

Student Services Committee

Revised

1. SS-3 (Revised twice; both versions attached)
2. SS-13
3. SS-16
4. SS-17
5. SS-18
6. SS-19
7. SS-21
8. SS-22
9. SS-23
10. SS-24
11. SS-25
12. SS-26
13. SS-27
14. SS-29
15. SS-29-E(1)
16. SS-29-E(2)
17. SS-39

Deleted

1. SS-10
2. SS-37
3. SS-40
4. SS-29-E(1)
5. SS-29-E(2)

New

1. SS-57
2. SS-57-E(1)
3. SS-57-E(2)
4. SS-57-E(3)
5. SS-57-E(4)

ASSIGNMENT OF STUDENTS TO SCHOOLS

Admin. Reg. SS-3
February, 2015

- I. **Purpose.** To establish the basic structure for the assignment of students to district schools.
- II. **Assignment.** The Superintendent or his/her designee will assign students to attend the school serving their legal place of residence but may make special exceptions in the best interest of the child, school and family.
- III. **Students with Special Needs.** Disabled students may attend school in another attendance area if facilities within their residential school attendance area ("RSAA") where they reside do not house needed special education programs as determined by the Superintendent or his/her designee.
- IV. **Guidelines.** The following guidelines will be used by the Superintendent or his/her designee to respond to requests of parents/legal guardians to assign students to a school outside of the student's RSAA.
 - A. Applications for transfer will be subject to the administrative rules then in effect. Several transfer options are granted based on space available only. The capacity of a school is subject to change; therefore parents/legal guardians should carefully consider the potential effect on the family if their children attend schools in more than one attendance area.
 - B. Approval of a student's transfer request does not guarantee approval will be granted for his/her sibling, either for the same academic year or for future academic years.
 - C. Transfers will not be allowed in order for a student to participate in an extracurricular program.
- V. **Majority to Minority.** Any student assigned to a school where his/her race is a majority of the student body may transfer to any school in the district where his/her race is in the minority. The district will determine the majority and minority races of each school at the time of the request.
- VI. **Grandfather Rule.** Students who complete the next to last year at the school in serving their RSAA and who move into a different BCSD attendance zone after that year has completed may be allowed to complete their last year of attendance at that school. School attendance records, grades and discipline may be used in determining whether to allow a student to remain in their now out-of-district school. This does not apply to students that move into another school district.
- VII. **Change of Domicile.** Students who change their domicile from one residence to another within Beaufort County after having been granted a choice transfer and after completion of one (1) academic quarter may remain at that school for the remainder of that school year, provided the student's parent(s) agree to transport their child to and from school. The BCSD shall not provide transportation to the student's original school. School attendance records, grades and discipline may be used in determining whether to allow the student to remain at his original school.

- VIII. Health Hardship.** A student who has a medical, physical or psychological hardship for whom a licensed physician makes a written statement of the specific reason and for whom a licensed physician recommends a change of schools may, upon review and approval by the Superintendent or his/her designee, be granted a transfer to the closest school which offers facilities and/or a physical environment more suitable to meet the student's medical or psychological needs. The BCSD reserves the right to secure a second opinion regarding the student's medical, physical or psychological health.
- IX. Employee Preference.** Students whose parent/legal guardian is employed by the BCSD may attend the school at which their parent/legal guardian works. Students whose parent/legal guardian works at a school not offering their grade level may attend the school closest to where their parent/legal guardian works or one that is in route to or from the parent's place of work. If the BCSD employment of the parent/legal guardian concludes and the student has completed one marking period, the student may be permitted to complete the school year at the out of zone school. School attendance records, grades and discipline may be used in determining a final decision.
- X. Programmatic Transfers.** Transfers for programmatic reasons may be granted; however, in all cases BCSD administration reserves the right to approve or deny the request in accordance with the BCSD's commitment to fulfilling its civil rights obligation. Programmatic transfers are approved conditionally based on space available. The Superintendent or his/her designee will determine the limits on capacity of schools for out of zone students.
- XI. School Capacity Guidelines.**
- A. The BCSD will assign students to a school up to ninety percent (90%) of that building's capacity ("capacity limit").
 - B. The BCSD may expand the capacity limit solely in order to fill a program's capacity within the building. However, the BCSD will not open or add a new class within a program if doing so expands student enrollment beyond the capacity limit.
 - C. In the event the BCSD expands the capacity limit to fill a program within a school, in no circumstance shall the BCSD assign students to a school in excess of 95% of the building's capacity, regardless of program capacity.
 - D. In the event a school offers a school-wide program, assignment shall be capped at the capacity limit.
- XII. Student Choice Plan Procedures.** The Superintendent shall schedule a choice period prior to the beginning of each school year. Students can apply to go to any school at their grade level, and transfers are awarded according to space available. If necessary, the Superintendent shall schedule a special open enrollment period to comply with the No Child Left Behind Choice transfer law and regulations.

- A. Transfers shall not cause the receiving school to exceed the capacity limit, with the exception discussed above. The Board delegates the authority to the Superintendent to develop administrative regulations to determine each school's capacity.
- B. Transportation. Transportation shall not be provided for students who transfer outside of their RSAA.
- C. Random sample. If a school's capacity limit is not met by residential students, siblings, and previously enrolled students, the remaining spaces may be filled by a lottery.
- D. Post-Deadline Transfers. A student who moves into Beaufort County after the deadline established by the Superintendent but before July 31 shall be allowed to make a choice transfer, contingent on the transfer not contravening the school and/or program capacity guidelines in Section XI, above.
- E. Requests for a transfer may not be denied on the basis of race, national origin, color, ethnic background, religion or gender.

XIII. Length of Assignment.

- A. Once a student has been granted a choice transfer, the student shall be assigned to that school for a minimum of one (1) school year unless a change in the student's domicile from in-county to out-of-county occurs, a medical need exists, grounds for the special transfer as provided below are not met, or a disciplinary reason for a transfer to another school in the system occurs.
- B. Once a student has been assigned to a school, the student may remain at that school until the student completes the grade span, subject to satisfying the expectations outlined below.
- C. A student may return to his/her residential school at any time.

XIV. Expectations. Choice transfer students are expected to exhibit exemplary conduct at their assigned school, attend school regularly and pass at least 75 percent (75%) of their courses.

- A. If a student accumulates ten (10) or more unexcused absences, or ten (10) or more unexcused tardies, the student may be re-assigned to his/her residential school at the end of the school year.
- B. If a student fails or refuses to exhibit exemplary conduct (any out-of-school suspensions), the student may be re-assigned to his/her residential school at the end of the school year.

- C. If a student does not pass seventy-five (75%) of their courses in a given year, the student may be re-assigned his/her residential school at the end of the school year.
- D. Principals must notify parents in writing by May 1 if a student is being recommended for reassignment to his/her home school. In the event the condition or event necessitating recommendation a student return to his/her residential school occurs after May 1, the Principal must notify the parents of the student as soon as possible after the condition or event occurs.
- E. If a student attending a school on a choice transfer fails to meet the requirements set forth above, is returned to his/her residential school, and requests a second choice transfer to a school, the transfer shall be denied.
- F. If a student is attending his/her residential school and commits an offense resulting in assignment to an alternative school, suspension for the remainder of the school year, 365 calendar day suspension or expulsion, and then the student subsequently moves into another residential district prior to re-enrollment, such student will not be eligible for a special transfer to the school at which the discipline infraction occurred.

XV. Appeal. In the event the Chief Student Services Officer denies a request for transfer, a parent/guardian may appeal the denial to the Superintendent. The appeal must be made in writing to the within fourteen (14) calendar days of written notification from the Chief Student Services Officer that the transfer request has been denied. The Superintendent shall review the appeal and transfer request, and render a decision as soon as practicable. Failure to adhere to the timelines and procedures set out herein will result in a denial.

XVI. No Child Left Behind Student Choice.

- A. Students (a) attending Title I schools identified for school improvement, (b) who attend a school identified as “persistently dangerous” by the State Board of Education, or (c) who have been the victim of a violent criminal offense while in or on the grounds of his/her current school, shall be guaranteed a transfer to another public school in Beaufort County not identified for improvement, corrective action, or the planning year of restructuring, or identified by the State as persistently dangerous. Transportation will be provided as required by NCLB.
- B. District Designation. The BCSD will identify those schools to which students may transfer pursuant to this Section, if applicable.
- C. Preference for NCLB Choice Transfers. In complying with NCLB school choice, the BCSD shall give priority to those students qualifying for school choice either through attending a non-performing or Title 1 school. Within the group of students who are eligible for NCLB school choice, the BCSD will give priority to low-achieving students

who are from low-income families. While students will not be rank-ordered by parent income, all students from low income families (such as those eligible for free/reduced priced meal programs) may be ranked by achievement levels as determined by proficiency level on end-of-course tests. Students with the lowest achievement/proficiency levels shall be given a priority for assignment to their school of choice.

- D. Length of option. If a student is granted a transfer under the NCLB provisions, he/she will be allowed to complete the highest grade level at the school to which he/she is assigned. However, the BCSD is under no obligation to continue providing transportation to that school once the student's school of origin is no longer identified for school improvement, corrective action, or in the planning year for restructuring.
- E. Parental Notification. The BCSD will notify parents/legal guardians of students attending identified Title I schools in compliance with law. The BCSD will provide notices by an annually determined date or within ten (10) days of receiving notification of school status from the State.
- F. Transfer requests pursuant to this Section must be received by the BCSD Title I coordinator by the date determined annually by the BCSD or within thirty (30) calendar days after receipt of notification.

XVII. Special Transfers. A student may request and be granted a special transfer for a good and substantial cause at any time during the school year.

- A. A parent may request a special transfer during the school year based on a material and substantial change in circumstances that justifies the need for a special transfer during the school year.
- B. All special transfer requests must be submitted in writing to the Chief Student Services Officer. The Chief Student Services Officer will monitor special transfers to ensure fairness and equity. The rules set forth governing school choice above also apply.
- C. A parent may appeal a decision on a special-transfer request in writing in accordance with Sections XV and XVI above.

NOTE: The February, 2015, revisions incorporated former Administrative Regulation SS-10, School Choice.

Adopted: July 18, 2001

Revised: July, 2010; April, 2013; February, 2015

Legal references:

A. S. C. Code, 1976, as amended:

1. Section 59-19-90(9) - Transfer and assignment authority.
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B. Federal Law:

1. Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001, P.L. 107-110, Section 116.
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C. U.S. Supreme Court:

1. Parents Involved in Community Schools v. Seattle School District No. 1, 127 S. Ct. 2738 (2007).
2. Plyler vs. Doe, 1982.

ASSIGNMENT OF STUDENTS TO SCHOOLS

Admin. Reg. SS-3
May, 2015

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NOTE: The February, 2015, revisions incorporated former Administrative Regulation SS-10, School Choice.

Adopted: July 18, 2001

Revised: July, 2010; April, 2013; February, 2015; May, 2015

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A. S. C. Code, 1976, as amended:

- 1. Section 59-19-90(9) - Transfer and assignment authority.

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1. Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001, P.L. 107-110, Section 116.
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3. Title IX of the Education Amendments of 1972, 20 USC Section 1681, et seq. - Prohibits discrimination on the basis of sex.

C. U.S. Supreme Court:

1. Parents Involved in Community Schools v. Seattle School District No. 1, 127 S. Ct. 2738 (2007).
2. Plyler vs. Doe, 1982.

STUDENT RIGHTS AND RESPONSIBILITIES

Admin. Reg. SS-13
September, 2015

- I. **Purpose.** To establish the Board's vision for student rights and responsibilities.
- II. **Student Rights.** The Board believes students have rights that should be recognized and respected. It also believes that every right carries with it certain responsibilities. Certain student rights and responsibilities are as follows:
 - A. Students have the right to a quality education and the responsibility to put forth their best efforts during the educational process. Students have the right to expect school personnel to be qualified in providing that education. Students have the responsibility to respect the rights of other students and all persons involved in the educational process.
 - B. Students have civil rights, including the right to equal educational opportunity and freedom from discrimination. They have the responsibility not to discriminate against others.
 - C. Students have the right to attend free public schools. They have the responsibility to attend school as required by law and to observe school rules and regulations essential for permitting others to learn at school.
 - D. Students have the right to due process of the law with respect to suspension, expulsion, and unreasonable searches and seizures. They also have the privilege of appealing administrative decisions that they believe have deprived them of their rights.
 - E. Students have the right to free inquiry and expression. They have the responsibility to observe reasonable rules regarding these rights.
 - F. Students have the right to advocate change of any law, policy or regulation. Students may exercise their right to freedom of expression through speech, approved time for assembly, petition and other lawful means. The exercise of this right may not interfere with the rights of others. Students may not use this freedom of expression to present material that is obscene or slanderous, or to defame character. They may not use this freedom to advocate violation of federal, state and local laws, or school policies, rules and regulations.
- III. **Notification of Rights.** Students must be made aware of their legal rights and also of the legal authority of the board to make, or delegate authority to its staff to make, rules and regulations regarding the orderly operation of the schools.
- IV. **Non-Discrimination.** The district will accord all students privileges and rights without regard to race, religion, sex, creed, disability, national origin, or immigrant status or English-speaking status.
- V. **Student Complaints.** Students may present complaints to teachers or administration officials. The administration will provide adequate opportunities for students to exercise this right through channels established for considering such complaints and grievances.

Adopted: July 18, 2001

Revised: July, 2010; September, 2015

Legal references:

A. Federal statutes:

1. Title VI of the Civil Rights Act of 1964 - Prohibits discrimination on the basis of race, color, national origin, religion or sex.
2. Title IX of the Education Amendments of 1972, 20 USC Section 1681, et seq. - Prohibits discrimination on the basis of sex.

B. U. S. Supreme Court:

1. Morse v. Frederick, 127 S. Ct. 2618 (2007).
2. Plyler vs. Doe, 1982.

DISCIPLINE OF STUDENTS WITH DISABILITIES

Admin. Reg. SS-16
September, 2015

- I. **Introduction.** The discipline, suspension and expulsion of students with handicaps and disabilities is governed by the Individuals with Disabilities Education Act ("IDEA"), Section 504 of the Rehabilitation Act ("§ 504") and their implementing regulations, Chapter 33 of Title 59 of the South Carolina Code, and S.C. Code Reg. 43-243. It is the purpose of this Administrative Regulation to provide guidelines for school administrators to use in disciplining students with handicaps, disabilities and special needs as those terms are defined in the federal and state laws and regulations referred to above.
- II. **Disciplinary Sanctions of Students with Disabilities resulting in In-School Suspensions.** As a general rule, a student with a disability may be assigned to in-school suspension if that assignment would be applied to non-disabled students and the student is afforded the opportunity to continue to appropriately progress in the general curriculum, continue to receive his/her IEP services, and continue to participate with non-disabled students to the extent they would in their current placement.
- III. **Disciplinary Sanctions of Students with Disabilities resulting in a School Bus Suspension.** A bus suspension is to be treated as an out-of-school suspension unless the student is provided transportation service in some other way.
- IV. **Short Term Suspensions.**
 - A. **First Ten Days.** As a general rule, students with a handicap or disability may not be suspended for more than ten (10) consecutive school days in a school year to the same extent and for the same misconduct that non-disabled students would be suspended in accordance with Administrative Regulation SS-18, Code of Student Conduct or for additional removals of not more than ten (10) consecutive school days in the same school year for separate incidents of misconduct as long as those removals do not constitute a change of placement. Regular due process procedures for short-term suspensions apply as described in Administrative Regulation SS-39, Suspension, Expulsion and Alternative School Assignment of Students.
 - B. **Partial Day Suspensions.** The South Carolina Special Education Process Guide defines a school day as any day, including a partial day of 50% or more of the day, in which all children are in attendance. If a child is suspended for a part of a school day (50% or more of the day), the partial day suspension counts as a full day for purposes of determining whether a change of placement occurred.
 - C. **Cumulative Short Term Suspensions Totaling More Than 10 Days.**
 1. **Duty to Assess Behavior and Implement a BIP.** If a Principal or Assistant Principal is considering a short-term suspension of a student with a disability and the total number of days suspended in the school year will exceed ten (10) school days, the Principal or Assistant Principal shall notify the area special education

coordinator or the BCSD Director of Special Education. Effective the eleventh (11th) day of removal in a school year, school officials must determine what special education and related services must be provided.

