

Sumter School District

2020-2021



Code of Conduct Definitions

Code of Conduct Definitions

Category I Offenses

Bold font – The state defined the offense and/or issued the statement.

IM Description	IM Codes	State/District Definition
Aiding Others	001	Providing non-physical assistance to another student which contributes to violating the discipline code.
Bus Violation	340	Failure to adhere to established procedures and policies for the safe transport of students (Refer to the transportation policy).
Cheating	190	Deceptive acts which include, but not limited to, plagiarism, falsification (information, assignments, and/or signatures), and violation of software regulations or copyright laws.
Confrontation/ Altercation	407	Aggressive verbal behavior that does not result in any physical contact. Includes minor physical contact for K-3 students.
Cutting Activity	170	Any unauthorized activity absence during the school day after the student is on school grounds.
Cutting Class	160	Any unauthorized class or homeroom absence during the school day.
Detention Violation	005	Failure to attend a teacher-issued detention, refusal to comply with detention rules, and/or reporting to detention without appropriate materials.
Dishonesty	006	Deceive or mislead for personal advantage. Also, any private enterprise without the consent of school officials is considered dishonest behavior.
Disrupting Class	007	Behavior, physical or verbal, which disturbs or interferes substantially with maintaining an environment conducive to learning.
Dress Code	280	Failure to follow the Student Dress Code as established by Board policy (Refer to JICA and JICA-R)or failure to be in compliance with the school's uniform policy (if applicable).
Driving Violation	305	Transporting an unauthorized student off campus.
Gambling	630	Act of risking money or other possession(s) for possible gain or to bet on an uncertain outcome.
Horseplay	405	Intentional rough or boisterous play which could cause injury during school or school-related activities.
ID Violation	360	Failure to possess or properly display school-issued identification as required by school regulations.
Inappropriate Affection	015	Unacceptable display of acts of intimacy in the view of others.
Inappropriate Behavior	017	Other acts of misconduct that pose a disruption as determined by school officials

IM Description	IM Codes	State/District Definition
Inappropriate Language	016	Communication towards another student used to degrade, disrespect, or that is abusive in nature whether by signs, symbols, or gestures.
Littering	370	Willfully leaving trash or debris on school property.
Loitering	240	Remaining in an unauthorized area without permission or at an unauthorized time during the school day or school sponsored activities to include athletic events, dances or other school-related functions.
Obscene Gesture	290	Any physical act <i>toward a student</i> which strongly offends and is unacceptable to reasonable standards of decency and morality.
Off Limits	200	Unauthorized presence in a restricted area.
Property Misuse	023	Use of school property for unauthorized purposes to include minor computer violations.
Refusal to Obey/Defiant	270	Willful defiance to comply with all appropriate or reasonable direction(s) of teachers, school resource officers, substitute teachers, student teachers, teacher assistants, bus drivers, volunteers and all other school personnel who are authorized to give such direction(s) during any period of time when students are subject to the authority of such school personnel.
Running	024	Moving rapidly on school property at inappropriate times.
Tardy	180	Unauthorized arrival to a scheduled school period or activity in excess of two per quarter. Student should be referred for each tardy after the second one through the quarter. <i>This code should be used if a school needs to record a disciplinary action for a student who has an excessive number of tardies.</i>
Unauthorized (use of an electronic) Device	390	The unacceptable use of electronic devices including beepers, digital phones, IPADs or any device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the processor.
Forgery	011	Changing original documentation with the intent to deceive others to include, but not limited to, filling in blanks, falsifying a signature, etc.

Category I Behavioral Misconduct Actions

Violations in this category may result in, but not exceed, the following administrative actions.

Grades Pre-K through Five

- First offense - warning conference with parent /legal guardian notification
- Second offense - school counselor referral and behavior intervention modules on ABE
- Third offense - administrative detention and parent/legal guardian conference
- Fourth offense - one to three class days out-of-school suspension
- Fifth offense - three to five class days out-of-school suspension
- Sixth offense - five to seven class days out-of-school suspension
- Seventh offense – May lead to a recommendation for expulsion

Grades Six through 12

- First offense - warning conference or in-school suspension
- Second offense - in-school suspension and school counselor referral
- Third offense - one to three class days out-of-school suspension and parent/legal guardian conference
- Fourth offense - three to five class days out-of-school suspension
- Fifth offense - five to seven class days out-of-school suspension
- Sixth offense - recommendation for expulsion

Personal Electronic Communication Devices

Middle/High School

Possession of a personal Electronic Communication Device at school is a privilege.

