

SECTION SS (STUDENT SERVICES)

New Code	Heading	Replaces	Original Code
SS-1	Student Goals/Priority Objectives	J-1	New rule
SS-2	Equal Educational Opportunity/ Nondiscrimination	J-2	A-11
SS-3	Assignment of Students to Schools	J-3	A-3
SS-4	Assignment of Students to Classes	J-4	A-2
SS-5	Student Attendance	J-5	A-22
SS-6	Entrance Age	J-6	A-10
SS-7	Admission of Resident Students	J-7, -E	A-1; new form
SS-8	Admission of Nonresident Students	J-8	A-15
SS-9	Admission of Homeless Students	J-9, -E(1-3)	New rule and forms
SS-10	School Choice	J-10	New rule
SS-11	Student Absences and Excuses	J-11	A-19
SS-12	Released Time for Religious Instruction	J-12	New rule (optional for district)
SS-13	Student Rights and Responsibilities	J-13	A-33
SS-14	Sexual Harassment	J-14, -E	A-18, -E
SS-15	Student Involvement in Decision Making	J-15	New rule
SS-16	Suspension and Expulsion Procedures	J-16	A-24
SS-17	Student Dress Code	J-17	A-26 (There is also your policy for school uniforms [A-14]. Not sure where it fits in here - please advise.)

New Code	Heading	New Code	Replaces
SS-18	Code of Conduct	J-18	A-5
SS-19	Student Conduct on Buses	J-19	A-23
SS-20	School-Related Student Publications	J-20	A-16
SS-21	Secret Societies/Gang Activity	J-21	A-17
SS-22	Hazing	J-22	New rule
SS-23	Harassment, Intimidation or Bullying	J-23	A-41
SS-24	Tobacco Use by Students	J-24	A-38
SS-25	Drug and Alcohol Use by Students	J-25	A-9 (deleted SCIP; no longer in operation)
SS-26	Weapons in School	J-26	A-39
SS-27	Possession/Use of Electronic Communication Devices in School	J-27	A-5 (part of it)
SS-28	Pregnant Students/Students With Children/ Married Students	J-28	New rule
SS-29 E(1) and (2)	Student Interrogations, Searches and Arrests	J-29, -E(1) and (2)	A-30
SS-30	Student Concerns, Complaints and Grievances	J-30	A-36
SS-31	Student Activities and Organizations	J-31	B-34
SS-32	Limited Open/Closed Forum	J-32	A-13
SS-33	Student Fundraising Activities	J-33	A-28
SS-34	Student Activities Funds	J-34	A-20
SS-35	Contests for Students	J-35	A-7

New Code	Heading	New Code	Replaces
SS-36	Student Athletics	J-36	New rule
SS-37	Student Discipline	J-37	New rule
SS-38	Corporal Punishment/Physical Force	J-38	A-8
SS-39	Suspension of Students	J-39	A-37
SS-40	Expulsion of Students	J-40	A-12
SS-41	Student Insurance Coverage	J-41	A-29
SS-43	Student Wellness	J-42	B-30
SS-44	Communicable/Infectious Diseases	J-43	A-6
SS-45	Staff Health	New rule	
SS-46 E(1) and (2)	Assisting Students With Medications	J-44, -E(1) and (2)	A-4
SS-47 (E)	Individual Healthcare Plan (IHP)	J-45, -E	New rule and form
SS-48	First Aid and Emergency Care	J-46	New rule
SS-49	Guidance and Counseling	J-47	B-13
SS-50	Self-Esteem Promotion/Suicide Prevention	J-48	New rule
SS-51	Student Welfare	J-49	A-34
SS-52	Student Dismissal Precautions	J-50	A-25
SS-53	Student Fees, Fines and Charges	J-51	A-27, B-43
SS-54	Student Records	J-52	A-32 (mostly revised format)

New Code	Heading	New Code	Replaces
SS-55	Health Education	New rule	

SS - 1 STUDENT GOALS AND PRIORITY OBJECTIVES

Purpose: To establish the board's vision for the goals and priority objectives of the district's policies pertinent to students.

Through its policies that affect the lives of students, the board seeks to advance the following goals.

- to enhance equal educational opportunity for all students
- to promote faithful attendance as a key factor in student achievement
- to ensure that the constitutional rights of all students as citizens in a democracy have practical meaning and application
- to develop in students a deep sense of personal responsibility for their actions
- to attend vigorously to matters of student safety, health and welfare
- to deal justly and constructively with all students in matters of discipline
- to help all students feel that they are valued as individual persons in the school environment
- to promote college readiness for all students

Adopted 7/18/2001; Revised 07/10; Revised 11/12; Revised 04/13

SS - 2 EQUAL EDUCATIONAL OPPORTUNITY/ NONDISCRIMINATION

Purpose: To establish the basic structure for providing equal educational opportunities for all students in the district.

The board and the superintendent believe that the district must provide public education in an atmosphere where differences are understood and appreciated. The district should treat all persons fairly, with respect, and without discrimination or threats of violence or abuse.

Every student of this school district will have equal educational opportunities regardless of ethnic or racial background, religious beliefs, sex, disability, immigrant status of English-speaking status, and economic or social conditions. The district schools will not refuse to admit or exclude any person based on these criteria. The district will advertise this nondiscrimination policy.

This concept of equal educational opportunity serves as a guide for the board and the staff in making decisions related to school facilities, employment of personnel, selection of educational materials, equipment, curriculum and rules affecting students. Each building principal will be responsible for working with the staff and students in his/her school to ensure equal opportunity for all students in all building level programs and activities.

Resolution of discrimination complaints

The district will use the grievance procedures set forth in policy to process complaints based on alleged violations of Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments Act of 1972; Section 504 of the Rehabilitation Act of 1973; and Titles I and II of the Americans with Disabilities Act of 1990 (referred to as "civil rights grievances").

Adopted 7/18/01; Revised 7/10

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 VII of the Civil Rights Act of 1964 - Prohibits employment discrimination on the basis of race, color, national origin, religion or sex.
3. Section 504(b) of Rehabilitation Act of 1973 - Prohibits discrimination against "otherwise qualified" handicapped persons by federal grantees.
4. Title IX of the Education Amendments of 1972 - Prohibits sex discrimination by federal education grantees.
5. Title IV of the Civil Rights Act of 1964 - Public school desegregation.
6. Equal Pay Act of 1972 - Nondiscrimination as to wages on basis of sex.
7. Age Discrimination in Employment Act - Nondiscrimination on the basis of age in employment.
8. Americans with Disabilities Act - Prohibits discrimination in employment and access to programs and facilities on the basis of disability.

B. South Carolina Code of Laws, 1976 as amended:

1. Section 1-13-80 - Unlawful employment practices.

C. U.S. Supreme Court:

1. Plyler vs. Doe, 1982.

SS - 3 ASSIGNMENT OF STUDENTS TO SCHOOLS

Purpose: To establish the basic structure for the assignment of students to district schools.

The superintendent or his/her designee will assign students to attend the school that serves their legal place of residence but may make special exceptions that are in the best interest of the child, school and family.

Disabled students may attend school in another attendance area if facilities within the attendance area where they reside do not house needed special education programs as determined by the superintendent or his/her designee.

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 legal attendance area. School capacity may also be used in determining placement. No request will be made to satisfy a particular request to participate in extracurricular activities as this may impact athletic eligibility.

- Each year application for transfer will be subject to the administrative rules in effect at that time. 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.
- Transfer requests are approved only for the period comprising a single academic year.
- Approval of the transfer request for a student does not guarantee that approval will be granted for his/her sibling, either for the same academic year or for future academic years.
- Transfers will not be allowed in order for a student to participate in an extracurricular program.
- Upon request by the Principal, record of excessive absences, discipline problems or tardiness could be grounds for non-approval, non-renewal or immediate termination of the transfer application/ permission.

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.

Senior status

High school students who complete their junior year and any student wishing to complete their last year of attendance at a given school (ex. 4th grade, 5th grade, 8th grade), who moves after the year has ended or started to a different attendance zone in the district, will be permitted to complete their senior year at the out of zone school. School records of attendance, grades and discipline may be used in determining a final decision. This does not apply to students that move into another school district.

Completion of one marking period

Any student who completes one marking period in his/her attendance zone, but who moves afterward to a different attendance zone in the district, will be permitted to complete the remainder

PAGE 2 SS - 3 ASSIGNMENT OF STUDENTS TO SCHOOLS

of the school year at the current school. This does not apply to students that move into another school district. School records of attendance, grades and discipline may be used in determining a final decision.

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 district reserves the right to secure a second opinion regarding the student's medical, physical or psychological health.

Employee courtesy

Students whose parent/legal guardian is employed by the Beaufort County School District 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 employment of the parent/legal guardian ends with the district and the student has completed one marking period, the student will be permitted to complete the school year at the out of zone school. School records of attendance, grades and discipline may be used in determining a final decision.

Programmatic

Transfers for programmatic reasons may be granted; however, in all cases the administration reserves the right to approve or deny the request in accordance with the district'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.

Adopted 7/18/01; Revised 7/10; Revised 04/13

Legal references:

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

1. Section 59-19-90 (9) - Transfer and assignment authority.
2. Section 59-63-470 - Transfer of pupils when enrollment of such pupils threatens to disturb peace.
3. Section 59-63-32(b) (2) - Requirements to enroll child in public school; affidavit; penalties for providing false information.

B. U.S. Supreme Court:

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

SS - 4 ASSIGNMENT OF STUDENTS TO CLASSES

Purpose: To establish the basic structure for assignment of students to classes.

Secondary level

Scheduling students for classes at the secondary and middle school level is normally done during the spring or early summer. Every effort is made by the school principals and guidance counselors to ensure that students are scheduled for classes to meet all requirements for their diploma program. Once students and parents agree on the student's schedule, a registration form will be submitted to the school signed by both student and parent/legal guardian.

In planning programs and schedules for the school year, the principals should take into consideration student enrollments, class sizes, state high school graduation requirements, International Baccalaureate requirements and career and technology interests.

A curriculum aligned with state academic standards will be provided to students through career clusters with individual educational, academic and career-oriented choices. Greater exposure to career information and opportunities must be provided for all students.

Any class or program change must be approved by the principal or his/her designee.

Elementary level

Grade placement will be the responsibility of the principal. Such placement will be based on general achievement and consideration will be given to the mental, physical, emotional and social maturity of the child.

In general, students transferring into the system will be placed on the same grade level as the school from which they transferred, but children transferring, as well as continuing students, may be placed again after full evaluation.

Adopted 7/18/01; Revised 07/10

SS - 5 STUDENT ATTENDANCE

Purpose: To establish the basic structure for student attendance.

State law requires all children between the ages of five and seventeen to attend regularly a public or private school or kindergarten or be approved by the district or the South Carolina Independent Schools Association for home instruction. A parent/legal guardian whose child or ward is not six years old on or before September 1st of the school year may waive kindergarten attendance for his/her child. For this purpose, the parent/legal guardian must present to the district a written document making such a decision.

The board expects children to attend school regularly. Regular attendance is necessary if students are to make the desired and expected academic and social progress.

The school year consists of 180 school days. High school students must attend 85 days of each 90-day semester to receive one-half unit of credit. They must attend 170 days through the course of the school year to receive one unit of credit. **Local School Board has authorized Principals to make decisions regarding attendance and make-up (recovery) days.**

Adopted 7/18/01; Revised 07/10; Revised 04/13

Legal references:

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

1. Section 59-35-10 - Each district to provide a kindergarten program.
2. Section 59-63-20(3) - Entrance age for kindergarten program.
3. Section 59-63-20(4) - Entrance age for first grade.
4. Section 59-63-20(6) - Four-year-olds may attend optional child development programs.
5. Section 59-65-10 - Compulsory attendance age group in South Carolina includes children ages five through 17; parents may waive compulsory kindergarten attendance requirement.

B. State Board of Education Regulations:

1. R-43-270 - Attendance.
2. R-43-271 - Entrance age.
3. R-43-272.1 - South Carolina compulsory kindergarten program.
4. R-43-274 - Student attendance.

SS - 6 ENTRANCE AGE

Purpose: To establish the basic structure for the appropriate age for students entering school.

Preschool-age children with disabilities

The district provides a free appropriate public education consistent with the federal Individuals with Disabilities Education Act for all three-, four- and five-year-old children with disabilities who reside in the district.

Child development

Students may enroll in his/her assigned school's child development program if the following criteria are met.

- The child will attain the age of four on or before September 1 of the school year
- The child meets other criteria as determined by his/her school

Kindergarten

Students may enroll in kindergarten if they meet one of these criteria.

- They will attain the age of five on or before September 1 of the school year.
- They substantially began attending a public school kindergarten program in another state which has a different attendance age requirement.

First grade

Students may enroll in the first grade if they meet one of these criteria.

- They will attain the age of six on or before September 1 of the school year.
- They substantially began a first grade program in another state that has a different attendance requirement.
- They have attended a public school kindergarten program for one full school year.

Exit age

- Free appropriate public education (FAPE) requires that a free public education must be available to all children residing in the State between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school, as provided for in Sec. 300.53(d). In South Carolina, this means that if a student turns age 21 after September 1 of the school year, the LEA must permit the student to enroll and complete the school year if the student will graduate or exit with either a state-issued high school diploma, certificate of attendance, district diploma, or district certificate. If a student turns age 21 on or prior to September 1, the LEA is not required to permit the student to reenroll. Beaufort County Schools does not enroll students that turn age 21 on or prior to September 1.

Adopted 7/18/01; Revised 07/10; Revised 04/13

SS - 7 ADMISSION OF RESIDENT STUDENTS

Purpose: To establish the basic structure for admitting to district schools those students who reside in the district.

Generally, all persons of legally defined and mandated school age who reside in the district and who have presented required birth certificates and certificates of immunization may attend the public schools without charge.

First-time enrollment

When a student seeks to enroll in the district for the first time, the board may consider whether the student meets the district's standards of conduct and behavior. The board will consider non-school records and the student's disciplinary records in any school in which the student was previously enrolled. The board will consider these records as they relate to the adjudication of delinquency in any jurisdiction for violent crimes, unlawful use or possession of weapons, or unlawful sale of drugs.

If the board does not allow the student to enroll based on his/her record, the board will notify the student's parent/legal guardian. The board will give the student a hearing and other procedural rights in accordance with administrative rule SS-40 (Expulsion).

The bar to enrollment applies for a maximum of one year. After the bar is lifted, the student may reapply for enrollment, and the superintendent or his/her designee will order the student enrolled if he/she otherwise meets district enrollment criteria.

Criteria for admission

Under South Carolina law, the district may admit a student who lives in the district provided the student meets one of the following criteria.

- lives with his/her parents
- lives with his/her legal guardian
- lives with his/her foster parents
- is emancipated
- is homeless or is a child of a homeless individual, as defined in Public Law 100-77
- resides in an emergency shelter located within the district
- lives in a residential community-based care facility licensed by the South Carolina Department of Social Services or operated by the South Carolina Department of Social Services or the South Carolina Department of Youth Services

If an adult resident of the district signs an affidavit as required by law, the district must admit a student who lives with an adult resident of the district provided the child resides with the adult as a result of any of the following.

- the death, serious illness, or incarceration of a parent/legal guardian
- the relinquishment by a parent/legal guardian of the complete control of the child as evidenced by the failure to provide substantial financial support and parental guidance
- abuse or neglect by a parent/legal guardian
- the physical or mental condition of a parent/legal guardian is such that he/she cannot provide adequate care and supervision of the child
- a parent/legal guardian's homelessness, as that term is defined by Public Law 100-77

- a parent/legal guardian's military deployment or call to active duty more than 70 miles from his/her residence for a period greater than 60 days; provided, however, that if the child's parent/legal guardian returns from such military deployment or active duty prior to the end of the school year, the child may finish that school year in the school he/she attends without charge even if the child resides in another school district for the remainder of the school year due to his/her parent/legal guardian returning home

In addition, the adult must attest that the child's claim of residency in the district is not primarily related to attendance at a particular school. The adult must also accept responsibility for educational decisions for the child.

If it is found that information contained in the affidavit is false, the child will be removed from the district after notice and an opportunity to appeal the removal pursuant to the appropriate grievance procedure.

Pursuant to State law, if it is found that a person willfully and knowingly provided false information in the affidavit, the maker of the affidavit is guilty of a misdemeanor and upon conviction, may be subject to a fine in an amount not to exceed two hundred dollars or imprisoned for not more than 30 days and also may be required to pay to the Beaufort County School District an amount equal to the cost to the district of educating the child during his/her period of enrollment. Repayment does not include funds paid by the state.

In all cases the student must do the following.

- have maintained a satisfactory scholastic record in accordance with scholastic standards of achievement set by the board
- not have been guilty of violating the rules of conduct and behavior that must be met by all students as a condition to the right to attend the public schools of the district as set by the board

The district will not deny admission to any student on the basis of race, religion, color, creed, sex, immigrant status or English-speaking status, national origin or disabling condition.

Adopted 7/18/01; Revised 07/10

Legal references:

A. Federal Law:

1. Homeless Assistance Act, Pub.L.No. 100-77, 101 Stat. 482-538 (1987), also known as the McKinney Act.
2. Title VI of the Civil Rights Act of 1964 - Prohibits discrimination on the basis of race, color, national origin, religion or sex.
3. Uniform Tax Act (Section 1524, Internal Code) Section 610 E, Code Section 6676 E - All dependents age five and above required to have social security number.
4. No Child Left Behind Act of 2001, P.L. 107-110, Section 4155.

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

1. Section 16-1-60 - Violent crimes.
2. Section 44-29-180 - Student must show immunization prior to admission.
3. Section 59-63-30 - Qualifications for attendance.
4. Section 59-63-31 - Additional qualifications for attendance at public school.
5. Section 59-63-32 - Requirements to enroll child in public school; affidavit; penalties for providing false information.
6. Section 59-63-217 - Board of trustees may consider non-school records and prior school disciplinary records in determining whether a school district may refuse to enroll a student for the first time.
7. Section 59-63-390 - Ages of attendance.
8. Sections 59-63-480 and 490 - Attendance of non-resident students.

- 9. Section 59-19-90(10) - Power of board to transfer and assign pupils.
- C. State Board of Education Regulations:
 - 1. R-43-272 - School admission.
- D. State Board of Health and Environmental Control Regulations:
 - 1. R-61-8 - Immunization of students.
- E. U.S. Supreme Court:
 - 1. **Parents Involved in Community Schools v. Seattle School District No. 1**, 127 S. Ct. 2738 (2007).

State of South Carolina }
 }
County of _____ }

AFFIDAVIT

1. My name is _____

I live at _____.

I get my mail at _____.

Telephone number (home) _____ (work) _____.

2. The child, _____, has lived with
me since _____. The child's relation to me is _____.

3. The child is living with me and is qualified to attend school in this district because
(check one):

- ☐ I have legal custody of the child (copy of custody papers required).
- ☐ I am the child's foster parent, licensed by the department of social services.
- ☐ The child lives at _____, which is a facility licensed or operated by the department of social services or the department of youth services (circle one).

- ☐ The child's mother/father (circle one or both) is dead or seriously ill or is in jail or prison and unable to care for the child (explanation) _____

- ☐ The child's mother/father (circle one or both) left the child with me. I have complete control of the child as shown by mother's/father's failure to provide substantial financial support and parental guidance.

- ☐ The child was being abused or neglected by a parent or legal guardian.
(NOTE: The school is required by law to report suspected child abuse or neglect.)

- ☐ The child's mother/father (circle one or both) has a physical or mental condition which prevents her/him from providing adequate care or supervision for the child.

- ☐ The child is emancipated from the control of his/her mother and father.

- ☐ The child's family does not have a fixed, regular and adequate nighttime residence or a nighttime residence that is a shelter or institution that provides temporary living accommodations.

- ☐ A parent/legal guardian's military deployment or call to duty more than 70 miles from his/her residence for a period greater than 60 days.

4. The child's claim of residency is not primarily related to attendance at a particular school in this district.

5. I understand that by enrolling the child in this school district, I agree to certain duties, including but not limited to, the following.

- making sure that the child attends school regularly
- accepting notices about the child's behavior and taking part in any required meetings with school officials
- signing the child's report card
- signing permission slips for field trips and athletic activities
- cooperating with the district, parents or any surrogate parent if the child needs special education services
- informing the school district of the addresses of the parents, if known
- notifying the school if the child returns to his/her parent(s) or other person with legal custody

I understand that I am signing this affidavit under penalty of perjury. I understand that I can be fined up to \$200 and/or sent to jail for up to 30 days if I do not tell the truth. I also understand that I may have to pay the district the cost of educating the child if I have not told the truth.*

Adult resident of school district

Sworn and subscribed before me this

_____ day of _____, 20____.

(Notary public for South Carolina)

My commission expires _____.

*If it is found that information contained in this affidavit is false, the child must be removed from school. The district will give notice of an opportunity to appeal the removal in accordance with the appropriate district grievance policy.

SS - 8 ADMISSION OF NONRESIDENT STUDENTS

Purpose: To establish the basic structure for admitting to district schools those students who do not reside in the district.

The district will enroll nonresident students who qualify according to state school law. The district will follow applicable state law with regard to student transfers into or out of the district.

The district will follow applicable state law with regard to all student admissions and student transfers into or out of the district. The superintendent will examine all inter-district student transfer requests in close consultation with the district's retained legal counsel.

The superintendent will make a recommendation based on his/her examination and the advice of legal counsel at the time the board acts on inter-district transfer requests.

In all cases of non-resident student admission, the parent must assume responsibility for transportation. The superintendent will hold non-resident students to the behavioral and academic requirements set out in board policy.

Admission

The district will admit the following:

- a child who presents a certificate from the county auditor verifying that he/she, in his/her own name, owns real estate in the district assessed at \$300 or more
- any child of a district employee, who has permission for such transfer from the board of trustees or superintendent of his/her resident district, provided this transfer has the district superintendent's approval and a signed release from the school district in which the child resides is on file

The district may admit nonresident students from a neighboring school district if the child in one county resides closer to schools in Beaufort County or if a person is so situated as to be better accommodated by the schools of Beaufort County. The superintendent must grant final approval prior to the admission of any such student and the sending district's board and/or superintendent must consent to the transfer.

Tuition

The district will charge tuition to non-resident students qualified to enroll in its schools. The district will charge tuition in an amount equal to the prior year per pupil local revenue raised by the millage levied for school district operations and debt service less the amount of school taxes paid on the real property owned by the child in Beaufort County.

The district will require payment on nonresident tuition within 10 days following the beginning of the school year in which the child is enrolled. State law permits the district to remove a child for nonpayment after giving notice.

Exceptions

The district will not charge tuition to students in the following situations:

- The child of any parent/legal guardian residing out of the district at the time of admission but in the process of building, buying, or renting a residence in the district may request.

- enrollment in the attendance area's school of the new residence. The parent/legal guardian must present a statement from the builder, buyer or leasee in support of this request. The parent/legal guardian must also present an official release from the district in which he/she resides. The superintendent or his/her designee will admit students for a maximum of one year only under this provision.
- The district will admit children of its employees without tuition charges; however, the employee must submit annually a release from the school district in which his/her child or children reside. The district reserves the right to make the school assignment.
- Students who move out of the district after the end of the third reporting period may continue attending district schools for the remainder of the year without tuition charges provided the new district of residence grants permission.
- The district will admit students from foreign countries who are of the age of eligibility and who are participating in a foreign student exchange program approved by the board.

The district will not deny admission to any student on the basis of race, religion, color, creed, sex, immigrant status or English-speaking status, national origin or disabling condition.

See Administrative Rule SS-52 for information pertaining to the transfer of student records.

Adopted 7/18/01; Revised 07/10

A. Federal Law:

1. Homeless Assistance Act, Pub.L.No. 100-77, 101 Stat. 482-538 (1987), also known as the McKinney Act.
2. Title VI of the Civil Rights Act of 1964 - Prohibits discrimination on the basis of race, color, national origin, religion or sex.
3. Uniform Tax Act (Section 1524, Internal Code) Section 610 E, Code Section 6676 E - All dependents age five and above required to have social security number.
4. No Child Left Behind Act of 2001, P.L. 107-110, Section 4155.

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

1. Section 44-29-180 - Students must show immunization prior to admission.
2. Section 59-63-30 - Qualifications for attendance.
3. Section 59-63-45 - Procedures for reimbursement for districts for cost of educating non-resident students.
4. Section 59-63-480 & 490 - Attendance of non-resident students.
5. Section 59-19-90(10) - Power of board to transfer and assign pupils.