- a. If the student's IEP/504 Team has not conducted a functional behavioral assessment ("FBA") and implemented a behavioral intervention plan ("BIP") for the child before the behavior resulting in the proposed suspension, § 504 and IDEA regulations require the IEP/504 Team meet within ten (10) school days to develop a plan to conduct a FBA and develop a BIP to address the student's behavior. If a BIP exists, the IEP/504 Team members shall review the BIP (not necessarily in a meeting) and its implementation to determine if modifications are necessary. If one (1) or more of the team members believe that modifications are needed, the student's IEP/504 team shall meet to consider the request to modify the BIP and its implementation. If not, the team does not have to meet and should implement the BIP as written
 - b. A FBA is a method for identifying and evaluating factors that reliably predict a problem behavior. The assessment may include interviews with teachers and other staff who have worked with the child, descriptive observations of the child's behavior, and the completion of behavioral checklists. The assessment involves identifying, if possible, when problem behaviors occur, the causes of a problem behaviors, and the type of interventions which have a positive effect on managing or minimizing the problem behaviors. It also involves a functional analysis of the student's disability to determine how it effects the student's behavior. A functional analysis may involve systematically changing the factors that may affect a student's behavior in the classroom, such as:
 - (1) The interventions currently used to manage behavior;
 - (2) The schedule for the delivery of instruction; and
 - (3) The method used for the delivery of instruction.
 - c. A BIP is a separate document attached to a § 540 Plan or an IEP. It includes those interventions which will be used to manage the student's behavior in the classroom and benchmarks to determine when the IEP/504 Team needs to meet and assess the effectiveness of the Plan.
2. **Duty to Determine Whether Cumulative Suspensions is a Change of Placement.** If a Principal or Assistant Principal is considering a short term suspension of a student with a disability and the total number of days suspended in the school year will exceed ten (10) school days, the administrator shall determine whether the cumulative effect of the suspensions would be considered a change of placement based on the factors listed below. During these short-term suspensions following the first ten (10) days of suspension, educational services must be

provided, if necessary, for the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the IEP.

a. **Factors for Determining Whether Cumulative Suspensions are a Change of Placement.** The following factors shall be used in determining whether or not cumulative short term suspensions totaling more than ten (10) days in a school year have the effect of changing a student's IEP and trigger § 504 or IDEA procedural safeguards:

- (1) **The length of the suspensions.** The longer each suspension the more they should be viewed collectively as a change of placement. If the average length of the suspensions would be more than five (5) school days, it should be considered a change of the IEP;
- (2) **The total number of days a student is suspended.** There is no specific number of cumulative days that defines a change in placement. However, more than twenty (20) days in a school year should be considered a change of the IEP.
- (3) **The proximity of the suspensions to each other.** If during a particular time period a student would spend a significant amount of time out of school due to a series of short-term suspensions, the suspensions should be viewed collectively as a change of placement. If a student is suspended for more than 25% of the days in a school month, it could be considered a change of the IEP.
- (4) **The similarity of the misconduct.** If the student repeatedly engages in the same type of misconduct, the misconduct may be a manifestation of the student's disability and the repeated suspensions may be viewed collectively as a change in the student's IEP.

b. **Cumulative Effect not a Change of Placement.** If a Principal or Assistant Principal determines based on the criteria listed above that the cumulative effect of the additional short term suspension is not a change of the student's IEP, he/she shall notify the student's parent(s) of that determination at the time the decision. The suspending administrator may implement the suspension. The suspending administrator, in consultation with the student's special education teacher, and any other appropriate persons, shall determine what educational services are to be provided during the short-term suspension. At a minimum, the student shall be assigned and required to make-up the class work missed during the suspension.

c. **Cumulative Effect is a Change of Placement.** If a Principal or Assistant Principal determines the cumulative effect of the additional suspension is a change of the student's placement, then within three (3) school days the IEP/504

Team shall meet to determine whether the conduct is a manifestation of the student's handicap or disability.

3. **Manifestation Determination Criteria and Procedures.** A manifestation determination must be held each time a student with a disability is removed for more than ten (10) consecutive days during a school year or each time it is determined a series of removals constitutes a change of placement.
 - a. The IEP/504 Team shall determine, in relationship to the behavior subject to suspension, whether the student's misconduct is a manifestation of his/her disability. In making the manifestation determination, the IEP/504 Team must consider all information relevant to the conduct subject to discipline such as evaluations and diagnostic results, including such results and other relevant information from the parent, observations of the student and the student's §504 Plan or IEP and placement. The misconduct is not a manifestation of the student's disability if the IEP/504 Team finds, in relationship to the misconduct subject to discipline:
 - (1) The conduct in question was not caused by, or does not have a direct and substantial relationship to, the student's disability; and
 - (2) The conduct in question was not the direct result of the failure to implement the student's IEP.
 - b. **Behavior is Not a Manifestation.** If the IEP/504 Team is able to make both findings, above then the behavior is not a manifestation of the student's disability. The student's placement may be changed, and school personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to children without disabilities. The student must continue to receive educational services as determined by his/her IEP/504 Team. An FBA and BIP can be implemented, but are not required. The suspending administrator, in consultation with the child's special education teacher, shall determine what educational services are to be provided during the short-term suspension. The student shall be assigned and required to make-up the class work missed during the suspension.
 - c. **Behavior is a Manifestation.** If the IEP/504 Team cannot make both findings either or both findings, above, then the behavior is a manifestation of the student's disability. The school then must return the student to his/her placement, unless the team and parents agree otherwise. If the student lacks a FBA and BIP in effect, the Team must complete the FBA and implement a BIP. If there is a BIP, the Team shall review, modify, and implement the BIP, as necessary, to address the behavior.

- d. **Parent Disagreement.** While parents have the right to invite additional participants to the MDR meeting, they do not have the right to veto the choice of team members or the MDR team determination the child's misconduct is related or unrelated to the disability.

V. **Alternative School Assignments, Suspensions and Expulsions.**

- A. **Notice of Misconduct and Due Process Rights.** In the event a Principal or Assistant Principal intends to recommend the student be expelled or assigned to an alternative school based on the student's violation of Administrative Regulation SS-18, Code of Student Conduct, the Principal/Assistant Principal shall notify the student and the student's parents of this recommendation and of their student discipline due process rights.
 - 1. **Weapons and Drug Offenses.** If the student is accused of possessing a weapon which could inflict a serious bodily injury, of knowingly possessing or using illegal drugs, or of selling or soliciting the sale of a controlled substance, the Principal may also recommend the student be placed in an interim alternative setting determined by the IEP Team for up to 45 calendar days pending any appeals under the provisions of the IDEA and its implementing regulations.
 - 2. **Violent Behavior.** If the student is accused of violent behavior and the Principal believes the student is dangerous to him/herself or others, the Principal may recommend to the Superintendent and School Attorney the BCSD request:
 - a. the involuntary commitment of the student;
 - b. a court order placing the student in an interim alternative setting; or
 - c. an expedited hearing seeking an order placing the student in an interim alternative setting as determined by the IEP/504 Team for up to 45 calendar days pending any appeals.
- B. **FBA and BIP.** If the IEP/504 Team has not conducted a FBA and implemented a BIP for the child before the behavior resulting in the proposed disciplinary action, §504 and IDEA regulations require the IEP/504 Team to meet within ten (10) school days to conduct a FBA and develop a BIP to address the student's behavior.
- C. **Manifestation Determination.** Also within three (3) school days, the IEP/504 Team must meet to conduct a manifestation determination. However, the 45-day interim alternative placement may be implemented for a drug or weapon offense even if the IEP Team determines the misconduct was a manifestation of the disability.
- D. **Standard Due Process Procedures.** Students with handicaps/disabilities have a right to a hearing in the same manner as non-disabled students pursuant to the provisions of Administrative Regulation SS-18, Code of Student Conduct, to determine by the

preponderance of the evidence whether the student violated the Student Code of Conduct, and, if so, whether the recommended disciplinary action is consistent with the Code of Student Conduct and appropriate to the student's misconduct.

1. If the student discipline hearing panel/officer finds that the student did not violate the Code of Conduct, the student shall be returned to school immediately.
2. If the student discipline hearing panel/officer finds the student violated the student Code of Conduct, it shall impose or recommend sanction as provided in Administrative Regulation SS-18, Code of Student Conduct. The panel/officer must consider the IEP/504 Team's manifestation determination before imposing or recommending disciplinary action.
3. If the student does not request a hearing, the Chief Student Services Officer, acting as the Superintendent's designee, shall review the Principal's recommendation, apply the Code of Conduct, consider the manifestation determination of the IEP Team/SAT, and make a decision regarding the Principal's recommendation.

E. Impact of Manifestation Determination.

1. **If Misconduct Not a Manifestation.** If the IEP/504 Team determines the student's behavior is not a manifestation of his/her handicap or disability, the IEP/504 Team must:
 - a. Complete a manifestation determination; and
 - b. Provide the student's parents with a copy of the IEP/504 Team determination and notify them of their procedural rights.
 - c. The student may be given an alternative school assignment, suspended or expelled in accordance with Administrative Regulation SS-18, Code of Student Conduct. However, the hearing officer/panel may not determine the special education placement or the method of delivering educational services to the student.
 - d. If the student is identified as a student with a disability, the BCSD must continue to provide a free appropriate public education (FAPE) including special education and related services but in an alternative setting as determined by the IEP Team. The student, despite the sanction, must continue to be provided services that enable the student to progress in the general curriculum and appropriately advance toward achieving the goals in the IEP. The IEP Team must reconvene to determine how the BCSD will continue to provide educational services, in another setting, which allow the student to participate in the general curriculum and progress toward his/her IEP goals.

- e. If the student is identified as a student with a handicap under the §504, the school system is not required to continue to provide a free appropriate public education (FAPE) for the student during an out-of-school suspension or expulsion.
2. **If Misconduct is a Manifestation.** If the IEP/504 Team determines the student's behavior is a manifestation of the student's handicap or disability:
- a. The student may not be disciplined for his/her conduct;
 - b. The student should be returned to his current placement immediately unless an interim alternative placement was approved by the Superintendent for the possession of a dangerous weapon, the possession or use of illegal drugs, the sale or solicitation of a controlled substance or ordered by a judge;
 - c. The IEP/504 Team should immediately consider appropriate ways to manage the student's behavior including but not necessarily limited to:
 - (1) Ensuring that the IEP/§504 Plan is implemented appropriately;
 - (2) Changing the IEP/§504 Plan;
 - (3) Developing, modifying and/or implementing a BIP, or
 - (4) Changing the student's placement.
 - d. If the student is in an interim alternative setting as provided in paragraph b. above, the student may remain in that setting pending the decision of the IEP/504 Team regarding a change in the student's placement and any appeals, subject to the 45 day limitation, unless the student's parent agrees to an extension of the interim alternative placement. If the parent(s) do not appeal the decision of the IEP/504 Team, the student should be returned to the current or agreed upon placement as soon as possible.
- F. **Interim Alternative Educational Setting (IAES).** Although the Principal may make a unilateral decision to assign a qualifying student to an IAES, the student's IEP Team must determine the determination of the alternative setting and services. Only student who, on school property or at a school event wherever located, knowingly carry or possess a weapon, knowingly possess illegal drugs or sell or solicit sale of controlled substances, or inflict serious bodily injury on another person are eligible for assignment to an IAES. "Serious bodily injury" is defined as a physical injury that involves at least one of the following: a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty. The setting must be selected so as to enable the child to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the student's current IEP, that will enable the student to meet the goals set out in the IEP and include services and

modifications to address the misconduct which brought about the interim alternative educational setting placement that are designed to prevent the behavior from recurring.

G. Protection for students not yet eligible for special education. Pursuant to the IDEA and its implementing regulations, a student who has not been identified as a student with a disability must be provided the IDEA procedural rights and safeguards if the BCSD had knowledge of the child's disability prior to incident that precipitated the disciplinary action. Knowledge of the disability is presumed if:

1. The parent(s) notified school officials in writing (unless the parent is illiterate) that the child is in need of special education;
2. The parent has requested an evaluation;
3. The child's behavior or performance demonstrates the need for special education; or
4. The child's teacher or other school personnel have expressed concern about the child's behavior or performance to the director of special education or to another special education staff member in accordance with the procedures for the referral of a student

H. If the BCSD had no knowledge of the student's disability at the time it initiated a disciplinary action and the parent requests an evaluation after the incident, the student shall be subject to discipline as a non-disabled student. However, the BCSD must provide the evaluation as requested by the parent and if it is determined that the child has a disability and is in need of special education, the IEP Team shall then determine whether or not the student's misconduct was a manifestation of the student's disability. Once that determination is made, the same rules apply as if the manifestation determination was made at the time of the incident

Adopted: September, 2015

Legal References:

1. Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1400, *et seq.*, and its implementing regulations, 34 CFR Part 300
2. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701, and its implementing regulations, 34 CFR Part 104
3. S.C. Code Ann. § 59-33-10, *et seq.*
4. S.C. Code Reg. 43-243.

STUDENT DRESS CODE

Admin. Reg. SS-17
September, 2015

- I. **Purpose.** To establish the Superintendent's expectations for student dress code.
- II. **Statement of Policy.** It is the policy of the Beaufort County School District ("BCSD") to regulate reasonable attire of students during the school day. Students in all schools shall wear an approved school uniform with only legally-mandated exceptions. To maintain an educational environment that is safe and conducive to the educational process, students in all grades shall abstain from wearing or possessing specified items during the school day.
- III. **Statement of purpose.** The BCSD has determined that reasonable regulation of school attire can further important educational interests, including:
 - A. reducing distraction and loss of self-esteem caused by teasing or competition over clothing;
 - B. minimizing disruption from wearing inappropriate clothing or possessing inappropriate items at school;
 - C. providing an environment where students can focus more on learning;
 - D. enhancing school safety by making it harder to conceal weapons or contraband;
 - E. enhancing school safety by helping teachers and administrators identify individuals not enrolled in the school when they encounter them on school grounds;
 - F. enhancing school safety by prohibiting gang colors and paraphernalia;
 - G. reducing the cost of school clothing;
 - H. providing an educational environment where financial disparities between students, as reflected in clothing, are minimized;
 - I. creating a greater sense of community and school pride among the students;
 - J. instilling discipline in students;
 - K. helping students and parents to avoid peer pressure;
 - L. helping prepare students for future roles in the workplace; and
 - M. creating an atmosphere reflecting seriousness of purpose about education.
- IV. **Requirements.**
 - A. *Shirts, Sweaters and Sweatshirts (tops).*

1. Tops shall be solid white and additional solid colors designated by the individual school.
2. Students must wear plain shirts with a collar. Mock turtlenecks and turtlenecks are acceptable.
3. Shirts may have school-approved logos.
4. Shirts may not exceed one (1) size larger or smaller than necessary as determined by the school administrator.
5. Shirts must be tucked in (exceptions may be made for Pre-school and kindergarten students as needed by administration).
6. White T-shirts (long or short sleeves) may be worn under uniform shirts.
7. Students may wear plain, unhooded sweaters or sweatshirts over school uniforms. The sweaters or sweatshirts may be solid white or school designated colors.

