

CCSD BOARD OF TRUSTEES
Board Meeting
July 25, 2016
75 Calhoun St., Charleston, SC 29401
Agenda

EXECUTIVE SESSION 4:00 p.m.			
I.	1.1:	Legal Update – Mr. John Emerson <i>General Counsel will brief the Board on legal matters.</i>	Information
	1.2:	Personnel Contractual Matters <i>The board will discuss personnel contractual matters.</i>	Action
	1.3:	Teacher Appeal Hearing <i>The board will discuss a teacher appeal hearing.</i>	Action
	1.4:	Student Transfer Appeals (4) <i>The board will discuss student transfer appeals</i>	Action
II.	CALL TO ORDER, INVOCATION / MOMENT OF SILENCE, & PLEDGE OF ALLEGIANCE		
III.	ADOPTION OF AGENDA / APPROVAL OF CONSENT AGENDA ITEMS		
IV.	APPROVAL OF MINUTES		
	4.1:	A. Open Session Minutes – Special Called Meeting - June 27, 2016 <i>The board will consider a recommendation to approve the June 27, 2016 minutes, including financial impact statement.</i>	Action
		B. Open Session Minutes – Special Called Meeting June 30, 2016 <i>The board will consider a recommendation to approve the June 30, 2016 minutes, including financial impact statement.</i>	Action
		C. Open Session Minutes – Special Called Meeting July 11, 2016 <i>The board will consider a recommendation to approve the July 11, 2016 minutes, including financial impact statement.</i>	Action
	4.2:	Approval of Executive Session Items	Action
V.	VISITORS / PUBLIC COMMENTS		
VI.	SUPERINTENDENT’S REPORT – Dr. Gerrita Postlewait – Superintendent of Schools		
	6.1:	Financial Report – Mr. Glenn Stiegman <i>The board will receive the Financial Report as information.</i>	Information
	6.2:	July Updates • Data Workshop • Staffing Status Report • Facilities Status Report • Other Updates	Information
VII.	COMMITTEE REPORT(S)		
Strategic Education Committee			

	7.1:	2016-2017 Code of Conduct and Progressive Discipline Plan – Mrs. Jennifer Coker <i>The board will consider a recommendation coming from the Strategic Education Committee to approve the revised Elementary and Secondary Codes of Conduct and the new Progressive Discipline Plan.</i> <i>7/11/16 Committee Vote – 6-2 (Collins and Miller opposed; Garrett was absent).</i>	Action
Policy & Personnel Committee			
	7.2:	A. Renew Use of Hearing Officers – Mr. John Emerson <i>The board will consider a recommendation coming from General Counsel to approve renewal of the existing practice of allowing hearing officers to hear appeals of continuing contract teachers.</i>	Action
CONSENT AGENDA ITEMS			
VIII. Audit & Finance Committee	8.1:	Capital Maintenance Reallocation (2017-2022 Capital Program Phase IV – Sales Tax) – Mr. Ronald Kramps <i>The board will consider a recommendation coming from the Audit & Finance Committee to approve the reallocation of funds in the amount of \$54,722 included in the resolution.</i> <i>7/11/16 Committee Vote 6-0 (Collins and Miller were not in the room; Garrett was absent).</i>	Action
Policy & Personnel Committee	8.2:	Health Advisory Committee Vacancies <i>The board will consider a recommendation coming from the Policy & Personnel Committee to approve the Health Advisory Committee Vacancies recommendation.</i> <i>7/11/16 Committee Vote – 8-0 (Garrett was absent).</i>	Action
	8.3:	Student Transfer <i>The board will discuss a student transfer appeal.</i>	Action
IX.	Upcoming Meetings August 22-23 – School Governance Training		Information
X.	Adjournment		

BOARD AGENDA ACTION FORM

July 11, 2016 Committee Meeting

July 25, 2016 Board Meeting

Section:	Strategic Education Committee
Subject:	2016-2017 Code of Conduct and Progressive Discipline Plan
Name / Department:	Jennifer Coker, Department of Alternative Programs
Agenda Item Number:	7.1
Background:	The Department of Alternative Programs was developed in January 2016 to address specific areas of concern in CCSD as related to out of school suspensions, expulsions, arrests, and district systems that address student behavior. The expectations set forth for the department were to examine current structures, policies, and practices that may contribute to the high number of suspensions, expulsions, and arrests. This review included examining Federal and State Regulations, CCSD Policy, CCSD 2015-2016 Student Code of Conduct, and discipline data including offenses and consequences by school, gender, and race.
Discussion:	In February 2016, two Code of Conduct Committees were formed: Elementary and Secondary (members of both committees attached). Both committees independently examined the information listed above and developed revised Codes of Conduct for 2016-2017. Our recommendation for 2016-2017 is to have two separate documents: 1. Elementary Parent Resource Manual and Code of Conduct 2. Secondary Parent Resource Manual and Code of Conduct We recommend a format change for the Code of Conduct to include the following: 1. District Information 2. Parent Resources 3. Student Code of Conduct 4. Procedure and Policy Additionally, the committees moved several offenses to different levels to match State Regulations and added a category of "Teacher Managed" offenses. This included: • Secondary Code of Conduct: 14 offenses from Level 3 to Level 2 • Elementary Code of Conduct: 16 offenses from Level 3 to Level 2 • Examples of offenses moved by Elementary and Secondary: • Alcohol from Level 3 to Level 2 • Habitual and Chronic Truant from Level 3 to Level 2 • Drug Usage from Level 3 to Level 2 • Gambling from Level 3 to Level 2 • Revising definitions for each offense: • Example: Disturbing School has been modified: "Behavior that disturbs the learning environment or school sponsored event for a significant number of students for an extended period of time and requires the intervention of a number of staff members." Based on the recommendations of the committees, some offenses are categorized in different levels in the Secondary and Elementary codes. These differences are based on developmental growth and needs of students. For example: • Indecent Exposure:

	• Secondary = Level 3 • Elementary = Level 2 • Fire Alarm: • Secondary = Level 3 • Elementary = Level 2 • Bite/Pinch/Spit • Secondary = Level 2 • Elementary = Level 1 The Progressive Discipline Plans (PDP) provide interventions and consequences that are developmentally appropriate for students. There are Progressive Discipline Plans for the following grade bands: • PreK – 2nd grade • 3rd – 5th grade • 6th – 12th grade	
Goals & Budget:		
This recommendation supports CCSD goal #:	Priority Goal #6 – Comprehensive Student Support Services	
Overall budget for implementing CCSD goal:	N/A	
Request approval for funds within that budget in the amount of \$:	N/A	Funding Source (GOF, IDEA, Title I, Capital, etc.)
Resulting positive impact for students in our District will be:	Revising the Code of Conduct and creating Progressive Discipline Plans are the beginning steps needed to build consistent discipline practices across CCSD. These documents set the foundation and expectations for school leaders, students, and parents. The Progressive Discipline Plans serve as a guide for all administrators to ensure equity for all students when faced with a disciplinary infraction. Monitoring fidelity to the Progressive Discipline Plans will be done weekly in the Office of Alternative Programs through the Review 360 data management system.	
Potential impact of this decision on other budget areas will be:		
Future Fiscal Impact:		
Recommendation:	☐ Action	☒ Information
	☐ Open Session	☐ Executive Session
Draft Motion: The CCSD Board of Trustees approves: a) the 2016-17 Middle and High School Parent Resource Manual and Student Code of Conduct; b) the 2016-17 Elementary Parent Resource Manual and Student Code of Conduct; and c) the Progressive Discipline Plans for PK-2, 3-5, and 6-12. The Board also directs the superintendent to review board policies related to these matters to ensure adequacy, consistency, and compliance.		
Person(s) Responsible for Implementation:	Jennifer Coker and Kala Goodwine	
Superintendent's Approval:		
Board Member(s) Approval:		
Attachment(s):	☒ Yes	☐ No

Charleston County School District

Progressive Discipline Plan

2016-2017

Elementary Schools:

Grades Pre-K – 2nd

Note to Administrators:

This CCSD Progressive Discipline Plan (PDP) is a guide for all administrators to use when processing office discipline referrals. At no time should an administrator assign a more exclusionary disciplinary measure than what is prescribed in the PDP without consent of your Executive Director or Associate Superintendent. Administrators may elect to provide additional interventions or assign a lesser consequence based on extenuating circumstances.

Suspensions:

By law, no student in South Carolina can be suspended more than thirty (30) school days. As a reminder, Special Education (SPED) and 504 students have special circumstances when considering OSS days. Students with IEPs and 504s are only allowed to have 10 days of ISS/OSS without services during a school year. If administrators suspend SPED or 504 students more than 10 days without following appropriate district procedures, the school will be financially responsible for the cost of compensatory services. Schools should make every effort to provide services to SPED students while assigned to ISS.

Referrals to the Office of Alternative Programs:

Schools should complete a referral to the Office of Alternative Programs as noted in the PDP. Schools may choose to submit an intervention referral if a student has exhausted the school level Tier 1 and Tier 2 interventions and they are in need of additional supports (Drug/Alcohol Group, Social Worker Involvement, Truancy assistance, etc).

Expulsion Referrals:

Level 3 offenses will be referred to the Constituent Board for possible expulsion as outlined in the PDP. Before referring a Special Education or 504 student for expulsion the school must convene a Manifestation Determination Review (MDR) meeting. If the incident is related to the student's disability, then no further discipline occurs. If the incident IS NOT related to the student's disability, then a Referral for Expulsion may be submitted.

All referrals for intervention or expulsion should be submitted to: oap@charleston.k12.sc.us

For questions about the Code of Conduct, PDP, or district level interventions, please call: 843-745-7150.

CCSD Elementary (Pre-K - 2nd Grade) Progressive Discipline Plan (2016-2017 SY) - Teacher Managed

Classroom Managed/Teacher Managed: Behaviors which adversely affect a student's educational progress. Classroom/Teacher Managed infractions should be handled by the classroom teacher and are not processed through a formal referral for disciplinary actions from administration. However, these infractions are documented by the teacher. Cases of multiple or chronic offenses may require administrative/guidance action (assistance) and referral for interventions.

Infraction	Definition
Cheating	Providing, receiving, or viewing answers to assignments, quizzes, or tests; accessing academic materials without permission (with or without the use of electronic devices)
Computer Violation – Non-criminal	Unauthorized or inappropriate use of computers or use of computer resources without permission; unauthorized modifications of school system computers that do not permanently damage the system resources
Dishonesty	Failure to knowingly tell the truth; also includes taking other's property
Dress Code Violation	Noncompliance with the District and/or school dress code
Excessive Noise	Any loud sound that is unnecessary or interferes with the learning environment or activity; senseless shouting or outcry
Failure to Complete Work	The act of not completing assigned written, oral, or physical work
Hall Pass Violation	To be in a hallway without written permission; to alter or change a hall pass from its original intent
Horseplay	Rough play or pranks that could harm another or disrupt the learning environment
Inappropriate Affection	Unsuitable or improper physical contact, action or gestures, display of public affection; an extreme feeling or emotion towards another person
Inappropriate Behavior	Actions or gestures of conducting oneself in a disruptive or disrespectful manner to include tone, attitude, and body language that is negative or abrasive towards another student or adult
Inappropriate Language	Words that are not demeaning or not directed to another student or adult
Inappropriate Materials	Related to the possession or viewing of items considered to be unsuitable for school or school related activities
Littering	Purposely leaving trash to cause a nuisance or health concern
No Returned Form	Failure to return required form or document
Running	Running in the classroom, hallway, cafeteria, or any other area inside the school.
Tardy	Arriving late to school or class (multiple tardies will result in actions based on The CCSD Progressive Discipline Plan)
Throwing Objects	To propel or cast in any way anything that is visible or tangible
Violation of Class Rules	Intentional behavior that interferes with the standard operating procedures of the classroom and school environment

Each school should establish MTSS/PBIS systems to provide a protocol for teachers to address classroom managed referrals.

Possible Interventions:

- Behavior Contract
- Clarify Expectations
- Reteach Expectations
- Explicit Instruction
- Modify activity
- Alternate Assignment
- Peer Buddy
- Peer tutor
- Problem solving sheet
- Proximity control
- Quiet correction
- Positive Reinforcement of appropriate behavior
- Restorative conversation
- Seat change
- Teacher/student conference

Possible Actions:

- Confiscate items
- Detention
- In class exclusion
- Verbal or written Apology
- Loss of Privilege
- Parent / Teacher conference
- Parent / teacher contact (phone, email, text, letter)
- Temporary removal from class
- Verbal Warning
- Written or verbal reflection
- Written warning
- Mediation

CCSD Elementary (Pre-K - 2nd Grade) Progressive Discipline Plan (2016-2017 SY) - Level 1 Offenses--Disorderly Conduct

Level 1 Offenses, Disorderly Conduct, are any behaviors which adversely addect a student's educational progress. Level 1 offenses are handled by the school administration.