C. Federal Court Decisions:

1. Milliken v. Bradley, 418 U.S. 717.
2. Tasby v. Estes, 412 F.Supp. 1185, aff'd 572 F.2d 1010.
3. Evans v. Buchanan, 393 F.Supp. 428.
4. Armour v. Nix, No.79-6108 (N.D. Ga. May 12, 1979).

D. U.S. Supreme Court:

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

E. State Board of Education Regulations:

1. R-43-272 - School admission.
2. R-43-273 - Transfers and withdrawals.

SS - 9 ADMISSION OF HOMELESS STUDENTS

Purpose: To establish the basic structure for the admission of homeless students to schools in the district.

Homeless students in the district will have access to the education and other services needed to ensure that an opportunity is available to meet the same academic achievement standards to which all students are held.

A liaison for students in homeless situations will be designated by the district to carry out duties as required by law.

The district will ensure that homeless students are not stigmatized nor segregated on the basis of their status as homeless. A homeless student will be admitted to the district school in the attendance area in which the student is actually living or to the student's school of origin as requested by the parent/guardian and in accordance with the student's best interest. Transportation will be provided to and from the student's school of origin at the request of the parent/guardian, or in the case of an unaccompanied student, the district's liaison for homeless students.

An unaccompanied youth or the parent/guardian of a homeless student may request a state-level review of the district's final decision regarding an enrollment issue. Under no circumstances will the resolution of a dispute delay the enrollment of said student.

Definitions

Enrollment - attending classes and participating fully in school activities.

School of origin - the school that the student attended when permanently housed or the school where last enrolled.

Homeless students - individual who lacks a fixed, regular and adequate nighttime residence and includes the following

- Student who is sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; is living in a motel, hotel, trailer park or camping ground due to lack of alternative adequate accommodations; is living in emergency or transitional shelter; is abandoned in a hospital; or is awaiting foster placement.
- Student who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for a human being.
- Student who is living in a car, park, public space, abandoned building, substandard housing, bus or train station or similar setting.
- Migratory student who qualifies as homeless because the student is living in circumstances described above.

Unaccompanied student - includes a student not in the physical custody of a parent/guardian.

PAGE 2 - SS - 9 ADMISSION OF HOMELESS STUDENTS

Assignment to school

The district will, according to the student's best interest, continue the student's education in the school of origin for the duration of homelessness, or enroll the student in a school in the attendance area in which the homeless student is actually living on the same basis as other students.

In determining the best interest of the student, the district will do the following.

- To the extent feasible, keep a homeless student in the school of origin, unless doing so is contrary to the wishes of the student's parent/guardian.
- Provide a written explanation, including a statement regarding the right to appeal and to request a state-level review, if the district sends a homeless student to a school other than the school of origin or a school requested by the parent/guardian.
- In the case of an unaccompanied student, ensure that the district's liaison helps in placement or enrollment decisions, considers the views of the student and provides notice of the right to appeal and to request a state-level review.

Enrollment

The district will immediately enroll the student in the school selected even if the student is unable to produce records normally required for enrollment such as academic records, medical records, proof of residency or other documentation.

The district will immediately contact the school last attended to obtain relevant academic and other records.

If the student needs to obtain immunizations or immunization or medical records, the district will immediately refer the parent/guardian to the district's liaison who will help in obtaining necessary immunizations or records.

Records

Any records ordinarily maintained by the district including immunization or medical records, academic records, birth certificates, guardianship records and evaluations for special services or programs will be maintained so that the records are available, in a timely fashion, when a homeless student enters a new school or district, consistent with state and federal law.

Enrollment disputes

If a dispute arises over school selection or enrollment, the student will be immediately admitted to the school requested pending resolution of the dispute.

The parent/guardian of the student will be provided with a written explanation of the district's decision regarding school selection, including the rights of the parent/guardian or student to appeal the decision.

The student or parent/guardian will be referred to the district's liaison who will ensure the resolution process is carried out as expeditiously as possible. In the case of an unaccompanied student, the district's liaison will ensure the student is immediately enrolled in school pending the resolution of the dispute. That is, during the pendency of any administrative or judicial proceeding regarding an enrollment dispute, the student must continuously be enrolled in school, be provided all relevant services and be allowed to participate fully in all school activities.

PAGE 3 - SS - 9 ADMISSION OF HOMELESS STUDENTS

When it is determined that a dispute cannot be settled at the district level, the district will do the following in a timely manner.

- Inform the unaccompanied youth or parent/guardian of a homeless child of his/her right to request a South Carolina State Department of Education (SDE) review of the district decision. This request must be made either on the district-supplied request-for-review form or by a telephone interview with the appropriate SDE contact.
- Give the individual a copy of the appropriate form and the SDE contact information.
- Inform the individual that he/she may seek the assistance of advocates or attorneys for the review.

Upon receipt of the submitted request form and any relevant documentation back from the SDE, the district will then send a written response to the SDE and the individual filing the state review request within five business days from receipt of the request-for review form.

See SS - E (1-3) for further information regarding the settlement of enrollment disputes.

Services

Each homeless student will be provided services comparable to services offered to other students, including the following.

- transportation services
- education services for which the student is eligible, such as the following.
 - Title I
 - special education
 - programs for students with limited English proficiency
 - professional technical programs
 - talented and gifted programs
- school nutrition programs

Coordination

The district will coordinate the provision of services to homeless students with local social service agencies and other agencies or programs providing services to homeless students and their families. Services will also be provided in cooperation with other districts on inter-district issues, such as transportation or transfer of school records, to ensure that homeless students have access to available education and related services.

District liaison

The district's liaison will ensure the following.

- Homeless students are identified.
- Homeless students enroll in and have a full and equal opportunity to succeed in district schools.
- Homeless families and students receive educational services for which they are eligible and referrals to healthcare services, dental services, mental health services and other appropriate services.

PAGE 4 - SS - 9 ADMISSION OF HOMELESS STUDENTS

The parent/guardian of a homeless student is informed of the educational and related opportunities available to the student and is provided with meaningful opportunities to participate in the education of his/her child.

- Public notice of the educational rights of homeless students is distributed where such students receive services (e.g., schools, family shelters and soup kitchens).
- Enrollment disputes are mediated.
- The parent/guardian of a homeless student or any unaccompanied student is informed about and assisted in requesting a state-level review of the district's final enrollment decision.
- The parent/guardian of a homeless student, or any unaccompanied student, is fully informed of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school selected.
- School personnel, service providers and advocates working with homeless students and their families are informed of the liaison's duties.

The district's liaison will coordinate and collaborate with the state coordinator, community and school personnel responsible for the provision of education and related services to homeless students.

Adopted 07/06 Revised 07/10

Legal references:

A. Federal Law:

1. McKinney-Vento Homeless Education Improvements Act of 2001, P.L. 107-110, 42 U.S.C. Sections 11431-11435.
2. No Child Left Behind Act of 2001, P.L. 107-110, Section 1115.

B. State Board of Education Regulations:

1. R43-272.2 - Review process for homeless children and unaccompanied youth.

DISPUTE RESOLUTION PROCEDURES

Responsibilities of the school district

When it is determined that a dispute cannot be settled at the district level, the school district must carry out the following responsibilities in a timely manner.

- Inform the unaccompanied youth or the parent/guardian of the homeless child concerning his/her right to request that the state department of education review the decision of the school district.
- Inform the unaccompanied youth or the parent/guardian of the homeless child that this request must be made either on the district-supplied request-for-review form or by a telephone interview with the coordinator in the State Department of Education's Office of Coordinator for Education of Homeless Children and Youth (1-888-565-7261).
- Give the unaccompanied youth or the parent/guardian of the homeless child a copy of the state department of education's request-for-review form and the contact information for the Office of Coordinator for Education of Homeless Children and Youth.
- Inform the unaccompanied youth or the parent/guardian of the homeless child that he/she may seek the assistance of advocates or attorneys for the review.

Once the Office of Coordinator for Education of Homeless Children and Youth has received either the completed request-for-review form or has conducted a full telephone interview with the youth or the parent/guardian, the coordinator will send a copy of the completed form and any other relevant material to the school district.

The school district must send a written response to the state and to the person filing the state review request within five business days from the date it receives the request-for-review form.

Responsibilities of the youth or the parent/guardian

The unaccompanied youth or the parent/guardian of the homeless child must complete and return the request-for-review form to the address designated on the form or must telephone the state department of education coordinator in the Office of Coordinator for Education of Homeless Children and Youth and make an oral report on the circumstances surrounding the request for review (1-888-565-7261).

The youth or the parent/guardian either may attach to the form any additional information he/she thinks is relevant or may telephone the coordinator and provide the information orally.

Responsibilities of the state department of education coordinator

The coordinator will conduct all state reviews requested by unaccompanied youths or the parents/guardians of the homeless children.

The coordinator will review all written documents submitted concerning the particular dispute. The coordinator may request additional information from the parties in making his/her determination.

The coordinator will make a final decision within 10 business days of receiving the written response from the school district. The decision of the coordinator is binding and will be effective immediately.

**WRITTEN NOTIFICATION OF ENROLLMENT DECISION
(Denial of Enrollment Request)**

To be completed by the receiving school when an enrollment request is denied.

Date: _____

School: _____

Person completing form: ____

Title: _____

In compliance with Section 722(g)(3)(E) of the McKinney-Vento Homeless Education Assistance Act of 2001, this written notification is provided to the following.

Student(s): _____

After reviewing your request to enroll the student(s) listed above, the enrollment request is denied. This determination was based upon the following.

You have the right to appeal this decision by completing form JFABD-E(3) or by contacting the school district's local homeless education coordinator.

Liaison's name: _____

Title: _____

Phone number: _____

In addition:

- The student listed above has the right to immediately enroll in the school of choice pending resolution of the dispute.
- You may provide written or verbal documentation to support your position. You may use form SS-E(3) attached to this notification .
- You may complete the appropriate form or contact the state coordinator for homeless education to request a state-level review of the district's final decision regarding an enrollment issue.

Contact information for the state coordinator.

**Brenda Myers
State Department of Education
(1-888-565-7261)**

- You may seek the assistance of advocates or attorneys.

A copy of our state's enrollment dispute resolution process for students experiencing homelessness is attached.

**WRITTEN NOTIFICATION OF ENROLLMENT DECISION
(Dispute)**

This form is to be completed by the parent, guardian, caretaker or unaccompanied youth when a dispute arises. This information may be shared verbally with the local liaison as an alternative to completing this form.

Date submitted: _____ Student: _____

Relation to student: _____

I may be contacted at (phone or e-mail): _____

School: _____

I have been provided with the following.

- ☐ A written explanation of the school's decision.
- ☐ Contact information for the local homeless education liaison.
- ☐ A copy of the state's enrollment dispute resolution process for students experiencing homelessness.
- ☐ A copy of the state's request-for-review form, if applicable.

You may include a written explanation to support your appeal in this space or provide your explanation verbally.

The school provided me with a copy of this form when submitted. _____(initial)

SS - 10 SCHOOL CHOICE

Purpose: To establish the basic structure for offering school choice as part of the district's educational plan.

See SS-3 Assignment of Students to Schools

Persistently dangerous schools

Students who attend a school identified as persistently dangerous, or who are victims of a violent criminal offense occurring in or on the grounds of the school the student attends, must be allowed to transfer to a safe school in the district not identified for improvement.

School choice (Title I schools)

Students enrolled in a Title I school identified for school improvement pursuant to federal law may transfer to another safe public school, including a public charter school, within the district. The transfer will be allowed in accordance with law. The district will give priority to the lowest-achieving children from low-income families. The district will provide transportation.

Schools in the following categories must offer public school choice to their students.

- first year of school improvement
- second year of school improvement
- corrective action
- planning year for restructuring

Students may not transfer to any schools that have been identified for improvement, corrective action or the planning year of restructuring, or that have been identified by the state as persistently dangerous.

The district will identify the schools to which students may transfer on an annual basis.

If an eligible student exercises the option to transfer to another public school, the district must permit the student to remain in that school until he/she has completed the highest grade in the school. However, the district is no longer obligated to provide transportation for the student after the end of the school year in which the student's school of origin is no longer identified for school improvement, corrective action or in the planning year for restructuring.

The district will offer choice to all students in an eligible Title I school until the school is no longer identified for school improvement.

Supplemental Educational Services

Eligible students enrolled in continuing school improvement and corrective action schools who do not request transfers will be eligible for supplemental educational services. These services may include tutoring, remediation and other educational interventions consistent with state academic standards and the content and instruction used by the district. Supplemental services will be provided outside of the school day. Only state-approved providers may be paid from Title I funds.

Parental Notification

The district will notify parents/legal guardians of students attending identified schools in compliance with law. The administration will send out the notification by (date determined annually) or within 10 days of receiving state notification of school status.

Transfer requests must be received by (date determined annually) or 30 calendar days after receipt of notification.

In providing school choice, the district will not discriminate on the basis of race, color, national origin, immigrant status or English-speaking status, sex, disability or age consistent with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 (ADA), and the Age Discrimination Act of 1975.

Adopted 07/10

Legal references:

A. 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.
2. Title VI of the Civil Rights Act of 1964 - Prohibits discrimination on the basis of race, color, national origin, religion or sex.
3. 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. Plyler vs. Doe, 1982.

SS - 11 STUDENT ABSENCES AND EXCUSES

Purpose: To establish the basic structure for allowing and excusing student absences.

The board believes that attendance is a key factor in student achievement. Any absence from school represents an educational loss to the student. However, the board recognizes that some absences are unavoidable.

In order to receive credit for a high school course, a student must attend at least 85 days (for a 90-day semester course) or 170 days (for a 180-day year course). The board may grant approval of excessive absences in accordance with board policy.

The district will utilize a written intervention plan for improving student attendance. The purpose of the plan will be to link students with attendance problems and their families to all appropriate school and community resources.

The board recognizes that truancy is primarily an educational issue and will take all reasonable, educationally sound and corrective actions prior to resorting to the juvenile justice system.

Any student who misses school must present a written excuse **within three (3) days of returning to school**, signed by his/her parent/legal guardian. The excuse will contain such other information as directed by the administration. The school administration will keep all excuses confidential.

If a student fails to bring a valid excuse to school, he/she will automatically receive an unexcused absence. If a student brings a false (or forged) excuse, the teacher will refer the student to the school administration for appropriate action.

The district will consider students lawfully absent under the following circumstances. (Note: board may include other reasons here.)

- They are ill and their attendance in school would endanger their health or the health of others.
- There is a death or serious illness in their immediate family.
- There is a recognized religious holiday of their faith.
- Prearranged absences for other reasons and/or extreme hardships at the discretion of the principal.

The district will consider students unlawfully absent under the following circumstances:

- They are willfully absent from school without the knowledge of their parent/legal guardian.
- They are absent without acceptable cause with the knowledge of their parent/legal guardian.

Suspension is not to be counted as an unlawful absence for truancy purposes.

The principal will be responsible for implementing and expediting medical homebound instruction for students experiencing a prolonged illness or injury requiring them to be absent from school.

The board of trustees designates the principal of the school to promptly approve or disapprove any student's absence of more than 10 days.

Unlawful absences

A student ages six to seventeen years who has three consecutive unlawful absences or a total of five unlawful absences is considered truant as defined by state board of education regulation.

A student ages twelve to seventeen years who fails to comply with the school's intervention plan and accumulates two or more additional unlawful absences is considered a habitual truant.

A student ages twelve to seventeen years who has been through the school intervention process, has reached the level of a habitual truant, has been referred to family court and placed on an order to attend school and continues to accumulate unlawful absences is considered a chronic truant.

Intervention

In order to encourage and assist students in attending school regularly, the administration will administer the following intervention procedures.

Once a student is determined to be truant, school officials will make every reasonable effort to meet with the parent/legal guardian to identify the reasons for the student's continued absence, including telephone calls, home visits, written messages and e-mails.

A written intervention plan will be developed by school administrators in conjunction with the student and the parent/legal guardian. The intervention plan must include, but is not limited to, the following:

- a designated person to lead the intervention team (may be someone from another agency)
- reasons for the unlawful absences
- actions the parent/legal guardian and student will take to resolve the causes of the unlawful absences
- documentation of referrals to appropriate service providers and, if available, alternative school and community-based programs
- actions to be taken by intervention team members
- actions to be taken in the event unlawful absences continue
- signature of parent/legal guardian or evidence that attempts were made to include them
- documentation of involvement of team members
- guidelines for making revisions to the plan

School officials may utilize a team intervention approach to include representatives from social services, community mental health, substance abuse and prevention, and other persons deemed appropriate in formulating the intervention plans.

Referrals and judicial intervention

The district will not refer a child age six to seventeen years to the family court to be placed on an order to attend school prior to the written intervention plan being completed by the school with the parent/legal guardian. The district will not use a consent order from any local school or district as an intervention plan.

Refusal by the parent/legal guardian to cooperate with school intervention planning can result in a referral of the student to family court and the filing of a report against the parent/legal guardian with social services in accordance with law.

The district will inform the parent/legal guardian and/or the student of their right to have legal representation and their right to a trial at this time.

If the situation continues to where the student is classified as a habitual truant, school officials may file a petition for a school attendance order. Once a school attendance order has been issued by the family court and the student continues to accumulate absences to the point of becoming a chronic truant, school officials may refer the case back to family court. The school and district will exhaust all reasonable alternatives prior to petitioning the family court to hold the student and/or parent/legal guardian in contempt of court.

Transfer to another school

If a student transfers to another public school in the state, the district will forward the student's intervention plan to the receiving school.

Approval of absences in excess of 10 days

After 10 lawful or unlawful absences or a combination thereof, the principal of the school will approve or disapprove each succeeding absence.

Furthermore, in order to more fully clarify unusual or unexpected mitigating circumstances, each school principal should evaluate individually and approve the following lawful absence situations:

- family educational trips
- community and church related performing groups
- organized competitive events or related activities

Approval as determined by the Principal

Certain factors will be considered including academic performance, attendance history and academic standing.

Make-up work

In order to receive one Carnegie unit of credit, a student must be in attendance at least 120 hours per unit, regardless of the number of days missed. Therefore, districts should allow students whose excessive absences are approved to make up work missed to satisfy the 120-hour requirement. Examples of make-up work that address both time and academic requirements of a course may include the following. Student receives one day to complete make-up work for each day of absence.

- after-school and/or weekend make-up programs
- extended-year programs

PAGE 4 SS – 11 STUDENT ABSENCES AND EXCUSES

All make-up time and work must be completed within 30 days from the last day of the course. The board or its designee may extend the time for completion of the requirements due to extenuating circumstances as prescribed by state board of education guidelines.

School principals will exert every realistic effort to provide assurance that this regulation is adhered to in a fair and consistent manner. Principals will place special emphasis on coordinating implementation affecting students within the same family.

Adopted 7/18/01; Revised 07/10; Revised 04/13

Legal references:

- A. Federal law:
 - 1. 20 U.S.C. Section 7112 (2002) - No Child Left Behind Act of 2001.
 - 2. 42 U.S.C. Section 5601, et seq. (2002) - Juvenile Justice and Delinquency Prevention Act of 1974.
 - 3. McKinney-Vento Homeless Education Improvements Act of 2001, P.L. 107-110, 42 U.S.C. Sections 11431-11435
- B. S. C. Code, 1976, as amended:
 - 1. Section 59-65-90 - State Board to establish rules and regulations defining lawful and unlawful absences.
- C. State Board of Education Regulations:
 - 1. R-43-274 - Student attendance.

SS - 12 RELEASED TIME FOR RELIGIOUS INSTRUCTION

Purpose: To establish the basic structure for released time for students for religious instruction.

The board will release students in grades K through 12 from school, at the written request of their parent/legal guardian, for the purpose of religious instruction for a portion of the day. The school will consider this a lawful absence.

The board will not allow the student to miss required instructional time for the purpose of religious instruction. Any absences for this purpose must be during non-instructional periods of the school day.

When approving the release of students for religious instruction, the board assumes no responsibility for the program or liability for the students involved. Its attitude will be one of cooperation with the various sponsoring groups of the school district.

The sponsoring group or the student's parent/legal guardian is completely responsible for transportation to and from the place of instruction. The district assumes no responsibility or liability for such transportation.

Religious instruction must take place away from school property and at a regularly designated location.

District officials will ensure that no public funds will be expended to support a released time program and that district staff and faculty will not promote or discourage participation by district students in a released time program.

The following guidelines apply to released time for religious instruction for students:

- Parents/Legal guardians must submit a written request to the principal of the school at the beginning of the school year for released time for their child. The request must include the number of weeks, days of the week and times the student will be attending religious classes.
- Released time for religious instruction will occur only during elective or non-instructional time.
- The school will not release students for classes in excess of 5 hours per week.
- The school will not release students without parental permission.
- The sponsoring group will maintain attendance records and make them available to the student's school upon request.
- The sponsoring group is responsible for supervision, security and liability for students in the program and must assure this responsibility in writing.
- If classes must be cancelled due to emergencies or bad weather, the sponsoring group will contact the school in sufficient time to hold the student in school.
- Students are responsible for any missed assignments as a result of released time.

Elective credit

PAGE 2 SS – 12 RELEASED TIME FOR RELIGIOUS INSTRUCTION

The district may award high school students no more than two elective Carnegie unit credits for classes in religious instruction taken during the school day in accordance with this policy. The district will evaluate the classes on the basis of purely secular criteria prior to awarding credit.

Adopted 07/10

Legal references:

- A. S. C. Code of Laws, 1976, as amended:
 - 1. Section 59-1-460 - South Carolina Released Time for Religious Education Act.
 - 2. Section 59-39-112 - South Carolina Released Time Credit Act.
- B. State Board of Education Regulations:
 - 1. R43-234 - Defined program, grades 9-12.

SS - 13 - STUDENT RIGHTS AND RESPONSIBILITIES

Purpose: To establish the board's vision for student rights and responsibilities.

The board believes that students have rights that should be recognized and respected. It also believes that every right carries with it certain responsibilities.

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.

Students have civil rights, including the right to equal educational opportunity and freedom from discrimination. They have the responsibility not to discriminate against others.

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.

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.

Students have the right to free inquiry and expression. They have the responsibility to observe reasonable rules regarding these 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.

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.

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.

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 7/18/01; Revised 07/10

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.

SS -14 SEXUAL HARASSMENT OF STUDENTS

Purpose: To establish the basic structure for dealing with allegations of sexual harassment of students.

Sexual harassment of students by employees, other students or third parties is prohibited. All employees, students and third parties associated with schools must avoid any action or conduct which could be viewed as sexual harassment. This includes any action or conduct communicated or performed in person, in writing or electronically through such means as a telephone, cell phone, computer or other telecommunication device and includes text messaging and instant messaging.

The superintendent directs district and school employees to take prompt, appropriate and responsive action to end sexual harassment and to prevent its reoccurrence. Teachers and school administrators are expected to use judgment and common sense, which are important elements of a proper response to a particular allegation of sexual harassment of a student or inappropriate conduct of a sexual nature directed towards a student.

Any student who feels he/she has been subjected to sexual harassment or the parent/legal guardian of a student who feels his/her child has been subjected to sexual harassment is encouraged to file a complaint in accordance with the procedures described in this administrative rule. All allegations will be investigated promptly, thoroughly and impartially to determine what occurred. In the interim and at the conclusion of the investigation, appropriate steps will be taken to effectively address the situation.

Students who file a complaint of sexual harassment will not be subject to retaliation or reprisal in any form. Any employee or student who is found to have engaged in sexual harassment or inappropriate conduct of a sexual nature 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, and all other appropriate steps will be taken to correct or rectify the situation.

These procedures are intended to do the following

- discourage employees, students and third parties from subjecting district students to sexual harassment
- promote a harassment-free school environment
- establish ongoing education and awareness of the problem of sexual harassment
- provide information about how to report allegations of sexual harassment
- ensure a prompt, thorough and impartial investigation of sexual harassment allegations
- effectively and appropriately address all sexual harassment found to have occurred or be occurring

Types of behavior which constitute sexual harassment

Quid pro quo sexual harassment

A school employee explicitly or implicitly conditions a student's participation in an educational program or activity or bases an educational decision on the student's submission to unwelcome sexual advances, requests for sexual favors or other verbal, nonverbal or physical conduct of a sexual nature, whether the student resists or submits to the conduct.

Hostile environment

An employee, student or third party engages in such conduct as inappropriate sexual advances, requests for sexual favors or other verbal, nonverbal or physical conduct of a sexual nature which is sufficiently severe, persistent or pervasive that it limits a student's ability to participate in or benefit from an education program or activity or creates a hostile or abusive educational environment.

Preventive action

The district will designate a Title IX coordinator(s). The name, address and business telephone number of the coordinator(s) will be disseminated throughout the district and be made available to students and/or parents/legal guardians.

Periodically, the district will ensure the following.

