pinch/Spit	003	CP/WRN	ISS
7. Disrupting Class	007	CP/WRN	ISS

Level I 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 the school bus, and at other school-sponsored activities.

Abbreviation	Meaning	Abbreviation	Meaning	
WRN	Warning	CP	Contact Parent	
CNF	Conference	REST	Restitution	
LP	Loss of Privileges/Confiscation	DET	Detention	
BC	Behavior Contract	RE	Recommended for Expulsion	
ISS	In-School Suspension	OSS	Out of School Suspension	
CS	Community Service			
<p><i>Chronic and severe violations on Level I may move to the next level</i></p> <p><i>Counselor Support can be used in addition to any consequence</i></p> <p><i>Any DET, ISS, or OSS will initiate parental contact</i></p>				
Infraction	PowerSchool Code	Consequences		
		1 st Offense	2 nd Offense	3 rd Offense
1. Forgery/tampering – changing, signing or altering records or documents of the school by any method	011	CP/ISS (1-2)	ISS (2-3)	ISS (3-5)
2. Cutting class – an unauthorized absence from an assigned class or related activity	160/170	CP/WRN/ ISS (1-2)	ISS (2-3)	ISS (3-5)

Infraction	PowerSchool Code	Consequences		
		1st Offense	2 nd Offense	3 rd Offense
3. Gambling – participation in games of chance for money and/ or other things of value	630	CP/WRN/REST	ISS (1-3)/ OSS (1-3)	ISS (3-5)/ OSS (3-5)
4. Truancy – 3 consecutive unlawful or 5 unlawful absences	151	See Attendance Policy		
5. Leaving class without permission	320	CP/WRN/ ISS (1-2)	ISS (1-3)/ OSS (1-2)	OSS (1-5)
6. Dishonesty – the intentional giving of false information, either verbally or in writing to a school employee	006	CP WRN	ISS (1-3)	OSS (1-3)
7. Profanity – directing profanity, vulgar language, ethnic/racial slurs, or obscene gestures toward adults, school staff, or visitors	210	ISS (1-3)	OSS (1-3)	OSS (3-5)
8. Hit/Kick/Push or Horseplay	014/405	CP/ISS (1-3)	OSS (1-3)	OSS (1-5)
9. Disrespectful/Inappropriate Language (including profanity) or gestures towards peers.	016	CNF	CNF/ISS (1-2)	CNF/ISS (1-3)/ OSS (1-3)
Disrespect	420	Warning	ISS (1-3)	ISS (3-5)
10. Gang Signs/Gang Activity	250	CP/ISS (1-3)	OSS (1-3)	OSS (3-5)
11. Disrupting Class	007	CNF	CNF/ISS (1-3)	ISS (3-5)/ OSS (1-3)

12. Computer or Property Violation (minor)	220	CP /WRN	CNF/ISS (1-2)	OSS (1-3)
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Infraction	PowerSchool Code	Consequences		
		1st Offense	2 nd Offense	3 rd Offense
13. Bite/Pinch/Spit	003	CP /ISS (1-3)	ISS (1-3)	OSS (1-3)
14. Possession of over-the-counter medication	031	CP WRN	CNF	ISS (1-3)
15. Cell Phone/Personal Electronic Device Violation	330	Up to 1 Day ISS	ISS (1-3)	OSS (1-3)/BC
16. Public Displays of Affection	022	WRN/ CP	ISS (1-3)	OSS (1-3)

Level II 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 I) may be reclassified as disruptive conduct (Level II) if it occurs three or more times. The provisions of this regulation apply not only to in-school activities, but also to student conduct on a school bus and at other school-sponsored activities.

Abbreviation	Meaning	Abbreviation	Meaning
WRN	Warning	CP	Contact Parent
CNF	Conference	REST	Restitution
LP	Loss of Privileges/Confiscation	DET	Detention
BC	Behavior Contract	RE	Recommended for Expulsion
ISS	In-School Suspension	OSS	Out of School Suspension
CS	Community Service		

Counselor Support can be used in addition to any consequence.

Any DET, ISS or OSS will initiate parental contact.

