



Administrative Office

# SUMTER SCHOOL DISTRICT

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## Policy JICDA Code Of Conduct

Issued 5/12

Purpose: To establish the basic structure for a code of conduct and discipline for students.

The district's code of conduct and discipline is established to achieve and maintain order in the schools. In administrative rule [JICDA-R](#), the board and the administration offer a list of offenses along with the required or recommended dispositions, along with potential interventions for the information of students, parents/legal guardians, and school personnel.

Disciplinary actions will include appropriate hearings and review. The removal of a student from the learning environment will occur only for just cause and in accordance with due process of law. The administration will consider extenuating circumstances when taking disciplinary action.

The administrative rule is effective during the following times and in the following places:

- on the school grounds during and immediately before or immediately after school hours
- on the school grounds at any other time when the school is being used by a school group
- off the school grounds at a school activity, function, or event
- en route from the bus stop, to and from school, and back to the bus stop on a school bus or other school vehicle

Adopted 5/23/11; Revised 5/14/12

Legal references:

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

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

Section 59-63-280 - Possession of paging devices by public school students; mobile telephones included; adoption of policies.

Section 16-3-1040 - Threatening the life, person or family of a public official.

State Board of Education Regulations:

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

**Sumter School District**

## **AR JICDA-R Code Of Conduct**

Issued 1/18, 7/19

It is the opinion of the board that acceptable student behavior, including the following criteria, is to be expected from all students:

- respect to peers, faculty, and staff exhibited through actions and speech
- pride in personal and school property exhibited by taking care of the physical building and respecting the property rights of others
- desire and effort toward educational achievement are to be priorities as exhibited by following teacher/staff direction; reporting to class promptly and consistently; and being prepared to work without interfering with instruction
- obedience to all laws, discipline code, rules, and community norms

The board believes that all students should receive fair and consistent discipline when school rules are violated. Therefore, this definitive code on student discipline was developed with the assistance of parents/legal guardians, students, teachers, and administrators from Sumter School District.

This code will be in effect at bus stops, en route to and from school or school activities, on school buses or in any other school vehicles, on school grounds, at school and all school-sponsored activities, both on and off campus, and any time or any place where the conduct has a direct and immediate effect on maintaining order and discipline in the district's schools, buildings, or grounds.

Copies of this code, or a summary thereof, will be transmitted at the beginning of the school year to the parents/legal guardians of each student attending schools in the district. School staff, students, and bus drivers will be trained in this discipline system each year.

Students in grades pre-k through 12 will participate in code of conduct instructional sessions. Teachers and students will document that instruction has occurred. After instruction has been completed, principals will sign and submit an attestation form to the discipline office.

Each school will provide intervention strategies that address or redirect maladaptive behaviors.

### **Student Conduct Away from School Grounds or School Activities**

The board expects administrators to take appropriate action when information becomes available about student misconduct away from school grounds or school activities that may have a direct and detrimental effect on or seriously threaten the discipline, educational environment, safety, or general welfare of students, faculty,

staff, and/or administrators of the district. When assessing the impact of out-of-school behavior on a school, the administrator will take into consideration the seriousness of the alleged out-of-district offense and the protection of students, faculty, staff, and administrators from the effects of violence, drugs, and/or disruptions.

Administrators are directed to evaluate each situation on a case-by-case basis. At a minimum, administrators or their designees should meet with the student upon his/her arrival at school, give the student notice of the concerns based on the reported out-of-district behavior, and allow the student an opportunity to present his/her side of the story. Based upon all of the circumstances, including a finding that the alleged conduct will have a direct and immediate effect on the school will or threatens the discipline, educational environment, safety, or general welfare of students, faculty, staff, and/or administrators of the school, the administration may either permit the student to attend classes as usual or may take appropriate disciplinary action including, but not limited to, in-school suspension or out-of-school suspension in order to conduct an investigation into the matter. The parents/legal guardians of students will be notified of any action taken by the administration and offered the opportunity for a conference.

In the event the student is arrested or incarcerated based on his/her out-of-district conduct, the principal or his/her designee will notify the student that he/she is to meet with the administration prior to returning to school.