ECD's may be used in the classroom for instructional purposes only.

Students are permitted to use ECD's in Free Zones which are areas designated by the principal.

Students are permitted to use ECD's on the bus.

When using an ECD, students must wear ear buds or head phones, and one ear must be free at all times.

ECD's should not be audible in free zones; speakers are not allowed.

Personal devices may not be charged at school.

ECD's should not be exchanged or shared for personal use outside of the instructional setting.

District and school officials are not responsible for the damage, loss, misuse, theft or vandalism to personal ECD's brought to school.

Improper use of an ECD will result in disciplinary action.

If the device is confiscated for inappropriate use, it can be picked up the next day by a parent/guardian.

Continued violations will be considered Refusal to Obey/Defiant.

Refusal to surrender an ECD when requested is a Category II offense and will result in suspension.

Category II Offenses

Bold font – The state defined the offense and/or issued the statement.

<i>IM Description</i>	<i>IM Codes</i>	<i>State/District Definition</i>
Bite/Pinch/Spit	003	Intentional acts which are intended to inflict pain or emit bodily fluids.
Bullying* (Refer to Policy JICFAA)	651	<p><i>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:</i></p> <ul style="list-style-type: none"> • <i>a reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a student, physical 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</i> • <i>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.</i>
Computer Violation	220	<p>Accessing inappropriate websites, unauthorized systems, or tampering with equipment.</p> <p>This violation includes, but not limited to, accessing, creating and distributing inappropriate materials, drawings, and documents which may interfere with the learning environment.</p>
Cutting School	150	Unjustifiable absence from school.
Cyberbullying*	652	Bullying through e-mail, instant messaging, chat room exchanges, website posts, digital messages or images sent to a cell phone personal digital assistant (PDA) and/or computer initiated at school or done on school-issued electronic equipment. To include incidents off campus that lead to substantial disruption to an individual or the school environment.
Failure to Comply with Disciplinary Action	271	Willful noncompliance with action taken by an administrator for an infraction of the Code of Conduct.
Fighting*	009	<p>The act of two or more persons involved in a physical conflict such as hitting or kicking another person.</p> <p>A student who is attacked may use reasonable force in self-defense, but only to the extent to free himself/herself from the attack and notify proper school authorities. A student who exceeds this reasonable force may be disciplined even though he/she may not have provoked the fight.</p>
Forgery	011	Changing original documentation with the intent to deceive other (examples: filling in blanks, falsifying, signature, etc.)
Harassment* (See Policy JICFAA)	012	<p><i>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:</i></p> <ul style="list-style-type: none"> • <i>a reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a student, physical 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</i> • <i>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.</i>

<i>IM Description</i>	<i>IM Codes</i>	<i>State/District Definition</i>
Hit/Kick/Push	014	To forcibly strike a person with the intent to inflict harm or pain.
Inappropriate Physical Contact	022	Unwanted touching of another person without his or her consent.
Intimidation* (See Policy JICFAA)	650	<p>Physical, verbal, written or electronic action which immediately creates fear of harm, without displaying weapon and without subjecting the victim to actual physical attack. (This category only includes verbal incident that causes fear. It does not include insubordination, lack of respect, defiance of authority, etc.)</p> <p>Repeated or deliberate gesture, electronic communication, or a written, verbal, physical or sexual act reasonably perceived to have the effect of either of the following:</p> <ul style="list-style-type: none"> • Harming an individual physically, emotionally or damaging an individual's property, or placing an individual in reasonable fear of personal harm or property damage. • Insulting or demeaning an individual or group of individuals causing substantial disruption in, or substantial interference with, the orderly operation of the school.
Larceny/Theft	670	Unauthorized taking and/or removal of personal property with a value equal to or greater than \$100 by an individual who intends to permanently deprive the owner.
Leaving School	310	Departing campus without authorized permission.
Major Disruption	020	Behavior which causes an excessive disruption during the school day or at school activities that may involve law enforcement.
Other Offense (minor)	002	Other acts of misconduct that pose a health/safety concerns as determined by school officials
Profanity	210	Any communication used to degrade, disrespect, or that is abusive in nature, whether by signs, symbols, or gestures.
Sex Violation	025	Conduct of a sexual or indecent nature toward another person that is accompanied by actual or threatened physical force or that induces substantial fear, shame, or mental suffering.
Threat	027	A communicated intent to cause someone pain or to fear injury or harm
Throwing Objects	028	Propelling objects on school property; includes the bus and at the bus stop
Tobacco	230	The use, possession or distribution of smoking cigarettes, cigars, etc. and using smokeless products, to include electronic cigarettes.
Trespassing	750	The act of being on school property or attending school events while under suspension; continued presence on school property or at school events after receiving an administrative directive to leave the property.
Vandalism	760	Willfully or maliciously destroying, damaging or defacing school or personal property belonging to staff and/or student greater than or equal to \$100.