Infraction	PowerSchool Code	Consequences		
		1st Offense	2nd Offense	3 rd Offense
1. Vandalism - cutting, defacing, or in any way damaging property	760	CP /ISS/ OSS(1-3)/REST	OSS (1-3)/ REST	OSS (3-5)/ REST
2. <i>Stealing</i>	285	CP /OSS (1-3)	OSS (3-5)	OSS (5-10)
3. Inappropriate behavior	017	CP /ISS (1-3)	OSS (1-5)	OSS (3-5)
4. Possession of stolen goods	740	CP /OSS (1-3)/ REST	OSS (3-5)/ REST	OSS (5-10)/ REST
5. Leaving School without permission	310	CP /ISS (1-3)	OSS (1-3)	OSS (3-5)
6. Possession of use of fireworks	010	CP /ISS (1-3)/ OSS (1-3)	OSS (3-5)	OSS (5-10)/RE
7. Fighting, instigating a fight or physical abuse	009/001	CP /ISS (1-3)/ OSS (1-3)	OSS (3-5)	OSS (5-10)
8. Unauthorized use of electronic devices/ <i>AI eyeglasses</i> /Computer Violation (major)	390	CNF/DET (1-3)	CNF/ISS (1-3)	CNF/OSS (1-3)
9. Sexual harassment (verbal/written/physical) using sexual comments and suggestive physical contact	013	ISS (1-3)/ OSS (3-5)	ISS (3-5)/ OSS (3-5)	OSS (5-10)

10. Indecent exposure	019	CP /ISS (1-3)/ OSS (1-3)	ISS (3-5)/ OSS (3-5)	OSS (5-10)/ RE
11. Possession of Contraband	004	OSS (1-3)/ CNF	OSS (2-4)/ CNF	OSS (3-5)/RE
12. Refusal to Obey/Defiant	270	ISS (1-3)/ OSS (1-3)	OSS (2-3)	OSS (3-5)

Infraction	PowerSchool Code	Consequences		
		1st Offense	2nd Offense	3 rd Offense
13. Bullying, Harassment, Cyberbullying, and Intimidation	650/651/ 652/012	OSS (1-3)	OSS (3-5)	OSS (5-10)/ RE
14. Severe disrespect towards adults with gestures or words	290	OSS (1-3)	OSS (3-5)	OSS (5-10)/ RE
15. Smoking/Tobacco - use or possession of tobacco products on school premises	230	CP /ISS (1-3)/ OSS (1-3)	OSS (3-5)	OSS (5-10)
16. Sexting on School Property	295	OSS (1-3)	OSS (3-5)	OSS (5-10)/ RE
17. Threatening students or adults - written/verbal/electronic or assault to other students or school personnel or visitors	027	CP /ISS (1-3)/ OSS (1-5)	OSS (1-10)	OSS (1-10)/ LE/RE
18. Possession or distribution of inappropriate or obscene literature, pictures, or devices	018	ISS (1-3)/ OSS (1-3)	ISS (1-3)/ OSS (1-3)	ISS (3-5)/ OSS (3-5)
19. E-cigarettes, Vape devices, vapors, oils	230-VAP	OSS (1-3)	OSS (3-5)/RE	RE

20. Cheating	190	CP WRN	ISS (1-3)	OSS (1-3)
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Level III Infractions

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

Abbreviation	Meaning	Abbreviation	Meaning
WRN	Warning	CP	Contact Parent
CNF	Conference	REST	Restitution
LP	Loss of Privileges/Confiscation	DET	Detention
BC	Behavior Contract	RE	Recommended for Expulsion
ISS	In-School Suspension	OSS	Out of School Suspension
CS	Community Service	LE	Law Enforcement Called
<p><i>Counselor Support can be used in addition to any consequence.</i></p> <p><i>Any DET, ISS, or OSS will initiate parental contact</i></p>			
Infraction	Power School Code	Consequences	
		1 st Offense	2 nd Offense
1. Simple or Aggravated Assault to staff and/or students-an intentional, unlawful act to do violence to another person	510/520	OSS (1-10)/ LE/RE	RE/LE
2. Possessing firearms/weapon to include possessing BB or Pellet guns or any look-alike weapon/using or threatening to use by showing any instrument such as knife, box cutter, stun guns, mace, etc.	789	OSS (1-10)/ RE/LE	RE/LE
3. Possession of/under influence of/ Selling/ Possession with intent to distribute illegal drugs, prescription drugs, or alcoholic beverage, including paraphernalia/ facsimile (materials passed as illegal drugs) to include CBD oils.	570/580/ 575/585	OSS (1-10)/ RE/LE	RE/LE