Level 1 Code	Infraction	Definition	1st Occurence	2nd Occurence	3rd Occurence	4th Occurence	5th Occurence
1	Aiding Others	A person who assists in or supports the commission of an offense and who usually has knowledge before or after the fact	Reteach Expectations Parent/Teacher Contact	Reteach Expectations Written Warning Parent Contact	Parent/Teacher Conference Referral to Counselor	Parent/Guardian Shadowing or OSS (1 day)	OSS 1 Day
3	Bite/Pinch/Spit	To cut, wound, or tear with the teeth; to constrict or squeeze painfully; to eject saliva from the mouth	Reteach Expectations Verbal Apology Parent/Teacher Contact	Reteach Expectations Parent Contact Referral to Counselor	Behavior Contract Loss of Privlidge	Conditional Suspension	Parent/Guardian Shadowing or OSS (1 day)
220	Computer Violation – Non-criminal	Unauthorized or inappropriate use of computers or use of computer resources without permission; unauthorized modifications of school system computers that do not permanently damage the system resources	Reteach Expectations	Reteach Expectations Parent/Teacher Contact	Loss of Privileges	Parent/Teacher Conference	Conditional Suspension
4	Contraband	Related to the possession or viewing of items considered to be unsuitable for school or school related activities (magazines, materials to promote discriminatory practices/speech, chemicals, dice, etc.)	Reteach Expectations Confiscation of items	Reteach Expectations Parent Contact Confiscation of items	Parent Conference Confiscation of items	Behavioral Contract Confiscation of item	Confiscation of item Conditional Suspension
170	Cutting Activity	Failure to attend or complete an assigned school activity or event	Reteach Expectations Administrative Intervention	Reteach Expectations Parent Contact Written Warning	Loss of Privilege	Parent Conference	Conditional Suspension
160	Cutting Class	Failure to attend or complete scheduled class	Reteach Expectations Administrative Intervention	Reteach Expectations Parent Contact Written Warning	Loss of Privilege	Parent Conference	Conditional Suspension
5	Detention Violation	Failure to serve a period of time during recess, lunch, before or after the school day as a consequence for a behavior infraction	Reteach Expectations Parent/Teacher Contact Detention	Reteach Expectations Parent/Teacher Conference Detention	Loss Of Privilege	Conditional Suspension	Parent/Guardian Shadowing or OSS 1 day)
420	Disrespect	Demeaning or discriminatory language and/or insult towards an adult, guest, or staff member including but not limited to any verbal, written, or electronic communication	Reteach Expectations Written Warning Parent/Teacher Contact	Reteach Expectations Temporary removal from class Parent/Teacher Contact	Behavior Contract Referral to Counselor	Conditional Suspesion	Parent/Guardian Shadowing or OSS 1 day)
400	Excessive Noise	Any loud sound that is unnecessary or interferes with one's hearing; senseless shouting or outcry	Reteach Expectations Written Warning Parent/Teacher Contact	Reteach Expectations Temporary removal from class Parent/Teacher Contact	Behavior Contract Referral to Counselor	Conditional Suspesion	Parent/Guardian Shadowing or OSS 1 day)

CCSD Elementary (Pre-K - 2nd Grade) Progressive Discipline Plan (2016-2017 SY) - Level 1 Offenses--Disorderly Conduct

271	Failure to Comply with Disciplinary Action	The act of not completing a consequence or sanction assigned by a teacher or administrator as a result of an offense committed	Reteach Expectations Written Warning Parent/Teacher Contact	Reteach Expectations Temporary removal from class Parent/Teacher Contact	Behavior Contract Referral to Counselor	Conditional Suspension	Parent/Guardian Shadowing or OSS 1 day)
14	Hit/Kick/Push	To deal a blow to, come in to contact with, or strike; to strike with foot or feet; to apply pressure against for the purpose of moving	Reteach Expectations Verbal Apology Parent/Teacher Contact	Reteach Expectations Parent Contact Referral to Counselor	Behavior Contract Loss of Privilege	Conditional Suspension	Parent/Guardian Shadowing or OSS (1 day)
22	Inappropriate Physical Contact	Touching or immediate proximity of another person exceeding personal boundaries unsuitable or improper for the location or setting	Reteach Expectations Written Warning	Reteach Expectations Parent/Teacher Contact Referral to Counselor	Parent/Teacher Conference	Conditional Suspension	Parent/Guardian Shadowing or OSS 1 day)
320	Leaving Class	Departing from class without permission before the class period is complete	Reteach Expectations Parent/Teacher Contact	Reteach Expectations Parent/Teacher Conference Loss of Privileges	Referral to Counselor	Conditional Suspension	Parent/Guardian Shadowing or OSS 1 day)
240	Loitering	Wandering on school premises in an area that is off limits to students or when there is no particular reason to be there	Reteach Expectations Written Warning	Reteach Expectations Parent/Teacher Contact (phone, email, text, letter)	Loss of Privileges	Parent Conference	Conditional Suspension
290	Obscene Gesture	A movement or position of the hand, arm, body, head, or face that is expressive of an offensive idea, opinion, and emotion	Reteach Expectations Written Warning	Reteach Expectations Parent/Teacher Contact (phone, email, text, letter) Referral to Counselor	Parent/Teacher Conference	Conditional Suspension	Parent/Guardian Shadowing or OSS 1 day)
200	Off Limits	To be present in an unauthorized location	Reteach Expectations Written Warning	Reteach Expectations Parent/Teacher Contact (phone, email, text, letter)	Loss of Privileges	Parent Conference	Conditional Suspension
23	Property Misuse	Minor damage or defacement of property belonging to the school or others	Reteach Expectations Written Warning	Reteach Expectations Parent/Teacher Contact (phone, email, text, letter)	Loss of Privileges	Parent Conference	Conditional Suspension
151	Truant	A student, ages 6 to 17 years old, who has three consecutive days of unlawful absences or a total of five unlawful absences during the current school year	Reteach Expectations School level truancy team intervention--See Truancy flow chart				

CCSD Elementary (Pre-K - 2nd Grade) Progressive Discipline Plan (2016-2017 SY) - Level 1 Offenses--Disorderly Conduct

390	Unauthorized Device	Failure to adhere to the authorized time of use outlined in the school's electronic device policy. This includes possession of an item at unauthorized times; including, but not limited to, laser pointer, camera, cell phone, tablets, drones, etc...	Reteach Expectations Warning Ask student to put device away For non-compliance, refer to another infraction for consequence	Reteach Expectations Warning Ask student to put device away For non-compliance, refer to another infraction for consequence	Item confiscated (returned at end of day) Call home	Item confiscated, returned during Parent Conference	Loss of privilege for 1 month Call to parent
*** A conditional suspension should be monitored by the school's administration and data clerk to ensure that a student is not absent from school for an extended period of time.							
Students should not be allowed to stay out of school for more than one day. If the student does not return to school with his or her parent, the school is responsible for notifying the parents.							

Administrative Interventions Include, but are not limited to:

- Administrative conference
- After school intervention
- Conditional ISS
- Lunch intervention
- Student / Teacher conference
- Mediation
- Work Detail
- Shared Responsibility
- Mentor

Loss of Privileges Include, but are not limited to:

- Loss of Recess
- Silent Lunch
- Loss of technology (non-instructional time)
- Loss of assembly time
- Loss of school sponsored (non-PBIS) activity

CCSD Elementary (Pre-K - 2nd Grade) Progressive Discipline Plan (2016-2017 SY) - Level 2 Offenses--Disruptive Conduct

Disruptive Conduct, are any behaviors which significantly disrupt the positive learning environment and/or endangers the health or safety of oneself or others. These behaviors require administrative action. Level 2 offenses are to be handled by the school administration; however, some instances of disruptive conduct may overlap with certain criminal offenses, justifying both district action and legal consultation. Consistent infractions of Level 2 offenses may require a referral to the Office of Alternative Programs.

Level 2 Code	Infraction	Definition	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
680	Alcohol/Liquor Law Violation	Violation of laws prohibiting sale, purchase, barter, transportation, possession, distribution, consumption, or being under the influence of alcoholic beverages	Reteach Expectations Parent Contact Referral to Counselor Consult with Executive Director or Associate Superintendent Referral to DSS	Parent Contact Consult with Executive Director or Associate Superintendent Referral to DSS OSS 1 Day	OSS 3-5 Days Consult with Executive Director or Associate Superintendent Referral to OAP	
530	Bribery	Offering, giving, receiving, or soliciting of money or other items of value to sway the judgment or action of a person	Reteach Expectations Parent Conference	Parent Contact Referral to Counselor	OSS 1-3 Days Referral to OAP	
407	Confrontation/ Altercation	An exchange of words between students resulting in conflict; a heated or angry dispute; a noisy argument or controversy	Reteach Expectations Written Warning Temporary removal from class	Parent Contact Detention	Referral to Counselor Conditional Suspension	OSS 1 Day
430	Contract Violation	Non-compliance with a written agreement	Reteach Expectations Parent Conference	Referral to Counselor Parent Contact	Conditional Suspension	OSS (up to 3 days)
150	Cutting School	Failure to attend or complete a school day	Reteach Expectations Parent Contact	Parent Contact Referral to Counselor	Conditional Suspension Referral to Law Enforcement	Referral to OAP
7	Disrupting Class	Behavior that interferes with instruction, learning, and a safe and orderly environment which includes, but not limited to, chronic talking, throwing objects, horseplay, teasing, refusal to remain in seat, rude noises, selling items on campus, etc	Reteach Expectations Written Warning Temporary removal from class Parent Contact	Parent Contact Referral to Counselor Loss of Privileges	Conditional Suspension Loss of Privileges	OSS (up to 3 days)
575	Drug Usage	The use of any chemical compound or material which is categorically not permitted on school grounds or at school related activities such as prescription or non-prescription medication; being under the influence of unauthorized legal or any illegal substances	Reteach Expectations Parent Contact Referral to Counselor Consult with Executive Director or Associate Superintendent Referral to DSS	Parent Contact Consult with Executive Director or Associate Superintendent Referral to DSS OSS (up to 3 Days)	OSS 3-5 Days Consult with Executive Director or Associate Superintendent Referral to OAP	
9	Fighting	An incident involving two or more students with mutual physical contact, such as hitting, kicking, and/or punching where there is no major injury or disruption	Reteach Expectations Removal from Class Verbal Apology Parent Contact	Removal from Class Conditional Suspension Referral to Counselor	Removal from Class OSS 1 Day	Removal of Class OSS (up to 3 days) Referral to OAP

CCSD Elementary (Pre-K - 2nd Grade) Progressive Discipline Plan (2016-2017 SY) - Level 2 Offenses--Disruptive Conduct

350	Fire Alarm	In the absence of an emergency, to activate or set off a fire signal indicating the presence of a fire emergency	Reteach Expectations Parent Contact Consult with Executive Director or Associate Superintendent	Parent Conference Consult with Executive Director or Associate Superintendent	Conditional Suspension Consult with Executive Director or Associate Superintendent	OSS 1 Day Consult with Executive Director or Associate Superintendent
10	Fireworks	Possession and/or detonation of an explosive pyrotechnic device that makes a display of light or noise on school property but does not cause harm to others	Reteach Expectations Confiscation of items Parent Contact	Parent Conference	Conditional Suspension	OSS (Up to 3 days) Referral to OAP
11	Forgery/Counterfeit	Purposely signing another person's name or altering, copying, or imitation of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud	Reteach Expectations Parent Contact Consult with Executive Director or Associate Superintendent	Conditional Suspension Consult with Executive Director or Associate Superintendent	OSS (Up to 3 days) Consult with Executive Director or Associate Superintendent Referral to OAP	
620	Fraud	Deceiving another in order to damage him/her; usually, to obtain property or services from him or her unjustly	Reteach Expectations Parent Contact Consult with Executive Director or Associate Superintendent	Conditional Suspension Consult with Executive Director or Associate Superintendent	OSS (Up to 3 days) Consult with Executive Director or Associate Superintendent Referral to OAP	
630	Gambling	Betting on a game of chance or an activity where money is exchanged	Reteach Expectations Parent Contact	Conditional Suspension	OSS (Up to 3 days) Referral to OAP	
12	Harassment	Any threatening, insulting, or dehumanizing action which negatively impacts another person's emotional or mental well-being	Reteach Expectations Parent Contact Referral to Counselor Behavior Contract Notification to Law Enforcement	Conditional Suspension Notification to Law Enforcement	OSS 1 Day Notification to Law Enforcement	OSS (Up to 3 days) Notification to Law Enforcement Referral to OAP
19	Indecent Exposure	The deliberate exposure in public of one's genitalia or private area(s) of one's body	Reteach Expectations Removal from Class Referral to Counselor	Conditional Suspension	OSS 1 Day	OSS (Up to 3 days) Referral to OAP
310	Leaving School	Departing from campus without permission before the school day is complete	Reteach Expectations Parent Conference Referral to Counselor	Loss of Privileges	Conditional Suspension	Referral to OAP
20	Major Disruption	Behavior that interrupts the learning environment for a specific period of time in a confined area	Reteach Expectations Written Warning Temporary removal from class Parent Contact	Parent Contact Referral to Counselor Loss of Privileges	Conditional Suspension Loss of Privileges	OSS (up to 3 days)

CCSD Elementary (Pre-K - 2nd Grade) Progressive Discipline Plan (2016-2017 SY) - Level 2 Offenses--Disruptive Conduct