B. Pants, Skirts, Skorts, Jumpers, Capri Length Pants, and Shorts (Bottoms).

1. Bottoms must be a solid dark color, and shall be solid khaki, black or navy.
2. Jeans are not permitted. Principals may make exceptions for a specific group such as seniors or for special days.
3. Bottoms must be free of graphics and embroidery. With the exception of small labels, bottoms may not have insignias, words or pictures.
4. Shorts, skirts, skorts, and jumpers shall be modest and of sufficient length. The length of these articles of clothing shall be no shorter than three (3) inches above the top of the knee when standing.
5. Cargo-style pants or shorts, leggings, jeggings, and yoga style pants are not permitted.
6. Clothing may not exceed one (1) size larger than necessary as determined by a school administrator. Baggy or sagging pants or shorts are not permitted. "Low rise" clothing is not permitted. Pants, shorts, and skirts must be worn at the natural waistline.
7. Belts must be worn if pants, skirts, skorts or shorts have belt loops (exceptions may be made by administration). Belt buckles must not be oversized, computerized or have any writing that is considered offensive.

C. Coats and Jackets (Outerwear).

1. Outerwear may not be worn inside the school building during the school day, other than to a locker/classroom at the beginning of the school day or from a locker/classroom at the conclusion of the school day.
2. Outerwear may be worn during a class change if the student is exiting the building.
3. Outerwear may be worn to school and placed in the student's locker. If a locker is not available, it may be hung in the classroom or other location designated by the Principal and/or the Principal's designee.
4. The Principal and/or the Principal's designee may make an exception if the building/classroom is unusually cold.

D. Shoes, Sneakers, and Boots (Footwear).

1. Footwear must be worn at all times, and, as needed, shoes shall conform to special requirements, e.g., P.E. classes, ROTC, science labs, etc.
2. Laces on shoes or sneakers must be tied.
3. Flip flops, crocs, or slippers are not permitted.
4. Heelies and other footwear with wheels are not permitted.

E. Other Clothing Items or Accessories.

1. Students may not wear large pendants or medallions. The Principal and/or Principal's designee has the final say on determining whether a pendant or medallion is large or not.
2. Any adornment that could be perceived as, or used as, a weapon such as chains, spikes, etc. is not permitted.
3. Gang-related clothing, accessories, symbols or intimidating items of dress, as identified by local law enforcement agencies, are not permitted.
4. Head coverings of any kind, including but not limited to, hats, caps, bandanas, curlers, masks, visors, kerchiefs, athletic sweatbands, earmuffs, sunglasses or hoods are not permitted. Head coverings shall not be worn, carried, hung on belts or around the neck or kept in classrooms during regular school hours.

F. Other Uniform Requirements.

1. Students are expected to be dressed according to the uniform standards at all times when school is in session.

2. Students who are taking classes that require a special dress code, such as JROTC or career and technical education internships, may wear that uniform to other classes.
3. Principals may make exceptions to the uniform policy for special events, such as picture day, and may allow a different standard for athletic teams or other school clubs or activities.
4. Clothing designed for school athletic events, e.g., cheerleader outfits, that do not meet the above guidelines shall not be worn during the instructional day unless appropriate additional garments are worn with the outfit.

V. Enforcement.

- A. First Offense. Students shall be informed they have violated the student dress code. They shall be given an opportunity to change into acceptable clothing by using available clothes at school or by calling a parent/guardian to bring clothes. If neither of these options is used, students may be placed in an in-school suspension alternative setting for the remainder of the day.
- B. Second Offense. A second infraction of the dress code shall be considered as defiance. In addition to the disciplinary actions available for a first offense, a parent/guardian conference shall be held.
- C. Third Offense and Subsequent Offenses. A third or subsequent violation of the dress code shall be categorized as a Level I Offense as outlined in Administrative Regulation SS-18, Code of Student Conduct, and a student shall be subject to the consequences outlined therein, including but not limited to out-of-school suspension. Disciplinary action may vary when a student has a record of other student conduct violations during a current school year.

VI. Exclusion from Extracurricular and/or Co-Curricular Activities. Students who do not comply with the dress code may be excluded from participating in certain extracurricular and/or co-curricular school programs. Copies of the dress code shall be made available to students and parents.

VII. Exceptions to Dress Code. Reasonable consideration shall be made for those students who, because of a sincerely held religious belief or medical reason, request a waiver of a particular guideline for dress or appearance. The waiver request shall be in writing from the parent or guardian and approved by the Principal and/or Principal's designee on an annual basis. In considering a waiver request, the Principal and/or Principal's designee has the right to request additional documentation from medical officials and/or religious leaders.

VIII. Grace Period for New Students. New students to the school will be given a two-week grace period from enrollment to obtain and wear the proper school uniforms.

Approved: February 17, 2009
Adopted: July 18, 2001
Revised: February, 2009; July, 2010; September, 2015

CODE OF STUDENT CONDUCT

Admin. Reg. SS-18
July, 2015

I. Introduction.

- A. The purpose of this Code of Student Conduct is to notify students and parents of the standards of behavior expected of students, conduct that may subject students to discipline, and the range of disciplinary measures to be used by school officials in enforcing Board policies, administrative regulations, school rules, and classroom rules. It is important parents, students and school officials understand these are guidelines and not prescribed actions that must be followed in each and every instance of student misconduct. School administrators may impose more or less severe disciplinary actions based on mitigating and aggravating factors and in keeping with the principles set out in Board policy and administrative regulations.
- B. A school is a community. It is responsible for educating those children who attend and, therefore, it must establish and enforce guidelines and procedures that provide for reasonable order and an atmosphere where learning can take place
- C. In keeping with the philosophy that discipline is a means of teaching and that most effective teaching is done in a positive manner, disciplinary efforts are to be as positive as possible. Positive means of working with students include individual discussion and counseling, involvement of students in defining acceptable behavioral standards and involvement of parents/legal guardians.
- D. Under the direction of the Superintendent, school personnel will establish, periodically review and, if necessary, revise procedures for disciplining students.
- E. All procedures and guidelines will be fair, just, flexible and in the best interests of individual students and the school community. In addition, all procedures and guidelines will comply with the appropriate statutes and constitutional provisions.

II. Discipline of Students with Disabilities. The procedures set forth in the Individuals with Disabilities Act (IDEA) and its implementing regulations, Chapter 33 of Title 59 of the South Carolina Code of Laws, and its implementing regulations, shall be followed when disciplining students with disabilities. See also BCSD AR SS-16.

III. Definitions. For purposes of this Administrative Regulation, the following terms shall be defined as follows:

- A. Aggravating factors. Factors that may be considered by a school official which would increase the severity of a student's punishment for violating the Code of Student Conduct.
- B. Alcoholic beverage shall be defined in accordance with Chapter 6 of Title 61 of the South Carolina Code of Law, and includes any spirituous malt, vinous, fermented,

brewed, or other liquor or a compound or mixture of them which contains alcohol and is used as a beverage. This definition also includes powdered alcohol and any substance which, when mixed with another substance or in its original form, has the same or similar effect as an alcoholic beverage.

- C. Alternative school program. The BCSD's part or full time programs, wherever situated, providing appropriate services to students who, for behavioral or academic reasons, are not benefitting from the regular school program or may be interfering with the learning of others. Alternative school programs include programs established by the local board of education in conformity with Chapter 63, Article 13 of Title 53 of the South Carolina Code of Laws.
- D. Controlled substance. Includes marijuana, heroin, LSD, methamphetamine, cocaine, or any other drug, substance or immediate precursor listed in Schedules I – V in S.C. Code Ann. §§ 44-53-190, 44-53-210, 44-53-230, 44-53-250 and 44-53-270.
- E. Corporal punishment. The intentional infliction of physical pain upon the body of a student as a disciplinary measure.
- F. Educational property or school property. Any school building or bus, school campus, grounds, recreational area, athletic field, or other school property under the control of the BCSD or any property temporarily being used for or incidental to the instruction of BCSD students. When applicable, this definition includes BCSD owned personal property, including but not limited to BCSD issued electronic devices.
- G. Expulsion. The disciplinary exclusion of a student from enrollment in all BCSD schools and educational programs for the remainder of the school year. Expulsion is to be construed as prohibiting a student from entering a BCSD school or school grounds, except for a prearranged conference with an administrator, attending any day or night school functions, or riding a school bus. It is not meant to preclude enrollment and attendance in any adult or night program operated by the BCSD.
- H. Firearm. Shall be defined in accordance with S.C. Code Ann. § 16-8-10, and includes the following:
 - 1. A weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.
 - 2. The frame or receiver of any such weapon.
 - 3. Any firearm muffler or firearm silencer.
 - 4. A firearm does not include an inoperable antique firearm, a BB gun, stun gun, air rifle, paintball gun, or air pistol.
- I. Gang. Shall be defined in accordance with S.C. Code Ann. § 16-8-230.

- J. Mitigating factors. Factors that may be considered by a school official which would decrease the severity of a student's punishment for violating the Code of Student Conduct.
- K. Narcotic. Shall be defined in accordance with S.C. Code Ann. § 44-53-110(29), and includes any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:
1. opium, coca leaves, and opiates;
 2. a compound, manufacture, salt, derivative or preparation of opium, coca leaves, or opiates; or
 3. a substance (and any compound, manufacture, salt, derivative, or preparation thereof) which is chemically identical with any of the substances referred to in K.1. or 2. This term does not include decocainized coca leaves or extracts of coca leaves, which extracts do not contain cocaine or ecgonine.
- L. Parent. Includes a parent, legal guardian, legal custodian, or other caregiver adult who is acting in the place of a parent and entitled to enroll a student in school.
- M. Destructive device. Shall be defined in accordance with S.C. Code Ann. § 16-23-710(7) and means:
1. a bomb, incendiary device, or anything that can detonate, explode, be released, or burn by mechanical, chemical, or nuclear means, or that contains an explosive, incendiary, poisonous gas, or toxic substance (chemical, biological, or nuclear materials) including, but not limited to, an incendiary or over-pressure device, or any other device capable of causing damage, injury, or death;
 2. a bacteriological weapon or biological weapon; or
 3. a combination of any parts, components, chemical compounds, or other substances, either designed or intended for use in converting any device into a destructive device which has been or can be assembled to cause damage, injury, or death.
- N. Principal. Includes the principal and the principal's designee.

O. School Personnel. Includes any of the following:

1. An employee of the Board of Education, including but not limited to the Superintendent, and a Principal, Assistant Principal, teacher, and teacher assistant;
2. Any person working on school grounds or at a school function under a contract or written agreement with the Board and/or the BCSD to provide educational or related services to students;
3. Any person working on school grounds or at a school function for another agency providing educational or related services to students; and
4. Any school volunteer.

P. Serious Personal Injury. Includes, (1) substantial risk of death, (2) serious permanent disfigurement, (3) a coma, (4) a permanent or protracted condition that causes extreme pain, (5) permanent or protracted loss or impairment of the function of any bodily member or organ, or (6) an injury that results in prolonged hospitalization.

Q. Short-term suspension. The exclusion of a student from school attendance for disciplinary purposes for up to ten (10) school days from the school to which the student was assigned at the time of the disciplinary action.

R. Substantial evidence. Such relevant evidence as a reasonable person might accept as adequate to support a conclusion; it is more than a scintilla or permissible inference.

S. Superintendent. Includes the Superintendent and his/her designee(s).

T. Weapon. Shall be defined in accordance with S.C. Code Ann. § 16-23-405, and as set forth in Administrative Regulation SS-26.

IV. **Disciplinary Measures that May be Used for Violating the Code of Student Conduct.** When considering the appropriate disciplinary measure for a student, school officials should utilize sanctions authorized by the Code of Student Conduct for the given offense. Sanctions are organized by level as described herein. Guideline sanctions are found in Section VII hereinbelow; however, school officials may aggravate or mitigate sanctions as described in Section VI hereinbelow. Pursuant to BCSD Administrative Regulation SS-38, corporal punishment is not authorized as a disciplinary measure in the BCSD. The procedures for disciplining regular education students are found in BCSD Administrative Regulation SS-39, Suspension, Expulsion & Alternative Education Assignment of Students. The procedures for disciplining students with disabilities are found in BCSD Administrative Regulation SS-16, Discipline of Students with Disabilities.

A. **Level I Offenses - Discipline that does not remove a student from the classroom for an extended period of time or from the school.** This non-exhaustive list of interventions are not appealable pursuant to the student discipline appeal procedures found in BCSD Administrative Regulation SS-39, Suspension, Expulsion & Alternative Education Assignment of Students.

1. parental involvement, such as conferences;
2. positive behavior interventions;
3. behavior improvement agreements;
4. reduction in student's grade (for academic misconduct);
5. instruction in conflict resolution and anger management;
6. peer mediation;
7. individual or small group sessions with the school counselor;
8. academic intervention;
9. detention before and/or after school or on Saturday;
10. silent lunch;
11. community service;
12. loss of parking privileges;
13. exclusion from graduation or promotion ceremonies;
14. exclusion from extracurricular activities;
15. suspension from bus privileges;
16. participation in a gang awareness program;
17. submission to random, mandatory drug tests for one calendar year;
18. participation in a drug, alcohol and/or tobacco treatment or education program; and/or
19. In-School Suspension ("ISS"). ISS is a form of discipline in which a student maintains classroom assignments and remains in school but in a separate location than the student's regular classroom. The student's teacher will continue to provide coursework for the student to complete while in ISS. Period ISS is preferred to day-long ISS. ISS should be used as a short-term solution. ISS assignment is not appealable pursuant to the student discipline appeal procedures found in Administrative Regulation SS-39, Suspension, Expulsion & Alternative Education Assignment of Students.

B. **Level II Offenses – Up to Four (4) Days Short-Term Suspension.** A student committing a Level II offense may be short-term suspended out-of-school for up to four (4) days (at a time) for willfully engaging in conduct that violates the Code of Student Conduct. Administrators are to utilize non-suspension alternatives where appropriate prior to suspending a student out of school. Students shall not be short-term suspended for truancy or tardiness offenses.

C. **Level III Offenses – Up to Six (6) Days Short-Term Suspension.** A student committing a Level III offense may be short-term suspended out-of-school for up to six (6) days (at a time) for willfully engaging in conduct that violates the Code of Student Conduct. Administrators are to utilize non-suspension alternatives where

appropriate prior to suspending a student out of school. The rules governing out of school suspension and non-suspension alternatives in Section B, above, shall apply.

- D. **Level IV Offenses – Expulsion or Alternative School Recommendation.** A school administrator may suspend a student committing a Level IV offense for up to ten (10) school days and recommend the student be expelled OR assigned to a BCSD alternative school. The procedures for recommending a student be expelled or assigned to alternative school are set forth in BCSD Administrative Regulation SS-39, Suspension, Expulsion & Alternative Education Assignment of Students.
- V. **Aiding or Assisting.** A student shall not aid or assist another student to violate board policy, administrative regulation, school rules, or classroom rules. A student commits this offense if he or she knowingly advises, induces, encourages, aids or assists another student to commit an offense OR shares in the purpose of the act (to commit the offense) and aids or is in a position to aid the other student when the offense is committed. A student committing this offense may be disciplined in the same manner as those students actively committing the offense.
- VI. **Aggravating and Mitigating Circumstances.** When considering the appropriate sanction for specific student conduct, the Principal, Assistant Principal, or teacher should consider aggravating and mitigating circumstances relating to the offense. In addition, any other circumstances related to the offense and which are reasonably related to the purposes of discipline may be considered.
- A. Aggravating factors which may be considered include, but are not limited to:
1. Blatant disrespect for authority;
 2. Inducing others to take part in the prohibited behavior or occupying a position of leadership or dominance of other participants;
 3. Attempting to flee or conceal guilt or to sat blame on an innocent party;
 4. Receiving money or something of value from the misbehavior;
 5. Victimizing a significantly younger or smaller student or a mentally or physically disabled/handicapped person;
 6. Taking advantage of a position of trust or confidence to commit the offense;
 7. Committing the same or similar offense (during the student's grade span). For purposes of this Administrative Regulation, "grade span" shall be defined as grades K-5, 6-8, or 9-12;
 8. Having other disciplinary issues this school year;

9. The misconduct was associated with gang activity; or
10. The victim of the misconduct is a teacher or other staff member.