<i>4. Mind-altering Substances, CBD Oils</i>	<i>575/570/ 580 680/585</i>	<i>OSS (10) & Referred to Use Intervention Program</i>	<i>RE/LE</i>
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Infraction	Power School Code	Consequences	
		1 st Offense	2 nd Offense
<i>5. Bomb Threat/Intentional False Fire Alarm</i>	<i>260/350</i>	<i>OSS (1-10)/ RE/LE</i>	<i>RE/LE</i>
<i>6. Threatening students or adults - written/verbal/electronic or assault to other students or school personnel or visitors</i>	<i>027</i>	<i>OSS (1-10)/ RE/LE</i>	<i>RE/LE</i>
<i>7. 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</i>	<i>600</i>	<i>OSS (1-10)/ LE/RE</i>	<i>RE/LE</i>
<i>8. Arson</i>	<i>500</i>	<i>OSS (1-10)/ LE/RE</i>	<i>RE/LE</i>
<i>9. Major Vandalism exceeding \$100.00 in damage</i>	<i>760</i>	<i>OSS (1-10)/ LE/RE</i>	<i>RE/LE</i>
<i>10. Non-forced Sex Offense</i>	<i>690</i>	<i>OSS (1-10)/ LE/RE</i>	<i>RE/LE</i>
<i>11. Other Serious Offenses (i.e., criminal offenses in the community)</i>	<i>700</i>	<i>RE/LE</i>	<i>RE/LE</i>
<i>12. Sexual Extortion (Gavin's Law, sextortion)</i>	<i>715</i>	<i>RE/LE</i>	<i>RE/LE</i>

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 a recommendation of expulsion*
- *Confiscation*

Consequences for Level III 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.

Abbreviation	Meaning	Abbreviation	Meaning	
WRN	Warning	CP	Contact Parent	
CNF	Conference	REST	Restitution	
LP	Loss of Privileges/Confiscation	DET	Detention	
BC	Behavior Contract	RE	Recommended for Expulsion	
ISS	In-School Suspension	OSS	Out of School Suspension	
CS	Community Service	LE	Law Enforcement Called	
<p><i>Counselor Support can be used in addition to any consequence.</i></p> <p><i>Any DET, ISS, or OSS will initiate parental contact</i></p>				
Weapon	Intent	Consequences		
		1st Offense	2nd Offense	3rd Offense
<i>Knife (786) blade < 2"</i>	<i>Possession –</i>	<i>CNF/LE</i>	<i>RE/LE</i>	<i>RE/LE</i>
<i>Knife (784) blade >2"</i>	<i>Self-Reported</i>			
<i>Knife (785) blade > 2.5"</i>	<i>Possession – Shown or Threat to others</i>	<i>RE/LE</i>	<i>RE/LE</i>	<i>RE/LE</i>

DEFINITIONS

Term	Definition
Alternative Placement	<p>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.</p> <p>Placement may include assignment to a virtual school setting, home-based instruction.</p>
Assault	<p>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.</p>
Bullying	<p>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.</p> <p>(1) "Harassment, intimidation, or bullying" means a gesture, an electronic communication, or written, verbal, physical, or sexual act that is reasonably perceived to have the effect of:</p> <p>(a) 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; or</p> <p>(b) insulting or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school.</p> <p>(2) "School" means 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 child.</p>

Cheating	Academic dishonesty involving copying another student's work, unauthorized use of AI , 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.