710	Pornography	Possession, manufacturing, or distribution of sexually explicit/obscene material	Reteach Expectations Parent Conference Refer to Counselor Loss of Privilege	Conditonal Suspension	Parent/Guardian Shadowing or OSS 1 day)	OSS (Up to 3 days) Referral to OAP
380	Probation Violation	Infraction(s) resulting in the student breaking a written school level probation contract	Reteach Expectations Parent Conference Notification of Probation Violation	Referral to Counselor Parent Contact	Conditional Suspension	OSS (up to 3 days)
210	Profanity	Abusive, vulgar, or irreverent language, swearing, cursing, foul speech, or speech that shows disrespect or dishonor toward another	Reteach Expectations Written Warning Temporary removal from class Parent Contact	Parent Contact Referral to Counselor Loss of Privileges	Conditional Suspension Loss of Privileges	OSS (up to 3 days)
270	Refusal to Obey/Defiant	Refusing to follow a request or a specific direction/instruction of an adult through disobedience, defiance, unruliness, or noncompliance	Reteach Expectations Written Warning Temporary removal from class Parent Contact	Parent Contact Referral to Counselor Loss of Privileges	Conditional Suspension Loss of Privileges	OSS (up to 3 days)
690	Sexual Offense- Non Forced	Unlawful, unforced sexual acts or indecent exposure that is overtly sexual in nature, or other sexually inappropriate behavior	Reteach Expectations Parent Conference Referral to Counselor Referral to Outisde Agency	Referral to OAP		
25	Sexual Violation	The act of touching, groping, slapping, or any other physical contact of a sexual nature made with another person, whether unwanted or wanted	Reteach Expectations Parent Conference Referral to Counselor Referral to Outisde Agency	Referral to OAP		
740	Stolen Property	Having in possession goods obtained by larceny, by stealing, by robbing, by theft; something unlawfully taken from its rightful owner	Reteach Expectations Conditonal Suspension Consult with Executive Director or Associate Superintendent Restitution	OSS up to 3 Days Consult with Executive Director or Associate Superintendent Restitution	OSS 3-5 Days Consult with Executive Director or Associate Superintendent Restitution Referral to OAP	
670	Theft/Larceny	To steal or possess property without the permission of the owner	Reteach Expectations Conditonal Suspension Consult with Executive Director or Associate Superintendent Restitution	OSS up to 3 Days Consult with Executive Director or Associate Superintendent Restitution	OSS 3-5 Days Consult with Executive Director or Associate Superintendent Restitution Referral to OAP	

CCSD Elementary (Pre-K - 2nd Grade) Progressive Discipline Plan (2016-2017 SY) - Level 2 Offenses--Disruptive Conduct

27	Threat	Making statements or gestures of intent to do physical harm to a staff member or student	Reteach Expectations Parent Contact Referral to Counselor Behavior Contract Consult with Executive Director or Associate Superintendent	Conditional Suspension Consult with Executive Director or Associate Superintendent	OSS (up to 3 days) Consult with Executive Director or Associate Superintendent	OSS (Up to 3 days) Referral to OAP Consult with Executive Director or Associate Superintendent
230	Tobacco	Possession and/or use of cigarettes, cigars, and/or other tobacco products; possession and/or use of smokeless products, electronic cigarettes, and vaporizers	Reteach Expectations Parent Contact Confiscation of items	Conditional Suspension Referral to Counselor Confiscation of items Behavior Contract	OSS 1 day Confiscation of items	OSS (up to 3 days) Confiscation of items
750	Trespassing	Being on school property or at a school sponsored event without permission, including while on suspension or after expulsion; entry of a structure without intent to commit a serious crime or theft	Reteach Expectations Written Warning Consult with Executive Director or Associate Superintendent	email, text, letter) Consult with Executive Director or Associate Superintendent Consult with Executive Director or Associate Superintendent	Loss of Privileges Consult with Executive Director or Associate Superintendent	Parent Conference Consult with Executive Director or Associate Superintendent
153	Truant- Chronic	A student, ages 12-17 years old, 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	Reteach Expectations School level truancy team intervention--See Truancy flow chart			
152	Truant- Habitual	A student ages 12-17 years old, who fails to comply with the intervention plan developed by the school, the child, and the parent(s) or guardian(s) and who accumulates two or more additional unlawful absences	Reteach Expectations School level truancy team intervention--See Truancy flow chart			
29	Urination	Willfully urinating on school property or another student's property (shoes, floor, walls, bus, etc.)	Reteach Expectations Conditional Suspension Referral to Counselor	OSS 1-3 Days	OSS 3-5 Days Referral to OAP	
760	Vandalism	Willfully or maliciously destroying, damaging, or defacing real or personal property	Reteach Expectations Conditional Suspension Consult with Executive Director or Associate Superintendent Restitution	OSS up to 3 Days Consult with Executive Director or Associate Superintendent Restitution	OSS 3-5 Days Consult with Executive Director or Associate Superintendent Restitution Referral to OAP	
789	Misc. Weapons	Weapons such as: toy guns, toy cap guns, toy pellet guns, and bullets that do not inflict injury	Reteach Expectations Confiscate item Parent call Send home	Reteach Expectations Confiscate item Parent call Conditional Suspension	Confiscate item Parent call OSS 1 Day	Confiscate item Parent call OSS (up to 3 days) Referral to OAP

***A conditional suspension should be monitored by the school's administration and data clerk to ensure that a student is not absent from school for an extended period of time.*

Students should not be allowed to stay out of school for more than one day. If the student does not return to school with his or her parent, the school is responsible for notifying the parents.

CCSD Elementary (Pre-K - 2nd Grade) Progressive Discipline Plan (2016-2017 SY) - Level 2 Offenses--Disruptive Conduct

Notification to Law Enforcement : South Carolina Code of Laws, Section 59-24-60 - In addition to other provisions required by law or by regulation of the State Board of Education, school administrators must contact law enforcement authorities immediately upon notice that a person is engaging or has engaged in activities on school property or at a school sanctioned or sponsored activity which may result or results in injury or serious threat of injury to the person or to another person or his property as defined in local board policy.

Administrative Interventions Include, but are not limited to:

- Administrative conference
- After school intervention
- Conditional ISS
- Lunch intervention
- Student / Teacher conference
- Mediation
- Work Detail
- Shared Responsibility
- Mentor

Loss of Privileges Include, but are not limited to:

- Loss of Recess
- Silent Lunch
- Loss of technology (non-instructional time)
- Loss of assembly time
- Loss of school sponsored (non-PBIS) activity

CCSD Elementary (Pre-K - 2nd Grade) Progressive Discipline Plan (2016-2017 SY) - Level 3 Offenses--Criminal Conduct

Level 3 Offenses, Criminal Conduct, are any behaviors which significantly disrupt the learning environment or poses a direct and serious threat to the safety of oneself or others and are considered Persistently Dangerous by SC Department of Education. Level 3 infractions require immediate referrals to the Office of Alternative Programs and the consultation/assistance of law enforcement. These cases will be handled by the Constituent School Boards.

Level 3 Code	Infraction	Definition	1st Occurrence
500	Arson	To intentionally damage or attempt to damage any real or personal property by fire	Consult with Executive Director or Associate Superintendent
510	Assault, Aggravated	An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. This category includes attempted murder. A weapon can be a commonly known weapon, such as a gun or knife, or any other item, which, although not usually thought of as a weapon, becomes one when used in a manner that could cause severe bodily injury (e.g., baseball bat, metal chain, large stick). A "severe laceration" is one that should receive medical attention. A "loss of consciousness" must be the direct result of force inflicted on the victim by the offender	
520	Assault, Simple	An unprovoked physical attack by one person upon another where the offender neither uses nor displays a weapon and the victim does not suffer obvious severe or aggravated bodily injury	
260	Bomb Threat	Indicating the presence of a bomb or explosive device on school grounds, school bus, or at any school activity	
651	Bullying	A deliberate, repeated act with intention to hurt, insult, or threaten another person in school, on school grounds, in school vehicles, or at school events. A gesture, an electronic communication, or a written, verbal, physical, or sexual act that takes place on school property, at any school-sponsored function where the school is responsible for the child or on a school bus or other school-related vehicle, at an official school bus stop and that: a) a reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a student, physically or emotionally, or damaging the student's property, or placing a student in reasonable fear of harm to his person or damage to his property; or b) has the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school. (Due to Race of Victim, Disability of Victim, Gender of Victim, Religion of Victim, Due to National Origin of Victim, Due to Sexual Orientation of Victim or Other/Unkown	
540	Burglary	Unlawful entry or attempt to unlawfully enter a building or other structure with the intent to commit a felony or theft	
700	Computer Violation Criminal	Using school computers to commit a criminal act such as hacking into servers, piracy, altering school data, etc.; purposely damaging school system computer resources	
652	Cyber Bullying	Willful harassment and intimidation of a person through the use of digital technologies, including, but not limited to, email, blogs, texting, social media, chat rooms, sexting, instant messaging, or video voyeurism	
560	Disturbing School	To willfully or unnecessarily interfere with or disturb the students or teachers of any school. This includes disorderly conduct or behavior that disturbs the learning environment for a significant number of students for an extended period of time or school sponsored events and requires the intervention of a number of staff members	
570	Drug Distribution	it is unlawful for any person (1) to manufacture, distribute, dispense, deliver, or purchase; or to aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase; or to possess with intent to manufacture, distribute, dispense, deliver, or purchase a controlled substance and (2) to create, distribute, dispense, deliver, or purchase; or to aid, abet, attempt, or conspire to create, distribute, dispense, deliver, or purchase; or to possess with intent to distribute, dispense, deliver, or purchase a counterfeit substance.	
580	Drug Possession	Possession of an illegal substance represented as drugs, and/or a mood-altering substance (prescription or non-prescription medication)	

CCSD Elementary (Pre-K - 2nd Grade) Progressive Discipline Plan (2016-2017 SY) - Level 3 Offenses--Criminal Conduct

250	Gang Activity	Any group of individuals or organization, whether formal or informal, which advocate or promote activities threatening the safety or well being of persons or property on school grounds or disrupt the school environment are harmful to the educational process. The existence of such group of individuals associated may be established by evidence of a common name or common identifying signs, symbols, tattoos, graffiti, or attire or other distinguishing characteristics	Consult with Executive Director or Associate Superintendent
640	Homicide	The killing of one human by another, not including manslaughter or attempted murder	
650	Intimidation	To unlawfully place another person in reasonable fear of bodily harm through the use of menacing words or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack; Intimidating behaviors can be made in person, over the telephone, electronically, via social media networks, or in writing	
660	Kidnap/Abduction	The unlawful seizure, transportation, and/or detention of a person against his or her will or of a minor without the consent of his or her custodial parent(s) or legal guardian. This category includes hostage taking	
700	Other Offenses-Criminal	Other acts of criminal conduct as set forth in State and Federal Law not covered in the existing list of codes; includes offense(s) committed off-campus that is deemed serious enough by the principal that the presence of the student is detrimental to the best interest of the school.	
730	Robbery	The taking or attempting to take anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm	
13	Sexual Harassment	Any unwelcome sexual advances, requests for sexual favors and other inappropriate verbal, written, electronic or physical conduct of a sexual nature that creates an intimidating, hostile or offensive environment	
610	Sexual Offense-Forced	Any sexual act directed against another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent. This definition includes forcible rape, forcible sodomy, sexual assault with an object (to use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity), and/or forcible fondling (child molesting)	
Notification to Law Enforcement: South Carolina Code of Laws, Section 59-24-60 - In addition to other provisions required by law or by regulation of the State Board of Education, school administrators must contact law enforcement authorities immediately upon notice that a person is engaging or has engaged in activities on school property or at a school sanctioned or sponsored activity which may result or results in injury or serious threat of injury to the person or to another person or his property as defined in local board policy.			

CCSD Elementary (Pre-K - 2nd grade) Progressive Discipline Plan (2016-2017 SY) - Level 3 Offenses--Code 700--Weapons

Weapons: All weapons are coded as 789 in Power School. Then a sub code is used to identify the type of weapon.

Level 3 Code	Infraction	Definition	1st Occurrence
789	Weapons - all coded as 789, then sub-code is added	Weapons: Firearms, handguns, rifles, shotguns or bombs (including look-alike); pellet gun, paintball gun, stun gun, BB gun, flare gun, nail gun, or airsoft gun or any other type of weapon, devices or object which may be used to inflict bodily harm or death shall not be allowed on any school district property (including vehicles) or at any school sponsored event. This shall also include, but not limited to, knives, tasers, dirks, slingshots, bludgeons, blackjacks, Chinese star, razors (including straight or retractable razor), ice pick, metal knuckles, box cutters, nunchucks, spiked glove, spiked wristband, any mace derivative, tear gas device, or pepper spray	Consult with Executive Director or Associate Superintendent
780	Weapons - other	Pellet gun, paintball gun, stun gun, BB gun, flare gun, nail gun, or airsoft gun or any other type of weapon, devices or object which may be used to inflict bodily harm or death. This also includes, but not limited to tasers, dirks, slingshots, bludgeons, blackjacks, Chinese star, razors (including straight or retractable razor), ice pick, metal knuckles, box cutters, nunchucks, spiked glove, spiked wristband, any mace derivative, tear gas device, or pepper spray	
781	Weapons: Handguns	A handgun with or without ammunition.	
786	Weapons: Knife Blade Less than 2"	A knife with a blade of less than 2 inches.	
785	Weapons: Knife Blade More than 2.5"	A knife with a blade of more than 2.5 inches.	
784	Weapons: Knife Blade More than 2"	A knife with a blade of more than 2 inches and less than 2.5 inches.	
782	Weapons: Rifles/Shotguns	A rifle or shotgun with or without ammunition.	See Level 2
Misc	Misc Weapons	Weapons such as: toy guns, toy cap guns, toy pellet guns, and bullets that do not inflict injury	

Charleston County School District

Progressive Discipline Plan

2016-2017

Elementary Schools:

Grades 3-5

Note to Administrators:

This CCSD Progressive Discipline Plan (PDP) is a guide for all administrators to use when processing office discipline referrals. At no time should an administrator assign a more exclusionary disciplinary measure than what is prescribed in the PDP without consent of your Executive Director or Associate Superintendent. Administrators may elect to provide additional interventions or assign a lesser consequence based on extenuating circumstances.

