

INTRODUCTORY MATTERS

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

Disciplinary action is best resolved among teacher, student, and parent in a calm, reasonable manner. However, serious violations of the Code must be handled quickly and effectively by the Administration. The objective of disciplinary action is to encourage good choices and acceptable behavior by the students with every reasonable effort being made to keep students within the school's influence, to rehabilitate and re-direct inappropriate behaviors and to offer effective strategies for changing such behaviors, and opportunities to do so except in very serious circumstances. Insuring the welfare of the greatest number of students can, in certain circumstances, and in accordance with state law, result in the dismissal of students

B. ***Serious Infractions: Typically starting at Level 2 offenses:*** For any of the offenses listed in Level 2, a

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

A student cannot attend any school-related function within or outside the School District while under suspension. Alternative sanctions may be used by the school administrator such as in-school suspension or Saturday school instead of out-of-school suspension, **if such programs are available**. A parent or guardian may be required to come to school and take the student home. In addition to the discipline procedures listed within this code, schools are permitted to impose other restrictions which may impact athletic and/or other extracurricular activities as described in the written school procedures.

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

- 3) **Procedures, Hearings, and Appeals of Expulsions**
A recommendation for expulsion will be confirmed by the school level Executive Director.

D. **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 reasonably to be searched by administrators or their designees. The Administration may use electronic detection devices as an aid for finding possible weapons on school premises and/or preventing the same from being brought. The administration, or its designee, may conduct a review of data or images displayed or stored in any cell phone or other personal electronic device being used by a student in violation of this code or the cell phone policy JICJ. Any searches conducted pursuant to these provisions will be implemented in a non-discriminatory manner. There is no expectation of privacy regarding live or recorded video images recorded by equipment in the commons areas of any school building or grounds or upon any school bus.

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

E. **Confiscation of Weapons and/or Other Illegal, Dangerous, or Unauthorized Items or Devices:**

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

F. **Possession/Use of Paging Devices and Cell Phones:** South Carolina law and School District policy define a *paging device* as “a telecommunications device that emits an audible signal, vibrates, displays

a message, or otherwise summons or delivers a communication to the possessor” This definition includes cell phones. The law provides that each school district shall have a policy which addresses possession of such devices by any student. The policy of this District, as set forth in Policy JICJ appears as follows:

Policy JICJ Paging Devices, Cell Phones, and Other Personal Electronic Devices Issued 12/15

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

Definitions for Purposes of this Policy

- A paging device is defined in South Carolina law as a telecommunications device, to include a mobile telephone (cell phone) that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor.
- A cell phone, while included in the general definition of a paging device, also includes any digital or analog portable communication device or multi-function device that has two-way communication capability (whether aural, visual or a combination thereof) and operates through a cellular telecommunication system, a global satellite system or an AM or FM two-way radio system.
- A personal electronic device includes any digital or analog portable electronic device that can capture, store, or transfer visual images such as a personal data assistant (PDA), Blackberry, iPhone (or similar smart phone), laptop computer or mini-computer (with or without wireless (WiFi) or cellular interface capability), and digital (or film-type) camera, but does not include a calculator or device utilized strictly for computational purposes.
- A violation is the activation on school grounds during the school day of any paging device, cell phone, or any other personal electronic device, except as authorized by this policy.

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

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

G. Non-Students on Grounds: The principal is empowered to take appropriate action against non-

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

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

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

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

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 consequence

**DRESS CODE
ELEMENTARY SCHOOL**

11. Use of or display of electronic devices and/or cell phones	018/390	CP/Conf.	CP/Conf./ISS (1 day)	CP/Conf. ISS(2-3 days)
12. Disrespectful towards adults with words or gestures	420	CP/Conf. Parent pick up	CP/Conf./ISS Parent pick Up (1-2 days)	CP/Conf. ISS(2-3 days)
13. Hit/Kick/Push or Horseplay	014/520	CP/and/or ISS (1 day)	CP/ISS (1-3 days)	CP/OSS (2-3 days)
14. Disrespectful/Inappropriate Language (including prof				

Level Two Infractions

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

War Warning CP Contact Parent CONF Conference REST Restitution ADH Administrative Detention DH Detention Hall OSA Other School Action ISS In School Suspension OSS Out of School Suspension * Chronic and severe violations on Level 2 may move to the next level.				
EXAMPLES *	Power School Code	CONSEQUENCES		
		1st	2nd	3rd
1. Threatening students - written/verbal/electronic or assault to other students 2. Threatening adults –	027	CP/ISS/OSS Up to 5 days, depending on severity	OSS Up to 5 days, depending on severity	OSS Up to 10 days, depending on severity

using sexual comments and suggestive physical contact to torment another person				
11. Indecent exposure	019	CP/ISS (1) OSS (1-3)	ISS/OSS (3-5)	OSS (up to 10) RE
12. Possession of contraband	004/018 789	CP/OSS (1-3) Conf.	OSS (2-4) Conf.	OSS (3-5) Conf.
13.				

