

Descriptor Term: STUDENT BEHAVIOR CODE	Descriptor Code: JCDA	Issued Date: 7-17-07
	Rescinds: JCD	Issued: 1-15-02

The board and the administration offer the following listing of offenses and the required or recommended dispositions for the information of students, parents/legal guardians and school personnel.

Disciplinary actions will include appropriate hearing 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.

Application of this administrative rule

The following rules are effective during the following times and in the following places.

- on the school grounds during, before or 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 to and from school on a school bus or other school vehicle
- at any time or in any place that has a direct and immediate effect on maintaining order and discipline in the Colleton County School District

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 district school, the administrator should take into consideration the seriousness of the alleged out-of-school 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-school 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 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 with the administration.

In the event the student is incarcerated based on his/her out-of-school 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 should take appropriate action which may include, but is 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, for example, clubs, study halls, pep rallies, student government activities and so forth; suspending the student
- recommending expulsion of the student from regular school and placement in the district's alternative school
- recommending expulsion of the student for either the remainder of the semester or year

The disciplinary action taken 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 and safety or general welfare of other students, faculty, staff and/or administrators of the school.

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

Levels of offenses

The following is a general listing of offenses and the required or recommended disciplinary actions which should be taken as a result of such offenses being committed.

Disorderly conduct - Level I

Disorderly conduct is defined as any activity in which a student engages that tends to impede orderly classroom procedures or instructional activities, orderly operation of the school or the frequency or seriousness of which disturbs the classroom or school.

Acts of disorderly conduct may include, but are not limited to, the following:

- classroom tardiness
- dress code violation
- inappropriate show of affection
- cheating on examinations or classroom assignments
- lying

JCDA – STUDENT BEHAVIOR CODE Continued – PAGE 3

- acting in a manner so as to interfere with the instructional process
- abusive language between or among students
- failure to complete assignments or carry out directions
- use of forged notes or excuses
- cutting class
- school tardiness
- truancy
- other disorderly acts as determined by the board

Consequences – Level I

Parent Contact should occur for each disciplinary action taken

The staff may apply sanctions in cases of disorderly conduct which may include, but are not limited to, the following:

- verbal reprimand
- withdrawal of privileges
- demerits
- detention
- in-school suspension
- confiscation
- refer to guidance counselor
- mediation
- parent and/or student conference
- other sanctions approved by the board or administration

Disruptive conduct - Level II

Disruptive conduct is defined as those activities engaged in by student(s) which are directed against persons or property and the consequences of which tend to endanger the health or safety of themselves or others in the school. Some instances of disruptive conduct may overlap certain criminal offenses, justifying both administrative sanctions and court proceedings.

The administration may reclassify disorderly conduct (Level I) as disruptive conduct (Level II) if the student engages in the activity 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.

Acts of disruptive conduct may include, but are not limited to, the following:

- fighting
- displaying or participation in gang/gang-like activity
- vandalism (minor)
- stealing
- threats against others
- slander against school officials
- trespassing
- abusive language to staff
- refusal to obey school personnel or agents (such as volunteer aids or chaperones) whose responsibilities include supervision of students
- possession or use of unauthorized substances, as defined by law or local school board policy
- possession or use of paging device(s)
- illegally occupying or blocking in any way school property with the intent to deprive others of its use
- unlawful assembly
- disrupting lawful assembly
- harassment, intimidation or bullying

- any other acts as determined by the board

Consequences – Level II

Parent Contact should occur for each disciplinary action taken

The administration may apply sanctions in cases of disruptive conduct which may include, but are not limited to, the following:

withdrawal of privileges (a privilege, as defined by the Colleton County school board, is a student's opportunity to participate in any function of the school beyond attending class and riding

- buses)
- temporary removal from class
- alternative education program
- in-school suspension
- detention
- confiscation
- out-of-school suspension
- transfer
- referral to outside agency
- expulsion
- restitution of property and damages, where appropriate, should be sought by local school authorities
- other sanctions as approved by the board or administration

Criminal conduct - Level III

Criminal conduct is defined as those activities in which students engage that result in violence to themselves or to another's person or property or which pose a direct and serious threat to the safety of themselves or others in the school. These activities usually require administrative actions which result in the immediate removal of the student from the school, the intervention of law enforcement authorities and/or action by the board. 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

Whenever a student is engaging or has engaged in activities including, but not limited to, one of the acts specified below, while on school property or at a school sanctioned or sponsored activity which a principal or his/her designee has reason to believe may result, or has resulted, in injury or serious threat of injury to a person or to his/her property, the principal or his/her designee is required to notify law enforcement officials.

Acts of criminal conduct may include, but are not limited to, the following.