Suspensions:

By law, no student in South Carolina can be suspended more than thirty (30) school days. As a reminder, Special Education (SPED) and 504 students have special circumstances when considering OSS days. Students with IEPs and 504s are only allowed to have 10 days of ISS/OSS without services during a school year. If administrators suspend SPED or 504 students more than 10 days without following appropriate district procedures, the school will be financially responsible for the cost of compensatory services. Schools should make every effort to provide services to SPED students while assigned to ISS.

Referrals to the Office of Alternative Programs:

Schools should complete a referral to the Office of Alternative Programs as noted in the PDP. Schools may choose to submit an intervention referral if a student has exhausted the school level Tier 1 and Tier 2 interventions and they are in need of additional supports (Drug/Alcohol Group, Social Worker Involvement, Truancy assistance, etc).

Expulsion Referrals:

Level 3 offenses will be referred to the Constituent Board for possible expulsion as outlined in the PDP. Before referring a Special Education or 504 student for expulsion the school must convene a Manifestation Determination Review (MDR) meeting. If the incident is related to the student's disability, then no further discipline occurs. If the incident IS NOT related to the student's disability, then a Referral for Expulsion may be submitted.

All referrals for intervention or expulsion should be submitted to: oap@charleston.k12.sc.us

For questions about the Code of Conduct, PDP, or district level interventions, please call: 843-745-7150.

CCSD Elementary (3rd - 5th grade) Progressive Discipline Plan (2016-2017 SY) -Teacher Managed

Classroom Managed/Teacher Managed: Behaviors which adversely affect a student's educational progress. Classroom/Teacher Managed infractions should be handled by the classroom teacher and are not processed through a formal referral for disciplinary actions from administration. However, these infractions are documented by the teacher. Cases of multiple or chronic offenses may require administrative/guidance action (assistance) and referral for interventions.

Infraction	Definition
Cheating	Providing, receiving, or viewing answers to assignments, quizzes, or tests; accessing academic materials without permission (with or without the use of electronic devices)
Computer Violation – Non-criminal	Unauthorized or inappropriate use of computers or use of computer resources without permission; unauthorized modifications of school system computers that do not permanently damage the system resources
Dishonesty	Failure to knowingly tell the truth; also includes taking other's property
Dress Code Violation	Noncompliance with the District and/or school dress code
Excessive Noise	Any loud sound that is unnecessary or interferes with the learning environment or activity; senseless shouting or outcry
Failure to Complete Work	The act of not completing assigned written, oral, or physical work
Hall Pass Violation	To be in a hallway without written permission; to alter or change a hall pass from its original intent
Horseplay	Rough play or pranks that could harm another or disrupt the learning environment
Inappropriate Affection	Unsuitable or improper physical contact, action or gestures, display of public affection; an extreme feeling or emotion towards another person
Inappropriate Behavior	Actions or gestures of conducting oneself in a disruptive or disrespectful manner to include tone, attitude, and body language that is negative or abrasive towards another student or adult
Inappropriate Language	Words that are not demeaning or not directed to another student or adult
Inappropriate Materials	Related to the possession or viewing of items considered to be unsuitable for school or school related activities
Littering	Purposely leaving trash to cause a nuisance or health concern
No Returned Form	Failure to return required form or document
Running	Running in the classroom, hallway, cafeteria, or any other area inside the school.
Tardy	Arriving late to school or class (multiple tardies will result in actions based on The CCSD Progressive Discipline Plan)
Throwing Objects	To propel or cast in any way anything that is visible or tangible
Violation of Class Rules	Intentional behavior that interferes with the standard operating procedures of the classroom and school environment

Each school should establish MTSS/PBIS systems to provide a protocol for teachers to address classroom managed referrals.

Possible Interventions:

- Behavior Contract
- Clarify Expectations
- Reteach Expectations
- Explicit Instruction
- Modify activity
- Alternate Assignment
- Peer Buddy
- Peer tutor
- Problem solving sheet
- Proximity control
- Quiet correction
- Positive Reinforcement of appropriate behavior
- Restorative conversation
- Seat change
- Teacher/student conference

Possible Actions:

- Confiscate items
- Detention
- In class exclusion
- Verbal or written Apology
- Loss of Privilege
- Parent / Teacher conference
- Parent / teacher contact (phone, email, text, letter)
- Temporary removal from class
- Verbal Warning
- Written or verbal reflection
- Written warning
- Mediation

CCSD Elementary (3rd - 5th grade) Progressive Discipline Plan (2016-2017 SY) - Level 1 Offenses--Disorderly Conduct

Level 1 Offenses, Disorderly Conduct, are any behaviors which adversely affect a student's educational progress. Level 1 offenses are handled by the school administration.

Level 1 Code	Infraction	Definition	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence	5th Occurrence
1	Aiding Others	A person who assists in or supports the commission of an offense and who usually has knowledge before or after the fact	Reteach Expectations Parent/Teacher Contact	Reteach Expectations Written Warning Parent Contact	Parent/Teacher Conference Referral to Guidance	Parent/Guardian Shadowing or OSS (1 day)	OSS 1 Day
3	Bite/Pinch/Spit	To cut, wound, or tear with the teeth; to constrict or squeeze painfully; to eject saliva from the mouth	Reteach Expectations Letter of Apology Parent/Teacher Contact	Reteach Expectations Conditional Suspension Referral to Counselor	Parent/Guardian Shadowing or OSS (1 day)	OSS (up to 3 days)	OSS (3-5 Days)
220	Computer Violation – Non-criminal	Unauthorized or inappropriate use of computers or use of computer resources without permission; unauthorized modifications of school system computers that do not permanently damage the system resources	Reteach Expectations Written Warning	Reteach Expectations Parent/Teacher Contact	Loss of Privilege	Parent/Teacher Conference	Conditional Suspension
4	Contraband	Related to the possession or viewing of items considered to be unsuitable for school or school related activities (magazines, materials to promote discriminatory practices/speech, chemicals, dice, etc.)	Reteach Expectations Confiscation of items	Reteach Expectations Parent Contact Confiscation of items	Parent Conference Confiscation of items	Conditional Suspension Confiscation of items	OSS 1 Day Confiscation of items
170	Cutting Activity	Failure to attend or complete an assigned school activity or event	Reteach Expectations Administrative Intervention	Reteach Expectations Parent Contact Written Warning	Loss of Privilege	Parent Conference	Conditional Suspension
160	Cutting Class	Failure to attend or complete scheduled class	Reteach Expectations Administrative Intervention	Reteach Expectations Parent Contact Written Warning	Loss of Privilege	Parent Conference	Conditional Suspension
5	Detention Violation	Failure to serve a period of time during recess, lunch, before or after the school day as a consequence for a behavior infraction	Reteach Expectations Parent/Teacher Contact	Reteach Expectations Parent/Teacher Conference	Loss of Privilege	Conditional Suspension	OSS 1 day
420	Disrespect	Demeaning or discriminatory language and/or insult towards an adult, guest, or staff member including but not limited to any verbal, written, or electronic communication	Reteach Expectations Written Warning Parent/Teacher Contact	Reteach Expectations Temporary removal from class Parent Contact Referral to Counselor	Conditional Suspension	Parent/Guardian Shadowing or OSS 1 day)	OSS 1 Day
400	Excessive Noise	Any loud sound that is unnecessary or interferes with one's hearing; senseless shouting or outcry	Reteach Expectations Written Warning	Reteach Expectations Temporary removal from class Written Reflection	Parent/Teacher Contact Behavior Contract	Conditional Suspension	Parent/Guardian Shadowing or OSS 1 day)
271	Failure to Comply with Disciplinary Action	The act of not completing a consequence or sanction assigned by a teacher or administrator as a result of an offense committed	Reteach Expectations Written Warning Parent/Teacher Contact	Reteach Expectations Loss of Privilege	Conditional Suspension	Parent/Guardian Shadowing OSS 1 day	OSS 1 Day

CCSD Elementary (3rd - 5th grade) Progressive Discipline Plan (2016-2017 SY) - Level 1 Offenses--Disorderly Conduct

14	Hit/Kick/Push	To deal a blow to, come in to contact with, or strike; to strike with foot or feet; to apply pressure against for the purpose of moving	Reteach Expectations Letter of Apology Parent/Teacher Contact	Reteach Expectations Conditional Suspension Referral to Counselor	Parent/Guardian Shadowing or OSS 1 day)	OSS (up to 3 days)	OSS (3-5 days)
22	Inappropriate Physical Contact	Touching or immediate proximity of another person exceeding personal boundaries unsuitable or improper for the location or setting	Reteach Expectations Written Warning	Reteach Expectations Parent/Teacher Contact Referral to Counselor	Parent/Teacher Conference	Conditional Suspension	Parent/Guardian Shadowing or OSS 1 day)
320	Leaving Class	Departing from class without permission before the class period is complete	Reteach Expectations Parent/Teacher Contact	Reteach Expectations Parent/Teacher Conference Loss of Privileges	Referral to Counselor	Conditional Suspension	Parent/Guardian Shadowing or OSS 1 day)
240	Loitering	Wandering on school premises in an area that is off limits to students or when there is no particular reason to be there	Reteach Expectations Written Warning	Reteach Expectations Parent/Teacher Contact (phone, email, text, letter)	Loss of Privileges	Parent Conference	Conditional Suspension
290	Obscene Gesture	A movement or position of the hand, arm, body, head, or face that is expressive of an offensive idea, opinion, and emotion	Reteach Expectations Written Warning	Reteach Expectations Parent/Teacher Contact Referral to Counselor	Parent/Teacher Conference	Conditional Suspension	Parent/Guardian Shadowing or OSS 1 day)
200	Off Limits	To be present in an unauthorized location	Reteach Expectations Written Warning	Reteach Expectations Parent/Teacher Contact	Loss of Privileges	Parent Conference	Conditional Suspension
23	Property Misuse	Minor damage or defacement of property belonging to the school or others	Reteach Expectations Written Warning	Reteach Expectations Parent/Teacher Contact	Loss of Privileges	Parent/Teacher Conference	Conditional Suspension
151	Truant	A student, ages 6 to 17 years old, who has three consecutive days of unlawful absences or a total of five unlawful absences during the current school year	Reteach Expectations School level truancy team intervention--See Truancy flow chart				
390	Unauthorized Device	Failure to adhere to the authorized time of use outlined in the school's electronic device policy. This includes possession of an item at unauthorized times; including, but not limited to, laser pointer, camera, cell phone, tablets, drones, etc...	Reteach Expectations Warning Ask student to put device away For non-compliance, refer to another infraction for consequence	Reteach Expectations Warning Ask student to put device away For non-compliance, refer to another infraction for consequence	Item confiscated (returned at end of day) Call home	Item confiscated, returned during Parent Conference	Loss of privilege for 1 month Call to parent

*** A conditional suspension should be monitored by the school's administration and data clerk to ensure that a student is not absent from school for an extended period of time.

Students should not be allowed to stay out of school for more than one day. If the student does not return to school with his or her parent, the school is responsible for notifying the parents.

CCSD Elementary (3rd - 5th grade) Progressive Discipline Plan (2016-2017 SY) - Level 1 Offenses--Disorderly Conduct

Administrative Interventions

Include, but are not limited to:

- Administrative conference
- After school intervention
- Conditional ISS
- Lunch intervention
- Student / Teacher conference
- Mediation
- Work Detail
- Shared Responsibility
- Mentor

Loss of Privileges Include, but are not limited to:

- Loss of Recess
- Silent Lunch
- Loss of technology (non-instructional time)
- Loss of assembly time
- Loss of school sponsored (non-PBIS) activity

CCSD Elementary (3rd - 5th grade) Progressive Discipline Plan (2016-2017 SY) - Level 2 Offenses--Disruptive Conduct

Disruptive Conduct, are any behaviors which significantly disrupt the positive learning environment and/or endangers the health or safety of oneself or others. These behaviors require administrative action. Level 2 offenses are to be handled by the school administration; however, some instances of disruptive conduct may overlap with certain criminal offenses, justifying both district action and legal consultation. Consistent infractions of Level 2 offenses may require a referral to the Office of Alternative Programs.