Weapons – Knives (Student action and Potential Consequences)

As a reminder, students may be suspended or recommended for expulsion for first-

DEFINITIONS

Alternative Placement	A student who violates the rules set forth in the Code of Student Conduct may be assigned Alternative Placement as a consequence of poor behaviors. Placement may include assignment to a virtual school setting, assignment to the Center for Innovative Learning, or home-based instruction. **3rd – 5th Grades at Elementary Level.
Assault	An actual offensive and intentional touching or striking of an individual, without use of a dangerous object or weapon, against his or her will, causing or intending to cause bodily harm.
Bullying	(Per state law 59-63-120) A gesture, an electronic communication, or a written, verbal, physical, or sexual act that takes place on school property, at any school-sponsored function where the school is responsible for the child, or on a school bus or other school-related vehicle, at an official school bus stop and that: a) a reasonable person should know, under the circumstances, the act(s) will have the effect of harming a student, physically or emotionally, or damaging the student's property, or placing a student in reasonable fear of harm to his person or damage to his property; or b) has the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.
Cheating	Academic dishonesty involving copying another student's work or allowing a student to copy your own work on homework, classwork, tests, exams, projects. Includes but is not limited to plagiarism, passing another person's work as your own.
Computer Violation	Unauthorized or excessive personal use of school computers and computing equipment. This includes but is not limited to accessing websites without permission, sending inappropriate emails/messages, deleting other students' files, or accessing unauthorized staff/student information. See ACPSD Board Policy IJNDB.
Contraband	Items including but not limited to toys, lighters, matches, bullets, fireworks, stink bombs, which disrupt or distract from the learning process or pose safety hazards.
Cutting class	An unauthorized absence from an assigned class or related activity.
Defiance	Refusal to comply with a request from school staff/personnel.
DH	Detention Hall
Disrespect	

- Extortion** Attempting to obtain/obtaining money or other item(s) of value from an unwilling person or forcing an individual to act through the use of force or threat of force.
- Facsimile/Imitation Drugs** A pill, capsule, tablet, or other item which is not a controlled substance, an alcoholic beverage, or illegal drugs, but which by appearance, including color, shape, size, marking or package, or by representations made, is intended to lead a person to believe that such a pill, capsule, tablet, or other item is a controlled substance, an alcoholic beverage, or marijuana.
- Fighting** Actions involving serious physical contact where injury may

ISS	In School
Larceny/Theft	Taking property of another person without the same definition as theft. This includes inappropriate use of school property with the student's knowledge.
Laser pointer	If used to interfere with school activities.
Loitering	To stand idly by in an unauthorized area.
Lynching	Group activity in which a person is threatened or harmed because of race, religion, or ethnicity.
Misconduct	Behavior not conforming with school rules.
Non-forcible sex offense	Unlawful, non-forcible sexual contact.
Obscene/Profane	Offensive or degrading material.
OSS	Out of school suspension.
Other Offenses	Problem behavior not specifically defined in the code of conduct.
Physical Altercation	Any physical contact occurring with another person. Slight physical contact will constitute an altercation. Verbal contact of a threatening or provoking nature will also constitute an altercation.
Pornography	Printed or visual material containing the explicit representation of sexual organs or activities.

Sexual Harassment

U

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

Aggravated Assault

Aggravated Assault is an unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a
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Section 59-65-20 of the Code of

SECTION 21-816

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APPENDIX (A)

Legal Authority for Discipline in South Carolina:

A. The Code of Laws of South Carolina, 1976, Section 59-19-90, outlines the general powers and duties of school trustees and states that the Board of Trustees shall also (3) Promulgate rules prescribing scholastic standards of achievement and standards of conduct and behavior that must be met by all pupils as a condition to the right of such pupils t

APPENDIX (B

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 on-line connection services, it also applies, where appropriate, to the general use of district-owned computer hardware and software.

Terms and conditions of use

Acceptable use

The purpose of the district's decision to provide Internet access is to allow an expanded opportunity for education, research and professional development by providing access to unique resources and the opportunity for collaborative work. All use of the Internet must be in support of education and research and consistent with the educational and staff development objectives of the district. Use of any organizations' network or computing resources must comply with the rules appropriate for that network. Tra/F2 12 Tf1 0 0 1 422

Rules governing use

The following guidelines for acceptable use will be applicable.

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

1. Section 10-1-205 - Computers in public libraries; regulation of Internet access.
 2. Section 16-3-850 - Encountering child pornography while processing film or working on a computer.
 3. Section 16-15-305 - Disseminating, procuring or promoting obscenity unlawful; definitions; penalties; obscene material designated contraband.
 4. Section 59-19-90 - General powers and duties of school trustees.
- C. Court c68.312 1tr5

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

Internet or web-based resources if such conduct poses a threat or substantially interferes with or disrupts the environment, work and/or discipline of the schools, including discipline for student harassment and bullying.

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

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

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

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

Cf. GBEB, JIC, JICDA

Adopted 12/12/06, Revised 9/27/11

Legal references:

Section 16-3-510 - Organizations and entities revised (hazing unlawful; definitions).

Section 59-19-90 - General powers and duties of school trustees.

Sections 59-63-210 through 270 - Grounds for which trustees may expel, suspend or transfer pupils; petition for readmission; notices and parent conferences; expulsion for remainder of year and hearings; transfer of pupils; corporal punishment; regulation or prohibition of clubs or like activities.

Section 59-63-275 - Student hazing prohibited.

Section 59-67-240 - Other duties of bus driver; discipline of students for misconduct.

Section 59-63-110, et. seq. - Safe School Climate Act.

State Board of Education Regulations:

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

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

PARENT AND STUDENT ACKNOWLEDGMENT

IMPORTANT NOTICE TO PARENTS AND GUARDIANS:

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

THE BOARD DOES NOT EXPECT STAFF MEMBERS TO BE SUBJECTED TO VERBAL OR

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