B. Mitigating factors which may be considered include, but are not limited to:

1. Being an elementary school student;
2. Having no history of disciplinary problems;
3. Having a significant amount of time pass since the student's last disciplinary problem;
4. Having the parent(s) of the student cooperate with the school and share in the imposition of disciplinary measures at home and at school;
5. Being a passive participant or playing a minor role in the offense;
6. Reasonably believing the conduct was legal;
7. Acting under strong provocation;
8. Aiding in the discovery of another offender;
9. Making a full and truthful statement admitting guilt at an early stage in the investigation of the offense;
10. Displaying an appropriate attitude and giving respectful cooperation during the investigation and discipline process;
11. Making appropriate restitution; or
12. Having the parent(s) and/or student participate in counseling.

VII. Guideline Sanctions for Violations of the Code of Student Conduct. The following guidelines are recommendations for discipline and should not be construed as mandatory discipline actions. Administrators may combine sanctions from different levels where appropriate (i.e. a short term suspension and recommendation for expulsion). Administrators should also review aggravating and mitigating factors to determine if reducing or increasing the recommended sanction for a particular committed offense is appropriate.

LEVEL I. Non-Suspension Alternatives: Administrative Conference, Counseling, Parent Conference, Detention, ISS, Bus Suspension, Community/School Service, Reprimand, Behavior Contract, Mandatory Behavior Contract after 3rd Offense
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101	006- Dishonesty 011- Forgery 550- Counterfeit/Forgery 700-Other Offenses	Giving false information, verbally or in writing to school personnel
102	420- Disrespect	Disrespect to school personnel
103	270- Refusal to Obey	Persistent disobedience
104	014- Hit/ Kick/ Push 022- Inappropriate Physical Contact	Inappropriate physical contact, including, but not limited to, pushing or shoving
105	017- Inappropriate Behavior 023- Property Misuse 220- Computer Violation	Unauthorized or inappropriate use of school equipment, including, but not limited to, computers
106	180- Tardy, 181- Early Dismissal	Excessive tardiness or early dismissals
107	018- Inappropriate Materials 390- Unauthorized Device	Possession, sale or distribution of unauthorized materials at school, excluding drugs or alcohol
108	012- Harassment 650- Intimidation	Harassment, Bullying – 1st Offense, whether verbal or physical
109	300- Parking Violation	Violation of parking and driving regulations
110	017- Inappropriate Behavior	Violation of cafeteria rules
111	360 – ID Violation 410- Hall Pass Violation	Failure to sign in or sign out from school in the office when required
112	150- Cutting School 160- Cutting Class 200- Off Limits, 240- Loitering	Being in an unauthorized area or inappropriate use of facilities
113	015- Inappropriate Affection	Public display of affection between students
114	016 – Locker Violation	Unauthorized use of locker
115	190- Cheating	Cheating
116	390- Unauthorized Device 330- Phone Violation 220- Computer Violation	Possession or use of electronic devices not related to instruction during school hours, including cell phones, pagers, beepers; Unauthorized storage, access, duplication, and/or loading of computer program, system or data file; Use of any computer access accounts other than those assigned to the individual (ES)
117	018-Inappropriate Materials 390- Unauthorized Device	Possession/use of annoyances at school such as laser lights, water pistols, water balloons, whistles, etc.
118	390- Unauthorized Device	Use of skateboards, rollerblades, skates, heelies or scooters on school property.
119	018-Inappropriate Materials 390- Unauthorized Device	Unauthorized card playing (not gambling)
120	028- Throwing Objects	Throwing rocks or other objects
121	370- Littering	Littering school grounds

122	280- Dress Code	Dress code violation
123	017- Inappropriate Behavior	Violation of safety rules. This includes propelling objects i.e. rocks, spitballs, or food items and science lab rule violations, etc.
124	210- Profanity 290- Obscene Gesture	Profanity/obscene gesture directed toward another student or directed toward no one in particular.
125	018- Inappropriate Materials 390- Unauthorized Device 009-Possess cigarette lighter 002-Inappropriate Behavior	Possession of a lighter or matches; Unauthorized striking or lighting a match/lighter or igniting caps or use of poppers on school property
126	270- Refusal to Obey	Failure to obey school personnel (ES)
127	150 – Cutting School 160- Cutting Class 170- Cutting Activity 005- Detention Violation	Cutting class or school; failure to attend/complete after-school detention, Saturday detention or In-school suspension.
128	310- Leaving School	Leaving or attempting to leave school property without permission, including unauthorized driving/riding to an off campus class
129	320- Leaving Class	Exiting class without teacher approval
130	430- Contract Violation	Violation of a behavior contract
131	760- Vandalism, 670- Larceny/ Theft	Vandalism or theft of school or personal property where value is \$50.00 or less.
132	250- Gang Activity	Participation in gangs/gang-related activity. 1 st offense
133	340- Bus Violations	Any behavior or act that interferes with the safe operation of a school bus
LEVEL II. Grades K-5: Up to 2 days OSS Grades 6-12: Up to 4 days OSS		
201	740- Stolen Property	Possession or transfer of stolen property (school or personal)
202	630- Gambling	Gambling (games of chance for money or profit).
203	230- Tobacco	Possession, use or distribution of tobacco, tobacco related products, electronic or alternative nicotine devices (e-cigarettes, e-hookas, vaporizers)
204	011- Forgery 220- Computer Violation 700- Other Offenses 760- Vandalism	Tampering with, changing or altering records or documents of the school or District by any method, including, but not limited to, computer access or other electronic means.
205	270- Refusal to Obey	Refusal to obey school personnel (MS/HS)
206	007- Disrupting Class 017- Inappropriate Behavior 560- Disturb School	Creating or participating in a school or classroom disturbance that interferes with the instructional process
207	420- Disrespect 011- Racial Remarks 210- Profanity	Engaging in verbal or written abuse, name calling, i.e., ethnic or racial slur, or derogatory statements addressed publicly to others that may disrupt the

		school educational program or incite violence.
208	700-Other Offenses	Provoking or simulating a fight
209	390- Unauthorized Device 330- Phone Violation 220- Computer Violation	Possession or use of electronic devices not related to instruction during school hours, including cell phones, pagers, beepers; Unauthorized storage, access, duplication, and/or loading of computer program, system or data file; Use of any computer access accounts other than those assigned to the individual (MS/HS)
210	600- Extortion 650- Intimidation	Threatening or intimidating students; extortion or attempting to extort through threat of force
211	710- Pornography	Possession/distribution of pornographic or obscene material
212	210- Profanity 290- Obscene gesture 011- Racial Remarks	Profanity/obscenity, racial or ethnic slurs directed to school personnel
213	290- Obscene Gesture 690- Non- Forced Sexual Activity	Sexual gestures and/or behavior. (Example: Sexually suggestive language, movements, writings, drawings, including sexting)
214	002- Bite/Pinch/Spit 029-Urination	Health code violation
215	520- Assault Simple	Simple Assault
216	151- Truant 152- Habitual Truant 153- Chronic Truant	Truancy; Habitual Truancy; Chronic Truancy
217	650- Intimidation	Hazing
LEVEL III. Grades K-5: Up to 4 days OSS		
Grades 6-12: Up to 6 days OSS		
301	590- Embezzlement 670- Theft 730- Robbery 760- Vandalism	Vandalism, Robbery or theft of personal or school District property where value is more than \$50.00.
302	027- Threat 650- Intimidation	Making serious threats to school personnel
303	750- Trespassing 240- Loitering	Trespassing; Being on any school property or present at any school-sponsored event while under suspension
304	010-Fireworks 390- Unauthorized Devices	Possessing or detonating (in any way) fireworks, live ammunition, or other incendiary devices. (This includes stink/smoke bombs and vials of noxious gases/ liquids.)
305	510- Aggravated Assault 002- Bite/Pinch/Spit	Aggravated assault of a student; spitting or urination on a student
306	390- Unauthorized Device 780- Other Weapons	Possession and/or of a knife with a blade two inches or less, starter pistol, replica weapon/device, or bat, or any other item not generally considered as a

		weapon but used as a weapon to inflict bodily harm
307	003- Contraband	Possession or use of drug paraphernalia
308	560- Disturb School	Any other behavior, whether on or off campus, that threatens the safety of students or staff members (regardless of where behavior takes place) or disrupts the operation or function of the school. This does include coming on school/District property after consuming non-prescribed controlled substances and/or illegal drugs
309	390-Unauthorized Device	Possession or use of mace or pepper gas or spray
310	013-Sexual Harassment	Sexual harassment
311	019- Indecent Exposure	Indecent exposure
312	270- Refusal to Obey	Direct refusal to obey school personnel in a crisis situation
313	620- Fraud	Fraudulent request for emergency services
314	009- Fighting	Fighting
315	690- Non-forced Sexual Activity	Consensual sexual conduct or contact
316	012- Harassment 650- Intimidation	Harassment, Bullying – 2nd and subsequent offenses, whether verbal or physical
LEVEL IV. Up to 10 Days OSS with Recommendation for Expulsion or Assignment to Alternative School		
401	781-Handguns 782-Rifles/Shotguns 783-Other Firearms	Possession, transfer or use of a firearm
402	780-Other Weapons	Possession, transfer or use of a prohibited weapon other than a firearm including a knife with a blade over two inches, BB gun, paint ball gun, pellet gun, air-soft pistol, razor, razor blade, martial arts throwing star and metal knuckles. Box cutters and utility or exacto knives containing any size blades are also considered a violation of this section.
403	570-Drug distribution 575- Drug Usage 580 – Drug possession 680- Alcohol/Liquor Law Violation	Use, being under the influence at school, possession, sale, distribution, or possession with the intent to distribute alcohol, marijuana (including marijuana seeds), hallucinogenic drugs, inhalants, or any other controlled or illegal substance without regard to amount, or counterfeit controlled substance
404	610- Forced Sex Offense	Non-consensual sexual conduct or contact; sexual assault; rape
405	510 Aggravated Assault 520-Simple Assault	Assault of school personnel
406	500-Arson	Arson or attempted arson of school property
407	001- Aiding Others 260 – Bomb Threat	Communicating, writing, threatening, or transmitting to a person or school facility that there

		is, or will be, a destructive device, bomb, shooting, or dangerous event, with the intent of intimidating, threatening, or interfering with government functions or school activities; or, harboring one who is guilty of this offense
408	390-Unauthorized Device 700-Other Offenses 780-Other Weapons	Possession or transfer of dangerous explosives, plastic explosives, or chemical reaction-type and pipe bomb materials including, but not limited to, Molotov cocktails and dynamite
409	510- Aggravated Assault 009-Fighting	Active participation in an act of mob violence, to include lynching. A mob is described as two or more people
410	350-Fire Alarm	Unauthorized tampering with security, fire, access control or surveillance system or alarms.
411	540 –Burglary	Burglary of a school, portable classroom, school District building, or any structure on school District property
412	700-Other Offenses 770- Vehicle Theft	Auto breaking unlawful entry into a motor vehicle on school property or into a school District vehicle at any location
413	660- Kidnapping	Unlawful seizing, confining, abducting or carrying away of another person from school property by any means
414	250- Gang Activity	Gang activity – 2nd and subsequent offenses

NOTE: The June, 2015, revisions incorporate former Administrative Regulation SS-37, Student Discipline.

Adopted: July 18, 2001

Revised: July, 2010; April, 2013; July, 2015

Legal references:

A. S.C. Code, 1976, as amended:

1. Section 59-19-90(3) - Gives district trustees authority to prescribe rules of pupil conduct including provisions for suspension or dismissal of those failing to comply with such rules.
2. Section 59-63-210 - Grounds for suspension, expulsion or transfer.
3. Section 59-63-220 - Suspension by administrators.
4. Section 59-63-230 - Notice of suspension, conferences with parents.

STUDENT CONDUCT ON BUSES

**Admin. Reg. SS-19
September, 2015**

I. Purpose and Introduction.

- A. To establish the basic structure for safe student transportation.
- B. Safety is of prime importance for the Beaufort County School District ("BCSD") students as they are transported to and from school and school-sponsored activities. Safety requires the cooperation of students, parents/legal guardians and school personnel. The use of video technology on BCSD buses is intended to enhance a safe and orderly environment while transporting students to and from school and school related activities by maximizing appropriate student behavior.
- C. The school bus is an extension of school activities. Therefore, the BCSD expects students to conduct themselves on the bus in a manner consistent with the established standards for safety and classroom behavior. All bus riders must cooperate fully with the bus driver and bus monitor and observe the bus rules.
- D. The bus driver and bus monitor, if any, are responsible for supervision of students on the bus. The driver may stop the bus at any time when misbehavior or threatened misbehavior presents a hazard to safe driving.
- E. The driver will report students who create a disturbance on school buses. The Principal or an Assistant Principal may suspend or deny bus transportation to a student whose conduct is persistently and/or flagrantly detrimental to safety and order on the bus in addition to or as an alternative to school-based discipline as set forth in Administrative Regulation SS-18, Code of Student Conduct.

II. Use of Video Cameras. The BCSD supports the use of video cameras as a means to monitor and maintain a safe environment for students and employees. The BCSD may use video cameras on all buses used for transportation to and from school, field trips, curricular and extracurricular events. The contents of the videotapes may be used as evidence in a student disciplinary proceeding.

III. Student Records. The content of the videotapes is a student record subject to federal law and regulation and board policy and administrative regulations regarding confidential student records which may be reviewed and/or disclosed as allowed by law, policy or regulation.

IV. Notice.

- A. The BCSD will annually provide the following notice to students and parents:

The Beaufort County Board of Trustees has authorized the use of video cameras on school district buses. The district will use the video cameras to monitor student behavior in order to maintain a safe environment. Students and parents/legal guardians are hereby notified that the content of the videotapes may be used in a student disciplinary proceeding. The content of the videotapes is a confidential student record. The district will retain the videotapes with other student records only if necessary for use in a student disciplinary proceeding or other matter as determined by the administration.

Parents/Legal guardians may request to view videotapes of their child if the district uses the videotapes in a disciplinary proceeding involving their child.

- B. The following notice will be placed on all school buses equipped with a video camera.

This bus is equipped with a video/audio monitoring system.