- Information is made available to students about the nature of sexual harassment, the procedures for making a complaint and the possible redress which is available. Such information will stress that the district does not tolerate sexual harassment and that students can report inappropriate behavior of a sexual nature without fear of adverse consequences. The information provided will take into consideration and be appropriate to the ages of students. Written summaries of sexual harassment procedures are included in student/parent handbooks or other appropriate documents distributed to students and/or parents/legal guardians.
- Each school has selected a male and a female administrator or faculty member to serve as the school's sexual harassment contact person.
- All administrators and designated sexual harassment contact persons are informed of the district's sexual harassment procedures and understand how to implement them. For example, they will be made aware of the conduct that constitutes sexual harassment, the district's commitment to eliminating and avoiding sexual harassment in the schools, the penalties for engaging in harassment, the procedures for reporting incidents of sexual harassment and the procedures for conducting a sexual harassment investigation.
- All certified and classified employees are informed about the nature of sexual harassment and the district's general procedures for handling and reporting student complaints.
- Information from the office of civil rights (OCR) about filing claims of sexual harassment with OCR is made available to students and parents/legal guardians.

Reporting and response procedures

Any student who feels that he/she has been the object of sexual harassment is encouraged to file a complaint with his/her principal or one of the designated school contact persons (except for situations covered below). Such a complaint may also be

filed by the student's parent/legal guardian [see complaint form SS-14(E) which may be used to file a complaint].

Under no circumstances will a student be required to first report allegations of harassment to the principal or a school contact person if that person is the individual who is accused of the harassment. In such cases, the student or the student's parent/legal guardian will file the complaint with another contact person at the student's school or with the district Title IX coordinator(s). In cases where the contact person is subordinate to the person accused of the harassment, the complaint will be forwarded directly to the district Title IX coordinator(s).

If any employee receives a complaint of sexual harassment or observes any behavior which could amount to sexual harassment, the employee will transmit the complaint to one of the school's designated contact persons or report the behavior to the principal or one of the school contact persons as soon as practicable. Conduct to be reported includes sexual graffiti on school property, hazing of students, *text messaging*, etc. All principals and/or school contact persons will report any incident of alleged sexual harassment reported to them to the district Title IX coordinator(s) as soon as practicable

If a student alleges that he/she is the victim of sexual harassment, the school should promptly attempt to notify the student's parent/legal guardian. The principal, school contact person and/or the Title IX coordinator(s) should initially discuss with the student and if appropriate, his/her parent/legal guardian what actions are being sought and the investigation procedures that will be followed. Interim measures designed to protect the student from further harassment during the investigation of a complaint should be taken where appropriate.

In cases involving potential criminal conduct or where a child's physical or mental health or welfare has been or may be adversely affected by sexual abuse, appropriate school personnel should report the situation to appropriate authorities in accordance with South Carolina Code Ann. Section 20-7-510 and/or Section 59-24-60.

The Title IX coordinator(s) and the school principal and/or one of the school contact persons will promptly initiate an investigation of the alleged sexual harassment. The investigation will include appropriate steps to determine what occurred and to take actions reasonably calculated to end the harassment, eliminate the hostile environment if one has been created and prevent harassment from occurring again. The school will take steps to assist in remedying the effects of harassment on the individual student or students subjected to the harassment. However, the district is not obligated for any expenses associated with a student's participation in private counseling or medical services.

The district will be responsible for ensuring that reasonable efforts are made to prevent public disclosure of the names of all parties involved in the sexual harassment allegation, except to the extent necessary to carry out an investigation and comply with statutory obligations.

If the investigation determines that sexual harassment has occurred, the district or school administration will take reasonable, timely, age-appropriate and effective corrective action.

Examples of corrective action include, but are not limited to, the following.

- disciplinary action against the harasser, 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 sexual harassment
- independent reassessment of student work
- tutoring
- referrals to counseling services

The principal or the Title IX coordinator(s) will report the general results of any investigation of sexual harassment, including corrective action taken, to the superintendent or his/her designee. The student and his/her parents/legal guardians will be informed that appropriate actions were taken and will be advised how to report any subsequent problems.

All principals and/or school contact persons will follow up periodically on any incident of sexual harassment they were involved in investigating to determine whether the student has been subjected to any further sexual harassment since the corrective action was taken.

In the event that a school learns of possible harassment through other means than a student, parent/legal guardian or employee complaint, such as a witness to an incident or anonymous letter or telephone call, the administration will consider the following factors in formulating an appropriate response.

- source and nature of the information
- seriousness of the alleged incident
- specificity of the information
- objectivity and credibility of the source of the report
- whether any individuals can be identified who were subjected to the alleged harassment
- whether those individuals want to pursue the matter

If, based on these factors, it is reasonable for the school to investigate and the principal, school contact person and/or the Title coordinator(s) can confirm the allegations, the investigation will proceed as delineated above.

Additional obligations of all employees and students

All employees and students will report to the principal, school contact persons or in appropriate cases the employee's immediate supervisor, any conduct on the part of third parties, such as sales representatives or service vendors, which is believed to constitute sexual harassment.

All employees and students will cooperate with and maintain the confidentiality of any investigation of alleged acts of sexual harassment conducted by the district or by an appropriate governmental agency. Failure to do so could result in disciplinary action against the individual who failed to cooperate or who violated the confidentiality of the matter.

No employee or student of this district will take any action to discourage any student from reporting alleged sexual harassment. However, any person who intentionally provides false information in connection with a report or investigation of sexual harassment may be subject to disciplinary action.

No employee or student of this district will retaliate in any way against an employee or student who has provided information regarding an incident of sexual harassment.

Adopted 7/18/01; Revised 07/10

Legal references:

B. Federal statutes:

3. Title VI of the Civil Rights Act of 1964 - Prohibits discrimination on the basis of race, color, national origin, religion or sex.
4. 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:

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

SEXUAL HARASSMENT COMPLAINT FORM

Name of student complainant: _____

Address: _____

Phone number: _____

Parent/Legal guardian's name: _____

School: _____ Grade: _____

Name(s) of alleged harasser(s): _____

Approximate date(s) of alleged harassment or when harassment began, if ongoing: _____

Location or situation where alleged harassment occurred, or is occurring: _____

Nature of the harassment: _____

Other individuals in whom you have confided about the alleged sexual harassment: _____

Individuals who you believe may have witnessed, or also been subjected to, the alleged sexual harassment: _____

Remedy sought: _____

Signature of complainant or complainant's parent/legal guardian

Date

Signature of individual receiving complaint

Date

SS - 15 STUDENT INVOLVEMENT IN DECISION MAKING

Purpose: To establish the board's vision for students' involvement in the decisions that affect them.

The board recognizes the value of student participation in decision making for the school district. The board encourages students to attend school board meetings and take part in the public participation periods. Students share with the board, the administration and the faculty the responsibility for developing a climate in the school that is conducive to wholesome learning and living.

The board encourages students to express their opinions in establishing policies in the area of student privileges and other areas of student activities. The board encourages principals to develop procedures for meaningful involvement of students in school government.

In the development of rules, regulations and arrangements for the operation of the school system, the superintendent will include at the planning stage, whenever feasible and appropriate, a representative of those students who will be affected by such provisions.

Adopted 07/10

SS – 16 SUSPENSION AND EXPULSION PROCEDURES

Purpose: to establish the basic structure for student discipline and appeals.

A safe and orderly environment is necessary in order to support student learning in schools. Laws are established in S.C. to provide for removal of disruptive students. In accordance with section 59-63-210 Code of Laws of South Carolina, 1976, the Board of Education 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 of Education 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 the school.

Student Suspension Procedure

It is the policy of Beaufort County School District 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 district administrative rules.

The superintendent delegates the power of suspension to district and school leaders. Administrators may suspend a student for the commission of any crime, gross immorality, gross misbehavior, persistent disobedience or the violation of district policies or State Board of Education regulations. When substantive evidence is provided, administrators may also suspend a student when the presence of the student is detrimental to the best interest of students, the school or district.

Suspension is defined as removal of a student from regular class participation for less than a semester. By administrative rule, a principal may suspend a student for no more than eight (8) school days for any one offense unless expulsion proceedings are being taken. The Beaufort County School District Board of Education has established a process for the orderly management of this activity.

If, after the conference with the administrator, the parent/legal guardian believes the student's suspension was unjustified, an appeal of the suspension may be made to the building Principal. To request a suspension appeal, the parent/legal guardian must contact the Principal within five days after the conference with the school administrator, advising the Principal why it is believed the suspension was unfair. The appeal will be conducted as an informal hearing before the Principal. The 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 ten 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 that the suspension was not proper, 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 suspensions.

Expulsion and Disciplinary Hearing Procedures

It is the policy of Beaufort County School District to provide due process ~~of law~~ to students, parents/legal guardians and school personnel through procedures for the suspension and expulsion of students pursuant to the requirements of federal law, state law and regulations and district administrative rules.

For serious offenses as specified in the district discipline code, administrators may suspend a student and recommend expulsion, pending a disciplinary hearing. When a student is recommended for a disciplinary/expulsion hearing, the Superintendent delegates the responsibility for the evidentiary hearing to the Hearing Officer. The Hearing Officer hears the case, weighs the evidence and decides whether or not a student shall be returned to school, assigned to alternative learning setting in lieu of expulsion, or expelled from school.

Expulsion is defined as the removal of a student from the district for a period of time ~~ranging from a semester to permanent removal~~ as determined by the Hearing Officer.

Disciplinary/ Expulsion Hearing

Within ten school days of the hearing, the Hearing Officer shall decide whether the student committed the alleged rule(s) violation or misconduct, based upon the evidence presented at the hearing, and the appropriate punishment. If the Hearing Officer determines that grounds for expulsion exist, s/he may decide to exclude a student for the remainder of the current school year, or permanently expel, or assign punishment other than expulsion, including but not limited to, suspension, assignment to an alternative program and/or probation.

Probation means special restrictions have been placed on the student's right to attend school.

Violations

of these restrictions will result in immediate suspension and a recommendation for expulsion.

Assignment to an alternative learning program means loss of the right to participate in activities in the home school during the period the student is assigned to the program. Students are expected to keep up with class work during suspension pending the disciplinary hearing by requesting the assignments from their home school. If assigned, a student's failure to report to the alternative learning site within three school days following receipt of the hearing officer's decision will result in truancy action by the District.

Appeal of Decision by the Hearing Officer

Within ten days of a decision of the Hearing Officer to assign a student to an alternative learning program, a parent or school may appeal the decision to the *Disciplinary Appeals Panel*. The appeal

hearing will be held within ten school days of receipt of a written request for an appeal and will typically be limited to the established record and documentary evidence presented by either party. The record will contain the Hearing Officer's decision letter and the appealing party's written notice of appeal. No new testimony will be allowed unless the Disciplinary Appeals Panel requests additional information. The Disciplinary Appeals Panel may uphold, reverse, or modify the decision of the Hearing Officer. A decision shall be rendered within ten school days of the hearing.

The decision of the Disciplinary Appeals Panel ends the appeals process for students given punishment other than expulsion, including but not limited to, suspension, assignment to an alternative program and/or probation. The decision of the Disciplinary Appeal Panel shall be final, and there is no further right to appeal to the Beaufort County Board of Education.

~~Within ten days of a decision of the Hearing Officer to expel a student, a parent may appeal the decision to the Board of Education via written notification. Upon recommendation of the Superintendent the Board of Education will decide whether or not to hear an appeal of an expulsion. If heard, an expulsion appeal will normally be limited to the established record, and no new testimony will be allowed, unless the Board of Education requests additional information. The Board may uphold, reverse, or alter the expulsion decision of the Hearing Officer. If the recommendation for expulsion is reversed upon appeal, all absences resulting from the suspension shall be excused and the student's record cleared. The student will be allowed to make up all missed work.~~

Approved by the Beaufort County Board of Education February 7, 2012.

SS - 17 STUDENT DRESS CODE

Purpose: To establish the superintendent's expectations for student dress code.

Statement of policy

It is the policy of the Beaufort County School District 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.

Statement of purpose

The Beaufort County School District has determined that reasonable regulation of school attire can further important educational interests, including:

- reducing distraction and loss of self-esteem caused by teasing or competition over clothing;
- minimizing disruption from wearing inappropriate clothing or possessing inappropriate items at school;
- providing an environment where students can focus more on learning;
- enhancing school safety by making it harder to conceal weapons or contraband;
- enhancing school safety by helping teachers and administrators identify individuals that are not enrolled in the school when they encounter them on school grounds;
- enhancing school safety by prohibiting gang colors and paraphernalia;
- reducing the cost of school clothing;
- providing an educational environment where financial disparities between students, as reflected in clothing, are minimized;
- creating a greater sense of community and school pride among the students;
- instilling discipline in students;
- helping students and parents to avoid peer pressure;
- helping prepare students for future roles in the workplace; and
- creating an atmosphere reflecting seriousness of purpose about education.

Requirements

Shirts, sweaters and sweatshirts (tops)

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

PAGE 2 - SS - 17- STUDENT DRESS CODE

- Students may wear plain, unhooded sweaters or sweatshirts over school uniforms. The sweaters or sweatshirts may be solid white or school designated colors.

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

- Bottoms may be solid khaki, black or navy.
- Jeans are not permitted. Principals may make exceptions for a specific group such as seniors or for special days.
- Bottoms must be free of graphics and embroidery. With the exception of small labels, bottoms may not have insignias, words or pictures.
- 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.
- Cargo-style pants or shorts are not permitted.
- Clothing may not exceed one 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.
- 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.

Coats and Jackets (Outerwear)

- Outerwear may not be worn inside the school building during the school day.
- Outerwear may be worn during a class change if the student is exiting the building.
- 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.
- The principal and/or the principal’s designee may make an exception if the building/classroom is unusually cold.

Shoes, Sneakers, and Boots (Footwear)

- 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.
- Laces on shoes or sneakers must be tied.
- Flip flops, crocs, or slippers are not permitted.
- Heelies are not permitted.

Other Clothing Items or Accessories

- Students may not wear large pendants or medallions. School administration has the final say on determining whether a pendant or medallion is large or not.
- Any adornment that could be perceived as, or used as, a weapon such as chains, spikes, etc. is not permitted.

PAGE 3 - SS - 17- STUDENT DRESS CODE

- Gang-related clothing, accessories, symbols or intimidating items of dress, as identified by local law enforcement agencies, are not permitted.
- 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.

Other Uniform Requirements

- Students are expected to be dressed according to the uniform standards at all times when school is in session.
- 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.
- 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.
- Clothing designed for school athletic events, e.g., cheerleader outfits, that does not meet the above guidelines shall not be worn during the instructional day unless appropriate additional garments are worn with the outfit.

Enforcement

First Offense: Students shall be informed that they have violated the policy. 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.

Second Offense: A second infraction of the policy shall be considered as defiance. In addition to the disciplinary actions available for a first offense, a parent/guardian conference shall be held.

Third Offense and Additional Offenses: A third or additional infraction of the dress code shall be categorized as a Level 1 Offense as outlined in the Beaufort County School District Code of Student Conduct (~~Policy and Procedure~~), subject to the consequences outlined therein, including out-of-school suspension. Disciplinary action may vary when a student has a record of other student conduct violations during a current school year.

Students who do not comply with the dress code may be excluded from participating in certain extracurricular school programs. Copies of the dress code shall be made available to students and parents.

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

PAGE 4 - SS - 17- STUDENT DRESS CODE

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.

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

Approved by Beaufort County Board of Education on February 17, 2009.

Adopted 7/18/01; Revised 2/17/09; Revised 07/10

SS - 18 CODE OF CONDUCT

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

The district's code of conduct and discipline is established to achieve and maintain order in the schools. In this administrative rule, the administration offers a list of offenses along with the required or recommended dispositions for the information of students, parents/legal guardians and school personnel.

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

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

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

Level I Violations

Level I violation includes any activity in which a student engages that tends to impede orderly classroom procedures or instructional activities, orderly operation of the school, or the frequency or seriousness of which disturb the classroom or school.

Level I violations may include, but are not limited to, the following:

- | | |
|-------------------------------------|--------------------------------------|
| • Inappropriate behavior | • Obscene Gesture |
| • Detention violation | • Parking violation |
| • Sleeping in Class | • Electronic device violation |
| • Food outside cafeteria | • ID violation |
| • Cutting class | • Littering |
| • Cheating (Elementary) | • Excessive noise |
| • Loitering/ Off limits | • In hall without agenda book |
| • Profanity | • Disrespect |
| • Misuse of computer (Elementary) | • Forging notes/ passes (Elementary) |
| • Refusal to obey | • Physical contact/ aggression |
| • Dress code violation (Elementary) | |

The staff will follow these basic enforcement procedures in instances of Level I violations

- When the staff member observes (or is notified about and verifies) an offense, the staff member will take immediate action to correct the misconduct. The staff member will use an appropriate sanction, and maintain a record of the misconduct and the sanction.
- If certain misconduct is not immediately correctable, the staff member should refer the problem to the appropriate administrator for action specified under this policy.
- The administrator should meet with the reporting staff member, and, if necessary, the student and the parent, and should effect the appropriate disciplinary action.
- The administrator will maintain a complete record of the procedures.
- Three referrals for minor violations will result in a referral for major violation.

Level II Violations

Level II violations include those activities in which students engage that are directed against persons or property and the consequences of which tend to endanger the health or safety of themselves or others in the school. Some instances of disruptive conduct may overlap certain criminal offenses, justifying both administrative sanctions and court proceedings.

Level II violations may include, but are not limited to, the following.

- Fighting
- Sexual harassment (Elementary)
- Detention violation
- Smoking/ Possession of paraphernalia
- Racial remarks
- Truant
- Habitual truant
- Chronic truant
- Cutting class
- Habitual tardiness
- Cheating (Middle/ High School)
- Profanity
- Misuse of computer (Middle/ High)
- Tobacco/ Smoking
- Refusal to obey
- Dress code violation (Middle/ High)
- Leaving school
- Leaving class
- Refusal to turn over electronic device
- Contract violation
- Forging notes/ passes (Middle/ High)
- Disturbing school environment
- Bullying, threatening or intimidating (Elementary)
- Gambling
- Theft
- Liquor law violation (Elementary)
- Sexual activity (Elementary)
- Pornography (Elementary)
- Indecent exposure (Elementary)

The staff will follow these basic enforcement procedures in instances of Level II violations:

- When the administrator observes (or is notified and verifies) an offense, he/she will investigate the circumstances of the misconduct and confer with staff on the extent of the consequences.
- The administrator will notify the parent of the student's misconduct and related proceedings.
- The administrator will meet with the student and, if necessary, the parent, confer with them about the student's misconduct and **effect apply** the appropriate disciplinary action.
- The administrator will keep a complete record of **the procedures all matters in PowerSchool.**
- The administration may apply sanctions in cases of disruptive conduct which may include, but are not limited to, the following.
 - Warning
 - Call to parent
 - Detention
 - In school suspension
 - Referral for IEP special review
 - Conference with parent
 - Conference with student
 - Saturday school
 - Out of school suspension
 - Bus suspension
 - Refer to truancy
 - **Recommendation for expulsion**

Level III Violations

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

School administrators will contact law enforcement authorities immediately upon or notice that a person is engaging, or has engaged, in activities on school property at a school-sanctioned or sponsored activity, that may result, or results, in injury or serious threat of injury to the person or to another person or his property.

Level III violations may include, but are not limited to, the following:

- Fighting (Middle/ High)
- Sexual Harassment (Middle/ High)
- Intoxicated
- Bomb Threat (Elementary)
- False fire alarm
- Arson (Elementary)
- Assault, Aggravated (Elementary)
- Simple Assault
- Burglary
- Drug possession (Elementary)
- Extortion (Elementary)
- Bullying, threatening or intimidating (Middle/ High)
- Theft
- Sexual activity (Middle/ High)
- Pornography (Middle/ High)
- Trespassing
- Vandalism (Elementary)
- Weapons Type O (Elementary)
- Weapons Type 1 (Elementary)
- Weapons Type 2 (Elementary)
- Weapons Type 3 (Elementary)

The staff will follow these basic enforcement procedures in instances of Level III violations:

- When an administrator observes (or is notified of and verifies) an offense, the administrator will confer with the staff involved, effect the appropriate disciplinary action, and, if appropriate, meet with the student.
- If warranted, the administrator should immediately remove the student from the school environment. The administrator will notify a parent as soon as possible.
- If appropriate, school officials should contact law enforcement authorities.
- Staff will follow established due process procedures when applicable.
- The administrator will keep a complete record of the procedures.
- The administration may apply sanctions in cases of Level III violations which may include, but are not limited to, the following.
 - Conference with parent
 - Call to parent
 - Detention
 - Saturday school
 - In school suspension
 - Out of school suspension
 - Bus suspension
 - Refer for IEP special review
 - Up to 10 days OSS suspension pending district hearing
 - Refer to law enforcement

Nothing in this policy prohibits the superintendent or other appropriate district-level administrators from directly, or in consultation with appropriate school-level administrators, imposing authorized disciplinary sanctions.

Level IV Violation

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

School administrators will contact law enforcement authorities immediately upon or notice that a person is engaging, or has engaged, in activities on school property at a school-sanctioned or sponsored activity, that may result, or results, in injury or serious threat of injury to the person or to another person or his property.

Level IV violations may include, but are not limited to, the following:

- Gang Activity (Middle/ High)
- Bomb Threat (Middle/ High)
- Arson (Middle/ High)
- Assault, Aggravated (Middle/ High)
- Drug distribution
- Drug possession (Middle/ High)
- Extortion (Middle/ High)
- Forced sex offense
- Fraud
- Homicide
- Liquor law violation (Middle/ High)
- Prostitution
- Robbery
- Possession/ sale of stolen property
- Vandalism (Middle/ High)
- Vehicle theft
- Weapons Type O (Middle/ High)
- Weapons Type 1 (Middle/ High)
- Weapons Type 2 (Middle/ High)
- Weapons Type 3 (Middle/ High)

The staff will follow these basic enforcement procedures in instances of Level IV violations:

- When an administrator observes (or is notified of and verifies) an offense, the administrator will confer with the staff involved, **effect apply** the appropriate disciplinary action, and, if appropriate, meet with the student.
- If warranted, the administrator should immediately remove the student from the school environment. The administrator will notify a parent as soon as possible.
- **If When** appropriate, school officials should contact law enforcement authorities.
- Staff will follow established due process procedures **when as** applicable.
- The administrator will keep a complete record of the procedures.
- The administration may apply sanctions in cases of Level III violations which may include, but are not limited to, the following.
 - Refer for IEP special review
 - Up to 10 days OSS suspension pending district hearing
 - Refer to law enforcement

Nothing in this policy prohibits the superintendent or other appropriate district-level administrators from directly, or in consultation with appropriate school-level administrators, imposing authorized disciplinary sanctions.

Student conduct away from school grounds or school activities

The superintendent expects administrators to take appropriate action when information becomes available about student misconduct away from school grounds or school activities that may have a direct and detrimental effect on, or seriously threaten, the discipline, educational environment, safety or general welfare of students, faculty, staff and/or administrators of the district. When assessing the impact of out-of-school behavior on a district school, the administrator should take into consideration the seriousness of the alleged out-of-school offense and the protection of students, faculty, staff and administrators from the effects of violence, drugs and/or disruptions.

Administrators are directed to evaluate each situation on a case-by-case basis. At a minimum, administrators or their designees should meet with the student upon his/her arrival at school, give the student notice of the concerns based on the reported out-of-school behavior and allow the student an opportunity to present his/her side of the story.

Based upon all of the circumstances, including a finding that the alleged conduct will have a direct and immediate effect on the school or threatens the discipline, educational environment, safety or general welfare of students, faculty, staff and/or administrators of the school, the administration may either permit the student to attend classes as usual or may take appropriate disciplinary action including, but not limited to, in-school suspension or out-of-school suspension in order to conduct an investigation into the matter. The parents/legal guardians of students will be notified of any action taken by the administration and offered the opportunity for a conference with the administration. **Administration in these matters will be the Chief Student Services Officer**

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

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

- returning the student to his/her normal class schedule and removing all evidence of suspension
- placing the student on probation and allowing the student to resume his/her normal class schedule
- placing the student on probation, allowing the student to continue classwork, but restricting the student's participation in extracurricular activities and/or designated school activities, for example, clubs, study halls, pep rallies, student government activities and so forth
- suspending the student
- recommending expulsion of the student from regular school and placement in the district's alternative school
- recommending expulsion of the student for either the remainder of the semester or year

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

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

Extenuating, mitigating or aggravating circumstances

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

Discipline of students with disabilities

Disciplinary process

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

Program prescriptions

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

Suspensions

The administration may suspend a disabled student unless a suspension is prohibited by the student's individual education plan. At the end of the suspension, the school should return the student to the same educational placement, if appropriate. The school may suspend a student for not more than 10 consecutive school days, and for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change in placement under the law).