Term	Definition
Contraband	<i>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.</i>
Cutting class	<i>An unauthorized absence from an assigned class or related activity.</i>
Defiance	<i>Refusal to comply with a request from school staff/personnel.</i>
DET	<i>Detention Hall</i>
Disrespect	<i>Lack of courteous regard for another person.</i>
Disrupting class	<i>Behavior which disrupts the orderly educational process of school.</i>
Electronic device	<i>Device such as cell phone, smart watches, iPod, headphones, handheld video game devices, AI eyeglasses, etc.</i>
Extortion	<i>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.</i>

Facsimile/ Imitation Drugs	<i>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.</i>
Fighting	<i>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.</i>

Term	Definition
Forgery	<i>Signing someone else's name or using a signature which is not authentic.</i>
Gambling	<i>Participation in games of chance for money and/or other things of value.</i>
Ganging/Gang-related activity	<i>Group activity which involves intimidating, threatening, lynching, or physical violence.</i>
Harassing	<i>Repeated annoyance of students/staff. Harassment refers to intimidation or abusive behavior towards a student in the form of verbal acts, non-verbal behavior, graphic, written statements, or conduct that is physically threatening, harmful, or humiliating.</i>
Hit/Kick/Push	<i>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.</i>

Horseplay	<i>Rough or boisterous behavior that can unintentionally result in someone getting injured.</i>
Inappropriate Behavior	<i>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.</i>
Insubordination	<i>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.</i>
Intimidating	<i>To frighten/inhibit another person.</i>

Term	Definition
Intoxicating substance	<i>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 or mind-altering substances.</i>
ISS	<i>In School Suspension</i>
Larceny/Theft	<i>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.</i>
Laser pointer	<i>If used to inflict harm, will be considered a weapon.</i>
Loitering	<i>To stand idly by without legitimate reason or business.</i>

Lynching	<i>Group activity involving physical violence.</i>
Major Disruption	<i>Disruptive behavior that poses a serious threat to the learning environment, health, safety, or welfare of others.</i>
Misconduct	<i>Behavior not conforming to school rules/regulations.</i>
Non-forcible sex offense	<i>Unlawful, non-forcible sexual intercourse; or unlawful sexual exposure</i>
Obscene/ Profane	<i>Offensive or degrading</i>
OSS	<i>Out of school suspension</i>
Physical Altercation	<i>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.</i>
Pornography	<i>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</i>

Term	Definition
Paging device	<i>(Per state law 59-63-280/Safe Schools Act) electronic summoning device will be confiscated</i>
Public Display of Affection	<i>Kissing, cuddling, necking or petting in public</i>
Refusal to Obey/ Defiance	<i>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.</i>
Restitution	<i>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.</i>

Sexual Harassment	<i>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.</i>
Sextortion	<i>Sexual Extortion – A person commits the offense felony of sexual extortion if the actor intentionally and maliciously threatens to release, exhibit, or distribute a private image of another in order to compel or attempt to compel the victim to do any act or refrain from doing any act against his/her will, with the intent to obtain additional private images or anything else of value.</i>
Simple Assault	<i>Causing physical injury to any person or attempting to cause or threaten physical injury to any person, unaccompanied by any circumstances of aggravation.</i>
Stealing	<i>To take the property of another without right or permission with the intent to not return the property.</i>
Threat	<i>To assault or commit any act which would cause a reasonable person to be put in fear of danger or harm</i>

Term	Definition
Use Intervention Program	
Tobacco/ Paraphernalia	<i>Use/Possession of tobacco products, including cigarettes, chewing tobacco, snuff, rolling papers, lighters, matches, e-cigarettes, vapors etc.</i>
Unauthorized Use of School Equipment	<i>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.</i>

Vandalism	<i>“Illegal graffiti vandalism” means an inscription, writing, drawing, marking, or design that is painted, sprayed, etched, scratched, or otherwise placed on structures, buildings, dwellings, statues, monuments, fences, vehicles, or other similar materials that are on public or private property and that are publicly viewable, without the consent of the owner, manager, or agent in charge of the property.</i>
Victimizing	<i>Harming/Taking advantage of another person</i>

Persistently Dangerous Schools Report

**(Definitions of Offenses from the 2016-2017 South Carolina Department of Education
PowerSchool Incident Management Manual)**

Term	Definition
Aggravated Assault	<i>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.</i>
Kidnapping/ Abduction	<i>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.</i>
Drug Distribution (Drug Usage & Drug Possession)	<i>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 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 a counterfeit substance.</i>