- V. **Video Monitoring System Procedures.** The Superintendent, in consultation with the Principal and BCSD transportation director, will determine how video cameras will be used and which school buses will be equipped with video equipment. The following procedures must be followed:
- A. The installation and removal of all video recordings or digital data from the video unit is the responsibility of the Office of Transportation supervisory personnel or the owner, manager, or supervisor of a contracted vehicle. The school bus driver is prohibited from installing or removing video recordings and the operation of the video camera.
 - B. The safekeeping of all video unit keys is the responsibility of the Office of Transportation supervisory personnel or the owner, manager, or supervisor of a contracted vehicle.
 - C. Each video recording or data file will be labeled with the date, time and bus number when removed from a video unit.
 - D. Each video recording or data file removed for viewing shall remain in the possession of the Office of Transportation or authorized school-based personnel.
 - E. The Office of Transportation and authorized school-based personnel shall determine when a video recording or data file removed for viewing shall be re-wound for re-use or when a digital data file shall be deleted.
 - F. Video recording and data files will be viewed by authorized Office of Transportation and Student Services personnel. The confidentiality of all persons on video recording or data file shall be protected as allowed by law, policy and/or regulation.
 - G. Video recordings will be kept in a locked and secure location within the Office of Student Services for the duration of any appeals process.
 - H. Digital data files will be kept in a password protected file within the Office of Student Services for the duration of any appeals process.
 - I. Video recordings and data files will be viewed and used by appropriate BCSD administrators as part of student and/or employee disciplinary hearings.
 - J. If a video recording is needed in the resolution of an employee matter, the recording will be reviewed by the transportation supervisor and/or the appropriate supervisor.
 - K. Staff, students, and employees of the contracted bus company are prohibited from tampering or otherwise interfering with the video camera equipment.

- L. Drivers shall be responsible for insuring video system is operating properly prior to beginning assigned route/ trip. Any malfunctioning system should be immediately reported to his/her supervisor.
- M. Camera systems shall be inspected and maintained on a quarterly basis by a member of the Maintenance Department.
- N. Random audits shall be performed quarterly by a member of the Office of Student Services to insure proper operating conditions. The audits should be documented and available for review.

VI. Student Conduct. The BCSD prohibits students from tampering with video cameras on the school buses. Students who violate this regulation shall be subject to discipline in accordance with Administrative Regulation SS-18, Code of Student Conduct. Students and/or parents/guardians will reimburse the BCSD for any repairs or replacement necessary as a result of the student tampering video equipment on school buses.

Adopted: July 18, 2001

Revised: July, 2010; October, 2012; September, 2015

Legal references:

- A. S. C. Code, 1976, as amended:
 - 1. Section 59-67-100 - Seating space; aisle; seats; number and location of students.
 - 2. Section 59-67-180 - General supervision of bus by driver.
 - 3. Section 59-67-240 - Disciplinary powers of bus driver.
 - 4. Section 59-67-250 - Posting of copies of relevant statutes.
 - 5. Section 59-67-470 - Superintendent to supervise conduct of pupils riding buses.

SECRET SOCIETIES AND GANG ACTIVITY

Admin. Reg. SS-21
September, 2015

- I. **Purpose.** To establish the basic structure for the prohibition of student secret societies and gang activities at or near Beaufort County School District ("BCSD") property and events.
- II. **Prohibition of Gangs.** The BCSD administration will maintain conditions on school property and at school-sponsored events in order to ensure as safe an environment as possible for students and staff in accordance with law and the standards set by the BCSD Board of Trustees. In establishing such standards, the administration prohibits the presence and activities of gangs on or near school property and at school-sponsored events.
- III. **Prohibition of Gang Activity.** The BCSD believes gangs that initiate, advocate or promote activities threatening the safety or well-being of persons or property on school grounds or gangs that disrupt the school environment are harmful to the educational process. The BCSD prohibits:
 - A. the use of hand signals, graffiti or the presence of any apparel, jewelry, accessory or manner of grooming that, by virtue of its color, arrangement, trademark, symbol or any other attribute indicates or implies membership or affiliation with a group that presents a clear and present danger contrary to the school environment and educational objectives; and
 - B. incidents involving initiations, hazings, intimidations or related activities of such group affiliations that are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students
- IV. **Discipline for Gang Activity.** The BCSD will establish procedures and regulations to ensure the discipline of any student wearing, carrying or displaying gang paraphernalia, exhibiting behavior or gestures that symbolize gang membership, or causing or participating in activities that intimidate or affect the attendance of another student. Such student discipline shall be as set forth in Administrative Regulation SS-18, Code of Student Conduct.
- V. **Training of Staff.** As requested and/or as needed, the BCSD will provide in-service training in gang behavior and characteristics to facilitate staff identification of students at-risk and promote membership in authorized school groups or activities as an alternative.

Adopted: July 18, 2001

Revised: July, 2010; September, 2015

Legal references:

- A. S.C. Code, 1976, as amended:
 1. Section 59-63-270 - Regulation or prohibition of clubs or like activities.
 2. Section 59-63-275 - Student hazing prohibited; definitions.

HAZING

Admin. Reg. SS-22
September, 2015

- I. **Purpose.** To establish the basic structure for maintaining a safe, positive environment for students and staff that is free from hazing.
- II. **Hazing Prohibited.** The BCSD prohibits hazing by students, staff and third parties as a part of any school-sponsored activity. All students and employees must avoid any action that could be viewed as planning, directing, encouraging, assisting or engaging in any hazing activity. Further, no administrator, coach, sponsor, volunteer or BCSD employee will permit, condone or tolerate any form of hazing.
- III. **Hazing Defined.** Within the BCSD, hazing shall be as “the wrongful striking, laying open hand upon, threatening with violence or offering to do bodily harm by a superior student to a subordinate student with intent to punish or injure the subordinate student, or other unauthorized treatment by the superior student of a subordinate student of a tyrannical, abusive, shameful, insulting, or humiliating nature.” In the event this definition and the statutory definition of hazing, currently codified at S.C. Code Ann. § 59-63-275, differ, the statutory definition shall govern. The definition of superior student and subordinate student are as defined in S.C. Code Ann. § 59-63-275.
- IV. **Presumption of Forced Activity.** Any hazing activity, whether by an individual or a group, will be presumed to be a forced activity, even if a student willingly participates.
- V. **Filing of Complaint.** Any student who feels he/she has been subjected to hazing is encouraged to file a complaint in accordance with Administrative Regulation SS- 23, Harassment, Intimidation or Bullying. All complaints will be investigated promptly and confidentially. The BCSD prohibits retaliation or reprisal in any form against a student who has filed a complaint of hazing and shall discipline any student engaging in such retaliation in accordance with Administrative Regulation SS-18, Code of Student Conduct.
- VI. **Disciplinary Action.** Any student or employee who is found to have engaged in hazing will be subject to disciplinary action, up to and including termination in the case of an employee or expulsion in the case of a student. Individuals may also be referred to law enforcement officials. The administration will take all other appropriate steps to correct or rectify the situation.
- VII. **Notice of Regulation.** The Superintendent will be responsible for ensuring notice of this Administrative Regulation is provided to students, staff and parents/legal guardians.

Adopted: July 18, 2001

Revised: July, 2010; September, 2015

Legal references:

- A. S. C. Code, 1976, as amended:
 1. Section 16-3-510 - Organizations and entities revised.
 2. Section 59-19-90 - General powers and duties of school trustees.
 3. 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.
 4. Section 59-63-275 - Student hazing prohibited.

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

B. State Board of Education Regulations:

1. R43-279 - Minimum standards of student conduct and disciplinary enforcement procedures to be implemented by local school districts.

HARASSMENT, INTIMIDATION OR BULLYING

**Admin. Reg. SS-23
September, 2015**

I. Purpose and Introduction.

- A. To establish the basic structure for maintaining a safe, positive environment within the Beaufort County School District ("BCSD") for students and staff that is free from harassment, intimidation or bullying.
- B. The BCSD believes that a safe and civil environment in school is necessary for students to learn and achieve high academic standards.
- C. Harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Accordingly, the BCSD prohibits acts of harassment, intimidation or bullying on school property, at BCSD or school sponsored functions, on school buses or other BCSD vehicles and at school bus stops.
- D. The BCSD expects students to conduct themselves at all times in an orderly, courteous and dignified manner and to respect the rights and welfare of other students, school staff members, parents/legal guardians and volunteers.

II. Definitions. "Harassment, intimidation or bullying" is defined as a gesture, an electronic communication or a written, verbal, physical or sexual act that a reasonable person should know will have the effect of either of the following:

- A. harming another person, physically or emotionally or damaging another person's property or placing a student in reasonable fear of personal harm or damage to his/her property.
- B. insulting or demeaning a student or group of persons in such a way as to cause substantial disruption in or substantial interference with the orderly operation of the school.

III. Reporting.

- A. Anyone who feels he/she has been subject to harassment, intimidation or bullying is encouraged to notify the Principal, an Assistant Principal or other school official. Such a notification may also be made by a student's parent/legal guardian. If a BCSD employee, other than the Principal or an Assistant Principal receives a complaint of harassment, intimidation or bullying or observes any behavior which could amount to harassment, intimidation or bullying, the employee **must** notify the school Principal or an Assistant Principal as soon as practicable under the circumstances. A Principal or Assistant Principal who receives a complaint regarding harassment, intimidation or bullying, whether from a student, parent/guardian, employee or otherwise, or witnesses such shall investigate and respond appropriately.
- B. Although reports by students or employees may be made anonymously, formal disciplinary action may not be taken solely on the basis of an anonymous report.
- C. The BCSD will be responsible for ensuring that reasonable efforts are made to prevent public disclosure of the names of all parties involved in harassment, intimidation or

bullying allegations, except to the extent necessary to carry out an investigation, enforce the Student Code of Conduct, and comply with statutory obligations.

- IV. Investigations.** All complaints will be investigated promptly, thoroughly and confidentially. The investigation will include appropriate steps to determine what occurred and to take actions reasonably calculated to end the harassment, intimidation or bullying and prevent such misconduct from occurring again. The student and his/her parent/legal guardians will be informed that appropriate actions were taken and will be advised how to report any subsequent problems.
- V. Consequences for Engaging in Harassment, Intimidation or Bullying.**
- A. If the investigation determines that harassment, intimidation or bullying has occurred, the school Principal or Assistant Principal will take reasonable, timely, age-appropriate and effective corrective action in accordance with Administrative Regulation SS-18, Code of Student Conduct. Examples of corrective action include, but are not limited to, disciplinary action against the aggressor, up to and including termination of an employee or expulsion of a student, special training or other interventions, apologies, dissemination of statements that the school does not tolerate harassment, intimidation or bullying, independent reassessment of student work, and/or tutoring.
 - B. Individuals, including students, employees, parents/legal guardians and volunteers, may also be referred to law enforcement officials. The BCSD will take other appropriate steps in an attempt to correct or rectify the situation.
- VI. Consequences for Retaliation or False Accusations.** The BCSD prohibits retaliation or reprisal in any form against a student or employee who has filed a complaint or report of harassment, intimidation or bullying. The BCSD also prohibits any person from falsely accusing another as a means of harassment, intimidation or bullying. The consequences and appropriate remedial action for such conduct will be determined by the Principal and/or an Assistant Principal and may range from positive behavioral interventions to disciplinary actions, up to and including suspension or expulsion for students and termination for employees.
- VII. Notification to Students and Distribution of District Expectations.** The school Principal annually will ensure that appropriate staff members review this Administrative Regulation regarding harassment, intimidation and bullying with all students. Information on these topics should be shared in an age-appropriate manner and may occur during student assemblies, in the classroom setting or in group or individual sessions with a guidance counselor or school resource officer.
- VIII. Notification to School Staff.** Annually, each school Principal shall review this Administrative Regulation with his/her school staff and faculty. Further, this policy shall be made available to all staff members, students and parents/legal guardians along with a statement explaining its applicability to all acts of harassment, intimidation or bullying occurring on school property, at district or school sponsored functions, on school buses or other district vehicles and at school bus stops.

Adopted: July 18, 2001

Revised: July, 2010; September, 2015

Legal references:

- A. S. C. Code, 1976, as amended:
 - 1. Section 16-3-510 - Organizations and entities revised.
 - 2. Section 59-19-90 - General powers and duties of school trustees.
 - 3. 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.
 - 4. Section 59-63-275 - Student hazing prohibited.
 - 5. Section 59-67-240 - Other duties of bus driver; discipline of students for misconduct.
 - 6. Section 59-63-110, et. seq. - Safe School Climate Act.
- B. State Board of Education Regulations:
 - 1. R43-279 - Minimum standards of student conduct and disciplinary enforcement procedures to be implemented by local school districts.

TOBACCO USE BY STUDENTS

Admin. Reg. SS-24
September, 2015

- I. **Purpose.** According to the U.S. Surgeon General's Report of 2006, the Environmental Protection Agency of 1992, the South Carolina Clean Indoor Air Act of 1990, and the Federal Pro-Children Act of 1994, tobacco use and exposure to secondhand smoke (environmental tobacco smoke) are hazardous to the health of human beings, especially children. The Beaufort County School District ("BCSD") Board of Trustees reaffirms that one of the best methods of instruction is one that is provided with a 100% tobacco-free, smoke-free environment.
- II. **Goals.** The goal of this Administrative Regulation is to provide 100% tobacco-free, smoke-free environment for all students, staff and visitors within BCSD facilities, vehicles, grounds and at all sponsored events. This goal will be achieved by:
 - A. Exhibiting healthy behavior for all students, staff, visitors, and the entire community;
 - B. Utilizing proved and effective science-based tobacco use prevention curricula; and
 - C. Providing access to cessation counseling or referral services for all students and staff.
- III. **Procedures.** The BCSD hereby:
 - A. Prohibits the use and/or possession of all tobacco products or paraphernalia including but not limited to cigarettes, cigars, pipes, electronic cigarettes, bidis, kreteks, smokeless tobacco and snuff by all students, staff and visitors.
 - B. Agrees to ensure that tobacco use prevention programs, as recommended by the South Carolina Department of Health and Environmental Control, the South Carolina Department of Alcohol and Other Drug Abuse Services and the South Carolina Department of Education, are an integral part of its substance abuse prevention efforts.
 - C. Agrees to provide and/or refer to cessation services separately for students and staff.
 - D. Ensures that violations of the SC Youth Access to Tobacco Prevention Act of 2006 are communicated to appropriate law enforcement agencies.
- IV. **Enforcement.** The BCSD will enforce this Administrative Regulation by executing appropriate disciplinary actions for violators (students, faculty, visitors) in accordance with Administrative Regulation SS-18, Code of Student Conduct, including but not limited to:
 - A. Students. Parent/administrator conferences, mandatory enrollment in a tobacco prevention education program, community service, in-school suspension, out of school suspension, and/or suspension from extracurricular activities.

- B. Staff. Verbal reprimands, written notification placed in personnel file, suspension, and mandatory enrollment in a tobacco education program, and/or voluntary enrollment in a cessation program.
- C. Visitors. Verbal requests to leave school property, forfeiture of any fee charged for admission, and/or prosecution for disorderly conduct after repeated offenses.
- V. **Education and Assistance.** The BCSD will be responsible for utilizing proven and effective science-based tobacco use prevention curricula to education all students and provide assistance and/or make cessation referrals.
- VI. **Tobacco Industry Marketing or Sponsorship.** The BCSD will not accept any contributions or gifts, money or materials from the tobacco industry. The BCSD will not participate in any type of services of which it is aware are funded by the tobacco industry. In addition, any gear, paraphernalia, or clothing advertising tobacco use or tobacco products will not be allowed on school grounds or in the possession of faculty, staff or students at school-sponsored events.

Adopted: July 18, 2001

Revised: July, 2010; September, 2015

Legal references:

- A. United States Code:
 - 1. 20 U.S.C. 6081 - Pro-Children Act of 1994.
- B. S.C. Code, 1976, as amended:
 - 1. Section 16-17-490 - Contributing to the delinquency of a minor (school board rules and regulations may be exempt under certain circumstances).
 - 2. Section 16-17-500 - Supplying minors with tobacco or cigarettes.
 - 3. Section 59-67-150 - Qualifications of bus driver; drinking or smoking on bus.
 - 4. Sections 16-17-500 and 501 - Youth Access to Tobacco Prevention Act of 2006.