However, students who bring weapons to school or a school function or knowingly possess or use illegal drugs or solicit the sale of controlled substances or have inflicted serious bodily injury upon another person while at school or a school function may be removed for up to 45 days at a time. If school officials believe that a child with a disability is substantially likely to injure self or others in the child's regular placement, they may ask an impartial hearing officer to order that the child be removed to an interim alternative educational setting for a period up to 45 days.

Expulsions

Expulsion of a disabled student is equivalent to a change in educational placement and therefore requires special procedures. Before a disabled student may be expelled, a multi-disciplinary team must determine whether or not there is a connection or causal relationship between the disabling condition and the misconduct. If so, then expulsion resulting in cessation of educational services for the student would be unallowable.

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

Immediate removal

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

Adopted 7/18/01; Revised 07/10

Legal references:

- A. S.C. Code of Laws, 1976, as amended:
 - 1. Section 59-19-90 - General powers and duties of school trustees.
 - 2. 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.
 - 3. Section 59-67-240 - Other duties of bus driver; discipline of students for misconduct.
 - 4. Section 59-63-280 - Possession of paging devices by public school students; mobile telephones included; adoption of policies.
 - 5. Section 16-3-1040 - Threatening the life, person or family of a public official.
- 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.

SS - 19 STUDENT CONDUCT ON BUSES

Purpose: To establish the basic structure for safe student transportation.

Safety is of prime importance for our students as we transport them 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 Beaufort County School District 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.

The district charges students with the responsibility of conduct that will result in safe transportation, respect for school personnel and respect for other students. The school bus is an extension of school activity. Therefore, the board 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 observe the bus rules.

The bus driver is 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.

The driver will report students who create a disturbance on school buses. The principal or his/her designee as authorized by state law and regulation, may suspend or deny bus transportation to a student whose conduct is persistently and/or flagrantly detrimental to safety and order on the bus.

Use of video cameras

The board supports the use of video cameras as a means to monitor and maintain a safe environment for students and employees. The district may use video cameras on 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. The district may use videotapes as evidence in a student disciplinary proceeding. The videotapes are student records subject to school district confidentiality, board policy and administrative regulations

Student records

The content of the videotapes is a student record subject to board policy and administrative regulations regarding confidential student records. Only those persons with a legitimate educational purpose may view the videotapes.

Notice

The district 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.

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.

Review of videotapes

The school district will review videotapes when necessary as a result of a reported incident. Only those individuals who have a legitimate educational purpose for doing so may view videotapes. The district will keep a written log of those individuals viewing the videotapes. The log will state the time, name of the individual viewing and the date the videotape was viewed.

Video monitoring system procedures

The superintendent, in consultation with the building principals and 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:**

1. The installation and removal of all videotapes 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 videotapes and the operation of the video camera.
2. 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.
3. Each videotape or data file will be labeled with the date, time and bus number when removed from a video unit.
4. Each videotape or data file removed for viewing shall remain in the possession of the Office of Transportation or authorized school-based personnel.
5. The Office of Transportation and authorized school-based personnel shall determine when a videotape or data file removed for viewing shall be re-wound for re-use or when a digital data file shall be deleted.
6. Videotapes and data files will be viewed by authorized Office of Transportation and Student Services personnel. The confidentiality of all persons on videotape or data file shall be protected.
7. Videotapes will be kept in a locked and secure location within the Office of Student Services for the duration of any appeals process.
8. Digital data files will be kept in a password protected file within the Office of Student Services for the duration of any appeals process.
9. Videotapes and data files will be viewed and used by appropriate central office administrators as part of student and/ or employee disciplinary hearings.
10. If a tape is needed in the solution of an employee matter, the tape will be reviewed by the transportation supervisor and/ or the appropriate supervisor.
11. Staff, students, and employees of the contracted bus company are prohibited from tampering or otherwise interfering with the video camera equipment.
12. 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.
13. Camera systems shall be inspected and maintained on a quarterly basis by a member of the Maintenance Department.
14. 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.

Student conduct

The district prohibits students from tampering with video cameras on the school buses. The district will discipline students found in violation of this regulation in accordance with the student behavior code. Students and/or parents/guardians will reimburse the district for any repairs or replacement necessary as a result of the tampering.

Adopted 7/18/01; Revised 07/10; Revised 10/12

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.

SS - 20 SCHOOL-RELATED STUDENT PUBLICATIONS

Purpose: To establish the basic structure for student publications.

The administration believes that student publications are important as part of the district's instructional program and supports the production of student publications as a component of a school's curricula as long as students are willing to accept the responsibilities of the freedoms of speech and of the press. The administration is authorized to make rules as to time and place for distribution of such publications and any other regulations necessary to assure that student publications do not infringe on the rights of others.

The designated sponsor(s) of any officially recognized school-sanctioned and school-financed publication (e.g., newspaper, yearbook, literary magazine, et al.) will assume the initial responsibility of screening and editing all materials earmarked for publication. The school principal or his/her designee will have the final decision regarding all materials to be published. Although journalism students should be given meaningful editorial latitude, the sponsor(s) and the school principal or his/her designee retain the *inherent obligation* to delete any articles or comments likely to create substantial disruption of the school environment or significant interference with school activities.

Any student objecting to a sponsor's, principal's or his/her designee's exercise of discretion in this regard should bring the objection to the attention of the principal in writing. The principal will hold a conference to discuss the complaints with the complainant(s), the sponsor and the principal. It is the principal's responsibility to decide the matter in close consultation with the district superintendent and legal counsel.

Adopted 7/1/8/01; Revised 07/10

Legal references:

A. U. S. Supreme Court:

1. January 13, 1988, Hazlewood vs. Cathy Kuhlmeir - Gives principals new authority to monitor the content of school publications.
2. Morse v. Frederick, 127 S. Ct. 2618 (2007).

SS - 21 SECRET SOCIETIES/ GANG ACTIVITY

Purpose: To establish the basic structure for the district's prohibition of student secret societies and gang activities.

The district 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 board. In establishing such standards, the administration prohibits the presence and activities of gangs on or near school property and at school-sponsored events.

The administration believes that 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 administration prohibits 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.

The administration prohibits 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.

The administration 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.

The administration 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 7/18/01; Revised 07/10

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.

SS - 22 HAZING

Purpose: To establish the basic structure for maintaining a safe, positive environment for students and staff that is free from hazing.

The administration 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 district employee will permit, condone or tolerate any form of hazing.

For purposes of this policy, state law defines hazing 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.”

Any hazing activity, whether by an individual or a group, will be presumed to be a forced activity, even if a student willingly participates.

Any student who feels he/she has been subjected to hazing is encouraged to file a complaint in accordance with administrative rule SS- 23 Harassment, Intimidation or Bullying. All complaints will be investigated promptly and confidentially. The administration prohibits retaliation or reprisal in any form against a student who has filed a complaint of hazing.

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.

The superintendent will be responsible for ensuring notice of this policy is provided to students, staff and parents/legal guardians.

Adopted 07/18/01; Revised 07/10

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.

SS - 23 HARASSMENT, INTIMIDATION OR BULLYING

Purpose: To establish the basic structure for maintaining a safe, positive environment for students and staff that is free from harassment, intimidation or bullying.

The district believes that a safe and civil environment in school is necessary for students to learn and achieve high academic standards.

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 district prohibits acts of harassment, intimidation or bullying on school property, at district or school sponsored functions, on school buses or other district vehicles and at school bus stops.

The district 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.

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.

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

Reporting

Any student who feels he/she has been subject to harassment, intimidation or bullying is encouraged to file a complaint with the principal or other designated contact person. Such a complaint may also be filed by a student's parent/legal guardian. If an employee receives a complaint of harassment, intimidation or bullying or observes any behavior which could amount to harassment, intimidation or bullying, the employee **must** transmit the complaint to the school's principal or other designated contact person as soon as practicable.

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.

The district 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 and comply with statutory obligations.

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.

Consequences for engaging in harassment, intimidation or bullying

If the investigation determines that harassment, intimidation or bullying has occurred, the administration will take reasonable, timely, age-appropriate and effective corrective action. 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.

Individuals, including students, employees, parents/legal guardians and volunteers, may also be referred to law enforcement officials. The district will take all other appropriate steps to correct or rectify the situation.

Consequences for retaliation or false accusations

The district 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 district 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 or his/her designee and may range from positive behavioral interventions to disciplinary actions, up to and including suspension or expulsion for students and termination for employees.

Notification and distribution of district expectations

The principal of each school annually will ensure that appropriate staff members review the policy on 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.

Annually, this policy will be disseminated to all staff members, students and parents/legal guardians along with a statement explaining that it applies to all applicable acts of harassment, intimidation or bullying that occur on school property, at district or school sponsored functions, on school buses or other district vehicles and at school bus stops.

Adopted 7/18/01; Revised 07/10

Legal references:

- A. S. C. Code, 1976, as amended:
 - 6. Section 16-3-510 - Organizations and entities revised.
 - 7. Section 59-19-90 - General powers and duties of school trustees.
 - 8. 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.
 - 9. Section 59-63-275 - Student hazing prohibited.
 - 10. Section 59-67-240 - Other duties of bus driver; discipline of students for misconduct.
 - 11. 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.

SS - 24 TOBACCO USE BY STUDENTS

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 Board of Education reaffirms that one of the best methods of instruction is one that is provided with a 100% tobacco-free, smoke-free environment.

Goals: The goal of this policy is to provide 100% tobacco- free, smoke- free environment for all students, staff and visitors within all of its facilities, vehicles, grounds and at all sponsored events. This goal will be achieved by:

- Exhibiting healthy behavior for all students, staff, visitors, and the entire community
- Utilizing proved and effective science- based tobacco use prevention curricula; and
- Providing access to cessation counseling or referral services for all students and staff.

Procedures: As a school district within the State of South Carolina, we will:

- Prohibit the use and/or possession of all tobacco products or paraphernalia including but not limited to cigarettes, cigars, pipes, bidis, kreteks, smokeless tobacco and snuff **by all students, staff and visitors.**
- 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.
- Provide and/or refer to cessation services separately for students and staff.
- Ensure that violations of the SC Youth Access to Tobacco Prevention Act of 2006 are communicated to appropriate law enforcement agencies.

Enforcement

The Beaufort County School District will enforce this policy by determining appropriate disciplinary actions for violators (students, faculty, visitors). Actions may be inclusive of the following:

- Students: parent/ administrator conferences, mandatory enrollment in a tobacco prevention education program, community service, in-school suspension, out of school suspension, and suspension from extracurricular activities.
- Staff: verbal reprimands, written notification placed in personnel file, suspension, and mandatory enrollment in a tobacco education program or voluntary enrollment in a cessation program.
- Visitors: verbal requests to leave school property, forfeiture of any fee charged for admission and prosecution for disorderly conduct after repeated offenses.

Education and Assistance

As a school-based institution, we 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.

Tobacco Industry Marketing or Sponsorship

The district will not accept any contributions or gifts, money or materials from the tobacco industry. This district will not participate in any type of services that are funded by the tobacco industry. In addition, any gear, paraphernalia, clothing, etc, that advertises 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 7/18/01; Revised 07/10

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.

SS - 25 DRUG AND ALCOHOL USE BY STUDENTS

Purpose: To establish the basic structure for the board's prohibition of student drug and alcohol use.

No student, regardless of age, will possess, use, sell, purchase, barter, distribute or be under the influence of alcoholic beverages or other controlled substances in the following circumstances.

- on school property (including buildings, grounds, vehicles)
- 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)
- during any field trip
- during any trip or activity sponsored by the board or under the supervision of the board or its authorized agents

No student will aid, abet, assist or conceal the possession, consumption, purchase or distribution of any alcoholic beverage by any other student or students in any of the circumstances listed above.

No student will 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.

All principals will 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.

Principals will suspend students who violate this policy and may recommend them for expulsion. The board intends to expel all students who distribute any controlled substance on school grounds.

Adopted 7/18/01; Revised 07/10

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.

SS - 26 WEAPONS IN SCHOOL

Purpose: To establish the basic structure for the board's prohibition of student possession of weapons.

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 deadly 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.

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.

Level of offense

It is a felony offense, punishable by a fine of \$1,000 or imprisonment for five years, or both, to carry a weapon as referenced above on school property.

It is a misdemeanor offense, punishable by a fine of up to \$500 or imprisonment for up to 90 days, to carry a concealed dirk, slingshot, metal knuckles, razor or other deadly weapon.

Weapons (firearms)

NOTE: The following is directed specifically by the Gun-Free Schools Act 20 U.S.C. 7151.

The board will expel any student who brings a weapon to school. 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 period of expulsion will be no less than one year.

The board directs the superintendent to bring recommendations for expulsion consistent with this policy except that the superintendent, on a case-by-case basis, may modify this expulsion requirement.

The district will not provide educational services in an alternative setting to students expelled under this policy.

The district will refer each expelled student to the local county office of the Department of Juvenile Justice.

Adopted 7/18/01; Revised 07/10

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

~~SS - 27 POSSESSION/USE OF ELECTRONIC COMMUNICATION DEVICES IN SCHOOL~~

~~Purpose: To establish the basic structure for student possession/use of electronic communication devices in the schools of the district.~~

~~For purposes of this policy, electronic communication devices are defined as any device (including cellular telephones) that emits an audible signal, vibrates, displays a message or otherwise summons or delivers a communication to the possessor.~~

~~The District prohibits the use of cell phones or other telecommunication devices during the school day. **Violators may have their phones or other devices confiscated by the school administration and returned to the parent/guardian in a manner depending on whether the offense is a first, second or third offense. Phones must be turned off during the school day and must be kept out of sight.** Pagers (beepers) are prohibited for students while on school property or attending a school sponsored or school related activity on or off school property.~~

~~Consequence-~~

~~1st offense: _____ Parent notification: phone or other devices _____
_____ confiscated and returned to parent.~~

~~2nd and repeated offenses: _____ Phone confiscated and suspended.~~

~~A student may possess an electronic communication device in school under the following circumstances:~~

- ~~(1) _____ a student under age 18 may possess a paging device if the student needs the paging device for a legitimate medical reason or~~
- ~~(2) _____ a student age 18 or over may possess a paging device if the student is an active member of a volunteer firefighting organization, the student is an active member of a volunteer emergency services organization, or the student needs the paging device for a legitimate medical reason.~~

~~Before a student may have a paging device or other telecommunications device at school, the principal must have written, approved evidence on file of the student's medical need or membership in voluntary firefighting or emergency medical service organization. The principal of each school will decide what constitutes a legitimate medical reason consistent with any guidelines established by the District and/ or by the State Department of Education. A student who has a paging device without permission as outlined in this policy is subject to discipline as provided by Board policy. A person who finds a student in possession of a paging device, or other telecommunications device, without appropriate, prior permission must report the student to the school principal,~~

~~A student in possession of an electronic communication device in conflict with this policy (may/will) have the device confiscated and is subject to discipline as provided under the district's code of student conduct. The student's parent/legal guardian may pick up the confiscated device from the school at (district needs to decide details here: their convenience, within 10 days, at the end of the school year, etc.).~~

Cf. JICDA

Adopted 7/18/01; Revised 07/10

Legal references:

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

~~— 1. Section 59-63-280 — Possession of paging devices by public school students; mobile telephones included; adoption of policies.~~

SS - 27 Possession/Use of Electronic Communication Devices In School

1/13

Purpose: To establish the basic structure for student possession/use of electronic communication devices in the schools of the district.

For purposes of this policy, electronic communication devices are 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. Examples of electronic communication devices include computers, tablets, e-readers, cellular telephones, pagers, portable media players, video gaming systems, GPS instruments, and digital cameras and camcorders.

Student use of electronic communication devices while on school property (including school buses), attending school-sponsored activities, or using the district technology system may only be done in accordance with document I-40-R(3): *Student Acceptable Use Guidelines for Technology*.

Consequences

Violations of this policy will be handled in accordance with document I-40-R(3): *Student Acceptable Use Guidelines for Technology*.

Use Guidelines for Technology.

Additionally, a student in possession of an electronic communication device in conflict with this policy may have the device confiscated and is subject to discipline as provided under the district's *Code of Conduct and Discipline*. The student's parent/legal guardian may pick up the confiscated device from the school at the convenience of the administration, within 10 days of confiscation. The school or school district assumes no responsibility for electronic devices brought to school or on the bus! Cf. SS-18.

Adopted 7/18/01; Revised 7/10; Revised 11/12

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.

Beaufort County School District Acceptable Use Policy for Technology

The Beaufort County School District makes a variety of communication and information technologies available to authorized users. When properly used, these technologies promote the District's instructional and business purposes. Illegal, unethical, or inappropriate use can have significant negative consequences for the District, its students, and its employees. This policy is intended to minimize the likelihood of such harm by setting standards which protect the District, its users, its data, and its systems.

Scope

This policy governs the use of all electronic systems owned, provided, or subscribed to by the District, including computers and computer-like devices, mobile devices, voice and data communication systems, networks, software, and services. It applies to all users (students and adults) of these systems, on or off District property, at all times.

District employees, contractors, and vendors will sign this policy prior to account access. Students are bound by an opt-out mechanism: parents not wishing for their child to be allowed access to computer networks, Internet, or other communication services must so indicate in writing to the school's Principal.

Under certain circumstances, personally-owned computing and communication devices may be allowed on District property. These non-District-owned devices access District services, networks, data, and services, and as such are bound by this policy. Such devices are the sole responsibility of the owners.

Guest user access can be arranged for lecturers, program presenters, or other event-based needs by arrangement with Technology Services. The Technology Services Help Desk can provide credentials for such users who are bound by this policy. Guest access is limited in terms of Internet and file access.

Network and Internet General Usage

The District employs a variety of technology protection measures to secure and protect data and systems, including filtering Internet content. These protection measures are imperfect and cannot guarantee complete protection.

Access to Technology resources is made available to authorized users in support of the District's instructional and business processes only. Any use of these resources which interferes with these processes is prohibited.

Users of the District's technology systems assume all responsibility for use of the network access accounts issued to them, and for District technology assets issued to them or entrusted to their use and care.

The District prohibits the use of its resources to view, access, download, store, or transmit any material which is in violation of any District policy or rule, or violates any local, state, or federal law or regulation. Prohibited material includes but is not limited to:

- Obscenity or pornography

- Threats against persons or property
- Material which could reasonably be construed as harassing, bullying, or discriminatory
- Material used to further any commercial business, political party, or other organization not specifically endorsed or supported by the District
- Material protected by copyright or trade secret; plagiarism
- Material which is potentially disruptive of the District's instructional and business processes, including viruses, malware, spam, and tools or software intended to bypass, interrupt, or disable District security, filtering, or data-protection measures

Prohibited activities include but are not limited to:

- Attempts to access data or services to which the user has no District-defined need or permission
- Attempts to bypass, interrupt, or disable District security, filtering, or data-protection measures; hacking
- Use of a network access account other than that issued to you, or allowing (by any means) use of your account by anyone else; impersonation, misrepresentation of identity
- Operating or using a non-District network on District property, such as rogue Wi-Fi, MiFi, mobile hot-spots, or other network technology
- Attaching any personally-owned device to the District's wired network
- Student use of a staff-owned personal device
- Transmission or transportation of confidential or privileged data (such as student information or records, personally-identifying information, District financial data, or personnel data) without authorization, or via a means which make the data subject to loss
- Use of District resources for personal monetary gain; conducting personal financial activities
- Use of District resources to send unsolicited messages unrelated to District business, chain messages, spam, or bulk messages
- Installing software not approved or allowed by Technology Services, particularly any which interfere with the intended operation of the system
- Alteration of or damage to District resources

Personally-owned Devices

The District has a specific wireless network configured for the use of personally-owned laptops or mobile computing devices. When on District property, users of personally-owned devices may access only this wireless network and no other network. This network allows filtered access to Internet, and no access to the District's business network.

Use of personally-owned devices on District property during the school or work day must be clearly related to instructional purposes. Student use in class is at the direction of a teacher. Administrators, Teachers, or Technology Services personnel may prohibit the use of personally-owned devices at any time.

Owners of these devices are solely responsible for the configuration, content, upkeep, and safety of their devices. The District will not assist with configuration, will not troubleshoot issues, and assumes no responsibility for function or safety.

Student Use of Electronic Communication Tools

Electronic communication tools, including, but not limited to, student email accounts, learning management platforms, or District-approved social networking sites, may be provided by the District. Students must abide by the guidelines established in this document while using all electronic communication tools. Students are only permitted to access email accounts provided by the district. Accessing personal email accounts is not allowed.

Student Internet access will be under the direction and guidance of a District staff member. In addition, all students in grades K-12 will receive instruction on Internet safety and cyberbullying each school year.

Confidentiality and Privacy

Information considered to be confidential or personal should not be transmitted via District systems except via means designed or approved for that purpose by Technology Services. The District assumes no responsibility for lost or stolen personal information sent or received via or stored on District systems.

Any data stored on or communication transmitted via its systems should not be considered private. The District maintains the right to examine this information at any time.

Violations and Consequences

Users who observe or become aware of violations of this policy are required to report them to a teacher, administrator, supervisor, or Technology Services immediately. Failure to do so is itself a violation of this policy.

Upon discovery of violations or threats to the proper function of District systems, Technology Services will act to protect data and systems. User account access may be suspended to isolate threats. Account suspension will be communicated to the Principal (in the case of student involvement), to the Supervisor and Human Resources (in the case of employee involvement), or to the sponsoring department (in the case of a vendor or contractor).

Violation of this policy by District employees may result in disciplinary action up to and including dismissal. Disciplinary action is the responsibility of Human Resources. Typically, a first violation may be met with a suspension of access privileges and a formal reprimand. Second or subsequent violations may be dealt with more severely.

Violation of this policy by students is within the scope of the Student Code of Conduct. The school's disciplinary process will be followed.

Violation of this policy by contractors, vendors, or other authorized users who are not District employees may result in revocation of access privilege or other consequence as defined by the District.

Exceptions:

Rapid advances in the state of technology and the District's interest in testing or evaluating new technologies may warrant temporary suspension of certain provisions of this policy. Technology Services will supervise and manage these exceptions during evaluation periods.

Technology Services personnel are exempt from certain provisions of this policy for diagnostic and troubleshooting purposes, provided these exceptions are within the scope of their professional responsibilities.

Limitation of Liability:

Beaufort County School District will not be responsible for damage or harm to persons, files, data, or hardware, including personally-owned devices.

The District employs security and filtering mechanisms and attempts to ensure their proper functioning, but can make no guarantee regarding their effectiveness.

I have read and understand the Beaufort County School District's Acceptable Use Policy for Technology.

Print Name

Signature

Date

SS - 28 PREGNANT STUDENTS/STUDENTS WITH CHILDREN/ MARRIED STUDENTS

Purpose: To establish the basic structure for school attendance of pregnant students, students with children and married students.

Pregnant students, married students and students with children are required to attend school under state attendance laws.

The district attendance supervisor may grant an attendance waiver to a student who has a child if the supervisor determines that suitable day care is unavailable. The student must consult with the district supervisor or his/her designee in a timely manner to consider all available day care options or the district will consider the student to be in violation of the compulsory attendance law which provides penalties for non-attendance.

Title IX regulations of the Educational Amendments of 1972 direct that a pregnant girl who for medical reasons finds it necessary to be on medical homebound instruction must be provided with the same services provided to other students who are on medical homebound instruction..

Adopted 07/18/01; Revised 07/10

Legal references:

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

1. Section 59-65-10, et seq. - Compulsory attendance.
2. Section 59-60-30(e) - Exceptions.

B. United States Code:

1. 20 U.S.C.A. Section 1681. See also 34 C.F.R. Section 106 - Prohibits discrimination on the basis of sex or pregnancy-related conditions in any federally aided school program.

SS - 29 STUDENT INTERROGATIONS, SEARCHES AND ARRESTS

Purpose: To establish the basic structure for conducting searches of students or their property.

The superintendent recognizes that the Fourth Amendment protects citizens, including students, from unreasonable searches. Any person, including students entering the premises of any school in the district will be deemed to have consented to a reasonable search of his/her person and personal property. Accordingly, district administrators and other designated school employees 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 the search, school officials will make every effort to protect the privacy interests of individuals. The district'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.

District administrators and other designated school employees are authorized to conduct reasonable searches according to the procedures outlined herein. In conducting such searches, school employees will make every effort to protect the privacy interests of individuals.

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.

If a properly conducted search yields evidence that 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.

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 that 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 that 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.

Searches of lockers, desks and other school property

The district provides lockers, desks and other such school property to students for their use during the academic year. Because the district 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.