Category II Disruptive Misconduct Actions

Violations in this category may result in, but not exceed, the following administrative actions.

Grades Pre-K through 12

- First offense - one to five class days out-of-school suspension and school counselor referral
- Second offense - three to five class days out-of-school suspension and parent/legal guardian conference
- Third offense - five to seven class days out-of-school suspension
- Fourth offense - recommendation for expulsion

The following aggressive offenses: *bullying, cyberbullying, fighting, harassment, intimidation, and threat and any combination of these six offenses *may* result in a recommendation for expulsion with the second offense

Category III Offenses

Bold font – The state defined the offense and/or issued the statement.

IM Description	IM Codes	State/District Definition
Aggravated Assault	510*	<p>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.</p> <p>This offense 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.</p>
Alcohol/Liquor Law Violation	680	<p>Possession/distribution of any malt beverages, fortified or unfortified, wine, or spirituous liquor, in any amount or form to include any alcoholic beverage on school property which includes the bus stop and any school-sponsored event.</p> <p>This offense includes the consumption of alcohol off-campus and the student presents himself/herself on school property and a school official detects the physical characteristics of alcohol consumption such as odor, slurred speech, erratic behavior, bloodshot/glassy eyes, etc.</p>
Arson	500	<p>An unlawful and intentional damage, or attempt to damage, any real or personal property by fire or incendiary device.</p>
Bomb Threat	260	<p>Communicating a report, while knowing or having reason to know the report is false, that there is located on any school premises or at school-sponsored activities a device designed to cause damage or destruction by explosion, blasting, or burning.</p> <p>This offense includes placing any device, with the intent of perpetrating a hoax that would appear to a reasonable person to be a bomb or similar instrument capable of causing injury and/or damage.</p>
Bribery	530	<p>Offering, giving, receiving, or soliciting of anything of value (gratuity or kickback) to sway the judgment or action of a person in a position of trust or influence.</p>
Burglary	540	<p>Breaking and entering illegally any school property with the intent to steal.</p>
Contraband	004	<p>Any property that is illegal to produce or possess on the property of the Sumter School District or at any school-related activity.</p> <p>This offense includes items which could reasonably cause <i>major safety concerns or imminent danger</i> in the school.</p>
Contract Violation	430	<p>Failure to follow the guidelines and procedures established in a Strict/School Probation Contract.</p>
Drug Distribution	570*	<p>Except as authorized by state law, it is unlawful for any person (1) to manufacture, distribute, dispense, deliver or purchase; or to aid, abet, attempt or conspire to manufacture, distribute, dispense, deliver, or purchase; or to possess with intent to manufacture, distribute, dispense, deliver or purchase a controlled substance and (2) create, distribute, dispense, deliver or purchase; or to aid, abet, attempt or conspire to create, distribute, dispense, deliver or purchase; or to possess with the intent to distribute, dispense, deliver or purchase a counterfeit substance.</p>