Level 2 Code	Infraction	Definition	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
680	Alcohol/Liquor Law Violation	Violation of laws prohibiting sale, purchase, barter, transportation, possession, distribution, consumption, or being under the influence of alcoholic beverages	Reteach Expectations Parent Contact Referral to Counselor Notification to Law Enforcement Referral to DSS	Parent Contact Notification to Law Enforcement Referral to DSS OSS 1 Day	OSS 3-5 Days Referral to OAP Notification to Law Enforcement	
530	Bribery	Offering, giving, receiving, or soliciting of money or other items of value to sway the judgment or action of a person	Reteach Expectations Parent Conference	Parent Contact Referral to Counselor	OSS 1-3 Days Referral to OAP	
407	Confrontation/ Altercation	An exchange of words between students resulting in conflict; a heated or angry dispute; a noisy argument or controversy	Reteach Expectations Written Warning Temporary removal from class	Parent Contact Detention	Referral to Counselor, Conditional Suspension	OSS 1 Day
430	Contract Violation	Non-compliance with a written agreement	Reteach Expectations Parent Conference	Referral to Counselor Parent Contact	Conditional Suspension	OSS (up to 3 days)
150	Cutting School	Failure to attend or complete a school day	Reteach Expectations Parent Contact	Parent Contact Referral to Counselor	Conditional Suspension, Behavior Contract	Referral to OAP - Intervention
7	Disrupting Class	Behavior that interferes with instruction, learning, and a safe and orderly environment which includes, but not limited to, chronic talking, throwing objects, horseplay, teasing, refusal to remain in seat, rude noises, selling items on campus, etc.	Reteach Expectations Written Warning Temporary removal from class Parent Contact	Parent Contact Referral to Counselor Loss of Privileges	Conditional Suspension, Loss of Privileges	OSS (up to 3 days)
575	Drug Usage	The use of any chemical compound or material which is categorically not permitted on school grounds or at school related activities such as prescription or non-prescription medication; being under the influence of unauthorized legal or any illegal substances	Reteach Expectations Parent Contact Referral to Counselor Notification to Law Enforcement Referral to DSS	Parent Contact Notification to Law Enforcement Referral to DSS OSS (up to 3 Days)	OSS 3-5 Days Referral to OAP Notification to Law Enforcement	
9	Fighting	An incident involving two or more students with mutual physical contact, such as hitting, kicking, and/or punching where there is no major injury or disruption	Reteach Expectations Removal from Class Referral to Counselor Parent Contact	Removal from Class Conditional Suspension	Removal from Class OSS (up to 3 days)	Removal of Class OSS 3-5 Days Referral to OAP

350	Fire Alarm	In the absence of an emergency, to activate or set off a fire signal indicating the presence of a fire emergency	Reteach Expectations Parent Conference Notification to Law Enforcement	Parent Contact 1 Day OSS Notification to Law Enforcement	OSS 3-5 Days Notification to Law Enforcement Referral to OAP	
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CCSD Elementary (3rd - 5th grade) Progressive Discipline Plan (2016-2017 SY) - Level 2 Offenses--Disruptive Conduct

10	Fireworks	Possession and/or detonation of an explosive pyrotechnic device that makes a display of light or noise on school property but does not cause harm to others	Reteach Expectations Confiscation of items Parent Contact	Conditional Suspension	OSS (Up to 2 days)	OSS (Up to 3 days) Referral to OAP
11	Forgery/ Counterfeit	Purposely signing another person's name or altering, copying, or imitation of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud	Reteach Expectations Parent Contact Referral to Counselor Notification to Law Enforcement	Conditional Suspension Notification to Law Enforcement	OSS (Up to 3 days) Notification to Law Enforcement Referral to OAP	
620	Fraud	Deceiving another in order to damage him/her; usually, to obtain property or services from him or her unjustly	Reteach Expectations Parent Contact Notification to Law Enforcement	Conditional Suspension Notification to Law Enforcement	OSS (Up to 3 days) Notification to Law Enforcement Referral to OAP	
630	Gambling	Betting on a game of chance or an activity where money is	Reteach Expectations Parent Contact	Conditional Suspension Guidance Referral	OSS - 1 Day	OSS (Up to 3 days) Referral to OAP
12	Harassment	Any threatening, insulting, or dehumanizing action which negatively impacts another person's emotional or mental well-being	Reteach Expectations Parent Contact Referral to Counselor Notification to Law Enforcement	Conditional Suspension Behavior Contract Notification to Law Enforcement	OSS (up to 3 days) Notification to Law Enforcement	OSS (Up to 3 days) Notification to Law Enforcement Referral to OAP
19	Indecent Exposure	The deliberate exposure in public of one's genitalia or private area(s) of one's body	Reteach Expectations Removal from Class Referral to Counselor	Conditional Suspension Behavior Contract	OSS (up to 3 days) Referral to Outside Agency	OSS (Up to 3 days) Referral to OAP
310	Leaving School	Departing from campus without permission before the school day is complete	Reteach Expectations Parent Conference Referral to Counselor	Loss of Privileges Guidance Referral	Conditional Suspension Referral to OAP - Intervention	OSS (Up to 3 days) Referral to OAP
20	Major Disruption	Behavior that interrupts the learning environment for a specific period of time in a confined area	Reteach Expectations Written Warning Temporary removal from class Parent Contact	Parent Contact Referral to Counselor Loss of Privileges	Conditional Suspension Loss of Privileges	OSS (Up to 3 days) Referral to OAP
710	Pornography	Possession, manufacturing, or distribution of sexually explicit/obscene material	Reteach Expectations Parent Conference Refer to Counselor Loss of Privilege	Conditional Suspension Referral to Outside Agency	OSS 1-2 Days	OSS (Up to 3 days) Referral to OAP

380	Probation Violation	Infraction(s) resulting in the student breaking a written school level probation contract	Reteach Expectations Parent Conference Notification of Probation Violation	Referral to Counselor Parent Contact	Conditional Suspension	OSS (up to 3 days)
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CCSD Elementary (3rd - 5th grade) Progressive Discipline Plan (2016-2017 SY) - Level 2 Offenses--Disruptive Conduct

210	Profanity	Abusive, vulgar, or irreverent language, swearing, cursing, foul speech, or speech that shows disrespect or dishonor toward another	Reteach Expectations Written Warning Temporary removal from class Parent Contact	Parent Contact Referral to Counselor Loss of Privileges	Conditional Suspension, Loss of Privileges	OSS (up to 3 days)
270	Refusal to Obey/Defiant	Refusing to follow a request or a specific direction/instruction of an adult through disobedience, defiance, unruliness, or noncompliance	Reteach Expectations Written Warning Temporary removal from class Parent Contact	Parent Contact Referral to Counselor Loss of Privileges	Conditional Suspension Loss of Privileges	OSS (up to 3 days)
690	Sexual Offense-Non Forced	Unlawful, unforced sexual acts or indecent exposure that is overtly sexual in nature, or other sexually inappropriate behavior	Reteach Expectations Parent Conference Referral to Counselor Referral to Outside Agency	OSS 1-3 Days Referral to OAP		
25	Sexual Violation	The act of touching, groping, slapping, or any other physical contact of a sexual nature made with another person, whether unwanted or wanted	Reteach Expectations Parent Conference Referral to Counselor	1 Day OSS Referral to Outside Agency	OSS 3 Days Referral to OAP	
740	Stolen Property	Having in possession goods obtained by larceny, by stealing, by robbing, by theft; something unlawfully taken from its rightful owner	Reteach Expectations Conditional Suspension Notification to Law Enforcement Restitution	OSS up to 3 Days Notification to Law Enforcement Restitution	OSS 3-5 Days Notification to Law Enforcement Restitution Referral to OAP	
670	Theft/Larceny	To steal or possess property without the permission of the owner	Reteach Expectations Conditional Suspension Notification to Law Enforcement Restitution	OSS up to 3 Days Notification to Law Enforcement Restitution	OSS 3-5 Days Notification to Law Enforcement Restitution Referral to OAP	
27	Threat	Making statements or gestures of intent to do physical harm to a staff member or student	Reteach Expectations Parent Contact Referral to Counselor Behavior Contract Notification to Law Enforcement	Conditional Suspension Notification to Law Enforcement	OSS (up to 3 days) Notification to Law Enforcement	OSS (Up to 3 days) Notification to Law Enforcement Referral to OAP
230	Tobacco	Possession and/or use of cigarettes, cigars, and/or other tobacco products; possession and/or use of smokeless products, electronic cigarettes, and vaporizers	Reteach Expectations Parent Contact Confiscation of items	Conditional Suspension Referral to Counselor Confiscation of items Behavior Contract	OSS 1 day Confiscation of items	OSS (up to 3 days) Confiscation of items

750	Trespassing	Being on school property or at a school sponsored event without permission, including while on suspension or after expulsion; entry of a structure without intent to commit a serious crime or theft	Reteach Expectations Written Warning Notification to Law Enforcement	Parent/Teacher Contact (phone, email, text, letter) Notification to Law Enforcement	Loss of Privileges Notification to Law Enforcement	Parent Conference Notification to Law Enforcement
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CCSD Elementary (3rd - 5th grade) Progressive Discipline Plan (2016-2017 SY) - Level 2 Offenses--Disruptive Conduct

153	Truant- Chronic	A student, ages 12-17 years old, 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	Reteach Expectations School level truancy team intervention--See Truancy flow chart			
152	Truant- Habitual	A student ages 12-17 years old, who fails to comply with the intervention plan developed by the school, the child, and the parent(s) or guardian(s) and who accumulates two or more additional unlawful absences	Reteach Expectations School level truancy team intervention--See Truancy flow chart			
29	Urination	Willfully urinating on school property or another student's property (shoes, floor, walls, bus, etc.)	Reteach Expectations Conditional Suspension Referral to Counselor	OSS 1-3 Days	OSS 3-5 Days Referral to OAP	
760	Vandalism	Willfully or maliciously destroying, damaging, or defacing real or personal property	Reteach Expectations Conditional Suspension Notification to Law Enforcement Restitution	OSS up to 3 Days Notification to Law Enforcement Restitution	OSS 3-5 Days Notification to Law Enforcement Restitution Referral to OAP	
789	Misc. Weapons	Weapons such as: toy guns, toy cap guns, toy pellet guns, and bullets that do not inflict injury	Reteach Expectations Confiscate item Parent call Send home	Reteach Expectations Confiscate item Parent call Conditional Suspension	Confiscate item Parent call OSS 1 Day	Confiscate item Parent call OSS (up to 3 days) Referral to OAP

***A conditional suspension should be monitored by the school's administration and data clerk to ensure that a student is not absent from school for an extended period of time.*

Students should not be allowed to stay out of school for more than one day. If the student does not return to school with his or her parent, the school is responsible for notifying the parents.

Notification to Law Enforcement : South Carolina Code of Laws, Section 59-24-60 - In addition to other provisions required by law or by regulation of the State Board of Education, school administrators must contact law enforcement authorities immediately upon notice that a person is engaging or has engaged in activities on school property or at a school sanctioned or sponsored activity which may result or results in injury or serious threat of injury to the person or to another person or his property as defined in local board policy.

CCSD Elementary (3rd - 5th grade) Progressive Discipline Plan (2016-2017 SY) - Level 3 Offenses--Criminal Conduct

Level 3 Offenses, Criminal Conduct, are any behaviors which significantly disrupt the learning environment or poses a direct and serious threat to the safety of oneself or others and are considered Persistently Dangerous by SC Department of Education. Level 3 infractions require immediate referrals to the Office of Alternative Programs and the consultation/assistance of law enforcement. These cases will be handled by the Constituent School Boards.

Level 3 Code	Infraction	Definition	1st Occurrence	2nd Occurrence	3rd Occurrence
500	Arson	To intentionally damage or attempt to damage any real or personal property by fire	Referral to Counselor 3 days OSS Notification to Law Enforcement	Referral to Law Enforcement Referral to Counselor 3-5 days OSS Notification to Law Enforcement Referral to OAP	
510	Assault, Aggravated	An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. This category includes attempted murder. A weapon can be a commonly known weapon, such as a gun or knife, or any other item, which, although not usually thought of as a weapon, becomes one when used in a manner that could cause severe bodily injury (e.g., baseball bat, metal chain, large stick). A "severe laceration" is one that should receive medical attention. A "loss of consciousness" must be the direct result of force inflicted on the victim by the offender	5-10 OSS (with approval from Executive Director) Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion)		
520	Assault, Simple	An unprovoked physical attack by one person upon another where the offender neither uses nor displays a weapon and the victim does not suffer obvious severe or aggravated bodily injury	1-2 Days OSS Referral to Counselor Notification to Law Enforcement	3-5 Days OSS Notification to Law Enforcement Referral to OAP	
260	Bomb Threat	Indicating the presence of a bomb or explosive device on school grounds, school bus, or at any school activity	5-10 OSS (with approval from Executive Director) Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion)		

CCSD Elementary (3rd - 5th grade) Progressive Discipline Plan (2016-2017 SY) - Level 3 Offenses--Criminal Conduct

651	Bullying	A deliberate, repeated act with intention to hurt, insult, or threaten another person in school, on school grounds, in school vehicles, or at school events. A gesture, an electronic communication, or a written, verbal, physical, or sexual act that takes place on school property, at any school-sponsored function where the school is responsible for the child or on a school bus or other school-related vehicle, at an official school bus stop and that: a) a reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a student, physically or emotionally, or damaging the student's property, or placing a student in reasonable fear of harm to his person or damage to his property; or b) has the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school. (Due to Race of Victim, Disability of Victim, Gender of Victim, Religion of Victim, Due to National Origin of Victim, Due to Sexual Orientation of Victim or Other/Unknown	Referral to Counselor Student Apology Restricted Activities Loss of Participation in School Events Notification to Law Enforcement	Parent Contact, Student Apology, Restricted Activities, Loss of Participation in School Events OSS 1 day Notification to Law Enforcement	3-5 Days OSS Notification to Law Enforcement Referral to OAP
540	Burglary	Unlawful entry or attempt to unlawfully enter a building or other structure with the intent to commit a felony or theft	5-10 OSS (with approval from Executive Director) Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion)		
700	Computer Violation Criminal	Using school computers to commit a criminal act such as hacking into servers, piracy, altering school data, etc.; purposely damaging school system computer resources	Up to 5 Days OSS Notification to Law Enforcement	5-10 OSS (with approval from Executive Director) Notification to Law Enforcement Refer to OAP	
652	Cyber Bullying	Willful harassment and intimidation of a person through the use of digital technologies, including, but not limited to, email, blogs, texting, social media, chat rooms, sexting, instant messaging, or video voyeurism	Up to 5 Days OSS Notification to Law Enforcement	5-10 OSS (with approval from Executive Director) Notification to Law Enforcement Refer to OAP	
560	Disturbing School	To willfully or unnecessarily interfere with or disturb the students or teachers of any school. This includes disorderly conduct or behavior that disturbs the learning environment for a significant number of students for an extended period of time or school sponsored events and requires the intervention of a number of staff members	Parent Conference Notification to Law Enforcement Shared Responsibility	1-2 Days OSS Notification to Law Enforcement	