Searches of automobiles on school property

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 parking permit from the designated school administrator. In order to obtain a parking permit, the student must sign a form acknowledging that 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.

Because parking on school premises is a privilege, the school retains authority to conduct routine searches of automobiles parked on school property. The 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.

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 has reason to believe a student is violating school rules and/ or federal or state law, as described in the “reasonableness standard” set forth above. When a school official needs to gain access to the interior of an automobile parked on school premises for purposes of conducting a search in compliance with the “reasonableness standard,” 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.

Searches by canines

The use of trained canines to search for controlled substances, weapons and bombs in schools will be on a random, unannounced bases. At the request of the 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.

Interrogations by school personnel

Teachers and administrators may question students about any matter pertaining to the operation of the school and/or enforcement of its rules. The staff member 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.

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.

Contacting law enforcement

The principal or his/her designees will contact law enforcement immediately upon notice that 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 7/8/01; Revised 07/10

Legal references:

A. U.S. Supreme Court Cases:

Beaufort County Board of Education

(see next page)

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

SS - 30 STUDENT CONCERNS, COMPLAINTS AND GRIEVANCES

Purpose: To establish the basic structure for a student grievance procedure.

The district provides a grievance procedure as a formal method for the resolution of any grievances concerning the treatment of students by district personnel. These grievances may arise from allegations of violations of student legal rights or district policy.

In addition, the superintendent recognizes there may be conditions in the school system that the district could improve and that students should have some means by which they can effectively express their concerns.

The district will resolve student complaints and grievances through orderly processes and at the lowest possible level.

- A teacher will provide any student or his/her parent/legal guardian the opportunity to discuss a decision or situation that the student considers unjust or unfair.
- If the incident remains unresolved, the student, his/her parent/legal guardian or the teacher may bring the matter to the principal's attention for consideration and action.
- The student may also bring the matter to the attention of class officers or the student council (in grades and schools where such are elected) for possible presentation to the principal.
- If the matter is still unresolved after the procedure outlined above, the complaining party may bring the matter to the superintendent or his/her designee for consideration.

Title IX complaints

Students who believe that they have been discriminated against on the basis of their sex have the right to appeal to their principals. If the student is not satisfied with the decision of the principal, he/she may appeal to the district Title IX coordinator and then to the superintendent or his/her designee.

Section 504 complaints

Students who believe that they have been discriminated against on the basis of their disabling condition have the right to appeal to their principals. If the student is not satisfied with the decision of the principal, he/she may appeal to the district Section 504 coordinator and then to superintendent or his/her designee.

Adopted 7/18/01; Revised 07/10

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. Section 504(b) of Rehabilitation Act of 1973 - Prohibits discrimination against "otherwise qualified" handicapped persons by federal grantees.
3. Title IX of the Education Amendments of 1972 - Prohibits sex discrimination by federal education grantees.

B. U.S. Supreme Court:

1. Plyler vs. Doe, 1982.

SS - 31 STUDENT EXTRA-CURRICULAR ACTIVITIES AND ORGANIZATIONS

11/11

Purpose: The Beaufort County Board of Education believes that students who participate in extracurricular activities at their school, including athletics, benefit from their participation in numerous ways.

The district regards student activities as learning experiences and a vital part of the total educational program. The administration should be included in regular curriculum planning, review and evaluation of student activities.

The goals of the board, in encouraging participation in extracurricular activities, are to achieve the following for students.

- Promote a sense of accomplishment.
- Provide leadership opportunities.
- Promote good sportsmanship.
- Encourage self-discipline and individual responsibility.
- Encourage cooperation and concepts of team building.
- Provide healthy outlets for competition and physical fitness.
- Develop personal skills and talents.

The board is authorized to regulate, control or prohibit clubs or other such activities on school property or during school hours. The district sanctions student activities which have traditionally been a part of the overall school program, provided that school personnel properly supervise and operate the activities in accordance with district and school policies. **All Clubs must be sponsored by a staff member, an approved district employee or volunteer.**

The superintendent is responsible for the monitoring of all interscholastic activities other than athletics which are under the jurisdiction of the South Carolina High School League. Rules of the South Carolina High School League govern interscholastic athletics.

The principal or his/her designee will be responsible for overseeing the overall organization of all school-sponsored student activities. The principal or his/her designee will ensure that activities are supervised adequately, that student financial activities are fiscally sound and that all student activities are conducted with the assistance of delegated members of the faculty.

Each school is expected to have an athletic director, coaches and sponsors that are familiar with the expectations of the board and any outside governing body (for example, National Honor Society). Where the South Carolina High School League (SCHSL) is applicable, coaches and athletic directors are responsible for complying with the rules established for participation and with disseminating the rules to each student participant.

Qualifications for membership in student organizations

The public school is a democratic institution which requires that membership in clubs and other organizations of the school be based on objective criteria. These criteria must permit all students to compete for membership without prejudice as to ethnic or racial background, religious beliefs,

sex, disability, immigrant status or English-speaking status, and economic or social conditions or subjective judgment of their peers.

Any combination of scholarship, citizenship, grade level and subject level may be used as the basis for selecting students for membership.

Special proficiency will be evaluated by certificated personnel on the basis of predetermined standards.

Under no circumstances is the membership in a school club to be determined by the subjective judgment of students constituting the club.

Eligibility to participate

A student who is suspended from school is not eligible to practice, play or attend any meeting during the time of suspension. If the suspension includes the last day of school before a vacation or weekend, the student becomes eligible the next calendar day after the last day of the suspension.

A student who is absent from school will not be allowed to practice 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.

Grade Point Average and Eligibility to Participate in Athletic Activities

To be eligible to participate in interscholastic athletics, students participating in athletics must pass a minimum load as established by SCHSL during the preceding semester and must meet BCSD promotion standards. In addition to existing academic requirements, all students are required to earn a weighted GPA of 2.0 each semester. First semester eligibility is determined by the GPA earned during the preceding school year's final grades and second semester eligibility is determined using the GPA in the first semester of the same school year. Students first entering the 7th and 9th grades are academically eligible to participate in athletic activities. The GPA requirements outlined above will be fully implemented during the 2012-13 school year.

Interscholastic organizations

Interscholastic activities include school-sponsored activities for which preparation occurs outside of the regular school day. Individuals or members of groups involved in activities, which include out-of-school practice on more than one occasion weekly, must meet eligibility requirements.

The superintendent is responsible for the monitoring of all interscholastic activities other than those under the jurisdiction of the South Carolina High School League. Rules of the South Carolina High School League govern interscholastic athletics as outlined in SS-36.

Schools will determine academic eligibility (for organizations other than athletics, see SS-36) at the beginning of each semester. Eligibility will be based on the previous semester's record of courses taken and grades achieved. The district will not allow an ineligible student to participate in any interscholastic activity.

Students who are diagnosed as disabled under the criteria established by the state board of education and who satisfy the requirements of their Individualized Education Plan (IEP) as required may participate in interscholastic activities.

Interscholastic athletics

Participation in sports is a privilege, not a right. Extracurricular sports are generally governed by the rules established by the board and the South Carolina High School League. In addition to the rules established by SCHSL, each coach may have rules and expectations for the members of the team which will be distributed to all players and parents/legal guardians at the beginning of the season. The district code of conduct applies to all student athletes on and off the field of play. All students who participate in athletics are subject to disciplinary consequences imposed by coaches.

Student conduct

Participation in extracurricular activities, including athletics, is a privilege, not a right. The board expects all students who represent their school through participation in extracurricular activities to be good representatives of their school community. Students should dress, act and conduct themselves in a way that reflects positively on their school. Each student is expected to display good citizenship at all times. Any student who fails to conduct him/herself appropriately may have the privilege of participation limited or revoked.

Travel

All students will be required to travel to and from events with the coach or sponsor and the team unless the coach or sponsor receives information directly from the parent/legal guardian that the student has permission to travel by other means.

The superintendent will develop procedures for the implementation of this policy.

Adopted 7/18/01; Revised 5/31/07, 7/10, 11/28/11; Revised 04/13

Legal references:

A. Federal Legislation:

1. Education of the Handicapped Act - Public Law 94-142 - Provides for free, appropriate, public education for all handicapped children.

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

1. Section 59-39-160 - Requirements for student participation in interscholastic activities.
2. Section 59-63-425 - Student may transfer.
3. Section 59-38-10 - South Carolina Education Bill of Rights for Children in Foster Care.

C. State Board of Education Regulations:

1. R-43-244.1 - Interscholastic activities: academic requirements for participation.

SS - 32 LIMITED OPEN/CLOSED FORUM

Purpose: To establish the basic structure for the open (or closed) forum for non-curriculum related student groups to meet on school premises.

The Equal Access Act requires that public secondary schools grant equal access to student groups who wish to meet for religious, political or philosophical purposes if the school allows other types of non-curriculum related student groups to meet. The district will provide a limited open forum for secondary student non-curriculum related groups to meet on school premises.

Secondary schools may not deny equal access to or discriminate against those students conducting meetings that may contain religious, political or philosophical speech or ideas with which the school disagrees. These meetings must not be otherwise unlawful or materially or substantially interfere with the orderly conduct of educational activities within the school.

Each secondary principal will establish the time for such meetings either before or after school or during the lunch hour in order to ensure equal access to student groups wishing to meet.

The principal may approve student groups' use of facilities to conduct a meeting during the open forum provided that the following conditions are met.

- The meeting will take place during the open forum at a time the principal designates.
- The meeting is voluntary and student initiated. The principal must be assured that students are the ones promoting such activities and that they are participating of their own volition. Only students enrolled in the school may request the meetings.
- Neither school authorities nor district employees may promote, lead or participate in such meetings. Principals may assign personnel to supervise these meetings. This action does not constitute sponsorship by the district of such meetings. School employees may, however, hold meetings that are held as part of a curriculum related or other school sponsored activity such as a school play or an athletic activity.
- The meeting does not in any way interfere with the conduct of the regular instructional activities of the schools. Since the education of the student is the prime responsibility of the school, any other activities are secondary. The school may deny facilities to students on the basis that such activities or meetings interfere with the instructional program.
- Student meetings are not controlled, conducted or directed by persons or groups not affiliated with the school. The principal must approve visitors to the school for such meetings prior to the meeting.
- The meeting must be open to all students without regard to ethnic or racial background, religious beliefs, sex, gender, disability, immigrant status or English-speaking status, and economic or social conditions. The school may not in any way limit the meetings to a particular number of students.

This limited open forum policy does not apply to elementary and middle schools in the district.

Adopted 7/18/01; Revised 07/10

Legal references:

- A. United States Statutes at Large:
 - 1. The Equal Access Act, Public Law 98-377 - Providing for equal access by students to limited open forums.
 - 2. Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; and Title IX of the Educational Amendments of 1972, 20 U.S.C. Section 1681, et seq
- B. S.C. Code, 1976, as amended:
 - 1. Section 59-1-150 - “Kindergarten,” “elementary school,” “middle school,” “secondary school,” “junior high school,” and “high school” defined.
 - 2. Section 59-63-270 - Regulation or prohibition of clubs or like activities.
 - 3. Section 59-63-40 - Discrimination on account of race, creed, color or national origin prohibited.
- C. U.S. Supreme Court:
 - 1. Plyler vs. Doe, 1982.

SS – 33 STUDENT FUNDRAISING ACTIVITIES

Purpose: To establish the basic structure for the conduct of student fundraising activities.

School fundraising campaigns should not impair the efficiency and effectiveness of the instructional program. The superintendent authorizes schools to undertake fundraising activities under the following conditions.

- No one may solicit monetary contributions from students at any time without prior approval from the principal.
- Fundraising campaigns sponsored by the school or school-related organization must be in support of specific student activities or projects that will contribute to the improvement of the school's program.
- The principal must approve each fundraising campaign. The principal or his/her designee shall supervise or be familiar with the process of each fundraising campaign. The principal will determine the number of fundraising activities that will be appropriate.
- Students may not participate in fundraising activities during school hours without the express approval of the principal.
- No proceeds may be received or earned from the sales of any alcohol or any items prohibited for sale to minors. This will include any and all booster clubs or organizations affiliated with schools or the district.

No student or organization may sell, distribute or advertise services, written materials or items from private sources on district or school property without the written permission of the principal of the school involved.

~~Students or organizations seeking to distribute fundraising materials to students unrelated to the individual school or school district must have the permission of the assistant superintendent of student services.~~

To request from the principal the opportunity to sponsor a fundraising activity, an organization must make a written request, which should include the following information.

- the inclusive dates of the fundraising activity
- the type of activity clearly explained
- name of supplier of sales items or activity
- intended use of the money raised

~~Each organization should limit the number of fundraising projects.~~

All information, advertising, tickets and other materials used for promotion of the fundraising activity must carry the name of the sponsoring club or organization. No board endorsement may be placed on fundraising materials without the express written consent of the board.

No ~~teacher or other~~ district employee will be required to participate in any fundraising activity sponsored by school or school-related groups.

All food and beverage items sold for the purpose of fund raising during regular school hours, including vending machine items, will meet or exceed the nutritional guidelines as set by the Coordinated School Health Advisory Committee (CSHAC).

Adopted 7/8/01; Revised 07/10; Revised 04/13

Legal references:

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

1. Section 16-17-420 - Board can regulate any activity that would disturb school.

SS - 34 STUDENT ACTIVITIES FUNDS

Purpose: To establish the basic structure for the management of student activities funds.

The principal has jurisdiction over all athletic, student organization and other activity funds (any activities that involve students). The principal must approve all expenditures from any of the activity funds in advance. Organizations may use the funds only for authorized purposes. All financial activity and accounting activity must comply with the Student Activities and Accounting Procedures Manual.

At a minimum, the certified public accountant selected by the district will audit all student activity funds at the close of each fiscal year, or at any other time when circumstances so demand. Schools will keep financial records of activity funds on file in compliance with state and federal law.

Liquidation of activities funds

Schools will carry over funds remaining in the account of a student, class or alumni organization at the end of each fiscal year. The school will carry over funds until the next year as long as that organization continues to function. If an organization does not meet at least once annually and elect officers, the school will consider that organization inactive and liquidate their funds. The school will place the liquidated funds in the general fund school account.

Adopted 7/18/01; Revised 07/10; Revised 04/13

Legal references:

1. Department of Archives and History Regulations:
1. Regulation 12-901 through 12-906.6 - Article 9 - General retention schedules for school districts.

SS - 35 CONTESTS FOR STUDENTS

Purpose: To establish the basic structure for the conduct of contests involving students.

The district will cooperate with individuals, community organizations and agencies desiring to sponsor activities in the public schools in keeping with the purposes and educational aims of the district provided such activities can be integrated into the school program without disruption or loss of instructional time and without imposing an unreasonable added workload on the staff of the school.

In addition to the conditions stated above, schools may sponsor or promote contests involving agencies outside the school as a part of the school program only when all of the following criteria are met.

- The contest has definite educational value.
- The contest emphasizes educational value rather than prizes.
- The contest is integrated into the regular instructional program.
- Student participation is voluntary.

Each principal will determine which contests may be held in his/her school.

Adopted 07/18/01; Revised 07/10

SS - 36 STUDENT ATHLETICS

Purpose: To establish the board's guidelines, expectations and standards governing student participation in interscholastic athletics.

The Beaufort County Board of Education endorses athletic activities that support students' attainment of high academic achievement. The board believes that student participation in interscholastic athletics should be contingent on student successes in school as measured by grade point average, attendance and conduct. Subject to law, local rules adopted by the Beaufort County School District and rules established by the South Carolina High School League (SCHSL), high school students are eligible to participate in interscholastic athletics. Eligibility of students in the programs for exceptional children will be in accordance with local, state and federal guidelines. The board has established standards for student eligibility and developed forms and assurances for students, parents/legal guardians, coaches and assistant coaches.

Violations of any standards established for athletic participation by students or their parents/ legal guardians and/or any misrepresentation of any information submitted for athletic participation may result in the loss of the student's eligibility to participate in athletics in Beaufort County School District, and potentially, in any school sanctioned by the SCHSL. Additionally, staff members who exercise direct or indirect influence upon prospective athletes in an attempt to influence an athlete's choice of school assignment for the purpose of athletics or who otherwise violate any part of the rules regarding athletic eligibility will be subject to disciplinary action, up to and including termination of employment.

The South Carolina High School League rules

The rules of the SCHSL govern interscholastic athletics. These rules require that the principal be ultimately responsible in all matters that concern interscholastic contests. The league also holds him/her responsible for the vote of the school on all conference and league issues.

Rules and regulations of the league cover the age, health, transfer, scholarship, amateurism, etc., of students engaging in interscholastic athletic contests; the qualifications of head coaches; the sponsorship, supervision and number of games; practice and playing seasons; the fulfillment of interscholastic contracts; the employment of game officials; and other matters important to sound administration of high school interscholastic athletics. The requirements for participation in interscholastic activities set out in policy SS-31 will also govern participation in interscholastic athletics.

Grade point average and eligibility to participate in athletic activities

To be eligible to participate in interscholastic athletics, students participating in athletics must pass a minimum load as established by the SCHSL during the preceding semester and must meet district promotion standards. In addition to existing academic requirements, all students are required to earn a weighted GPA of 2.0 each semester. First semester eligibility is determined by the GPA earned during the preceding school year's final grades and second semester eligibility is determined using the GPA in the first semester of the same school year. Students first entering the seventh and ninth grades are academically eligible to participate in athletic activities. The GPA requirements outlined above will be fully implemented during the 2012-13 school year.

Out-of-district transfer students

Out-of-district transfer students with a GPA less than 2.0, but eligible according to SCHSL policy, will be eligible to participate on probation for the remainder of the semester in which they enroll. Thereafter, the student must meet the district 2.0 grade average eligibility requirement.

Special education students

High school special education students being served in a non-diploma program are eligible to participate if they are meeting the requirements of their IEP. Diploma program students must meet the requirements of the 2.0 GPA standard.

Middle school self-contained special education students are eligible to participate if they are meeting the requirements of their IEP. All other middle school students with an IEP must meet BCSD 2.0 GPA requirements.

Summer school

Two courses taken during the summer school program under guidelines established by the district may be used to recover credit affecting athletic eligibility for the fall semester. Per SCHSL guidelines, credits earned during summer school may be applied to the immediately preceding spring semester for athletic eligibility purposes.

Student Misconduct (Out of School Suspension)

A student who is suspended from school is not eligible to practice, play, dress out, travel or attend any meeting during the time of suspension. If the suspension includes the last day of school before a vacation or weekend, the student becomes eligible at his/her base school on the date the student returns to school the next calendar day after the last day of the suspension and the next scheduled athletic contest. A student who transfers in lieu of completing or in the midst of serving a long-term suspension at his/her base school is not eligible to participate in athletics at his/her new school for 365 days.

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.

Dual sports participation

During the season for any high school league sport except for football, a student who is a member of a school team may participate on an independent team under the following conditions.

- Participation does not interfere with the scheduled league games or practices of the school squad or team.
- A signed statement is on file with the school's athletic director to include parent/legal guardian permission for the student to participate in dual sports as well as signed

acknowledgement by the independent coach that the student's participation will not interfere with scheduled league games or practices.

A school or student will not be declared ineligible for participation in an interscholastic high school league sport except for football because of dual sports participation under this policy.

The superintendent will develop procedures for the implementation of this policy.

Adopted 7/18/01; Revised 7/10, 11/28/11; Revised 04/13

Legal references:

A. Federal Legislation:

1. Education of the Handicapped Act - Public Law 94-142 - Provides for free, appropriate, public education for all handicapped children.

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

1. Section 59-39-160 - Requirements for student participation in interscholastic activities.
2. Section 59-63-425 - Student may transfer.
3. Section 59-38-10 - South Carolina Education Bill of Rights for Children in Foster Care.

C. State Board of Education Regulations:

1. R-43-244.1 - Interscholastic activities: academic requirements for participation.

SS - 37 STUDENT DISCIPLINE

Purpose: To establish the board's vision for student discipline.

The 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.

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.

Under the direction of the superintendent, school personnel will establish, periodically review and, if necessary, revise procedures for disciplining students.

All procedures and guidelines will be fair, just, flexible and in the best interest of the individual students and the school community. In addition, all procedures and guidelines will comply with the appropriate statutes and constitutional provisions.

Please refer to the BCSD Student Code of Conduct.

Adopted 07/18/01; Revised 07/10; Revised 04/13

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.
 - 5. Section 59-63-240 - Expulsion hearings.

SS - 38 CORPORAL PUNISHMENT/ PHYSICAL FORCE

Purpose: To establish the superintendent's expectations for the use of corporal punishment/physical force for the discipline of students.

The use of corporal punishment, defined as any act of physical force upon a student for the purpose of punishing that student, is not acceptable in this district and will not be tolerated as a disciplinary measure. Principals will inform all personnel of this policy

The district will permit the use of reasonable and necessary physical force under the following circumstances.

- to quell a disturbance which threatens physical injury to persons, including those students involved, or which threatens serious damage to property
- to obtain possession of weapons or other dangerous objects upon the person or within the control of a student
- to defend one's self
- to remove a student from a classroom or other school property when the student's continued presence poses a threat of danger to other persons or property

Each school principal will immediately investigate any reported use of physical force on a student by a district employee and make a written report regarding his or her findings to the superintendent or his/her designee.

If the superintendent or his/her designee determines that the physical force used was reasonable and necessary, no disciplinary action will be taken against the employee.

If the superintendent or his/her designee determines that physical force used was not reasonable and/or necessary, the employee will be subject to disciplinary action, up to and including termination of employment.

Adopted 7/18/01; Revised 07/10

Legal references:

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

1. Section 59-63-260 - Corporal punishment.

B. Judicial decisions:

1. *Ingrahm v. Wright*, 430 U.S. 651, 51 L. Ed. 2d 711 (1977).
2. *Ware v. Estes*, 328 F. Supp. 657 (1970), *aff'd* 458 F. 2d 1360 (5th cir. 1971).
3. *Johnson v. Horace Mann*, 241 So. 2d 588 (La. 1970).
4. *Suits v. Glover*, 71 So. 2d 49 (Ala. 1954).

SS - 39 SUSPENSION OF STUDENTS

Purpose: To establish the superintendent's expectations for the suspension of students.

It is the policy of this administration 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 district administrative rules.

The superintendent delegates the power of suspension to the district office administration and to the principal or his/her designee. The administration may suspend a student for the commission of any crime, gross immorality, gross misbehavior, persistent disobedience or the violation of district or state board of education policies, rules or regulations. The administration 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 be suspended for any reasons listed in the student code of conduct for up to 10 school days for any one offense. Suspension means the student cannot attend school or be on district or school property cannot attend any school-related events or activities on or off campus and cannot ride a school bus.

When a student is suspended, the parents/legal guardians of the student will be notified, in writing, of the reasons for such suspension and of a time and place when the administrator who initiated the suspension is available for a conference with the parents/legal guardians. The conference will be set for within three days of the date of the suspension. After the conference, the parents/legal guardians may appeal the suspension to the superintendent or his/her designee.

The only suspensions that the Chief Student Services Officer will review are suspensions that occur within the last 10 days of the school year when the suspension would 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.

Investigation of misbehavior

When it appears that a student has engaged in misbehavior warranting suspension, an administrator will investigate the matter and interview those who have knowledge about what occurred. The student will be advised, verbally or in writing, of the accusations against him/her. The administrator 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 administrator will determine if suspension is in order and the number of school days, from one to 10, the suspension should run.

Summary suspension

If the administrator sees 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 administrator may summarily suspend the student for up to two school days. In these cases, the administrator does not have to investigate the matter first. By the end of the next school day following the summary suspension, however, the administrator should investigate the matter as outlined above and determine what, if any, additional suspension days, not to exceed a total of 10, are appropriate.

If the administrator determines that 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 administrator also will remove any reference to the summary suspension from the student's record.

Notification to parent/legal guardian

By the end of the ~~next~~ school day of the ~~following~~ any suspension, the administrator must notify the parent/legal guardian **in writing** (referral/ mail/ e-mail) of the following:

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

The conference will be set within three 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 administrator will establish a mutually agreeable time for the conference.

Sending a suspended student home during the school day

When a student is suspended, the administrator will attempt to contact the parent/legal guardian to request he/she pick up the student from school. If a parent/legal guardian cannot come for 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 administrator cannot reach the parent/legal guardian, the student must stay at school until the end of the school day.

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.

Suspension appeals

If, after the conference with the administrator, the parent/legal guardian believes the student's suspension was unjustified, an appeal of the suspension may be made to the director of student services or to other persons as designated by the superintendent. To request a suspension appeal, the parent/legal guardian must write a letter to the director of student services within five days after the conference with the administrator, advising the director of student services why it is believed the suspension was unfair.