IM Description	IM Codes	State/District Definition
Drug Possession	580*	<p>Except as authorized by state law, it is unlawful for any person (1) to manufacture, distribute, dispense, deliver or purchase; or to aid, abet, attempt or conspire to manufacture, distribute, dispense, deliver, or purchase; or to possess with intent to manufacture, distribute, dispense, deliver or purchase a controlled substance and (2) create, distribute, dispense, deliver or purchase; or to aid, abet, attempt or conspire to create, distribute, dispense, deliver or purchase; or to possess with the intent to distribute, dispense, deliver or purchase a counterfeit substance.</p> <p>The use or possession of drugs as identified in 21 U.S.C § 812 (C). This offense does not include alcohol or tobacco.</p>
Drug Usage	575*	<p>Except as authorized by state law, it is unlawful for any person (1) to manufacture, distribute, dispense, deliver or purchase; or to aid, abet, attempt or conspire to manufacture, distribute, dispense, deliver, or purchase; or to possess with intent to manufacture, distribute, dispense, deliver or purchase a controlled substance and (2) create, distribute, dispense, deliver or purchase; or to aid, abet, attempt or conspire to create, distribute, dispense, deliver or purchase; or to possess with the intent to distribute, dispense, deliver or purchase a counterfeit substance.</p> <p>The use or possession of drugs as identified in 21 U.S.C § 812 (C). This offense does not include alcohol or tobacco.</p>
Embezzlement	590	<p>Unlawful misappropriation by an offender for his/her own use or purpose of money, property, or some other thing of value entrusted to his/her care, custody, or control.</p>
Extortion	600	<p>Use of one's position or power to obtain money, property, or any other thing of value, either tangible or intangible, through the use of threat or force, prosecution or threat of destruction to reputation, social standing, or through other coercive means.</p>
Fire Alarm	350	<p>Deliberate initiation of a false fire alarm on school premises or at school activities which may lead to evacuation.</p>
Fireworks	010	<p><i>Detonation</i> of pyrotechnics, incendiary devices, or materials intended to result in an explosion and/or fire on school property, at school-sponsored events, or any activity representing Sumter School District. Pyrotechnics and incendiary devices include, but not limited to, explosives, explosive-making materials, chemicals, explosive caps, smoke devices, sparklers, etc.</p>
Forced Sexual Offense	610*	<p>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.</p> <p>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 or physical incapacity), and/or forcible fondling (child molestation).</p>
Fraud	620	<p>Deliberate false representation of a factual matter, whether by words or conduct, to secure unfair or unlawful gain.</p>

IM Description	IM Codes	State/District Definition
Gang Activity	250	Engaging in initiations, hazing, intimidations, or related activities of such group affiliations which are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students. Also includes multiple students involved in same fighting incident
Homicide	640*	<p>Killing of one human being by another</p> <p>Do not include vehicular manslaughter or attempted murder as a homicide.</p> <ul style="list-style-type: none"> • Murder or 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 of the killing, during the commission of a serious criminal offense, of the perpetrator by a private individual.
Indecent Exposure	019	Deliberate exposure of sexual body part(s) to one or more people.
Kidnap/Abduction	660*	<p>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.</p> <p>This offense includes hostage taking.</p>
Non-Forcible Sex Offense	690	Consensual sexual activities at school or school-related activities.
Other Serious (Criminal)	700	Other acts of misconduct (most severe) as determined by school officials. Law enforcement report required.
Pornography	710	Possession, sale, and/or distribution of explicit sexual materials that are intended to arouse sexual excitement in its audience. This includes electronic transmission of obscene writings, drawings, photographs or videos – all media (e.g. CD/DVD, cell phones or external USB drives).
Prostitution	720	To unlawfully engage in or promote sexual activities for profit.
Robbery	730*	<p>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.</p> <p>Because some type of assault is an element of the crime of robbery, an assault should not be reported as a separate crime if it is performed in furtherance of the robbery. If an injury occurring during a robbery results in death, the crime should be listed as a homicide.</p>
Sexual Harassment	013	Repeated or deliberate unwelcome sexual comments, advances and/or sexually-motivated physical contacts.

IM Description	IM Codes	State/District Definition
Simple Assault	520	<p>Actually hitting, striking, or other use of force</p> <p>This offense includes the unlawful physical (not verbal) attack by one person upon another where the offender neither uses nor displays a weapon.</p>
Vehicle Theft	770	Taking of a motorized vehicle with the intent to deprive the owner of the property.
Weapons (Refer to Policy JICI)	789* 780* 781* 782* 783* 784* 785* 786	<p>Violation of laws prohibiting any person, except law enforcement officers or personnel authorized by the 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.</p> <p>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 person injury.</p> <p>Other Weapons</p> <p>-Handguns</p> <p>-Rifles/Shotguns</p> <p>-Other Firearms</p> <p>-Knife Blade > 2 inches (state)</p> <p>-Knife Blade >2.5 inches (federal)</p> <p>-Knife Blade less than 2 inches (The code was created for districts to use to maintain a complete student discipline record.)</p>

*The Uniform Management Information Reporting System (UMIRS) is a data collection system required by No Child Left Behind. This system collects truancy data and suspension and expulsion data on certain violent and drug-related offenses (SCDE PowerSchool Incident Management User Training and Reference Guide, September 2012, p 37).