Term	Definition
Drug Paraphernalia	<p><i>Paraphernalia” as “any instrument, device, article, or contrivance used, designed for use, or intended for use in ingesting, smoking, administering, manufacturing, or preparing a controlled substance and does not include cigarette papers and tobacco pipes but includes, but is not limited to: (a) metal, wooden, acrylic, glass, stone, plastic, or ceramic marijuana or hashish pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls; (b) water pipes designed for use or intended to use with marijuana, hashish, hashish oil, or cocaine: (c) carburetion tubes and devices; (d) smoking and carburetion masks; (e) roach clips; (f) separation gins designed for use or intended for use in cleaning marijuana; (g) cocaine spoons and vials; (h) chamber pipes; (i) carburetor pipes; (j) electric pipes; (k) air-driven pipes; (l) chilams; (m) bongs; (n) ice pipes or chillers.</i></p>
Use Intervention Program	<p><i>A free resource in partnership with The Aiken Center. Students and parents learn about the dangers of vaping, drug use, and the use of mind-altering substances. May be used as an intervention for some first-time offenders.</i></p>

Homicide	<i>Homicide is the killing of one human being by another. Does 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.</i>
Robbery	<i>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 result in death, the crime should be listed as a homicide.</i>

Term	Definition
Sex Offenses, Forcible	<i>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).</i>

<p>Sexting</p>	<p><i>Creating, possessing, or sharing nude, partially nude, or other sexually explicit or suggestive images, videos, or visual representations using non-digital means (e.g., printed materials) or electronic communication, including but not limited to texting, emailing, or posting on social media platforms. These acts are prohibited whether or not the subjects of the images, videos, or visual representations consent to their being created, possessed, or shared.</i></p>
<p>Weapons Offenses</p>	<p><i>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.</i></p>

ATTENDANCE

- *Students are required to bring written documentation for absences within 5 days from the day they return from an absence. Absences may be submitted via email to the school attendance clerk - this method is subject to verification.*
- *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 the semester) in order to assist the principal in making that decision.*
- *Absences with no documentation are automatically considered unlawful.*
- *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) :

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

UNLAWFUL ABSENCE(S) :

- *The student is willfully absent from school without the knowledge of his/her parents.*
- *The student is absent without acceptable reason with the knowledge of his/her parents.*
- *The student is absent and fails to turn in an acceptable note within 5 days of the student's return from*

an illness.

- *The student accumulates more than 10 absences, and a medical note is not received.*

TRUANCY:

- *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.*
- *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.*
- *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 regularly attend 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

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 Compulsory School Attendance Law (CSAL) because 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 written documentation must be provided.

- *Illness on part of the student with a written medical excuse*
- *Emergency and/or hardships at the discretion of the principal*
- *Doctor or Dentist appointment*
- *Late bus arrival*
- *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.

- *Illness on part of the student without a written medical excuse*
- *Oversleeping, traffic, carpool trouble, or other “personal reasons”*
- *Missed Bus*
- *Car trouble*

Make-up Work:

Students who have excused absences from class as defined by the state and ACPSD Administrative Regulation will be given the opportunity to make up work and be assigned a grade based upon the quality of that work. For excused (lawful) absences, students will be allowed to make up any missed assignments and /or work due to the absence(s). This will include quizzes, tests, writing assignments, etc. The period for making up the work will be at least one (1) class day for each class day missed to a maximum of one (1) week. For example, if a student misses two (2) days of school (Monday and

Tuesday) and returns on Wednesday, then Thursday and Friday will be granted as make-up days for missing Monday and Tuesday (one (1) day for each day missed). In this example, all missed assignments or work (tests, quizzes, etc.) would not be due until Monday.

*Students with unexcused absences may be allowed to make up work at the discretion of the principal or teacher; however, the unexcused absence remains in the student’s record.

ELEMENTARY SCHOOL

Tardy is defined as not being inside the appointed classroom at the beginning of designated class period start time. Students who are late to school shall be marked absent to class when the entire class is missed and marked tardy to the class that is partially missed. **Unexcused/Unlawful tardies are considered a violation of the Compulsory School Attendance Law because instruction time is missed.** Unexcused tardies and unlawful absences from individual classes will be addressed in an Attendance Intervention Plan and may result in a referral to the District Attendance Office or Family Court.