The Chief Student Services Officer will conduct the appeal as an informal hearing or his/her designee or other persons as designated by the superintendent (hereinafter “hearing officer”). The administrator, parent/legal guardian and student may be present. If the hearing officer 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 hearing officer.

Within 10 days of the hearing, the hearing officer will render a decision as to whether the suspension was proper. The hearing officer will report his/her decision in writing to the parent/legal guardian and the school. If the hearing officer decides that the suspension was not proper, all absences resulting from the suspension will be excused and the record cleared. The student will be allowed to make up all missed work. The decision of the hearing officer ends the appeal process for suspensions.

Limits on suspension

A student may not be suspended for more than a total of 30 school days in one school year. An administrator may not suspend a student from school during the last 10 school days of the school year if the suspension would result in the loss of the course credit unless the school board approves or if the student is an actual threat to the class or the school or a hearing before the hearing officer is granted by the end of the next school day following the suspension.

Student suspension(s) from school activities

A student who is suspended from school is not eligible to practice, play, dress out, travel or attend any meeting during the time of suspension. If the suspension includes the last day of school before a vacation or weekend, the student becomes eligible at his/her base school **on the date the student returns to school** ~~the next calendar day.~~

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.

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.

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 social services agency for assessment and, if necessary, treatment. The student will be required to successfully complete any recommendations of the agency.

Adopted 7/18/01; Revised 07/10; Revised 04/13

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.

SS - 40 EXPULSION OF STUDENTS

Purpose: To establish the superintendent's requirements for the expulsion of students.

A student may be expelled for any reason listed in the student code of conduct; for commission of any crime, gross immorality, gross misbehavior or for violation of written policies, rules or regulations established by the Beaufort County School District or the state board of education or when the presence of the student is detrimental to the best interest of the school. Expulsion means the student cannot attend school or be on district or school property, cannot attend any school-related events or activities on or off campus and cannot ride a school bus.

If procedures for expulsion are initiated, the parent/legal guardian of the student will be notified in writing of the time and place of a hearing before the district hearing officer. The hearing will take place within 15 days of the written notification at a time and place designated by the hearing officer and a decision will be rendered within 10 days of the hearing. The student may be suspended from school and all activities during the time of the expulsion procedures.

At the hearing, the parents/legal guardians will have the right to legal counsel and to all other regular legal rights, including the right to question witnesses in a manner determined by the hearing officer. The right to appeal the expulsion decision of the hearing officer to the assistant superintendent for student services is reserved to either party in accordance with the provisions of this administrative rule.

Investigation and action taken by the administrator

If a school principal or his/her designee or district administrator investigates a report of student misbehavior and decides to recommend expulsion, the administrator should suspend the student and notify the student's parent/legal guardian of his/her right to meet with the administrator within three school days of the date of the suspension. If, after meeting with the parent/legal guardian (or if the parent/legal guardian has not come in for a meeting by the third school day), the administrator still intends to recommend expulsion, the matter will be referred directly to the assistant superintendent for student services or to other persons as designated by the superintendent. This procedure will be followed in all cases, regardless of the offense charged.

Notice of expulsion recommendation

By the end of the third school day following receipt of an expulsion recommendation, the assistant superintendent for student services or his/her designee or other persons as designated by the superintendent (hereinafter "hearing officer") will notify the student and parents/legal guardians, in writing, of the following.

- the rule(s) infraction alleged to have occurred
- the right of the student to review his/her record, including the investigative documents the administration intends to present at the expulsion hearing
- the right of the student to a hearing on the evidence
- the time and place of the hearing, which must be held within 15 days of the date of notification (unless the parent/legal guardian or his/her representative agree otherwise)
- the procedure to be followed at the hearing, including the right to be represented by legal counsel

Hearing procedure

The administrator, the administrator's representative, the student, the parent/legal guardian and/or the student's representative may be present at the hearing. If the hearing officer and the parent/legal guardian agree, the student may be dismissed during portions of the hearing. The administrator, and the student or their representatives, will be allowed to present witnesses or witnesses' statements and, within the discretion of the hearing officer, cross-examine the other party's witnesses. The hearing officer may ask the witnesses questions. The parent/legal guardian and/or the student's representative will be given an opportunity to argue their position or express their views on the case. A recording of the testimony or written minutes of the hearing will be kept on file by the hearing officer.

Action following the hearing

Within 10 school days of the hearing, the hearing officer will decide whether the student committed the alleged rule(s) violation or misconduct, based upon the evidence presented at the hearing and the appropriate punishment. If the hearing officer determines that grounds for expulsion exist, he/she may expel for the remainder of the current school year, permanently expel or give punishment other than expulsion including, but not limited to, suspension or probation.

Probation means special restrictions have been placed on the student's right to attend school. Violations of these restrictions will result in immediate suspension and a recommendation for expulsion.

The hearing officer will report his/her decision in writing to the parent/legal guardian, the superintendent and the school. If the hearing officer determines that grounds for expulsion do not exist, all absences resulting from the suspension will be excused and the student's record cleared. The student will be allowed to make up all missed work.

Expulsion appeals

Only the hearing officer's decision to expel the student from all district schools may be appealed by the student to the assistant superintendent for student services, provided written notice of appeal is made to the assistant superintendent within 10 school days of notification of the hearing officer's decision. An expulsion appeal will normally be limited to the established record and no new testimony will be allowed, unless the assistant superintendent desires to hear additional testimony. The board may uphold, reverse or alter the expulsion decision of the hearing officer. If the recommendation for expulsion is reversed on appeal, all absences resulting from the suspension will be excused and the student's record cleared. The student will be allowed to make up all missed work.

Petitions for readmission

Students who have been expelled for the remainder of the current school year may make a written request to the superintendent or his/her designee for readmission for the subsequent school year. The request must specify the reasons why the student should be allowed to return.

If the superintendent or his/her designee denies the student's request or in all cases of permanent expulsion, the student may make a written request to the board for readmission and may include a request to appear before the board. If the request is denied by the board, the student may submit another request prior to the following school year.

Adopted 7/18/01; Revised 07/10

Legal references:

- A. United States Code:
 - 1. 20 U.S.C. 7151 - Gun-Free Schools.
 - 2. Education of Individuals with Disabilities, 20 U.S.C. Sec. 1400, et seq.

3. 29 U.S.C. Section 794, et seq. (Section 504 of the Rehabilitation Act of 1973, as amended).
 4. Code of Federal Regulations, 34 CFR parts 300 and 301.
 5. Code of Federal Regulations, 34 CFR Part 104.
- B. 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 - Grounds for suspension, expulsion or transfer
 3. Section 59-63-235 - District must expel student.
 4. Section 59-63-240 - Expulsion hearings - times, procedures, legal rights appeals.
- C. S.C. Supreme Court:
1. Davis v. The School District of Greenville County, 374 S.C. 39, 647 S.E.2d 219 (S.C. 2007).

SS - 41 STUDENT INSURANCE COVERAGE

Purpose: To establish the basic structure for the provision of and requirements for student insurance coverage.

The district offers school time and 24-hour health coverage plans for students, as well as a supplemental dental coverage plan for students. These are voluntary programs offered to parents/legal guardians and paid for by parents/legal guardians. At the minimum, the health coverage insurance will provide accident coverage for students on the way to and from school, while they are at school, and whenever they are engaging in school-sponsored activities.

The district requires that all students participating in the following activities have accident insurance.

- interscholastic athletics on the varsity and junior varsity level and B teams
- intramural football
- high school band
- high school physical education
- *career and technology courses*
- other offerings and courses as determined by the principal/*director* or assistant superintendent for student services

The district will not require those students to have accident insurance if the student provides documentation from the parent/legal guardian stating that the student has adequate insurance coverage and does not wish to participate in the district accident insurance plan.

Adopted 7/8/01; Revised 07/10

SS - 42 STUDENT WELLNESS

Purpose: To establish the basic structure for the wellness program for students.

The district believes that a student's health impacts his/her school attendance, readiness to learn, potential learning and achievement. Therefore, the district is committed to a sound, comprehensive wellness program of nutrition education, physical activity and other school-based activities that are designed to promote student wellness. The district recognizes that collaborating with parents, students, school personnel, health professionals, and community members is the most effective method of creating a healthy environment where children can learn about and adopt positive lifestyle habits that are essential for them to achieve their full academic potential, as well as lifelong good health and wellbeing.

Healthy eating patterns, respect for body-size differences, and physical activity are essential for students to reach their academic potential, full physical and mental growth, and lifelong health and wellbeing. Recent studies have shown a strong link among nutrition, physical activity, and learning. Positive correlations have been made regarding wellness and academic performance as measured by test scores, concentration, tardiness, attendance rates, and discipline. The district shall promote student well-being and academic achievement by supporting quality nutrition and physical activity as part of the learning environment. The program includes the following:

- Teaching, encouraging and supporting healthy eating by students (the schools will provide nutrition education based on the S.C. standards).
- Providing students with the recommended amount of daily physical activity as required by law and encouraging students to fully embrace regular physical activity as a personal behavior because students need opportunities for physical activity beyond physical education classes (the principal of each school is responsible for ensuring compliance at his/her school).
- Supporting the efforts of parents/legal guardians to provide a healthy diet and daily physical activity for their children.
- Ensure that students in grades PreK- 12 receive nutrition education that is interactive and teach the skills that are needed to adopt healthy eating behaviors.
- Set guidelines for refreshments served at parties, celebrations, and meetings during the school day and make decisions on these guidelines based on the nutritional goals and not on profit making.
- Provide a clean, safe, enjoyable meal environment for students and adequate time for students to enjoy eating healthy foods with friends in schools.
- Create a school environment that provides consistent wellness messages that promote health and pleasurable eating, enjoyable physical activity and respect for body size differences and ensure that the entire school environment, not just the classroom or cafeteria, is aligned with healthy school goals.

- Maintain and utilize a Coordinated School Health Advisory Council that involves parents, students, school food service, teachers, administrators, and the public in the development of a healthy school nutrition environment through assessing needs; effectively using resources; and establishing a plan for the development, implementation, and measurement of the policy.

Adopted 4/07; Revised 07/10

Legal references:

A. Federal Legislation:

1. The Child Nutrition and WIC Reauthorization Act of 2004.
2. Public Law 103-448, Healthy Meals for Healthy Americans Act, 1994.
3. NASPE standards.
4. USDA/FNS guidelines for nutritional integrity of school meals.

B. S.C Code of Laws, 1976, as amended to include Chapter 10 of Title 59, Students Health and Fitness Act of 2005:

1. Title 59 of the 1976 Code as amended: Physical Education, School Health Services and Nutritional Standards - Sections 1,2, and 3.

As required by the BCSD Wellness Policy, the *Coordinated School Health Advisory Council* (CSHAC) is responsible for evaluating the nutritional environment of each school in Beaufort County and to make recommendations for improvement to the Beaufort County Board of Education. Itemized below are approved guidelines outlining nutrient standards for all food and beverages items sold for the purpose of fund raising, provided at school party and celebrations during regular school hours, and including vending machine items for food/ beverage sales. These standards meet the nutritional guidelines as set by the US Healthy Schools Challenge.

Snacks

	Elementary School	Middle School	High School
Total fat: Calories from total fat must be at or below 35% per serving. <i>Excludes nuts, seeds, nut butters and reduced-fat cheese.</i>	√	√	√
Saturated fat: Calories from saturated fat must be below 10% per serving. <i>Excludes reduced-fat cheese.</i>	√	√	√
Trans fat: Less than 0.5 grams (<i>trans</i> fat free) per serving.	√	√	√
Sugars: Total sugar must be at or below 35% by weight (includes naturally occurring and added sugar). <i>Excludes fruits, vegetables and milk.</i>	√	√	√
Sodium: ≤ 480 mg sodium per snack item.	√	√	√
Calories: Not to exceed 200 calories per serving.	√	√	√

Beverages

	Elementary School	Middle School	High School
Milk: Only low-fat (1% or less) and fat-free (skim), flavored or unflavored fluid milk, <i>limit serving size to maximum of 8 fluid ounces.</i>	√	√	√
Fruit & Vegetable Juice: 100% full strength with no sweeteners (nutritive or non-nutritive).	Maximum 6 fluid ounces	Maximum 6 fluid ounces	Maximum 8 fluid ounces
Water: Unflavored, no sweeteners (nutritive or non-nutritive), noncarbonated, caffeine-free.	√	√	√

Adopted 4/7/10

SS - 43 COMMUNICABLE/INFECTIOUS DISEASES

Purpose: To establish the basic structure for dealing with students who have communicable or infectious diseases.

HIV Infection

Evidence shows that the risk of transmitting human immunodeficiency virus (HIV) is extremely low in school settings when current guidelines are followed. The presence of a person living with HIV infection or diagnosed with acquired immunodeficiency syndrome (AIDS) poses no significant risk to others in school, daycare or school athletic setting.

School attendance

A student with HIV infection has the same right to attend school and receive services as any other student and will be subject to the same rules and policies. HIV infection will not factor into decisions concerning class assignments, privileges or participation in any school sponsored activity.

School authorities will determine the educational placement of a student known to be infected with HIV on a case-by-case basis by following established policies and procedures for students with chronic health problems or students with disabilities. Decision makers must consult with the student's physician and parent/ legal guardian; respect the student's and family's privacy rights; and reassess the placement if there is a change in the student's need for accommodations or services.

School staff members will always strive to maintain a respectful school climate and not allow physical or verbal harassment of any individual or group by another individual or group. This includes taunts directed against a person living with HIV infection, a person perceived as having HIV infection or a person associated with someone with HIV infection.

Student athletics

The privilege of participating in physical education classes, athletic programs, competitive sports and recess is not conditional on a person's HIV status. School authorities will make reasonable accommodations to allow students living with HIV infection to participate in school-sponsored physical activities.

All employees must consistently adhere to infection control guidelines in locker rooms and all play and athletic settings. Rulebooks will reflect those guidelines. First aid kits that include protective equipment for preventing exposure to blood borne pathogens must be on hand at every athletic event.

All physical education teachers and athletic program staff members will complete an approved first aid and injury prevention course that included implementation of infection control guidelines. Student orientation about safety on the playing field will include guidelines for avoiding HIV infection.

Related services

Students will have access to voluntary, confidential, age and developmentally appropriate counseling about matters related to HIV infection. School administrators will maintain confidential linkage and referral mechanisms to facilitate voluntary student access to appropriate HIV counseling and testing programs and to other HIV- related services as needed. Public information about resources in the community will be kept available for voluntary student use.

Privacy

State regulations require that the superintendent, school nurse or other health professional who receives notice of a minor's human immunodeficiency virus (HIV) infection must keep the information strictly confidential. Violation of the confidentiality requirements is a violation of state law.

Students or staff members are not required to disclose HIV infection status to anyone in the education system. HIV antibody testing is not required for any purpose.

Every employee has a duty to treat as highly confidential any knowledge or speculation concerning the HIV status of a student or other staff member. Violation of medical privacy is a cause for disciplinary action, criminal prosecution, and/or personal liability for a civil suit.

No information regarding a person's HIV status will be divulged to any individual or organization without a court order of the informed, written, signed and dated consent of the person with the HIV infection (or the parent/ legal guardian of a legal minor). The written consent must specify the name of the recipient of the information and the reason for disclosure.

All health records, notes and other documents that reference a person's HIV status will be kept under lock and key. Access to these confidential records is limited to those individuals named in written permission from the person (or parent/legal guardian) and to emergency medical personnel. Information regarding HIV status will not be added to a student's permanent educational or health record without written consent.

Head lice (Pediculosis)

If a teacher suspects a child of having head lice, he/she will notify the school nurse or principal's designee. If the student has an active infestation, school personnel will notify the parents/legal guardians by telephone or in writing with recommendations for treatment procedures.

The school will inform parents/legal guardians, teachers, school nurses and administrators of the following.

- recommendations for treatment procedures
- documentation required for readmission to school

Readmission to school

The district prohibits a student who is sent home with head lice from returning to school until he/she meets the following conditions.

- the student shows evidence of treatment as determined by the school
- the student passes a physical screening by the school nurse or principal's designee that shows the absence of head lice

At no time will a student be allowed to return to school without proof of treatment and a screening.

Adopted 7/18/01; Revised 07/10

Legal references:

A. South Carolina Code, 1976, as amended:

1. Section 44-29-200 - Attendance of teachers or pupils with contagious or infectious disease may be prohibited.
2. Section 44-29-195 - Requirements for returning to school after having head lice; department to provide treatment vouchers.

- B. Federal regulations:
 - 1. U.S. Occupational Safety and Health Administration, CFR 1910.134- Respiratory protection.
 - 2. U.S. Occupational Safety and Health Administration, CFR 1910.1030- Blood borne pathogens.
- C. Department of Health and Environmental Control Regulations:
 - 1. R-61-20 - Communicable diseases.
 - 2. R-61-21 - Sexually transmitted diseases.

SS - 44 PREVENTION OF DISEASE/INFECTION TRANSMISSION

Purpose: To establish the basic structure for a healthful school environment.

The board is committed to providing a healthful school environment for all students and employees. To prevent disease transmission and promote a healthy educational/ social environment in the district, the board has adopted and the district has implemented an exposure-control plan for all employees. This plan includes appropriate training for all employees as well as standard (universal) precautions that all employees must take when dealing with blood and other bodily fluids. A copy of the plan is on file in the office of the superintendent.

When the district takes action with respect to students or employees found to have a communicable disease, such action will be consistent with rights afforded individuals under state and federal statutory, regulatory and Constitutional provisions. The district will treat each case on an individual basis.

The district will continue to revise and update its policy and procedures in accordance with policy changes through the U.S. Centers for Disease Control and Prevention, the U.S. Occupational Safety and Health Administration and the S.C. Department of Health and Environmental Control.

Adopted 7/18/01; Revised 07/10

Legal references:

- A. South Carolina Code, 1976, as amended:
 - 1. Section 44-29-200 - Attendance of teachers or pupils with contagious or infectious disease may be prohibited.
- 1. Federal regulations:
 - 3. U.S. Occupational Safety and Health Administration, CFR 1910.134- Respiratory protection.
 - 4. U.S. Occupational Safety and Health Administration, CFR 1910.1030- Blood borne pathogens.
- C. Department of Health and Environmental Control Regulations:
 - 1. R-61-20 - Communicable diseases.

SS - 45 STAFF HEALTH

Purpose: To establish the basic structure for practices related to communicable diseases as they apply to district employees.

Health Screenings

The district will not initially hire any person to work in any public school or kindergarten until that person has been appropriately evaluated for tuberculosis according to guidelines approved by the South Carolina Department of Health and Environmental Control. The district will not require re-evaluation for employment in consecutive years unless otherwise indicated by such guidelines.

Any person applying for a position in any of the district's schools, including kindergarten, will, as a prerequisite to employment, secure a health certificate from a licensed physician certifying that such person does not have tuberculosis in an active stage.

The physician will make the aforesaid certificate on a form supplied by the South Carolina Department of Health and Environmental Control.

If the district has questions or concerns regarding the physical or mental capability of an employee to perform the essential functions of his/her position with or without reasonable accommodations, the district may require an appropriate health examination.

Communicable diseases

The board defines a chronic communicable disease as a persistent or recurring infection that may be transmitted to a susceptible person by contact with an infected individual. The U.S. Centers for Disease Control and Prevention will be the definitive authority on the identification and transmission of communicable diseases.

It is not the policy of the district to automatically suspend employees with a chronic communicable disease. It is the policy of the district, however, to protect the health of members of the community by implementing a program of education, prevention and reporting with respect to chronic communicable diseases in cooperation with state and local public health agencies.

The district may reassign an employee with a chronic communicable disease to a position that limits student/employee contact. Alternatively, the district may place the employee on medical leave of medical judgment substantiates that said employee poses a significant health threat to students and/or other employees. The school board reserves the right to remove or exclude any employee whose physical condition would interfere with his/ her ability to work or would expose other students or employees to infections.

This district will notify other staff and students of the existence of a communicable disease in accordance with regulations and guidelines of the South Carolina Department of Health and Environmental Control.

Staff health (HIV)

Evidence shows that the risk of transmitting human immunodeficiency virus (HIV) is extremely low in school settings when current guidelines are followed. The presence of a person living with HIV infection or diagnosed with acquired immunodeficiency syndrome (AIDS) poses no significant risk to others in school, daycare or athletic settings.

Employment

The district does not discriminate on the basis of HIV infection or association with another person with HIV infection. In accordance with the Americans with Disabilities Act of 1990, an employee with HIV infection may continue working as long as he/she is able to perform the essential functions of the position, with reasonable accommodation, if necessary.

Employees with acquired immunodeficiency syndrome (AIDS) or human immunodeficiency virus (HIV) should be under no work restrictions in the district, unless the employee's physician advises that medical impairments exists which are so severe as to be a hazard for the employee, district students or other employees. Employees infected with HIV or AIDS present no appreciable infection risk to others under normal working conditions.

If an employee has been removed or excluded as provided above, as a condition for return to work the district may require a satisfactory certificate from the employee's physician that the employee's presence is no longer a risk to the employee or to others at school.

Privacy

Students or staff members are not required to disclose HIV infection status to anyone in the education system. HIV antibody testing is not required for any purpose.

Every employee has a duty to treat as highly confidential any knowledge or speculation concerning the HIV status of a student or other staff member. Violation of medical privacy is a cause for disciplinary action, criminal prosecution, and/or personal liability for a civil suit.

No information regarding a person's HIV status will be divulged to any individual or organization without a court order of the informed, written, signed and dated consent of the person with the HIV infection (or the parent/ legal guardian of a legal minor). The written consent must specify the name of the recipient of the information and the reason for disclosure.

All health records, notes and other documents that reference a person's HIV status will be kept under lock and key. Access to these confidential records is limited to those individuals named in written permission from the person (or parent/legal guardian) and to emergency medical personnel.

Information regarding HIV status will not be added to a student's permanent educational or health record without written consent

Infection Control

All employees are required to consistently follow infection control guidelines in all settings at all times, including playgrounds and school buses. School will operate according to the standards promulgated by the U.S. Occupational Safety and Health Administration for the prevention of blood borne infections. Equipment and supplies needed to apply the infection control guidelines will be maintained and kept reasonable accessible. The Risk Manager will implement the precautions and investigate, correct and report on instances of lapse.

A school staff member is expected to alert the person responsible for health and safety issues if a student's health condition or behavior presents a reasonable risk of transmitting an infection.

HIV and athletics

The privilege of participating in physical education classes, athletic programs, competitive sports and recess is not conditional on a person's HIV status. School authorities will make reasonable accommodations to allow students living with HIV infection to participate in school- sponsored physical activities.

All employees must consistently adhere to infection control guidelines in locker rooms and all play and athletic settings. Rulebooks will reflect these guidelines. First aid kits that include personal protective equipment for preventing exposure to blood borne pathogens must be on hand at every athletic event.

All physical education teachers and athletic program staff will complete an approved first aid and injury prevention course that includes implementation of infection control guidelines. Student orientation about safety on the playing field will include guidelines for avoiding HIV infection.

Staff development

All school staff members will participate in a planned educational program that conveys factual and current information about HIV and other blood borne pathogens; provides guidance on infection control procedures; informs about current law and state, district and school policies; assists staff to maintain productive parent and community relations; and includes annual review sessions. Certain employees will also receive additional specialized training as appropriate to their positions and responsibilities.

General provisions

On an annual basis, school administrators will notify students, their family members and school personnel about current policies concerning HIV and other blood borne pathogens and provide convenient opportunities to discuss them. Information will be provided in major primary language of student's families.

In accordance with the established policy review process or at least every three years, the Risk Manager will report on the accuracy, relevance and effectiveness of this policy and, when appropriate, provide recommendations for improving and/or updating the policy.

Blood borne pathogens

The district has prepared and implemented an exposure-control plan for all employees. This plan includes appropriate training for those employees who may be likely to incur occupational exposure to blood or other potentially infectious materials. A copy of the plan is on file in the Risk Manager office.

Adopted 7/18/01; Revised 07/10

Legal references:

- A. South Carolina Code, 1976, as amended:
 - 1. Section 44-29-150 and 160- Tuberculin test required of new employees.
 - 2. Section 44-29-200 - Attendance of teachers or pupils with contagious or infectious disease may be prohibited.
- B. Federal regulations:
 - 1. U.S. Occupational Safety and Health Administration, CFR 1910.134- Respiratory protection.
 - 2. U.S. Occupational Safety and Health Administration, CFR 1910.1030- Blood borne pathogens.
- C. State Board of Education Regulations:
 - 1. R-43-207- All personnel will be screened for tuberculosis.
- D. Department of Health and Environmental Control Regulations:
 - 1. R-61-20 - Communicable diseases.
 - 2. R-61-22- Evaluation of school employees for tuberculosis.