At the conclusion of the inquiries to obtain more information on the matter, the administrator or his/her designee will take appropriate action, which may include, but not limited to, one or more of the following:

- returning the student to his/her normal class schedule and removing all evidence of suspension
- placing the student on probation and allowing the student to resume his/her normal class schedule
- placing the student on probation, allowing the student to continue class work, but restricting the student's participation in extracurricular activities and/or designated school activities (e.g., clubs, study halls, pep rallies, student government, etc.)
- suspending the student
- recommending expulsion of the student from regular school and placement in the district's alternative program
- recommending expulsion but allowing access to virtual school programs through the district's alternative school (These students are only allowed on campus for exams that require a proctor in a virtual school accessed through the district's alternative program, and students not able to successfully enroll will be expelled for the remainder of the school year.)
- recommending expulsion of the student for the remainder of the year

The disciplinary action must be supported by the evidence and take into full consideration the impact of the student's presence at school on the discipline, educational environment, safety, or general welfare of other students, faculty, staff and/or administrators.

**Note regarding special education students:** Administrators must ensure that all procedural safeguards afforded to special education students are also implemented in such circumstances.

### **Level of Offenses**

Listed below are the three discipline categories for offenses with Category I as the least serious offenses and Category III as the most serious offenses. Each category also has a listing of corresponding administrative actions.

### **Category I Disorderly Conduct Offenses**

Activities engaged in by student(s) which tend to impede orderly classroom procedure or instructional activities, orderly operation of school or the frequency or seriousness of which disturb the classroom or school.

- aiding others
- bus violation (refer to the transportation policy)
- cheating
- confrontation /altercation
- cutting activity
- cutting class
- detention violation
- dishonesty
- disrupting class
- dress code violation
- driving violation
- gambling
- horseplay
- ID violation
- inappropriate affection
- inappropriate behavior
- inappropriate language
- littering
- loitering
- obscene gesture
- off limits

- property misuse
- refusal to obey/defiant
- running
- tardy
- unauthorized device

### **Category I Disorderly Conduct Offenses Actions**

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

#### Grades pre-k through 5<sup>th</sup>

- 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 6<sup>th</sup> through 12<sup>th</sup>

- 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

### **Category II Disruptive Conduct Offenses**

Activities engaged in by student(s) which are directed against persons or property, and the consequence of which tends to endanger the health or safety of oneself or others in the school.

- bite/pinch/spit
- bullying\*
- computer violation

- cutting school
- cyberbullying\*
- failure to comply with disciplinary action
- fighting\*
- forgery
- harassment\*
- hit/ kick/ push
- inappropriate physical contact
- intimidation\*
- larceny/theft
- leaving school
- major disruption
- other offense (minor)
- profanity
- sex violation
- threat\*
- throwing objects
- tobacco
- trespassing
- vandalism

### ***Category II Disruptive Conduct Actions***

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

#### Grades pre-k through 12<sup>th</sup>

- 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 (***Note regarding special education students:*** Administrators must ensure that all procedural safeguards afforded to special education students are also implemented in such circumstances and procedural safe guards are given to the parent at the time the decision is made.)

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. (**Note regarding special education students:** Administrators must ensure that all procedural safeguards afforded to special education students are also implemented in such circumstances and procedural safe guards are given to the parent at the time the decision is made.)

### **Category III Criminal Conduct Offenses**

Activities engaged in by student(s) which result in violence to oneself or another's person property or which pose a direct and serious threat to the safety of oneself or other in the school.

- aggravated assault
- alcohol/liquor violation
- arson
- bomb threat
- bribery
- burglary
- contraband
- contract violation
- drug distribution
- drug possession
- drug usage
- embezzlement
- extortion
- fire alarm
- fireworks
- force sexual offense
- fraud
- gang activity
- homicide
- indecent exposure
- kidnap/abduction
- non-force sex offense
- other offense (criminal)
- pornography
- robbery
- sexual harassment



- simple assault
- vehicle theft
- weapons (refer to Policy JICI)

### **Category III Criminal Conduct 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<sup>th</sup>

- 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 officer
- **Note regarding special education students:** Administrators must ensure that all procedural safeguards afforded to special education students are also implemented in such circumstances and procedural safe guards are given to the parent at the time the decision is made.

#### See administration actions addendum

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

### **Administrative Actions - Categories I-III**

The board of trustees 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 5<sup>th</sup>, 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 5<sup>th</sup>

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

#### Grades 6<sup>th</sup> through 12<sup>th</sup>

- 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 followed by a Bus Office Conference
- 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.

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**Sumter School District**