570	Drug Distribution	it is unlawful for any person (1) to manufacture, distribute, dispense, deliver, or purchase; or to aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase; or to possess with intent to manufacture, distribute, dispense, deliver, or purchase a controlled substance and (2) to create, distribute, dispense, deliver, or purchase; or to aid, abet, attempt, or conspire to create, distribute, dispense, deliver, or purchase; or to possess with intent to distribute, dispense, deliver, or purchase a counterfeit substance.	3-5 Days OSS Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion)		
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CCSD Elementary (3rd - 5th grade) Progressive Discipline Plan (2016-2017 SY) - Level 3 Offenses--Criminal Conduct

580	Drug Possession	Possession of an illegal substance represented as drugs, and/or a mood-altering substance (prescription or non-prescription medication)	2 Days OSS Referral to Counselor Notification to Law Enforcement	3-5 Days OSS Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion)	
250	Gang Activity	Any group of individuals or organization, whether formal or informal, which advocate or promote activities threatening the safety or well being of persons or property on school grounds or disrupt the school environment are harmful to the educational process. The existence of such group of individuals associated may be established by evidence of a common name or common identifying signs, symbols, tattoos, graffiti, or attire or other distinguishing characteristics	Parent Conference Referral to Counselor Notification to Law Enforcement	3-5 Days OSS Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion)	
640	Homicide	The killing of one human by another, not including manslaughter or attempted murder	10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion)		
650	Intimidation	To unlawfully place another person in reasonable fear of bodily harm through the use of menacing words or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack; Intimidating behaviors can be made in person, over the telephone, electronically, via social media networks, or in writing	1-2 Days OSS Referral to Counselor Notification to Law Enforcement	3-5 Days OSS Notification to Law Enforcement	Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion)
660	Kidnap/Abduction	The unlawful seizure, transportation, and/or detention of a person against his or her will or of a minor without the consent of his or her custodial parent(s) or legal guardian. This category includes hostage taking	10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion)		

700	Other Offenses- Criminal	Other acts of criminal conduct as set forth in State and Federal Law not covered in the existing list of codes; includes offense(s) committed off-campus that is deemed serious enough by the principal that the presence of the student is detrimental to the best interest of the school.	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion)		
730	Robbery	The taking or attempting to take anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm	5-10 Days OSS (with approval from the Executive Director) Refer to the Constituent Board (Possible Expulsion) Notification to Law Enforcement		

CCSD Elementary (3rd - 5th grade) Progressive Discipline Plan (2016-2017 SY) - Level 3 Offenses--Criminal Conduct					
13	Sexual Harassment	Any unwelcome sexual advances, requests for sexual favors and other inappropriate verbal, written, electronic or physical conduct of a sexual nature that creates an intimidating, hostile or offensive environment	1-2 Days OSS Referral to Counselor	3-5 Days OSS Notification to Law Enforcement Referral to Constituent Board (Possible Expulsion)	
610	Sexual Offense- Forced	Any sexual act directed against another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent. This definition includes forcible rape, forcible sodomy, sexual assault with an object (to use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity), and/or forcible fondling (child molesting)	5-10 Days OSS Notification to Law Enforcement Referral to the Constituent Board (Possible Expulsion)		

CCSD Elementary (3rd - 5th grade) Progressive Discipline Plan (2016-2017 SY) - Level 3 Offenses--Code 700--Weapons

Weapons: All weapons are coded as 789 in Power School. Then a sub code is used to identify the type of weapon.

Level 3 Code	Infraction	Definition	1st Occurrence
789	Weapons - all coded as 789, then sub-code is added	Weapons: Firearms, handguns, rifles, shotguns or bombs (including look-alike); pellet gun, paintball gun, stun gun, BB gun, flare gun, nail gun, or airsoft gun or any other type of weapon, devices or object which may be used to inflict bodily harm or death shall not be allowed on any school district property (including vehicles) or at any school sponsored event. This shall also include, but not limited to, knives, tasers, dirks, slingshots, bludgeons, blackjacks, Chinese star, razors (including straight or retractable razor), ice pick, metal knuckles, box cutters, nunchucks, spiked glove, spiked wristband, any mace derivative, tear gas device, or pepper spray	See individual sub codes below.
780	Weapons - other	Pellet gun, paintball gun, stun gun, BB gun, flare gun, nail gun, or airsoft gun or any other type of weapon, devices or object which may be used to inflict bodily harm or death. This also includes, but not limited to tasers, dirks, slingshots, bludgeons, blackjacks, Chinese star, razors (including straight or retractable razor), ice pick, metal knuckles, box cutters, nunchucks, spiked glove, spiked wristband, any mace derivative, tear gas device, or pepper spray	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion)
781	Weapons: Handguns	A handgun with or without ammunition.	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion) *Interim Alternative Educational Settings (for Special Education Students - 45 days)
786	Weapons: Knife Blade Less than 2"	A knife with a blade of less than 2 inches.	3-5 Days OSS Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion)

CCSD Elementary (3rd - 5th grade) Progressive Discipline Plan (2016-2017 SY) - Level 3 Offenses--Code 700--Weapons

785	Weapons: Knife Blade More than 2.5"	A knife with a blade of more than 2.5 inches.	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion) *Interim Alternative Educational Settings (for Special Education Students - 45 days)
784	Weapons: Knife Blade More than 2"	A knife with a blade of more than 2 inches and less than 2.5 inches.	3-5 Days OSS Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion)
782	Weapons: Rifles/Shotguns	A rifle or shotgun with or without ammunition.	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to the Constituent Board (Possible Expulsion) *Interim Alternative Educational Settings (for Special Education Students - 45 days)
Misc.	Misc. Weapons	Weapons such as: toy guns, toy cap guns, toy pellet guns, and bullets that do not inflict injury	see Level 2 sheet

Charleston County School District

Progressive Discipline Plan

2016-2017

Secondary Schools:

Grades 6-12

Note to Administrators:

This CCSD Progressive Discipline Plan (PDP) is a guide for all administrators to use when processing office discipline referrals. At no time should an administrator assign a more exclusionary disciplinary measure than what is prescribed in the PDP without consent of your Executive Director or Associate Superintendent. Administrators may elect to provide additional interventions or assign a lesser consequence based on extenuating circumstances.

Suspensions:

By law, no student in South Carolina can be suspended more than thirty (30) school days. As a reminder, Special Education (SPED) and 504 students have special circumstances when considering OSS days. Students with IEPs and 504s are only allowed to have 10 days of ISS/OSS without services during a school year. If administrators suspend SPED or 504 students more than 10 days without following appropriate district procedures, the school will be financially responsible for the cost of compensatory services. Schools should make every effort to provide services to SPED students while assigned to ISS.

FOCUS (formerly Twilight):

Focus on Choices and Understanding Self (FOCUS) is a program to be used in lieu of suspension. Student can be assigned to FOCUS for 3-10 days. No student may be in FOCUS for more than 10 days at a time. Special Education and 504 student must receive services and accommodations while in FOCUS. If they do not receive services, any day in FOCUS would count as a suspension.

If your schools does not have access to a FOCUS program please follow these guidelines:

- 3-5 days in FOCUS = 1-3 days OSS
- 5-10 days in FOCUS = 3-5 days OSS

Referrals to the Office of Alternative Programs:

Schools should complete a referral to the Office of Alternative Programs as noted in the PDP. Schools may choose to submit an intervention referral if a student has exhausted the school level Tier 1 and Tier 2 interventions and they are in need of additional supports (Drug/Alcohol Group, Social Worker Involvement, Truancy assistance, etc).

Expulsion Referrals:

Level 3 offenses will be referred to the Constituent Board for possible expulsion as outlined in the PDP. Before referring a Special Education or 504 student for expulsion the school must convene a Manifestation Determination Review (MDR) meeting. If the incident is related to the student's disability, then no further discipline occurs. If the incident IS NOT related to the student's disability, then a Referral for Expulsion may be submitted.

All referrals for intervention or expulsion should be submitted to: oap@charleston.k12.sc.us

For questions about the Code of Conduct, PDP, or district level interventions, please call: 843-745-7150.

CCSD Secondary Progressive Discipline Plan (2016-2017 SY)-Teacher Managed

Classroom Managed/Teacher Managed: Behaviors which adversely affect a student's educational progress. Classroom/Teacher Managed infractions should be handled by the classroom teacher and are not processed through a formal referral for disciplinary actions from administration. However, these infractions are documented by the teacher. Cases of multiple or chronic offenses may require administrative/guidance action (assistance) and referral for interventions.

Infraction	Definition
Dishonesty	Failure to knowingly tell the truth; also includes petty stealing
Disrupting Class	Behavior that interferes with instruction, learning, and a safe and orderly environment which includes, but not limited to, chronic talking, throwing objects, horseplay, teasing, refusal to remain in seat, rude noises, selling items on campus, etc
Dress Code Violation	Noncompliance with the District and/or school dress code
Failure to Complete Work	The act of not completing assigned written, oral, or physical work
Hall Pass Violation	To be in a hallway without written permission; to alter or change a hall pass from its original intent
Horseplay	Rough or boisterous play or pranks that could harm another or disrupt the learning environment
Identification Violation	Failure to comply with school identification rules
Inappropriate Affection	Unsuitable or improper physical contact, action or gestures, display of public affection; an extreme feeling or emotion towards another person
Inappropriate Behavior	Actions or gestures of conducting oneself in a disruptive or disrespectful manner to include tone, attitude, and body language that is negative or abrasive towards another student or adult
Inappropriate Language	Words that are not demeaning or not directed to another student or adult
Inappropriate Materials	Related to the possession or viewing of items considered to be unsuitable for school or school related activities
Littering	Placing trash improperly so as to be a nuisance or health concern
Phone (Electronic Device) Violation	Failure to adhere to the authorized time of use outlined in the school's electronic device policy in the classroom
Running	Running in the hallway, classroom, cafeteria, or any other unauthorized area in the school that could pose a safety issue.

Each school should establish MTSS/PBIS systems to provide a protocol for teachers to address classroom managed referrals.

Possible Interventions:

- Behavior Contract
- Clarify Expectations
- Reteach Expectations
- Explicit Instruction
- Modify activity
- Alternate Assignment
- Peer Buddy
- Peer tutor
- Problem solving sheet
- Proximity control
- Quiet correction
- Positive Reinforcement of appropriate behavior
- Restorative conversation
- Seat change
- Teacher/student conference

Possible Actions:

- Confiscate items
- Detention
- In class exclusion
- Verbal or written Apology
- Loss of Privilege
- Parent / Teacher conference
- Parent / teacher contact (phone, email, text, letter)
- Temporary removal from class
- Verbal Warning
- Written or verbal reflection
- Written warning
- Mediation

Tardy	Arriving late to school or class (multiple tardies will result in disciplinary action)
Throwing Objects	To propel or cast in any way anything that is visible or tangible

CCSD Secondary Progressive Discipline Plan (2016-2017 SY) - Level 1 Offenses--Disorderly Conduct

Level 1 Offenses, Disorderly Conduct, are any behaviors which adversely affect a student's educational progress. Level 1 offenses are handled by the school administration.

Level 1 Code	Infraction	Definition	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence	5th Occurrence
1	Aiding Others	A person who assists in or supports the commission of an offense and who usually has knowledge before or after the fact	Reteach Expectations Administration Intervention Call Home	Administrative Detention Call Home	Admin Detention for 1 Week Call Home	ISS 1-2 days	Conditional Suspension
190	Cheating	Plagiarizing, providing, receiving, or viewing answers to assignments, quizzes, or tests; accessing academic materials without permission	Reteach Expectations Retake assignment for no higher than 60%, call home, and student conference	"0" on the assignment and call home	"0" on the assignment and parent conference	"0" on the assignment and ISS 1-2	FOCUS 1-3 Days Call Home
4	Contraband	Related to the possession or viewing of items considered to be unsuitable for school or school related activities (magazines, materials to promote discriminatory practices/speech, lighters, chemicals, dice, etc.)	Reteach Expectations Administrative Intervention Call Home Item confiscated (if possible, returned that day)	Item confiscated and if possible returned at a Parent Conference	Item confiscated, if possible, returned at Conditional Suspension meeting	Item confiscated and not returned ISS 1 Day	FOCUS 3-5 days Call Home
170	Cutting Activity	Failure to attend or complete an assigned school activity or event	Reteach Expectations Detention Call Home	Detention and Parent Conference	Saturday School Call Home	Conditional Suspension	ISS 1-2 days
160	Cutting Class	Failure to attend or complete scheduled class	Reteach Expectations Detention Call Home	Detention Parent Conference	Saturday School Call Home	Conditional Suspension 1 Day ISS	ISS 1-2 days
5	Detention Violation	Failure to serve a period of time during recess, lunch, before or after the school day as a consequence for a behavior infraction	Reteach Expectations Call Home Detention/Saturday School	Call Home Parent Conference	Conditional Suspension	ISS 1-2 Days Call Home	FOCUS 1-3 Days Call Home
420	Disrespect	Demeaning or discriminatory language and/or insult towards an adult, guest, or staff member including but not limited to any verbal, written, or electronic communication	Reteach Expectations Administrative Conference Call Home	Parent / Teacher / Admin / student Conference and Guidance Referral	Saturday School and Apology Letter	ISS 1-2 Days	FOCUS 3-5 Days Call Home
305	Driving Violation	Failure to abide by SC driving laws or failure to comply with driving rules set forth by the school	Reteach Expectations Administrative Conference Loss of Driving Priv. (Per School's Parking/Driving Rules and Regulations)				