DRUG AND ALCOHOL USE BY STUDENTS

**Admin. Reg. SS-25
September, 2015**

- I. Purpose.** To establish the basic structure for the prohibition of student drug and alcohol use, possession, sale or distribution within the BCSD.
- II. Prohibitions.**
- A. No student, regardless of age, shall possess, use, sell, purchase, barter, distribute or be under the influence of alcoholic beverages or other controlled substances in the following circumstances.
 - 1. on school property (including buildings, grounds, vehicles);
 - 2. at any school-sponsored activity, function or event whether on or off school grounds (including any place where an interscholastic athletic contest is taking place);
 - 3. during any field trip; or
 - 4. during any trip or activity sponsored by the board or under the supervision of the board or its authorized agents
 - B. No student shall aid, abet, assist or conceal the possession, consumption, sale, purchase or distribution of any alcoholic beverage or controlled substance by any other student or students in any of the circumstances listed above.
 - C. No student shall market or distribute any substance which is represented to be or is substantially similar in color, shape, size or markings of a controlled substance in any of the circumstances listed above.
- III. Cooperation with Law Enforcement.** All principals shall cooperate fully with law enforcement agencies and will report to them all information that would be considered pertinent or beneficial in their efforts to stop the sale, possession and use of controlled substances, as allowed by federal and/or State law and/or regulation.
- IV. Student Disciplinary Action.** Principals or Assistant Principals shall take disciplinary action against student offenders who violate this Administrative Regulation in accordance with Administrative Regulation SS-18, Code of Student Conduct.

Adopted: July 18, 2001

Revised: July, 2010; September, 2015

Legal references:

- I. Alcohol:**
- A. S.C. Constitution:
 - 1. Article XVII, Section 14 - Must be over 21 to possess distilled liquors.
 - B. S.C. Code of Laws, 1976, as amended:
 - 1. Section 16-17-530 - Students who come to school in an intoxicated condition, or conduct themselves in a disorderly or boisterous manner, could be arrested for a misdemeanor.
 - 2. Section 59-67-150 - Drinking alcoholic liquors on a school bus is prohibited.

3. Section 20-7-370 - Must be 21 to possess fermented liquors.

II. Drugs:

A. S.C. Code, 1976, as amended:

1. Section 44-49-80 - Establishment of drug abuse treatment program in public schools.
2. Section 44-53-110, et seq. - Definitions; lists of illicit drugs.
3. Section 44-53-140 - Certain communications and observations shall be privileged.
4. Section 44-53-370 - Prohibited Acts A; penalties.
5. Section 44-53-440 - Distribution to persons under 18.

WEAPONS IN SCHOOL

Admin. Reg. SS-26
September, 2015

- I. **Purpose.** To establish the basic structure for the board's prohibition of student possession of weapons.
- II. **Policy Statement.** It is the policy of the board of education to ensure the safety and welfare of its students and employees. The presence of firearms, knives with a blade length of over two inches, dirk, razor, metal knuckles, blackjack, metal pipe or pole, slingshot, bludgeon or any other instrument used for the infliction of bodily harm or death on school district property poses a severe threat of serious harm or injury to students and staff.
- III. **Possession of Weapons Prohibited.** While on school grounds, in school buildings, on buses or at school-related functions, students will not possess any item capable of inflicting injury or harm (hereinafter referred to as a weapon) to persons or property when that item is not used in relation to a normal school activity at a scheduled time for the student. No vehicles parked on school property may contain firearms, knives, blackjacks or other items which are generally considered to be weapons.
- IV. **Punishment.** Persons carrying a weapon of any type, as defined by South Carolina law, on school property shall be referred to law enforcement and punished in accordance with South Carolina law.
- V. **Possession of Firearm on School Property.** In accordance with the Gun-Free Schools Act, 20 U.S.C. 7151 and in accordance with Administrative Regulation SS-18, Code of Student Conduct, any student who brings a weapon to school is subject to expulsion for no less than one calendar year. For purposes of this policy, weapon means a firearm. The term firearm is defined extensively in the U. S. Code, but generally means a weapon (gun) or destructive device (explosive, incendiary). The Superintendent or his designee, on a case-by-case basis, may modify this expulsion requirement. The BCSD may provide educational services in an alternative setting to students expelled under this Administrative Regulation. The Principal or Assistant Principal shall refer each student possessing a weapon or firearm on school property to the local county office of the Department of Juvenile Justice.

Adopted: July 18, 2001

Revised: July, 2010; September, 2015

Legal references:

- A. United States Code:
 1. 20 U.S.C. 7151 - Gun-Free Schools.
- B. U.S. Supreme Court Cases:
 1. New Jersey v. T.L.O., 469 U.S. 325 (1985.)
- C. S.C. Code, 1976, as amended:
 1. Section 59-63-235 - Expulsion of student determined to have brought firearm to school.
 2. Section 59-19-90(3), (5) - General powers and duties of trustees.
 3. Section 59-63-370 - Definition of a weapon.
 4. Section 16-23-430 -Carrying weapons on school property

**POSSESSION/USE OF ELECTRONIC COMMUNICATION
DEVICES IN SCHOOL**

**Admin. Reg. SS-27
September, 2015**

- I. Purpose.** To establish the basic structure for student possession/use of electronic communication devices within the BCSD.
- II. Definition of Electronic Communication Device.** For purposes of this Administrative Regulation, electronic communication device shall be defined as any device that has the capability of electronically communicating by means of sending, receiving, storing, recording, reproducing, and/or displaying information and data and include mobile telephones, any device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor. Examples of electronic communication devices include, but are not limited to, computers, tablets, e-readers, cellular telephones, pagers, portable media players, video gaming systems, GPS instruments, and digital cameras and camcorders.
- III. Use in Accordance with Acceptable Use Guidelines.** Students may use electronic communication devices on school property (including school buses), attending school-sponsored activities, or using the district technology system only in accordance with Administrative Regulation IS-40-R(3), *Student Acceptable Use Guidelines for Technology*.
- IV. Consequences.** Students who violate this Administrative Regulation shall be subject to discipline in accordance with Administrative Regulation SS-18, Code of Student Conduct.
- V. Confiscation of Device.** A student in possession or use of an electronic communication device in conflict with this Administrative Regulation may also be subject to having such device confiscated. The student's parent/legal guardian may pick up the confiscated device from the school at the convenience and direction of the Principal or Assistant Principal. The school and the BCSD assume no responsibility for electronic devices on school property, including school buses.

Adopted: July 18, 2001

Revised: July, 2010; November, 2012; January, 2013; September, 2015

Legal references:

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

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

STUDENT INTERROGATIONS, SEARCHES & ARRESTS

Admin. Reg. SS-29
September, 2015

- I. **Purpose.** To establish the basic structure for conducting searches of BCSD students and their property.
- II. **Consent to Search Presumed.** The Superintendent recognizes the Fourth Amendment protects citizens, including students, from unreasonable searches. Any person, including students entering the premises of any BCSD school will be deemed to have consented to a reasonable search of his/her person and personal property. Accordingly, BCSD Principals and Assistant Principals, and the School Resource and law enforcement officers working in conjunction with school officials, are authorized to conduct reasonable searches of students according to the procedures contained herein and appropriate notice will be posted on school property notifying individuals of this fact. In conducting a search, school officials will make every effort to protect the privacy interests of individuals. The BCSD's express intention for this procedure is to enhance security in the schools and to prevent violations of school rules and/or federal and state laws.
- III. **Authorization to Search.** BCSD Principals and Assistant Principals, and the School Resource and law enforcement officers working in conjunction with school officials, are authorized to conduct reasonable searches according to the procedures outlined herein. In conducting such searches, such persons will make every effort to protect the privacy interests of individuals.
- IV. **Notice.** Notice will be conspicuously posted on school property at all regular entrances and any other access point on school grounds, advising individuals that searches may be conducted as outlined below.
- V. **Notification to Law Enforcement.** If a properly conducted search yields evidence a school rule and/or federal or state law has been violated, appropriate disciplinary action will be taken and, in cases where the evidence suggests a violation of law, law enforcement will be notified.
- VI. **Searches of a Person or a Person's Personal Belongings.** Procedures for searching a person or a person's personal belongings must comply fully with the "reasonableness standard," as adopted by the U.S. Supreme Court in New Jersey v. T.L.O. This standard requires that a search must be "justified at its inception" and "reasonably related in scope." "Justified at its inception" means a school official must have reasonable grounds for suspecting that a search will turn up evidence that the student has violated or is violating school rules and/or federal or state law. "Reasonably related in scope" means the actual search conducted must be likely to turn up evidence of the specific violation. In addition, the search must take into consideration the age and gender of the individual being searched and the nature of the infraction.
- VII. **Searches of Lockers, Desks and Other School Property.** The BCSD provides lockers, desks and other such school property to students for their use during the academic year. Because the BCSD retains ownership of the aforementioned property, school officials may conduct random, unannounced searches of such property. Students will be notified at the beginning of each school year that such property may be searched at any time.
- VIII. **Searches of Automobiles on School Property.**

- A. Students are permitted to park on school premises as a matter of privilege, not of right. Accordingly, all students desiring to park their automobiles on school premises must first obtain a school parking permit. In order to obtain a parking permit, the student must sign a form acknowledging he/she understands and agrees to the terms regarding the use of parking lots as set forth below. Vehicles that do not have a permit in plain view are subject to being towed at the student's expense.
 - B. Because parking on school premises is a privilege, the BCSD and its individual schools retain authority to conduct routine searches of automobiles parked on school property. A school may conduct routine searches of the exterior of student automobiles parked on school property at any time. In conducting a search of the exterior of an automobile, school officials may observe those things inside automobiles that are in plain view.
 - C. The interiors of student automobiles, including such things as trunks, glove compartments and personal belongings within an automobile may be searched whenever a school official reasonably believes a student is violating school rules and/or federal or state law. When a school official needs to gain access to the interior of an automobile parked on school premises for purposes of conducting a search based on reasonable suspicion, he/she will first ask the student to provide access. If a student refuses to provide the school official with access to the interior of his/her automobile, he/she may be subject to disciplinary action, including loss of all parking privileges.
- IX. Searches by Canines.** The use of trained canines to search for controlled substances, weapons and bombs in schools will be on a random, unannounced basis. At the request of a school Principal, a trained canine with its handler may go into schools to sniff lockers, desks, backpacks and the exterior of automobiles. Trained canines will not be used to search students themselves. A qualified and authorized handler who will be responsible for the dog's actions must accompany the canine. Should the dog alert its handler to the presence of any controlled substance, weapon or a bomb, school officials would then have a reasonable basis to conduct a search in accordance with the procedures set forth above.
- X. Interrogations by School Personnel.** School officials may question students about any matter pertaining to the operation of the school and/or enforcement of school and/or BCSD policy, regulation and/or rules. School officials, to the extent practicable, will conduct the questioning discreetly and under circumstances, which will avoid unnecessary embarrassment to the student being questioned. Any student who answers falsely or evasively or who refuses to answer an appropriate question may be disciplined. School officials are not required to accede to a parent's request he/she be contacted prior to a school official questioning their student nor must a school official cease or pause an investigation to afford a parent the opportunity to be present with their child when questioned by a school official.
- XI. Interrogations by Law Enforcement.** When law enforcement officers find it necessary to question students during the school day, the Principal or his/her designee will cooperate with law enforcement and will request to be present in order to protect the best interests of the student, so long as his/her presence does not impede the investigation. The Principal or his/her designee should make a reasonable attempt to contact the student's parent/legal guardian and request his/her presence. Should this attempt fail, the Principal or his/her designee will continue to make a reasonable attempt to notify the student's parent/legal guardian that law enforcement questioning took place on school grounds.
- XII. Contacting Law Enforcement.** The Principal or his/her designee will contact law enforcement immediately upon notice a person is engaging in or has engaged in, activities

on school property or school-sanctioned or sponsored activity, which may result or results in, injury or serious threat of injury to the person or another person or his/her property.

Adopted: July 18, 2001

Revised: July, 2010; September, 2015

Legal references:

A. U.S. Supreme Court Cases:

1. New Jersey v. T.L.O., 469 U.S. 325 (1985)

B. U.S. Constitution, Fourth Amendment

C. S.C. Constitution

1. Article 1, Section 10

D. S.C. Code, 1976, as amended:

1. Section 59-5-65 – Minimum standards for student conduct, attendance and scholastic achievement
2. Section 59-24-60 – Requires administrators to contact law enforcement
3. Section 59-63-1100 et. seq. – Searches of persons and effects on school property
4. Section 20-7-7205 - Requires law enforcement to notify the principal for certain offenses; confidentiality of information

E. S. C. Acts and Joint Resolutions:

1. 1994 Act #393, p. 4097 - Allows searches.

STUDENT INTERROGATIONS, SEARCHES AND ARRESTS

The following exhibit may be used as a checklist for administrators who are considering conducting a search of a student or the student's effects, locker, desk or motor vehicle.

- What factors cause you to have a reasonable suspicion that the search of this student or his/her effects, locker or automobile will turn up evidence that the student has violated or is violating the law or the rules of the school?
 - Eyewitness account
 - by whom
 - date/time
 - place
 - what was seen
 - Information from a reliable source
 - time received
 - how information was received
 - who received information
 - factors that make source reliable
 - description of information
 - suspicious behavior (explain)
- Note time of search.
- Describe location of search.
- Was student told purpose of search?
- Was consent requested?
- Was consent given?
- Was the search you conducted reasonable in terms of scope and intrusiveness?
 - What are you searching for?
 - Note sex of the student.
 - Note age of the student.
 - Describe exigency of the situation.
 - What type of search is being conducted?
 - Who is conducting the search (include name, position, sex)?
- Explanation of search
 - Describe the time and location of the search.
 - Describe exactly what was searched.
 - What did the search yield?
 - What was seized?
 - Were any materials turned over to the police?

STUDENT PARKING AGREEMENT

I understand and agree the following.

- Students are permitted to park on school premises as a matter of privilege, not of right;
- The school district retains authority to conduct routine searches of the exterior of student automobiles parked on school property at any time;
- The school district retains authority to conduct searches of the interior of student automobiles whenever a school official has reason to believe that a student has violated school rules and/or federal or state law;
- If I fail to provide access to the interior of my car upon request by a school official, I may be subject to school disciplinary action, including loss of all parking privileges; and
- If I do not display a school district parking permit in full view on each vehicle that I park on school premises, my vehicle may be towed at my expense.