- assault and battery
- extortion

- bomb threat
- pulling of fire alarm
- possession, use or transfer of weapons/representation of a weapon - a weapon is defined as a firearm (rifle, shotgun, pistol or similar device that propels a projectile through the energy of an explosive); a knife, razor, bludgeon, blackjack, metal pipe or pole, brass knuckles (to include multi-finger rings); airborne products-pepper spray or stink bomb: incendiary or explosive device, including ammunition for a weapon such as bullets, shotgun shells, etc.; or any other type of device or object which may be used to inflict bodily injury or death.
- sexual offenses
- indecent exposure
- vandalism (major)
- theft, possession or sale of stolen property
- arson
- use of an intoxicant, to include any drugs and alcohol
- furnishing or selling unauthorized substances, as defined by board policy
- furnishing, selling or possession of controlled substances (drugs, narcotics or poisons)
- distribution, sale, purchase, manufacture or unlawful possession of a controlled substance while in or within a radius of one-half mile of school grounds
- harassment, intimidation or bullying (severe or repeated)
- displaying or participation in gang/gang-like activity (severe or repeated)
- threatening to take the life of or inflict bodily harm
- any other acts as determined by the board

Consequences – Level III

The administration may apply sanctions in cases of criminal conduct which may include, but are not limited to, the following.

- withdrawal of privileges (a privilege, as defined by the Colleton County school board, is a student's opportunity to participate in any function of the school beyond attending class and riding buses)
- out-of-school suspension
- assignment to alternative schools

- referral to law enforcement
- expulsion
- restitution of property and damages, where appropriate, should be sought by local school authorities
- other sanctions as approved by the board or administration

Extenuating, mitigating or aggravating circumstances

The board may give the appropriate administrator the authority to consider extenuating, mitigating or aggravating circumstances which may exist in a particular case of misconduct. The administrator should consider such circumstances in determining the most appropriate sanction.

Discipline of disabled students

Disciplinary process

Disabled students are not exempt from school disciplinary processes, nor are they entitled to remain in a particular educational program when their conduct substantially impairs the education of other children in the program. However, federal and state law and regulations require the public schools to meet the individual educational needs of disabled children to the extent that current educational expertise permits.

Program prescriptions

A disabled student's staffing committee may prescribe or prohibit specified disciplinary measures for an individual student by including appropriate provisions in the student's Individual Education Plan (IEP). The committee must take into consideration the student's disabling condition when deciding whether or not staff may use a particular form of discipline. Administrative authorities should observe any such provisions contained in a disabled student's individual education plan, except that a staffing committee may prohibit the initiation of proceedings for suspensions or expulsion which are conducted in accordance with regulation.

Suspensions

The administration may suspend a disabled student, in accordance with board policy and state / federal law guidelines, unless a suspension is prohibited by the student's individual educational plan. At the end of the suspension, the school should return the student to the same educational placement, if appropriate. The school may suspend students for up to 10 days for a minor disciplinary infraction with a thirty (30) day annual limit on suspension days as long as the removals do not constitute a pattern.

However, students who bring weapons to school or a school function or knowingly possess or use illegal drugs or solicit the sale of controlled substances while at school or a school function may be removed for up to 45 days at a time. If school officials believe that a child with a disability is

substantially likely to injure self or others in the child's regular placement, they may ask an impartial hearing officer to order that the child be removed to an interim alternative educational setting for a period up to 45 days.

Expulsions

Expulsion of a disabled student is equivalent to a change in educational placement and therefore requires special procedures. Before a disabled student may be expelled, a multi-disciplinary team must conduct a manifestation review to determine whether or not the offense is a manifestation of the student's disability.

The district will continue to provide a free and appropriate education as set forth in a student's IEP to expelled students with disabilities.

Immediate removal

Nothing contained in this administrative rule will be construed as limiting an administrator's ability to remove a disabled student from school immediately under emergency conditions

Paging devices

For purpose of this policy, paging devices are defined as telecommunications devices, to include mobile telephones, that emit an audible signal, vibrate, display a message or otherwise summon or deliver a communication to the possessor.

Students who choose to bring paging devices to school must keep them in their vehicles or lockers, or another appropriate location determined by the school principal. During school hours and on school grounds, no student may use, or have turned on, a paging device without the prior permission of the principal, as set forth below. "Turned on" includes a paging device that is activated and set or programmed to ring, vibrate or otherwise send a signal.

The principal or his/her designee may authorize a student to otherwise possess a paging device if the student is an active member of an emergency service organization, needs the paging device for a legitimate medical reason or otherwise needs the paging device for a legitimate reason, as determined by the principal. In such cases, the student must have prior written consent from the principal or his/her designee.

A person who finds a student in possession or use of a paging device in violation of this policy, must report the student to the school principal. The principal or his/her designee must confiscate the device. The device will be returned to the student's parent/legal guardian. A student who violates this policy regarding use and possession of paging devices is subject to discipline as follows.

First offense

- parent conference with administrator
- paging device returned at conference

Second offense

- parent conference with administrator
- student assigned one day out of school suspension
- student prohibited from possessing or using any paging device at school for the remainder of the school year
- paging device returned to parent/legal guardian at end of school year