CCSD Secondary Progressive Discipline Plan (2016-2017 SY) - Level 1 Offenses--Disorderly Conduct

400	Excessive Noise	Any loud sound that is unnecessary or interferes with the learning environment or activity; senseless shouting or outcry	Reteach Expectations Written Warning Call Home	Administrative Intervention Call Home	ISS for the Period/Day Call Home	Parent Conference	ISS 1 Day
271	Failure to Comply with Disciplinary Action	The act of not completing a consequence or sanction assigned by a teacher or administrator as a result of an offense committed	Reteach Expectations Administrative Intervention Call Home	Parent Conference	Lunch Detention/Saturday School	Conditional Suspension	ISS 1 Day
14	Hit/Kick/Push	To deal a blow to, come in to contact with, or strike; to strike with foot or feet; to apply pressure against for the purpose of moving	Reteach Expectations Administrative Intervention and Call Home	Administrative Conference Call Home	Detention/Saturday School Call Home	Conditional Suspension	ISS 1-2 Days
22	Inappropriate Physical Contact	Touching or immediate proximity of another person exceeding personal boundaries unsuitable or improper for the location or setting	Reteach Expectations Administrative Intervention Call Home	Lunch Detention Call Home	Detention/Saturday School Call Home	Conditional Suspension	ISS 1-2 Days
320	Leaving Class	Departing from class without permission before the class period is complete	Reteach Expectations Administrative Intervention Call Home	Detention Parent Conference	Administrative Conference	Parent/Admin/Teacher Meeting	ISS 1-3 Days
240	Loitering	Wandering on school premises in an area that is off limits to students or when there is no particular reason to be there	Reteach Expectations Administrative Intervention Call Home	Detention/Saturday School	Conditional Suspension	ISS 1-3 Days	FOCUS 1-3 Days
290	Obscene Gesture	A movement or position of the hand, arm, body, head, or face that is expressive of an offensive idea, opinion, and emotion	Reteach Expectations Administrative Intervention Call Home	Administrative Conference Call Home	Detention/Saturday School Call Home	Conditional Suspension	ISS 1-3 Days
200	Off Limits	To be present in an unauthorized location	Reteach Expectations Administrative Intervention Call Home	Detention/Saturday School	Conditional Suspension	ISS 1-2 Days	FOCUS 1-3 Days

200	Parking Violation	Parking on campus or at a school sponsored event without authorization or in a manner that is not consistent with expectations of the property owner	Reteach Expectations Administrative Conference and Loss of Driving Priv. (Per School's Parking/Driving Rules and Regulations)				
23	Property Misuse	Minor damage or defacement of property belonging to the school or others	Reteach Expectations Administrative Conference Parent Contact	Parent conference and Potential Restitution or work detail	Saturday School or Restitution/Work detail	ISS 1-2 days	FOCUS 1-3 Days

CCSD Secondary Progressive Discipline Plan (2016-2017 SY) - Level 1 Offenses--Disorderly Conduct

151	Truant	A student, ages 6 to 17 years old, who has three consecutive days of unlawful absences or a total of five unlawful absences during the current school year	Reteach Expectations School level truancy team intervention--See Truancy flow chart				
390	Unauthorized Device	Failure to adhere to the authorized time of use outlined in the school's electronic device policy. This includes possession of an item at unauthorized times; including, but not limited to, laser pointer, camera, cell phone, tablets, drones, etc	Reteach Expectations Warning Ask student to put device away For non-compliance, refer to another infraction for consequence	Item confiscated (returned at end of day) Call home	Item confiscated, returned during Parent Conference	ISS - 1 day	Loss of privilege for 1 month Call home

***A conditional suspension should be monitored by the school's administration and data clerk to ensure that a student is not absent from school for an extended period of time.*

Students should not be allowed to stay out of school for more than one day. If the student does not return to school with his or her parent, the school is responsible for notifying the parents.

Administrative Interventions Include, but are not limited to:

- Administrative conference
- After school intervention
- Conditional ISS
- Lunch intervention
- Student / Teacher conference
- Mediation
- Work Detail
- Shared Responsibility

CCSD Secondary Progressive Discipline Plan (2016-2017 SY) - Level 2 Offenses--Disruptive Conduct

Disruptive Conduct, are any behaviors which significantly disrupt the positive learning environment and/or endangers the health or safety of oneself or others. These behaviors require administrative action. Level 2 offenses are to be handled by the school administration; however, some instances of disruptive conduct may overlap with certain criminal offenses, justifying both district action and legal consultation. Consistent infractions of Level 2 offenses may require a referral to the Office of Alternative Programs.

Level 2 Code	Infraction	Definition	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
680	Alcohol/Liquor Law Violation	Violation of laws prohibiting sale, purchase, barter, transportation, possession, distribution, consumption, or being under the influence of alcoholic beverages	Reteach Expectations DIPP* Notification to Law Enforcement FOCUS 3-5 Days	3 -5 days OSS Notification to Law Enforcement Refer to OAP - Disciplinary	5-10 OSS (with approval from Executive Director) Notification to Law Enforcement Refer for Expulsion	
3	Bite / Pinch /Spit	To cut, wound, or tear with the teeth; to constrict or squeeze painfully; to eject saliva from the mouth	Reteach Expectations Behavior Contract FOCUS 3-5 Days Notification to Law Enforcement	FOCUS 10 Days Notification to Law Enforcement	5 Days OSS Refer to the OAP - Disciplinary Notification to Law Enforcement	
530	Bribery	Offering, giving, receiving, or soliciting of money or other items of value to sway the judgment or action of a person	Reteach Expectations Conditional Suspension	ISS 1-2 Days	FOCUS 3-5 Days	FOCUS 5-10 Days Refer to the OAP - Disciplinary
220	Computer Violation – Non-criminal	Unauthorized or inappropriate use of computers or use of computer resources without permission; unauthorized modifications of school system computers that do not permanently damage the system resources	Reteach Expectations Administrative Conference, Detention/Saturday School, and Call Home	ISS 1-2 Days Loss of Computer Privilege for 1 Quarter	FOCUS 3-5 Days Loss of Computer Privilege for 1 Semester	FOCUS 5-10 Days Loss of Computer Privilege for the Remainder of the Year
407	Confrontation/ Altercation	An exchange of words between students resulting in conflict; a heated or angry dispute; a noisy argument or controversy	Reteach Expectations Mediation Parent Conference	ISS 1-2 Days Call Home Guidance Referral	FOCUS 3-5 Days	FOCUS 5-10 Days
150	Cutting School	Failure to attend or complete a school day	Reteach Expectations Administrative Conference, Detention/Saturday School Call Home	Parent Conference Guidance Referral Make up time missed in FOCUS	FOCUS 3-5 Days Complete Truancy intervention protocol	FOCUS 5-10 days Intervention Referral to OAP
575	Drug Usage	The use or being under the influence of an illegal substance solicitation of any chemical compound or material which is categorically not permitted on school grounds or at school related activities such as prescription or nonprescription medication; being under the influence of unauthorized legal or any illegal substances	Reteach Expectations DIPP* Notification to Law Enforcement FOCUS 3-5 Days	3 -5 days OSS Notification to Law Enforcement Refer to OAP - Disciplinary	OSS 5--10 Days (with approval from Executive Director) Notification to Law Enforcement Refer for Expulsion	

9	Fighting	An incident involving two or more students with mutual physical contact, such as hitting, kicking, and/or punching where there is no major injury or disruption	Reteach Expectations Contact Parent Mediation 1 Day OSS	FOCUS 3-5 Days Behavior Contract Tier 2 Intervention Group	FOCUS 5-10 Days Referral to OAP - Intervention	5 Days OSS Refer to the OAP - Disciplinary
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CCSD Secondary Progressive Discipline Plan (2016-2017 SY) - Level 2 Offenses--Disruptive Conduct						
10	Fireworks	Possession and/or detonation of an explosive pyrotechnic device that makes a display of light or noise on school property but does not cause harm to others	Reteach Expectations FOCUS 5-10 Days	OSS 5 Referral to OAP		
11	Forgery / Counterfeit	Purposely signing another person's name or altering, copying, or imitation of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud	Reteach Expectations FOCUS 5-10 Days Notification to Law Enforcement	OSS 5-10 Days (with approval from Executive Director) Notification to Law Enforcement Referral to OAP		
620	Fraud	Deceiving another in order to damage him/her; usually, to obtain property or services from him or her unjustly	Reteach Expectations FOCUS 5-10 Days Notification to Law Enforcement	OSS 5-10 Days (with approval from Executive Director) Notification to Law Enforcement Referral to OAP		
630	Gambling	Betting on a game of chance or an activity where money is exchanged.	Reteach Expectations ISS 1-2 Days Parent Call	FOCUS 3-5 Days	FOCUS 5-10 Days	OSS 5 Referral to OAP
12	Harassment	Any threatening, insulting, or dehumanizing action which negatively impacts another person's emotional or mental well-being	Reteach Expectations ISS 1-2 Days Notification to Law Enforcement	FOCUS 3-5 days Notification to Law Enforcement	Referral to OAP FOCUS 3-5 days Notification to Law Enforcement	
310	Leaving School	Departing from campus without permission before the school day is complete	Reteach Expectations Parent Contact Detention or Saturday School	FOCUS 3-5 days 5 Days suspension from school related extracurricular activities	FOCUS 5-10 days 10 Days suspension from school related extracurricular activities	OSS 3-5 Days Referral to OAP
20	Major Disruption	Behavior that interrupts the learning environment for a specific period of time in a confined area	Reteach Expectations FOCUS 5 Days Restorative Practice Mediation	FOCUS 10 Days Restorative Practice Behavior Contract	OSS 3-5 Days Guidance Intervention	OSS 5 Days Referral to OAP
710	Pornography	Possession, manufacturing, or distribution of sexually explicit/obscene material	Reteach Expectations ISS 1-2 Days	FOCUS 5-10 Days Guidance Referral	OSS 5 Days Referral to OAP	

380	Probation Violation	Infraction(s) resulting in the student breaking a written school level probation contract	Reteach Expectations FOCUS 5-10 Days Notification of Probation Violation	5 OSS Refer to the Constituent Board		
210	Profanity	Abusive, vulgar, or irreverent language, swearing, cursing, foul speech, or speech that shows disrespect or dishonor toward another	Reteach Expectations ISS one period / class Administrative/Teacher /Parent Conference	ISS 1-2 Days Referral to Counselor	FOCUS 3-5 Days	OSS 3-5 Days Referral to OAP

CCSD Secondary Progressive Discipline Plan (2016-2017 SY) - Level 2 Offenses--Disruptive Conduct						
270	Refusal to Obey/Defiant	Refusing to follow a request or a specific direction/instruction of an adult through disobedience, defiance, unruliness, or noncompliance	Reteach Expectations ISS one period / class Administrative/Teacher/Parent Conference	ISS 1-2 Days Referral to Counselor	FOCUS 3-5 Days	OSS 1-3 days
690	Sexual Offense-Non Forced	Unlawful, unforced sexual acts or indecent exposure that is overtly sexual in nature, or other sexually inappropriate behavior	Reteach Expectations FOCUS 3-5 Days Referral to Counselor Referral to OAP			
25	Sexual Violation	The act of touching, groping, slapping, or any other physical contact of a sexual nature made with another person, whether unwanted or wanted	Reteach Expectations FOCUS 1-3 Days Sexual Harassment Intervention	FOCUS 3-5 Days	FOCUS 5-10 Days Refer to OAP	
740	Stolen Property	Having in possession goods obtained by larceny, by stealing, by robbing, by theft; something unlawfully taken from its rightful owner	Reteach Expectations FOCUS 5 Days Notification to Law Enforcement	5 Days OSS Refer to OAP Notification to Law Enforcement		
670	Theft/Larceny	To steal or possess property without the permission of the owner	Reteach Expectations FOCUS 5 Days Notification to Law Enforcement	5 Days OSS Refer to OAP Notification to Law Enforcement		
27	Threat	Making statements or gestures of intent to do physical harm to a staff member or student	Reteach Expectations OSS 1-3 Days Guidance Referral Notification to Law Enforcement	OSS 3-5 Days Refer to OAP Notification to Law Enforcement		
230	Tobacco	Possession and/or use of cigarettes, cigars, and/or other tobacco products; possession and/or use of smokeless products, electronic cigarettes, and vaporizers	Reteach Expectations ISS 1 Day	FOCUS 3-5 Days	FOCUS 5-10 Days DIPP	OSS 1-3 Days Refer to OAP

750	Trespassing	Being on school property or at a school sponsored event without permission, including while on suspension or after expulsion; entry of a structure without intent to commit a serious crime or theft	Reteach Expectations FOCUS 5 Days Notification to Law Enforcement	5 Days OSS Notification to Law Enforcement Refer to OAP		
153	Truant- Chronic	A student, ages 12-17 years old, 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	Reteach Expectations School level truancy team intervention--See Truancy flow chart			

CCSD Secondary Progressive Discipline Plan (2016-2017 SY) - Level 2 Offenses--Disruptive Conduct						
152	Truant- Habitual	A student ages 12-17 years old, who fails to comply with the intervention plan developed by the school, the child, and the parent(s) or guardian(s) and who accumulates two or more additional unlawful absences	Reteach Expectations School level truancy team intervention--See Truancy flow chart			
29	Urination	Willfully urinating on school property or another student's property (shoes, floor, walls, bus, etc.)	Reteach Expectations 1-3 OSS Guidance Referral	5 OSS Refer to OAP		
760	Vandalism	Willfully or maliciously destroying, damaging, or defacing real or personal property	Reteach Expectations ISS 1-2 Days or Restitution Parent Call Notification to Law Enforcement	3 OSS Refer to OAP Notification to Law Enforcement		
789	Misc. Weapons	Weapons such as: toy guns, toy cap guns, toy pellet guns, and bullets that do not inflict injury	Reteach Expectations Confiscate item Parent call Send home	Reteach Expectations Confiscate item Parent call ISS 1-2 days	Confiscate item Parent call FOCUS 3-5 Days	Confiscate item Parent call FOCUS 5-10 Days Referral to OAP
**A conditional suspension should be monitored by the school's administration and data clerk to ensure that a student is not absent from school for an extended period of time. Students should not be allowed to stay out of school for more than one day. If the student does not return to school with his or her parent, the school is responsible for notifying the parents.						
* If a student refuses to participate or fails to complete a Drug/Alcohol Program, then a Referral for Expulsion should be completed.						
Notification to Law Enforcement: South Carolina Code of Laws, Section 59-24-60 - In addition to other provisions required by law or by regulation of the State Board of Education, school administrators must contact law enforcement authorities immediately upon notice that a person is engaging or has engaged in activities on school property or at a school sanctioned or sponsored activity which may result or results in injury or serious threat of injury to the person or to another person or his property as defined in local board policy.						