In that tardies to individual classes are considered a disruption to class, the following consequences are administered by class period. Tardies do not reset at the semester for a yearlong course.

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

- **Level 1:** *Warning Level*
- **Level 2:** *Support Services Letter: (i.e. Student Services Worker, School Counselor, 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 lost 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.*

BUS TRANSPORTATION DISCIPLINE CODE

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.**

Violations:

- *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 unauthorized electronic device (including earbuds, etc.)*

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:

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

Any Referral that results in a suspension from bus for the remainder of the school year must include a conference with parents.

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. RESTITUTION FOR SEVERE VANDALISM WILL BE A CONSIDERATION AND REQUIREMENT PRIOR TO ENDING A SUSPENSION OR RE-ENROLLING IN SCHOOL.

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 offenses, 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.

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 items 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 judgment 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:

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.

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.

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.

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

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:

In order for the district to be able to continue to make its computer network and internet access available, all users, including students, must take responsibility for appropriate and lawful use of these technologies. Students accessing district-provided internet access are responsible for appropriate online behavior. The same general rules for behavior apply to students' use of district-provided devices. While the district's teachers and other staff will make reasonable efforts to supervise use of network and internet access, they must have student cooperation in exercising and promoting responsible use of this access, and students must be held responsible and accountable for their own conduct.

All use of electronic networks will be consistent with the goals of the district's educational program and should facilitate resource sharing, innovation, and communication. The failure of any user to follow these procedures will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

Accessing Inappropriate Sites

Each district computer or other technology device with internet access will have a filtering device that blocks access to visual depictions that are obscene, pornographic, harmful, or inappropriate for students, as defined by the Children's Internet Protection Act and as determined by the superintendent or his/her designee.

The district will also monitor the online activities of students, through direct observation and/or technological means, to ensure that students are not accessing such depictions or other material that is inappropriate and/or harmful to minors. The superintendent or his/her designee will enforce the use of such filtering devices.

The district will provide reasonable notice of and at least one public hearing or meeting to address and communicate its internet safety measures. The district's main webpage will also include the district's policy and procedures regarding enforcement of this policy, and they will be available for review at the district office.

Discipline and Reporting

If any user violates this policy or any related procedures, the student's access to the district's internet system and computers or other technology devices will be suspended, revoked, or denied, and he or she may be subject to additional disciplinary action. Actions which violate local, state, or federal law may be referred to local law enforcement.

District and school computer technicians who are working with a computer or other technology device 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 Digital Citizenship

The district will educate minors about appropriate 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.

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.

Warranties/Indemnification

The district makes no warranties of any kind, express or implied, in connection with its provision of access to and use of its computer networks and the internet provided under this policy. The district is not responsible for any information that may be lost, damaged, or unavailable when using the network, or for any information that is retrieved or transmitted via the internet. The district will not be responsible for any unauthorized charges or fees resulting from access to the internet, and any user is fully responsible to the district and will indemnify and hold the district, its trustees, administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from such user's access to its computer network and the internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user. The user or, if the user is a minor, the user's parent(s)/legal guardian(s) agrees to cooperate with the district in the event the school initiates an investigation of a user's use of his or her

access to its computer network and the internet.

Adopted 11/12/96; Revised 1/8/02, 5/22/12, 8/25/15, 4/19/22

Administrative Rule IJNDB-R Use of Technology Resources

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 online 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~~ Digital Citizenship

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 school or 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.
- 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/legal guardians (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, 3/22/22

Legal References:

United States Code of Laws, as amended:

Children's Internet Protection Act of 2000, [47 U.S.C.A. Section 254\(h\)](#).

The Digital Millennium Copyright Act of 1998, [17 U.S.C.A. Section 512](#) - Limitations on liability relating to material online.

S.C. Code of Laws, 1976, as amended:

[Section 10-1](#)-205 - Computers in public libraries; regulation of Internet access.

[Section 16-3](#)-850 - Encountering child pornography while processing film or working on a computer.

[Section 16-15](#)-305 - Disseminating, procuring, or promoting obscenity unlawful; definitions; penalties; obscene material designated contraband.

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 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 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, Reviewed 7/16/24

Legal References:

S.C. Code of Laws, 1976, as amended:

[Section 16-3-510](#) - Hazing unlawful.