SS - 46 ASSISTING STUDENTS WITH MEDICATIONS

Purpose: To establish the basic structure for assisting students with medications.

Generally, school staff members are to refrain from giving medications to students. The superintendent, however, recognizes the occasional need for school staff members to dispense medication to individual students. Such medications will only be dispensed according to the procedures set forth in this administrative rule which are coordinated and supervised by a school nurse in consultation with the school principal.

The school nurse or his/her designee may administer oral or inhaled medications to students during school hours or during authorized school events only upon the written request of the physician and the parent/legal guardian. The district reserves the right to deny a parent/legal guardian's request for their child's participation under this administrative rule for legitimate reasons.

Parents/Legal guardians are required to deliver all medications brought to school to the school principal or his/her designee immediately upon arrival to school. All medications must be properly labeled, in their original containers and must be kept in a secured location at the school. Access to all stored medicines will be limited to persons authorized to dispense medications.

The procedures detailed below must be followed when dispensing medicine. Furthermore, any reference to a school nurse means either a registered nurse (RN) or a licensed practical nurse (LPN), if an RN is available on call by telecommunications.

Prior to dispensing any medication all the following conditions must be met.

- A dated request signed by the parent/legal guardian giving permission for the medicine to be dispensed must be on file. It must include the following.
 - child's full name, date of birth and Social Security number
 - physician's name and telephone number
 - name of the medication
 - time(s) to be dispensed
 - dosage
 - possible side effects
 - termination date for dispensing the medication
- A current signed physician's statement will be required for all medications, including non-prescription and prescription medications.
- The required parental permission from must include authorization for the school nurse or his/her designee (who may be a non-nursing personnel) to dispense any medications.
- The required parental permission, the physician's statement and the prescribed medication will be delivered to the school principal or his/her designee. The nurse responsible for the school must review and approve each request before any medication may be dispensed.
- All medication must be properly labeled and in its original container.

The district will not be held liable in the event of adverse reactions when the medication has been given in the prescribed manner.

The district retains the discretion to reject request(s) for the dispensing of any medication.

While school nurses, in consultation with school principals, will supervise the overall dispensing of medications in the schools, responsibility for the particular aspects of this policy are indicated below.

- The nurse responsible for each school will designate specific persons to dispense medication according to written guidelines. These persons will be present at school on a daily basis. The school nurse will ensure that each person designated to dispense medication is familiar with the proper procedures.
- The school nurse or his/her designee will be responsible for the safekeeping of the medicines which are to be dispensed. Each school will maintain a current list of those persons authorized to dispense medications.
- A log prepared by the school nurse will be maintained at each school noting dispensing of all medicine by school staff members.
- The school nurse or his/her designee will communicate with the parent/legal guardian and/or the physician about any problems or effects of dispensing medicine to pupils at school.
- Forms to be completed by the physician and the parent/legal guardian must be updated annually or as required by the length of the prescription.
- The parent/legal guardian must inform the school nurse or his/her designee of any change in the pupil's health or change in medication.
- The parent/legal guardian will reclaim any unused medications within one week of the termination of treatment or within one week of the last day of school. The school will destroy any unused medications after this time.

Adopted 7/18/01; Revised 07/10; Revised 04/13

Legal references:

- A. S.C. Code of Laws, 1976, as amended:
1. Section 40-33-70 - Amends law relating to on-site supervision of a nurse.
 2. Sections 59-63-80 and 90 - Policy for individual healthcare plan for certain students.
 3. Section 15-78-60 - Immunity from liability for districts and employees.
 4. Section 44-53-360 - Prescriptions.

BEAUFORT COUNTY SCHOOL DISTRICT
PROCEDURES GOVERNING STUDENT EPINEPHRINE INJECTIONS

The needs of children who require medication during school hours to maintain and support their continued presence in school shall be met in a safe and prudent manner.

Emergency medication will be administered by the school health nurse, or by other school personnel trained by the school nurse, to students who have a history of serious allergic reaction or a health condition which may require specific medication(s) for certain life-threatening circumstances and who have written authorization and individually prescribed medication or according to protocols for administering Epinephrine and Benadryl (see protocols).

In Beaufort County School District, the approved minimum age for students to carry on their persons, Epinephrine “Epi-pen” autoinjectors or other similar medications, to deliver a measured dose of medication using autoinjector technology for the treatment of anaphylaxis, is ten (10) years old.

The administration of medication will be coordinated by the school health nurse. The school health nurse should provide individual health counseling and health education to examine and encourage alternative approaches to relieving discomfort and/or distress. Follow up will include parent conferences when necessary. Upon request, a copy of this regulation will be provided to any parent who is interested in the administration of medication in the schools.

BEAUFORT COUNTY SCHOOL DISTRICT
PARENTS REQUEST FOR GIVING MEDICINE AT SCHOOL

Students Full Name _____ Date of Birth _____

School _____ Teacher _____ Grade _____

I request that school personnel see that my child receives the medication _____,
prescribed by _____ for the period from _____ to _____.

Amount (dosage) _____ to be given _____ / day.

This medication is being given for the following length of time _____.

List any potential reactions with appropriate treatment:

I understand the medicine is to be furnished by me in the original container, currently dated, labeled with the name of the medicine, the dosage to be given, time(s) of day to be taken, and the expected duration of treatment. The physician's name must be on the label if it is a prescription medication. I further understand it is my responsibility to deliver and pick up medicines and to inform school of any changes.

Name of Parent/ Guardian

Phone No

Signature of Parent/ Guardian

Date

*Signature of Physician Prescribing Medication

Date

*Original prescription container could be accepted in lieu of signature. I will not hold the school, Beaufort County School District, or school personnel liable for any adverse drug reaction when the medicine is administered according to prescribed methods.

Signature of Parent/ Guardian

Date

YOUR CHILD AND MEDICINE AT SCHOOL

The Beaufort County School District is genuinely concerned with the health and welfare of your child. Because of this concern, the District has established ruled and consistent procedures for the proper administration of prescribed medications during school hours. This consistency is needed due to the variety of student health problems and a large student population.

GENERAL RULES

- Prescription drugs will be administered by a School Nurse or a designated staff member upon receipt of the medication form completed and signed by the parent.
- Over the counter drugs will be given only by the nurse at her discretion with written parental permission.
- Students may not have prescribed medication or over the counter drugs in their possession during school or at school events.
- The school nurse, after reviewing individual situations, reserves the right to reject requests for the administration of any medication with has the potential to be harmful, dangerous or inappropriate.
- The prescription bottle must have a current date.
- All medicines must be in the original container.

PARENT RESPONSIBILITY

The School District needs help with the following procedures:

- a) Deliver the completed medication request and original prescribed medicine container to the school.
- b) Inform the school of any changes in the pupil's health or medication.
- c) Pick up any unused medication within one week of termination of treatment or last day of school, whichever comes first.
- d) Update medication form annually or as required.
- e) Contact School Nurse periodically to check on status of medication.

SCHOOL RESPONSIBILITY

- a) Receive and review medication request form and original prescription container.
- b) Designate staff member(S) to administer medication, keep in secured location(s), and complete a medication log.
- c) Communicate with parent and/or physician on any problems or effects of administering medicine.
- d) Destroy medicine one week after termination or end of school year.

QUESTIONS AND ANSWERS

Q. What happens if I forget to send in the medication form?

A. The school cannot administer the medication with the signed form. You may pick up a form at the school and provide a completed form with the original medicine container.

Q. Can my child carry his/ her medicine at school?

A. No. All medication is to be kept in a locked area at the school. Your child's medication needs to be immediately given to the school staff member responsible for medication.

(Due to life threatening conditions, students may be given permission to carry and self- administer their medications. Permission will be granted only after careful review by the School District in consultation with your child's doctor.)



School Health Services

Self-Medicating and/or Self-Monitoring

Health Care Practitioner Authorization

When completing this form, draw an "X" through any sections that do not apply. (Example: If the student will not be self-monitoring, draw an "X" through the self-monitoring section.)

This form must be completed by the health care practitioner who prescribed the student's medication or monitoring device. Note that students will not be permitted to self-administer medications that are classified as controlled substances. Medications must be kept by the student in the container labeled by the pharmacist who filled the prescription. "Sample" medications must be kept in a container that identifies the student and the medication; the container must have a note attached from the health care provider outlining the directions for proper use. An approved individual health care plan is required for students who will self-medicate and/or self-monitor.

Student's Name

Date of Birth

Name of School

Grade

Homeroom Teacher

Allergies:

Diagnosis/Description of Special Health Care Need:

List the medication(s) related to the student's medical diagnosis that may be self-administered. **Attach specific instructions for how the medication(s) should be used during the school day**

List monitoring devices related to the student's medical diagnosis that the student may use during the school day. **Attach specific instructions for how the monitoring device(s) should be used during the school day.**

Initial all that apply. All must be initialed in order for the student to be allowed to self-medicate at school.

Initial all that apply. All must be initialed in order for the student to be allowed to self-monitor at school.

The student named above

The student named above

(a) has been instructed regarding the appropriate use of the medication(s) noted above (i.e., indications, actions, side effects, when to take the medication, when not to take the medication, when to seek assistance). _____

(a) has been instructed regarding the appropriate use of the monitoring device(s) noted above (i.e., indications, interpreting results, safety precautions, simple trouble shooting, when to seek assistance). _____

(b) has demonstrated competency for safely self-administering the medication(s) noted above. _____


(b) has demonstrated competency for safely using the monitoring device(s) noted above. _____

I agree that the student named above should be allowed to possess and self-administer the medication(s) noted above while in the classroom and in any area of the school or school grounds, at any school-sponsored activity, in transit to and from school or school-sponsored activities, and during before-school or after-school activities on school-operated property. _____

I agree that the student named above should be allowed to possess and self-monitor with the device(s) noted above while in the classroom and in any area of the school or school grounds, at any school-sponsored activity, in transit to and from school or school-sponsored activities, and during before-school or after-school activities on school-operated property. _____

Prescribing Health Care Provider's Signature:

Date:

Provider's Printed Name:	Office Phone Number:
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: left;">  </div> <div> School Health Services Self-Medicating and/or Self-Monitoring Parent/Guardian </div> </div>	

When completing this form, draw an "X" through any sections that do not apply. (Example: If the student will not be self-monitoring, draw an "X" through the self-monitoring section.) A new application for self-medicating and/or self-monitoring must be completed each school year. Permission from the student's health care provider is required for self-administration of medications and/or self-monitoring. An approved individual health care plan is also required. Students are not permitted to self-administer medications that are controlled substances.


Student's Name	Date of Birth
Name of School Grade	Homeroom Teacher

List the medication(s) that may be self-administered.	List monitoring device(s) that your child may use during the school day.
<p>Please read and initial each statement below if you agree. All are required in order for your child to self-administer medications at school.</p> <p>I authorize my child to possess and self-administer the medication(s) noted above as prescribed while in the classroom and in any area of the school or school grounds, at any school-sponsored activity, in transit to and from school or school-sponsored activities, and during before-school or after-school activities on school-operated property. _____</p> <p>My child has been instructed about the proper use of the medication(s) noted above. _____</p> <p>My child has shown me that he or she can safely self-administer the medication(s) noted above. _____</p> <p>My child and I will be responsible for the proper use and safe-keeping of the medication. _____</p> <p>I will not hold the school district or any of its employees or agents liable if an injury occurs related to my child self-medicating. I will be responsible for any costs related to any claims that occur related to my child self-medicating. _____</p> <p>I understand that my child will lose the privilege to self-medicate if he or she endangers him- or herself or another student by misusing the medication(s). _____</p> <p>I understand that my child may only self-administer the medication(s) noted above. All other medications must be given to my child by a school employee. _____</p> <p>I understand that my child must keep his or her medications in the container provided by the pharmacist or my child's health care practitioner. The container must</p>	<p>Please read and initial each statement below if you agree. All are required in order for your child to self-monitor at school.</p> <p>I authorize my child to possess and self-monitor with the device(s) noted above while in the classroom and in any area of the school or school grounds, at any school-sponsored activity, in transit to and from school or school-sponsored activities, and during before-school or after-school activities on school-operated property. _____</p> <p>My child has been instructed about the proper use of the monitoring device(s) noted above. _____</p> <p>My child has shown me that he or she can safely use the monitoring device(s) noted above. _____</p> <p>My child and I will be responsible for the proper use and safe-keeping of the monitoring device(s). _____</p> <p>I will not hold the school district or any of its employees or agents liable if an injury occurs related to my child self-monitoring. I will be responsible for any costs related to any claims that occur related to my child self-monitoring. _____</p> <p>I understand that my child will lose the privilege to self-monitor if he or she endangers himself or another student by misusing the monitoring device(s). _____</p> <p>I understand that my child may only self-monitor with the device(s) noted above. All other devices must be used with the assistance of a school employee. _____</p>

have my child's name, the name and dosage of the medication, and the directions for proper use on it. _____ 	
---	--

Parent/Guardian Signature

Date

 Healthy Children Learn Better	<p align="center">School Health Services Self-Medicating and/or Self-Monitoring Student</p>
--	--

When completing this form, draw an "X" through any sections that do not apply. (Example: If you will not be self-monitoring, draw an "X" through the self-monitoring section.)

_____ Student's Name	_____ Date of Birth
_____ Name of School	_____ Grade
	_____ Homeroom Teacher

List the medication(s) that you will be self-administering.	List the monitoring device(s) that you will be using.
<p>Please read and initial each statement below if you agree. All are required in order to self-administer medications at school.</p> <p>I know when I should and when I should not take the medication(s) noted above. _____</p> <p>I know the signs and symptoms that may mean that I should not take the medication(s). _____</p> <p>I know how much of the medication(s) noted above I should take. _____</p> <p>I know how to take the medication(s) noted above. _____</p> <p>I will take the medication(s) the way that my health care provider has instructed. _____</p> <p>I will keep the medication in the package provided by the pharmacy or my health care practitioner. _____</p> <p>I will keep the medication and any supplies needed for taking the medication(s) with me in a safe place. _____</p> <p>I will not allow other students to touch or hold my medication(s) nor any of the supplies needed for taking the medication. _____</p> <p>I understand that I will no longer be able to take my medication on my own if I endanger myself or another student by misusing the medication(s). _____</p>	<p>Please read and initial each statement below if you agree. All are required in order to self-monitor at school.</p> <p>I know when I should and when I should not use the monitoring device(s) noted above. _____</p> <p>I know the signs that may mean that the monitoring device(s) is/are not working properly. _____</p> <p>I know how often to use the monitoring device(s). _____</p> <p>I will keep the monitoring device(s) and any supplies needed for using the monitoring device(s) with me in a safe place. _____</p> <p>I will not allow other students to touch or hold my monitoring device(s) nor any of the supplies needed for using the monitoring device. _____</p> <p>I understand that I will no longer be able to use the monitoring device(s) on my own if I endanger myself or another student by misusing the device(s). _____</p> <p>I understand that I can only use the monitoring device(s) noted above on my own. All other devices must be used with the assistance of a school employee. _____</p>

I understand that I can only take the medication(s) noted above on my own. All other medications must be given to me by a school employee. _____	
--	--

Student's Signature

Date

Parent's/Guardian's Signature

Date

SS - 47 INDIVIDUAL HEALTHCARE PLANS (IHP)

Purpose: To establish the basic structure for an individual health care plan for students.

The district will provide certain students with special healthcare needs an individual healthcare plan. This plan will meet the needs of the student for health monitoring and care during the school day or at school-sponsored events.

In accordance with this plan, the district authorizes the student to self-monitor and self-administer medication as prescribed by the student's healthcare provider unless there is sufficient evidence that unsupervised self-monitoring or self-medication would seriously jeopardize the safety of the student or others.

The district will grant permission to self-monitor and self-administer medication on a year by year basis based on appropriate written authorization from the parent/legal guardian and the student's healthcare provider who prescribed the medication.

The parent/legal guardian will sign a statement acknowledging that the district will incur no liability as a result of any injury arising from taking or using medications or self-monitoring devices by the student and that the parent/legal guardian will indemnify and hold harmless the district and its employees and agents against any claims arising out of the self-monitoring or self-administration of medication by the student.

At the beginning of the school year, the district will send a notice developed by the State Department of Education to all parents/legal guardians that notifies them of available services and rights pursuant to Section 504 of the Rehabilitation Act of 1973, the IDEA and medical homebound regulations.

Guidelines

Students may be authorized to self-monitor and self-administer medication as prescribed by the student's healthcare provider with written authorization from the parent/legal guardian for the student to self-monitor or self-administer medication as well as a written statement from the student's healthcare provider verifying that the student has a medical condition and has been instructed and demonstrates competency in self-monitoring or self-administration of medication, or both.

Receipt of the above will authorize a student to possess and administer medication while in the classroom or on school grounds, at a school-sponsored activity, in transit to and from school or school-sponsored activities or during before or after-school activities on school-operated property.

The student's IHP will contain components as required by the state department of education and will be developed with input from and approval of the following individuals.

- student's healthcare practitioner who prescribed the medication
- parent/legal guardian
- student, if appropriate
- school nurse or other designated school staff member

The district may revoke a student's permission to self-monitor or self-administer medication if the student endangers himself/herself or others through misuse of the monitoring device or medication.

Adopted 07/18/01; Revised 07/10

Legal references:

- A. S.C. Code of Laws, 1976, as amended:
5. Section 40-33-70 - Amends law relating to on-site supervision of a nurse.
 6. Sections 59-63-80 and 90 - Policy for individual healthcare plan for certain students.
 7. Section 15-78-60 - Immunity from liability for districts and employees.
 8. Section 44-53-360 - Prescriptions.

INDEMNIFICATION/HOLD HARMLESS AGREEMENT

FOR SELF-ADMINISTRATION OF MEDICATION

Student name: _____

The parent/legal guardian agrees to indemnify, defend and hold the school board, school district, its employees and/or its agents harmless from any and all claims, actions, costs, expenses, damages and liabilities, including attorney's fees, arising out of, connected with or resulting from the self-monitoring or self-administration of medication by the student. The parent/legal guardian agrees that the school board, school district, its employees and/or its agents will incur no liability as a result of any injury arising out of or connected with the self-monitoring or self-administration of medication by the student. Specifically, the parent/legal guardian agrees that they will not institute either on their own behalf or on behalf of the student, any claim or action against the school board, school district, its employees and/or its agents arising out of or connected with the self-monitoring or self-administration of medication by the student.

This agreement will take effect on the date listed below and will stay in effect for as long as the student is provided permission to self-monitor or self-administer medication. This agreement must be signed and in full effect prior to the granting of permission to self-monitor or self-administer medication.

Parent/Legal guardian's name (please print)

Parent/Legal guardian's signature

Principal's signature

Date of agreement

SS - 48 FIRST AID AND EMERGENCY CARE

Purpose: To establish the basic procedure for the administration of first aid and emergency care.

The school nurse or principal's designee will be responsible for providing emergency services in case of injury to, or sudden illness of, a child or staff member.

If a school employs a licensed practical nurse (LPN), a registered nurse (RN) must be available on call (by phone, fax, pager).

Procedures

Each school will develop procedures for the proper handling of such emergencies. The administration will distribute these procedures to the staff.

The procedures will include the following requirements.

- The school nurse or another trained person will be responsible for administering first aid.
- The school will notify the student's parent/legal guardian of the student's illness or injury. The school will request that the parent/legal guardian make appropriate arrangements for the student's care.
- If the school cannot contact the parent/legal guardian immediately when a very serious accident occurs or when a child becomes alarmingly ill, the school will summon medical service or an ambulance to take the child to the appropriate medical facility. Schools will notify the parent/legal guardian as soon as possible.
- Schools will administer first aid/emergency care and the routine delivery of health services to students according to the procedures specified in the Health Services Procedures Manual or other appropriate document.

Adopted 07/18/01; Revised 07/10

Legal references:

- A. S.C. Code of Laws, 1976, as amended:
 - 1. Section 40-33-770 - Amends law relating to on-site supervision of a nurse.
 - 2. Section 44-76-10 through 50 - South Carolina Automated External Defibrillator Act.

SS - 49 GUIDANCE AND COUNSELING

Purpose: To establish the board's vision for school guidance and counseling.

A comprehensive developmental guidance and counseling program, which provides all students the opportunity for optimum development, is an essential component of the instructional program. Students should develop skills and traits that enable them to become productive citizens. To ensure that this service is provided to all students, the district will establish a guidance program in each school.

The guidance program is based on the following beliefs.

- All children are unique and are to be treated with respect and dignity.
- Every student can achieve at high levels.
- Learning is a lifelong process.
- A positive self-concept leads to responsible and productive citizenship. Fostering that positive self-concept is the responsibility of the school, home and community.
- The guidance program is an integral part of the educational program and serves as a critical link to the instructional program. The program provides developmental opportunities and experiences as it addresses student development areas: learning to live, learning to learn and learning to work.

The guidance department, working closely with the administration and instructional staff, will accomplish the following.

- Analyze and evaluate students' abilities, interests, skills and achievements to assist students in making individualized educational, academic and career-oriented choices; in setting career goals; and in developing individual graduation plans to achieve these goals.
- Help students adjust to new in-school and out-of-school situations through counseling and support and/or referral to outside agencies.
- Assist teachers, staff and parents/legal guardians in understanding the needs and problems of individuals and groups of students.
- Interpret cognitive, aptitude and achievement test data to students and parents/legal guardians.
- Interpret student records to include grades earned, test data, personal data and career development records.
- Ensure student records are maintained in accordance with state and federal regulations

Career guidance and counseling

The district will make available to all students a comprehensive system of academic guidance and career development that includes career awareness, career exploration and career preparation.

Elementary school

The district will lay the foundation for the clusters of study system by providing career awareness activities for students in pre-K through fifth grades.

Middle school

Counseling and career exploration programs on the clusters of study will be implemented by the district and made available to all sixth through eighth grade students.

The process of creating and updating developmentally appropriate career plans will begin with students in grade six and directly involve the parent/legal guardian as well as the student.

Before the end of the second semester of the eighth grade, students will select a preferred cluster of study and begin to develop an individual graduation plan (IGP) in consultation with their parents/legal guardians. The IGP is a student specific educational plan detailing the courses necessary for a student to prepare for graduation and to successfully transition into the workforce or postsecondary education and will meet specific requirements as outlined by the state department of education. A certified school counselor must sign the IGP. The IGP will be reviewed and revised at least annually with the assistance of parents/legal guardians, teachers and counselors.

High school

Certified school counselors - as well as career specialists under the supervision of these counselors - will advise students during the ninth and tenth grades on further defining their career cluster goals and further refining their IGPs.

Students in their tenth-grade year will declare an area of academic focus, known as a career major, within a cluster of study before the end of the second semester.

Work exploration guidance activities and career awareness programs that combine counseling on career options and experiential learning with academic planning will be provided to assist students in fulfilling the IGPs. Work exploration activities may include, but are not limited to, the following.

- traditional mentoring experiences
- community and short-term shadowing experiences
- service learning experiences
- school-based activities providing opportunities to explore basic business practices and entrepreneurial enterprises
- internships and cooperative education experiences
- youth apprenticeships for students 16 years and older
- extended learning opportunities to include senior-year projects or community involvement or leadership

The district will implement the career guidance program model developed by the state department of education or submit a prototype to the department for approval for use by the district in the high schools.

The district will promote increased awareness and career counseling by encouraging students to utilize career guidance technology and by providing access to the South Carolina Occupational

Information System (SCOIS) or to another computer-assisted career information system that has been approved by the state department of education.

The district will provide students in middle and high school with the services of a qualified and appropriately trained career specialist as outlined in law. Each middle and high school will have a student-to-guidance personnel ratio of 300:1. Guidance personnel will include certified school guidance counselors and career specialists.

Guidance services are available for every student in the district's schools as required by state law, the defined program and other regulations of the state board of education. All students will participate in career development activities regardless of their race, color, national origin, sex or disability.

Materials or tests used for appraising or counseling students will not be different for students on the basis of their sex. The use of materials will not require different treatment of students on such basis unless such different materials cover the same occupations and interest areas and the use of such different materials is shown to be essential to eliminate sex bias.

Adopted 7/18/01; Revised 5/31/07, Revised 07/10

Legal references:

- A. United States Code:
 - 1. Title IX of the Education Amendments of 1972 - Prohibits sex discrimination by federal education grantees.
- B. S.C. Code of Laws 1976, as amended:
 - 1. Section 59-59-10, et. seq. - South Carolina Education and Economic Development Act.
- C. State Board of Education Regulations:
 - 1. R43-205 - Administrative and professional personnel qualifications, duties and workloads.
 - 2. R43-234 - Defined program, grades 9-12.
- D. South Carolina State Department of Education:
 - 1. South Carolina Education and Economic Development Act Guidelines (2006).