Signature of student

Date

**SUSPENSION, EXPULSION AND
ALTERNATIVE EDUCATION ASSIGNMENT OF STUDENTS**

**Admin Reg. SS-39
September, 2015**

- I. Purpose.** To establish the procedure to be followed by school administrators when suspending a student out of school, expelling a student or assigning a student to an alternative education assignment. It is BCSD policy to provide due process of law to students, parents/legal guardians and school personnel through procedures for the suspension of students pursuant to the requirements of federal law, state law and regulations and BCSD administrative rules.
- II. Introduction.** A safe and orderly environment is necessary in order to support student learning in schools. The Board may authorize or order the expulsion, suspension, or transfer of any student for committing any crime, gross immorality, gross misbehavior, persistent disobedience, or for violation of written rules and regulations established by the Board or State Board of Education. The Board may also authorize or order the expulsion, suspension, or transfer of any student when the presence of the student is detrimental to the best interest of his/her school.
- III. Student Behavior Interventions.** Where appropriate, school administrators are to review and implement behavior modification procedures and review response to intervention (RtI) data in an effort to avoid suspending students out of school and to address repeat misbehaviors.
- IV. Short-Term Suspensions (Fewer than Ten (10) School Days).**
 - A.** The Superintendent delegates the power to suspend a student up to ten (10) school days for a single offense, consistent with Administrative Regulation SS-18, Code of Student Conduct, to school principals and their designee(s). A school principal or assistant principal may suspend a student for the commission of any crime, gross immorality, gross misbehavior, persistent disobedience or the violation of BCSD or state board of education policies, rules or regulations. A school principal or assistant principal may also suspend a student when the presence of the student is detrimental to the best interest of the district or one of its schools. A student may not be suspended from school for more than thirty (30) days in one school year.
 - B.** During an out-of school suspension, a suspended student may not attend school or be on BCSD or school property, may not attend any school-related events or activities, whether on or off campus, and may not ride a school bus.
 - C.** Upon determining a student shall be suspended for violation of Administrative Regulation SS-18, Code of Student Conduct, the suspending principal or assistant principal shall notify the student's parent/legal guardian in writing, of the reasons for such suspension and of a time and place when the suspending principal or assistant principal is available for a conference. The conference must be scheduled within three (3) days of the date of the suspension. After the conference, the parents/legal guardians may appeal a recommendation for expulsion to the superintendent or his/her designee.

If, after conference with the suspending administrator, if not the Principal, the parent/legal guardian believes the student's suspension was unjustified, an appeal of the suspension may be made to the Principal. To request a suspension appeal, the parent/legal guardian must contact the Principal within three (3) days after the conference with the school administrator, advising the Principal why it is believed the suspension was unfair, unwarranted or not allowed by Administrative Regulation SS-18, Code of Student Conduct. The appeal will be conducted as an informal hearing before the Principal. The suspending administrator, parent/legal guardian and student may be present. If the Principal and the parent/legal guardian agree, the student may be dismissed during portions of the hearing. The parent/legal guardian, student and administrator will be allowed to address the Principal. Within three (3) school days of the suspension appeal, the Principal shall render a decision as to whether the suspension was upheld. The decision will be provided in writing to the parent/legal guardian. If the Principal decides the suspension was unfair, unwarranted or not allowed by Administrative Regulation SS-18, Code of Student Conduct, all absences resulting from the suspension shall be excused and the record cleared. The student will be allowed to make up all missed work. The decision of the Principal ends the appeals process for short term suspensions.

- D. The only short-term suspensions the Chief Student Services Officer ("CSSO") will review are suspensions occurring within the last ten (10) school days of the school year, if the suspension will make a student ineligible to receive credit for the school year, unless the presence of the student constitutes an actual threat to a class or school or unless a hearing by the district hearing officer is granted within 24 hours of the suspension.
- E. A student subject to short-term suspension shall be provided the following:
 - 1. The opportunity to take textbooks and other materials home for the duration of the suspension;
 - 2. Upon request, the right to receive all missed assignments, and to the extent practicable, the materials distributed to students in connection with the assignment; and
 - 3. The opportunity to take any quarterly, semester, or grading period examinations missed during the suspension period.

V. Expulsion.

- A. In the event an administrator decides to recommend a student be expelled from the BCSD, the parent(s) of the student shall be notified in writing of the time and the place of a hearing either before the board's designated hearing officer or hearing panel. At the hearing the parents or legal guardian shall have the right to legal counsel and to question all witnesses appearing. The hearing shall take place within ten (10) school days of the written notification at a time and place designated by the board and a

decision shall be rendered within five (5) school days of the hearing. The student will be suspended from school and all school activities during the time of the expulsion procedures.

- B. In the event the Board's designated hearing officer or hearing panel uphold the administrator's recommendation for expulsion, the student may appeal the decision to the Chief Student Services Officer ("CSSO"), who shall review the whole record in the matter without an additional hearing. In the event the CSSO upholds the decision of the hearing panel/officer to expel the student, the student may appeal the decision to the Board. In such event, the hearing shall take place within fifteen (15) school days of the written notification at a time and place designated by the Board. A decision shall be rendered within ten (10) business days of the hearing.
- C. During the expulsion and all expulsion hearing procedures, the student is not entitled to be present on any BCSD property or any BCSD school bus and is not considered a student of the BCSD.
- D. A student with disabilities may be expelled only if the student's IEP team determines the student's misconduct was not caused by or related to the student's disability as required by state and federal law. If a student with a disability is lawfully expelled, the school system shall continue to provide the student a FAPE, in a home-based or alternative school or program setting as required by state and federal regulations.

VI. Alternative School Assignment.

- A. The Board and Superintendent designate the CSSO and, where necessary, the student discipline hearing panel, to review school administrator recommendations a student be assigned to an alternative school.
- B. As alternative to suspension and expulsion, an administrator may recommend to the CSSO that a student receive a disciplinary assignment to Right Choices, the BCSD alternative program for middle school and high school students, for at least ninety (90) school days. If the offense leading to the recommendation occurs before the final quarter of the school year, the assignment shall be no longer than the remainder of the school year. If the offense leading to the recommendation occurs during the final quarter of the school year, the assignment may be for the remainder of the school year and the first academic quarter of the following school year.
- C. Before approving the recommendation, the CSSO should ensure BCSD disciplinary policies have been followed and consider whether other non-disciplinary interventions have been properly and effectively utilized by the school and/or would be successful in

improving the student's behavior.

- D. In the event the CSSO upholds the administrator's recommendation for assignment to alternative school, the student may appeal the decision to the student discipline review hearing panel. The decision of the hearing panel shall be final.
- E. If a teacher is assaulted or injured by a student and as a result the student is expelled or reassigned to alternative education services, the student shall not be returned to that teacher's classroom unless the teacher consents.

VII. Year-Long Expulsion for Firearm Possession.

- A. Pursuant to Administrative Regulation SS-26, Weapons in School, the BCSD must expel for no less than one year a student who is determined to have brought a firearm to a school or any setting under the jurisdiction of the Board.
- B. The hearing procedures for a year-long expulsion for possession of a firearm shall be as set forth in Section V, hereinabove.
- C. The Superintendent or his/her designee may modify the one-year expulsion on a case-by-case basis.
- D. Students expelled pursuant to this section are not precluded from receiving educational services in an alternative setting.

VIII. Investigation of Misbehavior. If it appears a student may have engaged in misbehavior in violation of Administrative Regulation SS-18, Code of Student Conduct, a school principal or assistant principal will investigate the matter and question those persons who may have knowledge about what occurred. The student will be advised, verbally or in writing, of the accusations against him/her. The school principal or assistant principal also will advise the student of the evidence against him/her and provide the student with an opportunity to tell his/her side of the story. If the student asks the administrator to speak to other witnesses, the administrator will do so, if possible. After completing the investigation, the school principal or assistant principal will determine whether the student violated Administrative Regulation SS-18, Code of Student Conduct, and determine the appropriate sanction.

IX. Summary Suspension.

- A. If a school principal or assistant principal witnesses or is advised of any student misbehavior and concludes the student should be removed from school immediately in order to restore order or protect others at the school, the school principal or assistant principal may summarily suspend the student for up to two (2) school days. In these cases, the school principal or assistant principal does not have to investigate the matter first. By the end of the next school day following the summary suspension, however,

the school principal or assistant principal should investigate the matter as outlined above and determine what, if any, additional consequence should be implemented and/or recommended in accordance with Administrative Regulation SS-18, Code of Student Conduct.

- B. If the school principal or assistant principal determines the student should not have been suspended, arrangements will be made for the student to make up any work he/she missed while on summary suspension. The suspension shall be removed from the student's record.

X. Notification to Parent/Legal Guardian.

- A. By the end of the school day of the suspension, the school principal or assistant principal administering the suspension shall notify the parent/legal guardian in writing of the following:

- 1. the act(s) committed by the student;
 - 2. the rule(s) violated;
 - 3. the length of the suspension; and
 - 4. the time and place when he/she will be available to meet with the parent/legal guardian for a conference.

- B. The conference shall be set within three (3) school days of the date of the suspension. If the parent/ legal guardian are unable to meet at the scheduled time and upon request, the suspending principal or assistant principal will establish a mutually agreeable time for the conference.

XI. Sending a Suspended Student Home During the School Day.

- A. When a student is suspended, the suspending principal or assistant principal will attempt to contact the parent/legal guardian to request he/she pick up the student from school. If a parent/legal guardian refuses or is unable to pick up the student, the school may take the student home as long as a parent/legal guardian is at home to take charge of the student. If the suspending principal or assistant principal cannot reach the parent/legal guardian, the student must stay at school until the end of the school day.
- B. If the student is summarily suspended, he/she may be removed from the school grounds immediately. Depending upon his/her age, however, it may be necessary to keep him/her at school until the parent/legal guardian can be reached.

XII. Student Suspension(s) from School Activities.

- A. A student who is suspended from school shall not practice, play, dress out, travel or attend any meeting during his/her suspension. If the suspension includes the last day of school before a vacation or weekend, the student becomes eligible on the date he/she returns to school.

- B. A student who is absent from school will not be allowed to practice, play, dress out, travel or attend any meeting of the team or group on the day of the absence. Exceptions such as funerals, field trips and college visitations must be approved by the principal in advance.

XIII. Missed School Work. It is the responsibility of students returning from suspension to request any make-up work immediately following their suspension. Students must complete all make-up work in the same number of days missed due to suspension. If students opt not to request and make-up work missed, zero credit will be given.

XIV. Controlled Substance Abuse. When a suspension case involves controlled substance abuse, the student will, in addition to his/her suspension, be referred to an appropriate community agency for assessment and, if necessary, treatment. The student will be required to successfully complete any recommendations of the agency in addition to discipline imposed.

NOTE: The June, 2015, revisions incorporate former Administrative Regulation SS-40, Expulsion of Students.

Adopted: July 18, 2001

Revised: July, 2010; April, 2013; September, 2015

Legal references:

A. S. C. Code, 1976, as amended:

1. Section 59-19-90(3) - Gives district trustees authority to prescribe rules of student conduct, including provisions for suspension or dismissal of those failing to comply with such rules.
2. Section 59-63-210, et seq. - Grounds for suspension, expulsion or transfer.
3. Section 59-63-240 - Expulsion hearings - times, procedures, legal rights appeals.

RANDOM DRUG TESTING OF STUDENTS

**Admin. Reg. SS-57
February, 2016**

- I. Introduction.** The Beaufort County School District (“BCSD”) strongly believes that drug use and substance abuse can be detrimental to the physical and emotional health and the academic performance of its students. It is from this belief and out of concern for students’ well-being that the BCSD initiates a random drug-testing program. The purpose of this drug testing program is to help students and not to be punitive. Therefore:
 - A. A positive test arising from this random drug testing program will not result in suspension from school or notification to legal authorities, and
 - B. A first positive test will not automatically result in ineligibility from any school activities.
- II. Findings.** The BCSD enacts this administrative regulation governing random student drug testing based on the following findings:
 - A. Drug and substance abuse by students is a serious problem throughout the nation;
 - B. Beaufort County, due to its demographics and status as a tourist destination, is particularly susceptible to substance abuse problems;
 - C. The BCSD has recorded a substantial number of student drug and/or alcohol violations, leading the BCSD to believe there may be a problem of alcohol and drug abuse among Beaufort County students;
 - D. While the primary responsibility for addressing substance abuse by students rests with parents, the BCSD and the community at large also have a responsibility for addressing substance abuse by students;
 - E. The BCSD has implemented various prevention, education and intervention programs to reduce substance abuse among Beaufort County students and is committed to continue addressing the substance abuse problem head-on rather than ignoring it;
 - F. The U.S. Supreme Court has authorized the use of random drug testing of students who elect to participate in voluntary school activities that are privileges rather than rights;
 - G. An increasing number of school districts across the country have enacted random drug testing policies;
 - H. School districts that have enacted random drug testing policies report positive results in reducing drug use and discipline problems and in fostering a school culture resisting drug abuse;

- I. Students who participate in athletics and other voluntary extracurricular activities are representatives of the BCSD and their schools and are often role models for other students;
- J. Students who voluntarily choose to drive to and from school are permitted to park on campus as a privilege. The school district has a particular interest in assuring the safety of these drivers, in campus parking lots, and of others on and near school campuses; and
- K. A random drug testing policy of students engaged in voluntary school activities is likely to be an effective tool in reducing substance abuse.

III. Goals of Random Drug Testing Program. The random drug testing program is not intended to punish students, but to help them. Goals of the random drug testing program are:

- A. To educate students about the dangers and problems associated with drug use/abuse;
- B. To deter drug use/abuse by students;
- C. To identify students participating in extracurricular activities or driving to school who may be abusing drugs and to determine the identity of the drug(s);
- D. To provide information to parents so that parents can take appropriate steps at the family level;
- E. To motivate students to resist negative peer pressure;
- F. To provide opportunities for counseling and treatment for any student who is determined to be using/abusing drugs;
- G. To help ensure the safety of students who participate in athletics, extracurricular activities or driving privileges;
- H. To remove the stigma of drug use/abuse from those students who do not use drugs;
- I. To develop a drug-free program that produces students who can serve as role models and influence their peers to lead healthy and responsible lives; and
- J. To complement the BCSD overall drug education program.

IV. Students Subject to Random Drug Testing Program.

- A. All eligible students in grades 7-12 who desire to participate in any of the following voluntary school activities or privileges must agree to participate in the random drug testing program:

1. Interscholastic athletics – High School Level only beginning August 2015;
 2. Other voluntary extracurricular activities – High School Level only beginning August 2016;
 3. Campus parking privileges – High School Level only beginning August 2016.
- B. Participation in the random drug testing program is mandatory only for students who elect to participate in the above voluntary activities, which are a privilege not a right. Participation in the random drug testing program shall not be required as a condition of attending school or enrolling in any for-credit class.
- C. Any parent of a student in grades 7-12 has the opportunity to consent to the student voluntarily participating in the random drug testing program, whether or not the student is a participant in any of the privileged activities listed above. The same procedures will apply, as outlined in this administrative regulation, for all students participating in random drug testing.
- D. The BCSD administration shall prepare a Drug Testing Consent Form to be signed by the student and the student's parent/guardian. The parent/guardian shall be given a copy of the signed Consent Form and a copy of or link to this random drug testing administrative regulation. The original Consent Form shall be kept in the student's official file.
- E. Students who desire to participate in the voluntary activities or privileges covered by this program shall annually sign the Consent Form prior to participation in the activity listed in Section IV.A., above, each school year. The Consent Form will authorize random drug testing for the then-current school year only. A new consent form must be executed each school year.
- F. A signed Consent Form may be revoked by a signed Withdrawal of Drug Testing Consent Form. A student who withdraws will no longer be subject to random drug testing, and will not be eligible for participation in the voluntary activities or privileges covered by this administrative regulation for a period of 365 days from the date of withdrawal.
- G. A student who begins an extracurricular activity covered by this administrative regulation and then ceases the activity, voluntarily or involuntarily, will remain in the pool of students to be randomly drug and alcohol tested.

V. Implementation.

- A. Key Implementation Roles.