[Section 16-3-755](#) - Sexual battery with a student.

[Section 59-63-110](#), *et seq.* - Safe School Climate Act.

[Section 59-63-275](#) - Student hazing prohibited; definitions.

Federal Cases:

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

S.C. State Board of Education Regulations:

[R43-279](#) - Minimum standards of student conduct and disciplinary enforcement procedures to be implemented by local school districts.

APPENDIX (D)

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

Consistent with South Carolina Budget Proviso 1.103 that the Board prohibits access to personal electronic communication devices by students during the school day. The proviso defines a personal electronic communication device as a device not authorized for classroom use by a student, utilized to access the Internet, wi-fi, or cellular telephone signals. The administration shall establish an administrative rule which is consistent with the Policy issued by the State Board of Education regarding this requirement.

Definitions for Purposes of this Policy

- *“Personal electronic device,” hereinafter referred to as “device,” means any device utilized to access the internet, wi-fi, cellular telephone signals, or to capture images or video. This includes, but is not limited to, cell phones, smart watches, tablets, and gaming devices.*
- *“Personal Electronic Device accessories,” hereinafter referred to as “device accessories,” include any wired or wireless accessory or wearable technology that connects to a device and any other accessory commonly used in conjunction with a personal electronic device.*
- *“School day” is defined as the period of time that a student is present on the school campus from the beginning of the instructional day until afternoon dismissal at the end of the instructional day.*
- *“Access” is defined as viewing, holding, wearing, or otherwise using a device for the purpose of communication, internet access, gaming, recording, or any other function commonly associated with devices. During the school day, devices should be powered off and stored as directed by the school district. Exceptions granted for medical necessity, authorized for classroom use, or other authorized reasons should be in writing and are not considered violations of this definition.*
- *“Authorized for Classroom Use” is defined as the use of a personal electronic device that is explicitly approved by the District Superintendent or his/her designee in writing. This approval must include alignment with a standards-aligned educational objective that cannot be reasonably achieved using district-owned devices. Students must be provided with clear instructions on the appropriate use of devices and ensure that their use aligns with the approved educational objectives. The District Superintendent or his/her designee may revoke approval at any time if it is determined that their use*

does not meet the intended educational objectives or is causing disruption.

The Aiken County Board of Education allows possession (but not access or use) of personal electronic devices by students during the school day. The Board finds that the access, 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.

Although middle and high school students may possess a personal electronic device on school grounds, such device should not be activated and/or utilized for any function unless specifically authorized as part of an instructional directive by a teacher or other classroom supervisor. The administration and teachers at school sites will direct any use of personal electronic devices for academic purposes in classrooms or around the school. In all cases, unless school-specific rules apply, the above specified devices should be turned off and placed out of sight and not on the student's person (for example, in a pocket) during the instructional day. This rule applies during the school day hours and at off-campus activities during the school day.

Devices 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 personal 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.

Policy Implementation and Enforcement

During the school day, students are prohibited from accessing their personal electronic devices, unless authorized for classroom use. Students may not wear or access device accessories during the school day. Students must store their devices and device accessories in lockers, backpacks, or otherwise as directed by the school district during the school day.

If explicitly required by a student's ILAP, IEP, Medical Plan, or 504 plan, the student shall be allowed to access

a personal electronic device for medically or educationally necessary purposes described and required for administration of the ILAP, IEP, Medical Plan or 504 Plan.

A student who is a member of a volunteer firefighting organization or emergency organization may be authorized to carry a device with written permission from the District Superintendent or his/her designee.

If a student violates the preceding rules during the school day, the student will be subject to progressive consequences in the student code of conduct and disciplinary enforcement procedures.

All personal electronic devices, such as cell phones, smartwatches, tablets, or iPads, 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, 7/12/22, 12/10/24

Legal References:

S.C. Code of Laws, 1976, as amended:

[Section 59-63-280](#) - Requires board to adopt a policy on student use of electronic devices.

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 **2026-2027**.

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

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.

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).



Aiken County Schools 1000 Brookhaven Dr

Aiken SC 29803

Revised and Board Approved ~~May 13, 2025~~