SS - 50 SELF-ESTEEM PROMOTION/SUICIDE PREVENTION

Purpose: To establish the board's vision for the district's suicide awareness and prevention programs.

The district recognizes that suicide is a major killer of young people between the ages of 15 and 24. Therefore, the superintendent will initiate and continue appropriate awareness and prevention programs in the district.

The school staff, students and parents/legal guardians all can contribute significantly towards the prevention of adolescent suicide. The district will, therefore, consider each of these segments of the school community when developing its programs.

Since the necessary professional expertise to carry out such a program may not be adequately available within the school system, the superintendent will also identify local mental health agencies able to provide necessary assistance. The superintendent will establish a continuing cooperative relationship with these agencies in this effort.

The program developed should include information that will help the school staff, parent/legal guardian, and students to do the following.

- Understand the developmental stages of adolescence.
- Understand how feelings of depression and despair can lead to suicide.
- Recognize the early warning signs of suicide.
- Learn how to help in a suicidal crisis.
- Identify community resources where teenagers can get help.
- Address the impact of such a tragedy.

Adopted 07/18/01; Revised 07/10

SUICIDE REFERRAL PROCESS

Assessment

<i>Low Risk</i>	<i>Moderate Risk</i>	<i>High Risk</i>
<ul style="list-style-type: none"> • Indications of suicidal thoughts or threats • No known previous attempts 	<ul style="list-style-type: none"> • Explicit threat(s) or indicators of suicide • Has thought about a plan • Does not have a means to carry out a plan • No known previous attempts • Presence of other risk factors 	<ul style="list-style-type: none"> • Explicit threat(s) or indicators of suicide • Has thought about a plan • Does have a means to carry out a plan • Known previous attempts • Presence of significant risk factors

Individual completing suicide threat assessment will be responsible for the following procedures

<i>Low Risk</i>	<i>Moderate Risk</i>	<i>High Risk</i>
<ul style="list-style-type: none"> • Contact parent/guardian • Discuss with parent possible need for referral for outside mental health services • Provide parent with referral information as needed • Complete referral checklist and file in central guidance office 	<ul style="list-style-type: none"> • Contact parent/guardian • Discuss referral for mental health counseling with parent • Provide parent with referral information as needed • Notify School Psychologist and School Administrator • Notify appropriate staff to monitor student behavior • Complete referral checklist and file in central guidance office 	<ul style="list-style-type: none"> • DO NOT LEAVE STUDENT ALONE OR ALLOW STUDENT TO LEAVE THE BUILDING • Contact parent/guardian immediately for emergency conference • Notify School Psychologist and School Administrator • Assist parent with referral to Coastal Empire Community Mental Health, other appropriate agency, or ER if not currently receiving mental health services • Parent/guardian signs <i>Verification of Emergency Conference</i> form • If unable to contact parent/guardian contact law enforcement and/or Coastal Empire Community Mental Health • Student should be released only to parent/guardian or, in case of medical emergency, to medical personnel or law enforcement • Notify appropriate staff to monitor student behavior • Complete referral checklist and file in central guidance office

SS - 51 STUDENT WELFARE

Purpose: To establish the basic structure for the reporting of child abuse (sexual, physical or mental) and neglect.

The schools of this district will cooperate vigorously to expose the problems of child abuse and neglect.

Any principal, assistant principal, school teacher, nurse or counselor who has received information in his/her professional capacity which gives him/her reason to believe that the physical or mental health or welfare of a child under the age of 18 has been or may be adversely affected by abuse or neglect **must** report such a situation. The principal, assistant principal, teacher, nurse or counselor may make the report to a law enforcement agency in the county where the child resides or to the county department of social services.

Other school employees who have reason to believe that a child under the age of 18 has been subjected to, or who may be subjected to physical abuse or neglect, may also report or cause a report to be made as stated above.

The state of South Carolina provides both civil and criminal immunity to those reporting suspected child abuse or neglect. Anyone required to report who knowingly fails to do so may be guilty of a misdemeanor.

Reporting procedures

School personnel who suspect child abuse or neglect may make a report in good faith. It is not the responsibility of school personnel to prove that the child has been abused or neglected or to make a determination of whether the child is in need of protection. Any involvement of school personnel in investigation or treatment should be in conjunction with the local child protection unit of the department of social services.

The teacher or other school employee first suspecting the abuse must make an oral report by telephone or otherwise which includes the following, information.

- name, address and age of student
- name and address of parent or caretaker
- nature and extent of injuries or description of neglect
- any other information that might help to establish the cause of the injuries or condition

In order to enable the principal to respond properly to any investigation by DSS, the person making the report will inform his/her principal of an oral or written report submitted in a case of child abuse or neglect as soon as practicable. The district encourages the principal to keep a log with the date and approximate time of the report, name of the person making the report and name of the agency to which the report was made.

School employees who make child abuse or neglect reports must maintain the confidentiality of the information contained in the report. Employees will release this information only to the department of social services or, in the alternative, the county law enforcement agency.

Option:

District liaison

The superintendent will designate a specific person or persons to serve as the district liaison and forward that information to the local child protection unit of the department of social services.

It will be the responsibility of the liaison to arrange for training and information necessary to assist staff members in identifying possible instances of child abuse and neglect, including annual updates regarding any changes in the law. Additionally, the liaison is charged with implementing a planned program of personal safety and awareness education, including methods for preventing sexual abuse, which will be provided to staff, students and parent/legal guardians.

Adopted 7/18/01; Revised 07/10

Legal references:

- A. S.C. Code, 1976, as amended:
 - 1. Section 20-7-10, et seq. - Children's Code.
 - 2. Section 20-7-490 - Definitions.
 - 3. Section 20-7-510 - Persons required to report.

SS - 52 STUDENT DISMISSAL PRECAUTIONS

Purpose: To establish the basic structure for the dismissal of students before the end of the school day.

No staff member will excuse any student from school prior to the end of the school day or into any person's custody without the direct prior approval and knowledge of the principal or his/her designee. The principal or his/her designee will authorize early or otherwise irregular dismissal only when it is requested in person or in writing by the student's parent/legal guardian. In cases of written permission, the parent/legal guardian must request all non-emergency dismissals prior or sign a school-approved release form prior to the time of the requested dismissal.

Students who become ill during the day may not leave before obtaining permission from the office.

Release of child to noncustodial parent

For children whose parents are divorced or legally separated, the school will dismiss the student only into the custody of the parent with legal custody. The school will release the child to either parent if the parents are divorced and have joint custody. The school will release a child to a noncustodial parent only if there is written permission for doing so signed by the custodial parent on file at the school office.

The principal or his/her designee should make a reasonable attempt to obtain a copy of the parent's custody papers from the custodial parent for filing in the school office.

Adopted 7/18/01; Revised 07/10

SS - 53 STUDENT FEES, FINES AND CHARGES

Purpose: To establish the basic structure for the assessment of student fees, fines and charges.

Fees

It is the responsibility of each school to offer a free appropriate public education to all students. This implies that all established activities and programs within the school should be free of charge. Exceptions include special events, activities or materials that support the individual student or the academic program. Fees that are charged for these exceptions should be reasonable and must follow the guidelines established by the district.

No school will charge a fee that has not been approved by the superintendent..

The superintendent will work with principals to formulate the necessary controls and records to assure that all fees are uniform and held to a minimum.

The district will not charge instructional fees to students who receive free lunches and will prorate instructional fees for students who receive reduced-price lunches.

The district will not deny any student an education because of his/her failure to pay these supplementary charges.

Fines and charges

No student is exempt from charges for books, lockers, materials, supplies and equipment that are lost or damaged.

Adopted 7/18/01; Revised 6/18/07, Revised 07/10

Legal references:

A. S.C. Code of Laws:

1. Section 59-19-90(8) - General powers and duties of school trustees; charge matriculation and incidental fees.

SS - 54 STUDENT RECORDS

Purpose: To establish the basic structure for maintenance of and access to student records.

The principal of each school is the legal custodian of all student records for that school.

Students and parents/legal guardians will have access to their school records. The schools will notify parents/legal guardians and adult students of the following.

- type of records kept
- procedure for inspecting and copying these records
- right for interpretation
- right to challenge data thought to be erroneous, the procedures for expunging such data or inserting a rebuttal statement
- right to lodge a complaint with the U.S. Department of Education if mandates are not adequately implemented

Cumulative record folders for all students will be kept in each school office. The educational records or school records include all materials directly related to a student that a school maintains. Records and notes maintained by a teacher, administrator, school physician or school psychologist for his/her own use, and which are not available to others, are exempted from this definition.

The school will require prior written consent before information may be divulged to third parties. Exceptions to this rule exist for school district employees who have legitimate interests in viewing the records, officials in other schools in which the student seeks to enroll, and military recruiters who seek student contact information. At the time of transfer, parents/legal guardians may review the material.

State and national educational organizations that require student data for confidential research and statistical purposes are also exempted from the parental consent prerequisite. An exemption also exists for material under court order, although parents/legal guardians must be notified of the order.

The district, with certain exceptions, may disclose directory information, which may include names, addresses, telephone listings and dates of birth, without first obtaining written parental permission. However, the district must define directory information to the public before disclosures.

The superintendent will establish administrative regulations for compliance with the Family Educational Rights and Privacy Act and other applicable acts and regulations.

The principal will maintain juvenile criminal records and information provided by the department of youth services in accordance with this policy and applicable district procedures.

The principal will destroy such juvenile criminal records upon the juvenile's completion of secondary school, or when the juvenile reaches 21 years of age, whichever occurs earlier.

General provisions

A student's "education records" are those records directly related to a student and maintained by the school district or a party acting for the school district.

"Parent" refers to a parent, a legal guardian, a person acting as a parent, a surrogate appointed in accordance with laws regulating programs for disabled students or a student who is 18 years of

age or over, or a student who is attending an institution of postsecondary education on a full-time basis.

“Written consent” as used in this policy and administrative rule includes signed and dated written consent in electronic format that does the following.

- identifies and then indicates a particular person as the source of the electronic consent
- indicates the person’s approval of the information in the electronic consent

Whenever a student is 18 or is attending an institution of postsecondary education, the rights accorded to and the consent required of the parent of the student will thereafter only be accorded to and required of the eligible student unless the school district has received notice that a court has awarded legal guardianship beyond the age of majority or the student is dependent on the parent/legal guardian for support and is claimed as dependent for tax purposes under the Internal Revenue Code. The school will document such notice.

In maintaining student records, the schools will follow applicable state and federal laws and regulations.

Location of the student records

The school or the district records office (if a student is no longer enrolled) will maintain a cumulative record folder that contains directory information, scholastic information, standardized test data, health records, discipline records and other information. This cumulative record will include, but not be limited to, the following information.

- name (last, first and middle), also the preferred name (nickname)
- date of birth (verified) along with the sex and ethnic background
- address and telephone number
- names of parents and/or legal guardians
- health record, including surveys for vision, speech and hearing
- standardized test scores
- end of year assessment scores
- attendance and scholarship record card
- special services contact report
- reading and mathematics continual record
- appropriate correspondence with parents
- discipline records
- criminal record (if convicted of certain crimes)
- incident reports relating to charges for certain offenses outlined in the Juvenile Justice Code, and relating to other offenses if requested by the principal
- other information in the form of notice by a law enforcement agency that a child has been charged with an offense as outlined in the Juvenile Justice Code, or upon final disposition of a case as outlined in the code

Except as provided in paragraph 4 of this section, the district maintains copies of psychological reports and related records if the district has given psychological evaluations to the student as follows:

- in the Office of Special Services
- in the student’s school in a file especially for psychological reports

The appropriate personnel in the district office and/or the appropriate school will keep records concerning students who have had administrative hearings.

Once a student graduates, the district files the student's records in the high school. If a student drops out of school before graduation, the school will file his/her records for five years and then transfer the records to the district's central location for record storage.

Beaufort County Board of Education

Directory information

Schools will treat each student's education records as confidential and primarily for local school use. The exception to this rule is for directory information, which includes the following information about a student.

- name
- address
- telephone number
- date and place of birth
- participation in officially recognized activities and sports
- weight and height of members of athletic teams
- dates of attendance
- diploma or certificate and awards received
- electronic mail address
- photographs, digital images, images on videotape and other electronic images (as related to school-sponsored or district-sponsored events, activities and special recognitions)
- grade level
- most recent previous educational agency or institution attended by the student
- other similar information which may appear in newspaper articles, on television, in radio broadcasts, on displays, on the world wide web or in district or school promotional pieces

The district will not release directory information to any person or agency for commercial use. The district expects its employees to use good judgment in releasing directory information so it serves the best interests of the student.

Within 15 days after the annual distribution of notification of privacy rights, the parent of the student or the eligible and currently enrolled student has the right to refuse to permit the designation of any or all of the categories of personally identifiable information as directory information. The parent/eligible student's notification must be in writing. The written notification will become part of the student's education record. The principal of the school the student is attending is responsible for notifying appropriate personnel of the request, filing the request in the student's cumulative folder and marking the folder as specified by the superintendent or his/her designee.

This notification of privacy will include notice to parents that military recruiters are entitled to some student directory information and that parents have the right to deny this access.

Release of school records

The Family Education and Privacy Act of 1974 requires the following procedures in the release of school records.

- The district cannot release school records to any person or agency (employer, government agency, etc.) without the written consent of a student's parent. If the student is 18 years of age, he/she may sign for the release of his/her records.
- The district will release school records, without prior written consent of parent or eligible student, to officials of other educational institutions in which the student seeks or intends to enroll. The school will notify the student's parent of the transfer only if he/she has requested this exception to the district's policy.

The USA PATRIOT Act authorizes the district to release student records without parental consent to federal law enforcement officials in some circumstances relevant to a terrorism investigation.

Beaufort County Board of Education

Records made by an employee

A school district employee's personal records on a student are not part of the student's education record as long as that person keeps the notes solely for his/her own use and maintains them separately from the school files.

A substitute who performs the employee's duties on a temporary basis may use these personal records. However, the employee may not pass the records on to a successor.

Management of records

The district will protect the confidentiality of personally identifiable data on children during collection, storage, disclosure and destruction.

School district personnel, school psychologists under contract with the school district and other eligible state and federal employees who need the records to carry out their assigned duties and who have a legitimate educational interest will have access to or may receive information from the education records. The superintendent will maintain a current list of such individuals. The district will also give access to parents and eligible students as provided below.

The appropriate administrative head of each group collecting or using personally identifiable information will give instruction regarding these regulations to the group.

Students transferring to another school

When a student transfers to another school or a school district, the school will send the student's permanent school records, including incident reports relating to charges for certain offenses outlined in law and the discipline record of suspensions and expulsions, to the receiving school and notify the parent of the transfer.

Disclosure (except for directory information)

The school district has the right to disclose personally identifiable information from the education records of a student to appropriate parties in connection with an emergency, if knowledge of the information is immediately necessary to protect the health or safety of the student or other individuals.

The school will require a written request or consent from a parent or eligible student for each act of release of information. Blanket authorization for release of information is not permissible. Written requests or consent will include the types of information to be released, the purpose(s) for the disclosure, the parties or class of parties to whom the disclosure may be made, the date signed and the signature of the parent or eligible student.

The district will not require prior consent for disclosure when state and federal officials request the information as authorized by statutes or regulations implementing statutes.

The district will not require prior consent to disclose information to organizations conducting studies for, or on behalf of, the district for the purpose of developing, validating or administering predictive tests, administering student aid programs, and improving instruction as long as students and/or their parents are not personally identified and the records are destroyed when no longer needed for the prescribed purpose.

The district will not require prior consent when disclosing information to accrediting organizations in order for them to carry out his/her accrediting functions.

The district will not require prior consent when disclosing information in order for the school district to comply with a request from a judicial order, a lawfully issued subpoena, or a family court judge or his/her duly authorized representative acting in an official capacity.

Except as provided elsewhere in this administrative rule, the school district will keep a record of disclosures not authorized by the parent, eligible student or this administrative rule.

The student's cumulative folder will provide the following information.

- name of the party receiving the information
- data released
- legitimate purpose for which the data was requested

On the same day, the person releasing the information must mail written notification of the above to the parent or eligible student at the last known address if there is no evidence that the parent or eligible student is aware of the release of information.

Annual notification of rights

Each school will distribute annual notice of privacy rights to parents and eligible students in attendance at the time of notification.

Request for inspection

Anyone who wants to inspect the records must make the request for inspection (or an explanation or interpretation) of a student's record to the principal of the school in which the student is enrolled or where the record is housed.

Principals or designated district office administrators will set a time and place for the inspection of such records within a reasonable period of time, but in no case more than 45 days after the request has been made. If a hearing concerning the student is pending, the employee will honor the request for inspection of the student's record prior to the hearing.

At the inspection, the principal will have appropriate personnel available to interpret information on the records.

The school district is responsible for the maintenance of each student's record. Therefore, school personnel are not to turn the original record or microfilmed copy of a record over to any person or organization unless they have a specific, written judicial order for such action.

If the parent or eligible student believes that the information in the education record is inaccurate, misleading or violates the privacy or other rights of the student, he/she can request an amendment to the record. The school official receiving the request will either amend the record, if appropriate, or notify the parent or eligible student within 15 working days in writing that the request is denied and that he/she has the right to request a hearing as provided below.

Each parent of a child has the right to inspect and review the child's record unless the school district has written evidence that there is a legally binding instrument or a court order governing such matters as divorce, separation or custody which provides to the contrary. The same applies to parental requests for disclosure to other individuals and to organizations.

A parent or an eligible student has the right to give written authorization for a representative to inspect and review the education records of the student.

Hearings to challenge information in students' records

Beaufort County Board of Education

Parents or eligible students will make requests for hearings to the principal where the record is housed. The principal or his/her designee may conduct the hearing.

Principals or administrators will set a date, time and place for the hearing and notify the requester in writing of the date, time and place. The principal will establish the hearing date within five working days of receipt of the request. The principal must mail written notice of the hearing to the parent or eligible student at least 10 days prior to the hearing.

A school district official who does not have a direct interest in the outcome will conduct the hearing.

At the hearing, the principal or administrator will try to have present the person who has entered the information in question if the person is known and reasonably available. The parent or student who requested the hearing will have the right to question that person if present and be able to show evidence that would correct inaccurate, misleading or otherwise inappropriate information. Such evidence will become a permanent part of the student's record.

The parent of the student or the eligible student will have a full and fair opportunity to present relevant evidence, and may be assisted or represented at their expense by legal counsel.

If, as a result of the hearing, the school district decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it will inform the parent or eligible student in writing that he/she has the right to place in the education record a statement commenting upon the information in the record and/or setting forth any reasons for disagreeing with the decision. Any such statement must remain with the record as long as the contested portion remains in the record. Disclosure of the contested portion must include the statement of the parent or eligible student.

The school district will send its decision (including a summary of the evidence), the reasons for the decision and the right to a judicial appeal in writing to the parent or eligible student within five working days after the conclusion of the hearing. The school district will base its decision solely on evidence.

Destruction of education records

The school district may destroy data that are no longer needed for providing direct educational services as long as the following conditions apply.

- There is no outstanding request to inspect and review the education record.
- The district keeps the record of disclosures as long as it maintains the education record to which it relates.
- The data does not concern the referral, evaluation, staffing and placement of a disabled student or a student suspected at one time of having a disability. Such data will be sent to the office of programs for the disabled when no longer needed for providing direct educational services to a student.

No one may remove the following items from a student's cumulative record at any time.

- name (last, first and middle), also the preferred name (nickname)
- date of birth (verified), along with the sex and ethnic background
- address and telephone number
- names of parents
- health record, including surveys for vision, speech and hearing
- standardized test scores
- end of year assessment scores
- attendance and scholarship record card

Beaufort County Board of Education

Special service contact report is to be removed from a student's cumulative record at the end of five years if the student is not enrolled in a special program. The curriculum coordinator or guidance counselor will remove this record. The continual reading and mathematics records K through eight are to be removed and made a part of the record keeping system to be in force for grades nine through 12. Correspondence with parents should be reevaluated and thrown away after five years. Any materials relating to a child's preschool and kindergarten experiences should be discarded after second grade.

Record provided by the department of juvenile justice

A person's juvenile criminal record must be provided by the department of juvenile justice to the principal of the school which the juvenile is eligible to attend immediately upon the person's release from the department of juvenile justice.

The principal will ensure that the student's juvenile criminal record is maintained in the school disciplinary file or other such confidential location. Access to the record will be restricted to school personnel having need for such information in order to adequately address the educational needs of the student.

These records must be destroyed upon the student's completion of secondary school or upon reaching 21 years of age.

Fingerprint records

In accordance with law, the county will provide each school in the county with the forms and ink pads necessary to record each student's fingerprints in kindergarten through grade 12.

The district schools with the assistance of the State Law Enforcement Division and/or local law enforcement agencies will fingerprint school children in kindergarten and grades one through 12 when the parent of a child requests in writing that his/her child be fingerprinted for identification purposes for the child's protection.

The school will give the fingerprints to the student's parents.

The Family Educational Rights and Privacy Act Office

Parents/Legal guardians and eligible students have the right to file written complaints concerning alleged violations of the Family Educational Rights and Privacy Act. Written complaints should be sent to the following address.

Family Policy Compliance Office
U. S. Department of Education
400 Maryland Avenue, S.W.
Washington, DC 20202-4605

This office has the responsibility for investigating, processing and reviewing alleged violations. This office will refer appropriate cases to a review board for adjudication.

Issued 7/18/01; Revised 07/10

SS - 55 HEALTH EDUCATION

Purpose: To establish the board's vision for health education.

The school district is committed to a sound, comprehensive health education program that is an integral part of each student's general education.

The district will fulfill its responsibility for meeting the health needs of children and youth through a comprehensive program of health education in grades kindergarten through 12.

Comprehensive health education includes instruction that maintains, reinforces or enhances the health, health-related skills, and health attitudes and practices of children and youth that are conducive to their good health. Health education will consist of appropriate, sequential instruction in health that is delivered as part of existing courses or as a separate course. Instruction will promote wellness, health maintenance and disease prevention. Instruction will be consistent with the South Carolina Academic Standards for Health and Safety Education, and will cover community health, consumer health, environmental health, growth and development, nutritional health, personal health, prevention and control of diseases and disorders, safety and accident prevention, substance use and abuse, dental health, mental and emotional health, and reproductive health education. Reproductive health education, pregnancy prevention education and family life education will be delivered in accordance with the law.

The administration will develop a method whereby principals notify parents/ legal guardians of students in the relevant grades of the content of the instructional materials concerning reproductive health, family life, sexually transmitted diseases and pregnancy prevention. The notice will inform parents/legal guardians of their option to exempt their child from this instruction.

Teachers who provide instruction in health education will have professional preparation in the subject area, either at the pre-service or in-service level.

Teaching about drugs, alcohol and tobacco

All schools in the district will teach the nature of alcohol and narcotics and their effects upon the human system. Schools should help students develop an awareness of the consequences of the use and abuse of alcoholic drinks and drugs. Instruction will emphasize problems related to their use, pharmacological aspects, physiological effects and the impact upon the total community. School will present drug education as thoroughly, and in the same manner, as all other required subjects.

Teaching about HIV/ AIDS and sexually transmitted diseases

The district will provide professional development opportunities for teachers responsible for teaching students about the dangers of the Human Immunodeficiency Virus infection (HIV) and its prevention. The district will develop and HIV/ AIDS prevention education program in consultation with teachers, students, administrators, parents/legal guardians and other community members including, but not limited to, persons from medical, public health and mental health organizations and agencies.

The curriculum for HIV/ AIDS prevention education will be designed to teach students not only about behaviors that put people at risk for HIV and other sexually transmitted diseases, but also about the methods and skills needed to avoid risk of infection to include the following:

- Abstaining from sexual intercourse as the only means for preventing HIV infection through sexual contact.
- Avoiding the sharing of needles for tattooing, body piercing or injecting drugs.

- Developing communication and decision-making skills that promote abstinence and avoid risk behaviors.
- Avoiding behaviors that decrease decision-making skills such as alcohol and other drug use.

Adopted 07/18/01; Revised 07/10

Legal References:

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

1. Sections 59-29-20, 59-29-30, 59-29-40 – Instruction required regarding the effects of alcohol and narcotics.
2. Section 59-32-10, et seq. – Comprehensive Health Education Act.
3. Section 59-10-10, et seq. – Student Health and Fitness Act of 2005.

B. State Board of Education Regulations:

1. R-43-231, 43-232, 43-234 – Basic program; defined program.