1. Contracted Test Administrator. The drug testing program will be implemented on behalf of the BCSD by a Test Administrator, which shall be an independent agency or entity operating under contract with the BCSD. The contracted Test Administrator shall have experience in implementing a drug testing program.
 2. Medical Review Officer (MRO). The contracted Test Administrator shall employ or provide by subcontract a licensed physician as a Medical Review Officer. The MRO will be certified by a national MRO certification organization.
 3. Superintendent's Designee. The Superintendent shall designate a BCSD employee to coordinate the BCSD drug testing program.
 4. Licensed Substance Abuse Professional (LSAP). Licensed substance abuse professionals whose professional credentials are acceptable to the Superintendent's designee shall conduct all substance abuse assessment and counseling services.
- B. Role of school system employees. **BCSD personnel shall not assist with the actual testing or physical collection of the samples, shall have no access to the test samples, and shall not select the students who will be randomly tested.** These functions will be carried out by the contracted Test Administrator. BCSD employees will be expected to call students from class and assist with coordinating testing as needed.
- C. Random Selection. Eligible students will be randomly selected for testing by the contracted Test Administrator using the following process:
1. The Superintendent's designee shall maintain a list of all eligible students who have signed Consent Forms. The list shall be updated prior to each testing date.
 2. Each eligible student on the list shall be assigned a number by the Superintendent's designee.
 3. The Superintendent's designee shall provide the contracted Test Administrator with a list of the students' numbers, categorized by school.
 4. Prior to each testing date for each school, the Superintendent's designee will notify the contracted Test Administrator as to what number or percentage of students will be tested.
 5. Prior to each testing date for each school, the contracted Test Administrator shall randomly generate a list of student numbers representing students to be tested at each school. Students who were absent on a testing date, after their previous selection under this random selection process, shall be added to the next randomly generated list. The list shall be maintained by the Test Administrator and shall be provided only to the school Principal upon arrival at a school to begin testing students pursuant to this Administrative Regulation.

6. On the date of each test administration at each school, the school Principal will match the randomly generated student numbers with students' names and notify the students selected.
 7. Selected students shall be pulled from class for testing on testing day. There shall be no advance notification of which students will be tested.
 8. Documentation of the selection process shall be maintained.
- D. Absences. A student who is absent on the day of a test shall be excused from testing, but shall be added to the sample to be tested on the next testing date. However, a student who is present at school on the day of testing and avoids testing by leaving campus (or cutting class) without a valid excuse for that day shall be considered as having refused to be tested.
 - E. Refusal to Test or Tampering with a Test. A refusal to be tested, or an attempt to alter, substitute, adulterate or otherwise tamper with a test sample, shall result in the same consequences as a positive test.
 - F. Frequency of Tests. Random drug testing will be conducted at least monthly during the academic year. The dates of testing will not be publicized in advance.
 - G. Location of Tests. Testing will occur at each high school once per month from September through May of each school year. Testing may or may not occur on the same dates at multiple high schools each month. Testing dates will be assigned randomly by the Superintendent's designee and may be conducted on consecutive school days in different months.
 - H. Number of students tested. It is the intent of the BCSD to test at least fifty percent (50%) of eligible students at each secondary school each year. The Superintendent shall determine what number or percentage of eligible students are tested each month and during a school year.
 - I. Urine tests. Testing will be by urine specimen.
 - J. Confidentiality. All test results will be strictly confidential, including the maintenance of the sample throughout the collection and testing process. All reported results will be maintained by the Superintendent's designee in a locked file cabinet. Disclosure of test results will be limited to those who have a need to know in order to implement this administrative regulation.
 - K. Notification to Coach or Sponsor. When under this administrative regulation a student becomes ineligible to participate in any voluntary activity, the principal shall inform the school's athletic director and the student's coach or sponsor (or administrator for parking permits) that the student is ineligible. Upon notification to the Principal from

the Superintendent's designee and from the Principal to the coach or sponsor, the Principal, school athletic director, coach and/or sponsor are responsible for ensuring the ineligible student is not allowed to participate until allowed by this Administrative Regulation. Failure of the Principal, school athletic director, coach and/or sponsor to adhere to the ineligibility notice may result in disciplinary action.

VI. Substances Tested. Substances for which students will be tested shall include:

Marijuana (THC)	Cocaine
Phencyclidine (PCP)	Amphetamines/methamphetamine
Opiates (OxyContin, Vicodin)	Alcohol
Barbiturates	Benzodiazepines (Valium)
Test Adulterants	Methadone
Propoxyphene (Darvon)	

At the recommendation of the contracted Test Administrator and determination by the Superintendent, students may be tested for other or additional substances for which use by a minor is illegal.

VII. Consequences of Positive Tests.

A. First Positive Test:

1. The MRO shall notify the Superintendent's designee, who shall notify the Principal of the student's school.
2. The Principal or his designee (who shall be an assistant principal) shall schedule a meeting with the student and the student's parent/guardian.
3. In the event a student tests positive for drugs or alcohol, the student shall be ineligible for participation in extra-curricular activities (of, effective August, 2017, use of a parking permit on campus) for 365 calendar days. However, if the student is assessed and begins treatment/counseling as contemplated in Section VIII, below, the student's ineligibility will be waived and he/she will remain eligible.
4. In order to maintain eligibility, within ten (10) calendar days of notification of positive test, the student or his/her parent/guardian must provide the Principal or his/her designee with written evidence from a licensed substance abuse professional the student has been assessed and has attended at least one (1) treatment or counseling session as contemplated in Section VIII, below. The written evidence shall include the projected length of treatment/counseling prescribed for the student.
5. At the end of the projected length of treatment/counseling prescribed for the student by a licensed substance abuse professional, the student or his/her parent/guardian shall be required to provide the Principal or his/her designee written evidence the

student has successfully completed the treatment/counseling or the length of treatment/counseling has been extended. Failure to provide written evidence of successful completion or extension shall render the student ineligible for 365 calendar days or until written evidence is provided, whichever first occurs.

6. If the student elects not to provide proof of or fails to successfully complete assessment and treatment/counseling, he/she shall be ineligible for 365 calendar days.
7. The MRO shall provide the parent/guardian a list of resources for substance abuse assessment and intervention in the Beaufort County area.
8. The student shall be subject to a mandatory retest after thirty (30) calendar days but within ninety (90) calendar days of the first positive test. The student will be identified by the contracted Test Administrator for retesting on a regularly scheduled test date. School officials will not know whether the student is being retested as a mandatory retest or whether the student's number was randomly drawn.

B. Second Positive Test:

1. The MRO shall notify the Superintendent's designee, who shall notify the Principal of the student's school.
2. The Principal or his designee (who shall be an assistant principal) shall schedule a meeting with the student and the student's parent/guardian.
3. The student will be ineligible to participate in the voluntary activities covered by this administrative regulation (interscholastic athletics, other extracurricular activities and parking privileges) for 365 calendar days unless the student regains eligibility earlier, as provided below.
4. The student may regain eligibility prior to 365 calendar days upon compliance with all of the following requirements:
 - a. The student shall satisfy the substance abuse assessment/counseling requirement of Section VIII below. The student shall be considered in compliance once he/she has completed the substance abuse assessment and any recommended counseling/treatment program.
 - b. The parent/guardian shall provide written certification to the Principal or his/her designee that the student has completed the required assessment and counseling/treatment program.
 - c. A student shall also be required to test "negative" on a retest prior to regaining eligibility. This retest may be the mandatory retest provided in Section VII.B.5.,

below, or may be a privately arranged test by a licensed drug testing agency acceptable to the Superintendent's designee. A privately arranged drug test shall be at the expense of the parent/guardian.

5. The student will be subject to a mandatory retest after thirty (30) calendar days but within ninety (90) calendar days of the second positive test.

C. Third Positive Test:

1. The MRO shall notify the Superintendent's designee, who shall notify the Principal of the student's school.
2. The Principal or his designee (who shall be an assistant principal) shall schedule a meeting with the student and the student's parent/guardian.
3. The student will be ineligible to participate in the voluntary activities covered by this administrative regulation for at least 365 calendar days.
4. The student may regain eligibility after 365 calendar days, upon compliance with all of the following requirements:
 - a. The student shall satisfy the substance abuse assessment/counseling requirement of Section VIII below and provide written proof of such completion to his/her Principal or his/her designee.
 - b. The student will be subject to a mandatory retest before regaining eligibility and must test negative at the mandatory retest.

VIII. Substance Abuse Assessment/Counseling Requirement. Whenever a student is required to satisfy the substance abuse assessment/counseling requirement of this administrative regulation, the student shall:

- A. Undergo a substance abuse assessment by a licensed substance abuse professional acceptable to the Superintendent's designee.
- B. Provide the school principal or his/her designee with written certification by the licensed substance abuse professional that the substance abuse assessment has been completed.
- C. Undergo counseling/treatment or other intervention, if any, as recommended by the licensed substance abuse professional. The Board of Education will not specify requirements of any such counseling/treatment or intervention, as this will be based on the student's individual needs. The Board of Education's interest is that the student receive whatever assistance is appropriate for the particular individual.

- D. After a first positive test, eligibility may be regained prior to completion of the counseling/treatment program, as long as the student has undergone a substance abuse assessment and has begun a recommended counseling/treatment program. If, at any time during the recommended counseling/treatment program, it comes to the attention of the BCSD that the student has failed to complete or comply with the program, the student will again be ineligible for 365 calendar days.
- E. After a second positive test eligibility may be regained upon successful completion of the assessment and counseling/treatment program. If the student fails to complete an assessment and counseling/treatment program, the student remains ineligible for 365 calendar days.
- F. After a third positive test, the student will be ineligible for 365 calendar days. Eligibility will not be regained until the licensed substance abuse professional certifies that the student has successfully completed any recommended counseling/treatment program.
- G. Failure to fully cooperate or comply with substance abuse assessment or any counseling/treatment program recommended by the licensed substance abuse professional shall make the student ineligible for participation in the voluntary activities covered by this administrative regulation.

IX. Test Procedures and Safeguards.

- A. Urine test. Testing will be by urine specimen.
- B. Screening test. The urine specimen shall be screened using an enzyme immunoassay (EIA) test or other screening test approved by the National Institute for Drug Abuse (NIDA).
- C. Confirming test. If the screening test indicates the presence of a controlled substance, the specimen shall be subject to a confirming test by gas chromatography/mass spectrometer (GC/MS).
- D. Split sample. Each student's urine sample shall be split into two samples. In the event of a confirmed positive test, a student may request that a portion of his/her urine sample be tested by another NIDA approved laboratory at the student's/parent's expense. If this test result is negative, the student/parent will be reimbursed by the BCSD.
- E. Standards for positive test. The contracted Test Administrator will use the standard cutoff scores generally used by NIDA and/or SAMHSA (Substance Abuse and Mental Health Services Administration) for determining a positive test result.
- F. Use of licensed laboratory only. The contracted Test Administrator must use a laboratory that is appropriately licensed by the NIDA or SAMHSA.

- G. Expense. The expense, if any, of the assessment or counseling/treatment program shall be the responsibility of the parent/guardian, not the BCSD. Grants may sometimes be available to defray costs.

X. Medical Review Officer.

- A. Any confirming test reported as “positive” for the presence of a tested substance shall be reported directly to the MRO.
- B. The MRO shall notify the student and the student’s parent/guardian of the test results and provide an opportunity to present information, such as the documented use of a prescription medication or an over-the-counter drug, which would render an apparent “positive” result invalid or “negative.”
- C. Failure or refusal of the student or the student’s parent/guardian to cooperate with the MRO shall constitute a refusal to test, which is considered a positive test.
- D. The MRO shall inform the student and the student’s parent/guardian of the opportunity for an additional confirming test at the student’s/parent’s expense on the remaining sample of the student’s urine. If the additional confirming test is negative, the student/parent will be reimbursed by the BCSD.
- E. If the MRO determines that an apparent “positive” test result is the result of a lawful use of a prescription or non-prescription drug, the test result shall be considered as “negative.”
- F. If the MRO determines that the test results are verified and positive, the MRO shall inform the Superintendent’s designee of this determination.

XI. Method of Sample Collection. The following procedures shall be used for the collection of urine specimens at the individual schools.

- A. Notice of Collection. All students selected for testing at a school **shall not** be notified simultaneously. A school administrator, counselor or nurse will notify each student personally that he/she has been selected for testing immediately prior to testing. The student shall be required to proceed directly to the collection location upon being notified of selection. The student shall not be allowed to go to his/her locker, the restroom or any other location for any reason prior to arriving at the testing site. The student may not leave the testing area until he/she has provided a urine specimen. Failure to follow these guidelines will result in consequences for a “positive” test result for offending student.
- B. Cooperation. If the student refuses to cooperate with school employees or the contracted Test Administrator’s staff, the student’s refusal to cooperate shall be treated as a “positive” test result.

- C. Time of Collection. In general, urine specimens will be collected as determined by the contracted Test Administrator in conjunction with a school administrator.
- D. Collection Location, Supplies and Equipment. Each school and the contracted Test Administrator shall select by mutual agreement one (1) or two (2) restrooms to use for collecting urine samples.
- E. Protection of Student's Privacy. The contracted Test Administrator's staff shall not view a student in the act of providing a specimen, but shall monitor each student in a non-intrusive but controlled manner to detect any attempt to provide a false urine specimen. Immediately upon receipt of a urine specimen it shall be tested to determine its temperature. All specimens outside of normal temperature limits will be considered invalid and the student shall be required to provide another urine sample.
- F. Chain of Custody. The contracted Test Administrator shall implement procedures to ensure that each student's urine sample is appropriately labeled and secured to prevent each sample from being lost, misplaced, or contaminated. At a minimum, the contracted Test Administrator shall:
 - 1. Provide each student with a sanitized kit containing a specimen bottle. The bottle will remain in the student's possession until a seal is placed on the bottle by the collection staff. The student will sign a form certifying that the bottle contains his/her urine sample and that the specimen has been sealed. The seal may be broken only by the lab testing the specimen.
 - 2. After the specimen has been sealed, the specimen shall be transmitted to the testing laboratory by the contracted Test Administrator.
 - 3. In order to maintain confidentiality, the specimen bottle shall be labeled with the student's number and not the student's name. In addition, the results sheet mailed by the laboratory to the contracted Test Administrator or MRO shall report the results by student number and not by student name.
- G. Refusal or Inability to Provide Sample. The contracted Test Administrator shall implement appropriate procedures for use in the event a student refuses to provide a urine sample or states that he/she is physically unable to provide a urine sample. A refusal to provide a urine sample will be treated as a "positive" test result. If a student says that he/she is unable to provide a urine specimen, the student will be given water and up to three hours to provide a urine sample. If the student states that he/she has a medical problem which prevents the student from providing a urine sample, the student will be given the opportunity to communicate with the MRO, who shall determine whether or not the student has a legitimate medical reason for being excused from the testing.

XII. EVALUATION AND REVIEW OF ADMINISTRATIVE REGULATION. The contracted Test Administrator shall provide periodic statistical reports (without identifying

students' names) to the Superintendent's designee, indicating the numbers of students tested and the numbers of first, second and third positive test results, by substance and by school. The Superintendent will make an annual report to the Board regarding the impact of this administrative regulation.

Adopted: June, 2015
Revised: February, 2016

Legal References:

U.S. Const., Amend. IV
Bd. Of Education of Independent School Dist. No. 92 of Pottawatomie County v. Earls,
122 S. Ct. 2559 (2002)

**BEAUFORT COUNTY SCHOOLS
WITHDRAWAL OF DRUG TESTING CONSENT FORM
2015-2016 SCHOOL YEAR**

(Sign and return this form only if you wish to opt your 7th-12th grade child out of privileged activities and the drug testing program.)

I hereby withdraw consent for _____ (student) to participate in the Beaufort County Schools random drug testing program. I understand, once this form is submitted, the student will not be eligible to participate in interscholastic athletics for a period of 365 calendar days from the date on this form.

Dated: _____, 20_____.

Name of Student

Name of Parent/Guardian

Signature of Student

Signature of Parent/Guardian

Name of School Official

Signature of School Official