Category III Criminal Misconduct Actions

Offenses in this category require a suspension and an administrative hearing that may result in expulsion from school. Decisions will be based upon the maturity level and age of the student.

Grades Pre-K through 12

- referral to the hearing officer
- suspension until the hearing before the hearing officer which shall take place within 15 days of the written notification at a time and place designated by the hearing board

See administration actions addendum

Students with identified disabilities - notify school psychologist; see discipline for students with identified disabilities addendum

Administrative Actions Addendum- Categories I-II

The board of education and its administration will treat all students with fairness during the resolution of disciplinary matters. Administrative actions may vary based upon the seriousness of behavior and developmental age of the student. The board directs the administration to adhere to due process requirements when making decisions directly affecting students' protected rights under federal and state law in accordance with Policy [JIA](#) (Students' Due Process Rights). Actions may range from in-school suspension to permanent expulsion.

Administrator must do the following.

- give rudimentary hearing
 - oral notice of charges to student
 - explanation of evidence against student
 - student given opportunity to tell his/her version
- require notification to parent/legal guardian
- require classroom interventions for category I offense in accordance with the school discipline plan, when applicable
- require payment for damages, if applicable
- shall confer with staff on the extent of the consequence
- make referral to school counselor or counseling program (required for Category I, and Category II)
- consider a possible referral to outside agency, as required
- consider a possible referral to law enforcement agency
- require the student to make up class work missed while on suspension in accordance with the district's make-up policy
- require conference with parent/legal guardian when student's behavior results in suspension
- inform the parent/legal guardian that the hearing officer will conduct hearings in accordance with state law and in compliance with board policies ([JKE](#) and [JKE-R](#)), as required
- investigate alcohol or drug related offenses; see procedures for investigation ([JICH](#) and [JICH-R](#)) and guidelines for drug/alcohol related offenses as provided by the school intervention program
- **investigate bullying, intimidation, and harassment (HIB) offenses; see procedures for investigating ([JICFAA-R](#))**

***Note:** For grades Pre-K through five, parent/legal guardian conference may be used at the discretion of the principal or at schools without an in-school suspension program for Categories I – II*

Extenuating, Mitigating, or Aggravating Circumstances

The board confers upon the superintendent or designee the authority to consider extenuating, mitigating or aggravating circumstances that may exist in a particular case of misconduct. Such circumstances should be considered in determining the most appropriate action.

The board realizes extenuating circumstances occur in which a student may bring an unauthorized item to school. Upon realizing the item is in his/her possession, he/she must notify immediately a teacher, staff member, administrator, or school resource officer. However, if the student chooses not to submit the unauthorized item to school officials, and he/she is found in possession of the item, the student is subject to the disciplinary process outlined in this administrative rule.

Transportation

The preceding student discipline code applies to student behavior en route from the bus stop to and from school on a school bus or other school vehicle.

In addition to discipline procedures outlined in this code, principals may add or substitute the following sanctions:

- three class days suspension from buses
- five class days suspension from buses
- seven class days suspension from buses
- 10 class days suspension from buses
- recommendation for permanent bus suspension*

Parent/Legal guardian notification is required for a bus suspension.

Actions based on the number of offenses

Grades Pre-K through five

- First offense - warning
- Second offense - parent/legal guardian conference
- Third offense - one class day bus suspension
- Fourth offense - three class days bus suspension
- Fifth offense - five class days bus suspension
- Sixth offense - 10 class days bus suspension
- Seventh offense - recommendation for permanent bus suspension*

Grades six through 12

- First offense - warning/parent/legal guardian conference
- Second offense - three class days bus suspension
- Third offense - five class days bus suspension
- Fourth offense - seven class days bus suspension
- Fifth offense - 10 class days bus suspension
- Sixth offense - recommendation for permanent bus suspension*

**At the end of the first semester, principals may recommend probation if the student has been suspended from the bus for more than 45 days. If a student on probation receives one referral, the student may receive permanent suspension from the bus for the remainder of the school year.*

Discipline for Students with an Identified Disability

Students identified as disabled pursuant to the Individuals with Disabilities Education Act (“IDEA”) will be disciplined in accordance with federal and state law as set forth in special education procedures developed by the administration.

Issued 5/23/11; Revised 9/26/11, 5/14/12, 6/26/14, 5/5/15, 6/1/15, 1/29/18, 7/8/19

Sumter County School District