CCSD Secondary Progressive Discipline Plan (2016-2017 SY) - Level 3 Offenses--Criminal Conduct

Level 3 Offenses, Criminal Conduct, are any behaviors which significantly disrupt the learning environment or poses a direct and serious threat to the safety of oneself or others and are considered Persistently Dangerous by SC Department of Education. Level 3 infractions require immediate referrals to the Office of Alternative Programs and the consultation/assistance of law enforcement. These cases will be handled by the Constituent School Boards.

Level 3 Code	Infraction	Definition	1st Occurrence	2nd Occurrence
500	Arson	To intentionally damage or attempt to damage any real or personal property by fire	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	
510	Assault, Aggravated	An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. This category includes attempted murder. A weapon can be a commonly known weapon, such as a gun or knife, or any other item, which, although not usually thought of as a weapon, becomes one when used in a manner that could cause severe bodily injury (e.g., baseball bat, metal chain, large stick). A "severe laceration" is one that should receive medical attention. A "loss of consciousness" must be the direct result of force inflicted on the victim by the offender	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	
520	Assault, Simple	An unprovoked physical attack by one person upon another where the offender neither uses nor displays a weapon and the victim does not suffer obvious severe or aggravated bodily injury	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	
260	Bomb Threat	Indicating the presence of a bomb or explosive device on school grounds, school bus, or at any school activity	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	

651	Bullying	A deliberate, repeated act with intention to hurt, insult, or threaten another person in school, on school grounds, in school vehicles, or at school events. A gesture, an electronic communication, or a written, verbal, physical, or sexual act that takes place on school property, at any school-sponsored function where the school is responsible for the child or on a school bus or other school-related vehicle, at an official school bus stop and that: a) a reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a student, physically or emotionally, or damaging the student's property, or placing a student in reasonable fear of harm to his person or damage to his property; or b) has the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school. (Due to Race of Victim, Disability of Victim, Gender of Victim, Religion of Victim, Due to National Origin of Victim, Due to Sexual Orientation of Victim or Other/Unknown	3-5 Days OSS School based Bullying Intervention Notification to Law Enforcement	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion
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CCSD Secondary Progressive Discipline Plan (2016-2017 SY) - Level 3 Offenses--Criminal Conduct				
540	Burglary	Unlawful entry or attempt to unlawfully enter a building or other structure with the intent to commit a felony or theft	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	
700	Computer Violation- Criminal	Using school computers to commit a criminal act such as hacking into servers, piracy, altering school data, etc.; purposely damaging school system computer resources	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	
652	Cyber Bullying	Willful harassment and intimidation of a person through the use of digital technologies, including, but not limited to, email, blogs, texting, social media, chat rooms, sexting, instant messaging, or video voyeurism	3-5 Days OSS School based bullying intervention Notification to Law Enforcement	10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion
560	Disturbing School	Behavior that disturbs the learning environment for a significant number of students for an extended period of time or school sponsored events and requires the intervention of a number of staff members.	3-5 Days OSS Notification to Law Enforcement School based contract Recommend Social Skill Intervention	10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion

570	Drug Distribution	it is unlawful for any person (1) to manufacture, distribute, dispense, deliver, or purchase; or to aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase; or to possess with intent to manufacture, distribute, dispense, deliver, or purchase a controlled substance and (2) to create, distribute, dispense, deliver, or purchase; or to aid, abet, attempt, or conspire to create, distribute, dispense, deliver, or purchase; or to possess with intent to distribute, dispense, deliver, or purchase a counterfeit substance	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion *Interim Alternative Educational Settings (for Special Education Students - 45 days)	
580	Drug Possession	Possession of an illegal substance represented as drugs, and/or a mood-altering substance (prescription or nonprescription medication)	3-5 Days OSS Notification to Law Enforcement Refer for Discipline to OAP - request AOD	
590	Embezzlement	The unlawful misappropriation by the offender of money, property, or some other thing of value for personal use while entrusted to his/her care, custody, or control	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	
600	Extortion	To unlawfully obtain money, property, or any other thing of value without that person's consent through the use or threat of force, misuse of authority, threat of destruction of reputation or social standing, or through other coercive means	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	
350	Fire Alarm	In the absence of an emergency, to activate or set off a fire signal indicating the presence of a fire emergency	FOCUS 5 Days Notification to Law Enforcement	FOCUS 10 Days Notification to Law Enforcement Refer to OAP

CCSD Secondary Progressive Discipline Plan (2016-2017 SY) - Level 3 Offenses--Criminal Conduct				
250	Gang Activity	Any group of individuals or organization, whether formal or informal, which advocate or promote activities threatening the safety or well being of persons or property on school grounds or disrupt the school environment are harmful to the educational process. The existence of such group of individuals associated may be established by evidence of a common name or common identifying signs, symbols, tattoos, graffiti, or attire or other distinguishing characteristics	10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	
640	Homicide	The killing of one human by another, not including manslaughter or attempted murder	10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	

19	Indecent Exposure	The deliberate exposure in public of one's genitalia or private area(s) of one's body	5 Days OSS School based contract	10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion
650	Intimidation	To unlawfully place another person in reasonable fear of bodily harm through the use of menacing words or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack; Intimidating behaviors can be made in person, over the telephone, electronically, via social media networks, or in writing	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	
660	Kidnap/Abduction	The unlawful seizure, transportation, and/or detention of a person against his or her will or of a minor without the consent of his or her custodial parent(s) or legal guardian. This category includes hostage taking	10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	
700	Other Offenses- Criminal	Other acts of criminal conduct as set forth in State and Federal Law not covered in the existing list of codes; includes offense(s) committed off-campus that is deemed serious enough by the State Regulations to be a danger to the school environment. (see complete list)	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	
720	Prostitution	To engage in or promote sexual activities for profit	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	
730	Robbery	The taking or attempting to take anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm	10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	
13	Sexual Harassment	Any unwelcome sexual advances, requests for sexual favors and other inappropriate verbal, written, electronic or physical conduct of a sexual nature that creates an intimidating, hostile or offensive environment	5 Days OSS School based contract	10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion

CCSD Secondary Progressive Discipline Plan (2016-2017 SY) - Level 3 Offenses--Criminal Conduct

610	Sexual Offense- Forced	Any sexual act directed against another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent. This definition includes forcible rape, forcible sodomy, sexual assault with an object (to use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity), and/or forcible fondling (child molesting)	10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	
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770	Vehicle Theft	To steal from or possess a vehicle without permission of the owner	5-10 Days OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion	
Notification to Law Enforcement: South Carolina Code of Laws, Section 59-24-60 - In addition to other provisions required by law or by regulation of the State Board of Education, school administrators must contact law enforcement authorities immediately upon notice that a person is engaging or has engaged in activities on school property or at a school sanctioned or sponsored activity which may result or results in injury or serious threat of injury to the person or to another person or his property as defined in local board policy.				

CCSD Secondary Progressive Discipline Plan (2016-2017 SY) - Code 700--Other Criminal Offenses

Other acts of criminal conduct as set forth in State and Federal Law not covered in the existing list of codes; includes offense(s) committed off-campus that is deemed serious enough by the State Regulations to be a danger to the school environment. Under South Carolina Law, section 16-160, those infractions that are considered violent crimes are listed below:

- murder (Section 16-3-10)
- attempted murder (Section 16-3-29)
- assault and battery by mob, first degree, resulting in death (Section 16-3-210(B))
- criminal sexual conduct in the first and second degree (Sections 16-3-652 and 16-3-653)
- criminal sexual conduct with minors, first, second, and third degree (Section 16-3-655)
- assault with intent to commit criminal sexual conduct, first and second degree (Section 16-3-656)
- assault and battery with intent to kill (Section 16-3-620)
- assault and battery of a high and aggravated nature (Section 16-3-600(B))
- kidnapping (Section 16-3-910)
- trafficking in persons (Section 16-3-2020)
- voluntary manslaughter (Section 16-3-50)
- armed robbery (Section 16-11-330(A))
- attempted armed robbery (Section 16-11-330(B))
- carjacking (Section 16-3-1075)
- drug trafficking as defined in Section 44-53-370
- arson in the first or second degree (Section 16-11-110(A));
- burglary in the first or second degree (Section 16-11-311)
- engaging a child for a sexual performance (Section 16-3-810)
- homicide by child abuse (Section 16-3-85(A)(1)) aiding and abetting homicide by child abuse (Section 16-3-85(A)(2))
- inflicting great bodily injury upon a child (Section 16-3-95(A))
- allowing great bodily injury to be inflicted upon a child (Section 16-3-95(B))
- sexual exploitation of a minor first degree (Section 16-15-395)
- sexual exploitation of a minor second degree (Section 16-15-405)
- promoting prostitution of a minor (Section 16-15-415)
- participating in prostitution of a minor (Section 16-15-425)
- aggravated voyeurism (Section 16-17-470(C))
- detonating a destructive device resulting in death with or without malice (Section 16-23-720(A)(1)) (Section 16-23-720(A)(2))
- failure to stop when signaled by a law enforcement vehicle resulting in death (Section 56-5-750(C)(2))
- interference with traffic-control devices, railroad signs, or signals resulting in death (Section 56-5-1030(B)(3))
- hit and run resulting in death (Section 56-5-1210(A)(3))
- felony driving under the influence or felony driving with an unlawful alcohol concentration resulting in death (Section 56-5-2945(A)(2))
- accessory before the fact to commit any of the above offenses (Section 16-1-40)
- attempt to commit any of the above offenses (Section 16-1-80). Only those offenses specifically enumerated in this section are considered violent offenses.

5-10 Days OSS with approval
from Executive Director
Referral for Expulsion

CCSD Secondary Progressive Discipline Plan (2016-2017 SY) - Level 3 Offenses--Code 700--Weapons

Weapons: All weapons are coded as 789 in PowerSchool. Then a sub code is used to identify the type of weapon.

Level 3 Code	Infraction	Definition	1st Occurrence
789	Weapons - all coded as 789, then sub-code is added	Weapons: Firearms, handguns, rifles, shotguns or bombs (including look-alike); pellet gun, paintball gun, stun gun, BB gun, flare gun, nail gun, or airsoft gun or any other type of weapon, devices or object which may be used to inflict bodily harm or death shall not be allowed on any school district property (including vehicles) or at any school sponsored event. This shall also include, but not limited to, knives, tasers, dirks, slingshots, bludgeons, blackjacks, Chinese star, razors (including straight or retractable razor), ice pick, metal knuckles, box cutters, nunchucks, spiked glove, spiked wristband, any mace derivative, tear gas device, or pepper spray	See individual sub codes below.
780	Weapons - other	Pellet gun, paintball gun, stun gun, BB gun, flare gun, nail gun, or airsoft gun or any other type of weapon, devices or object which may be used to inflict bodily harm or death. This also includes, but not limited to tasers, dirks, slingshots, bludgeons, blackjacks, Chinese star, razors (including straight or retractable razor), ice pick, metal knuckles, box cutters, nun chucks, spiked glove, spiked wristband, any mace derivative, tear gas device, or pepper spray	5-10 OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion
781	Weapons: Handguns	A handgun with or without ammunition.	5-10 OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion *Interim Alternative Educational Settings (for Special Education Students - 45 days)
786	Weapons: Knife Blade Less than 2"	A knife with a blade of less than 2 inches.	3-5 OSS Notification to Law Enforcement Refer to Constituent Board for Expulsion
785	Weapons: Knife Blade More than 2.5"	A knife with a blade of more than 2.5 inches.	5-10 OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion *Interim Alternative Educational Settings (for Special Education Students - 45 days)
784	Weapons: Knife Blade More than 2"	A knife with a blade of more than 2 inches and less than 2.5 inches.	3-5 OSS Notification to Law Enforcement Refer to Constituent Board for Expulsion

CCSD Secondary Progressive Discipline Plan (2016-2017 SY) - Level 3 Offenses--Code 700--Weapons			
782	Weapons: Rifles/Shotguns	A rifle or shotgun with or without ammunition.	5-10 OSS (with approval from Executive Director) Notification to Law Enforcement Refer to Constituent Board for Expulsion *Interim Alternative Educational Settings (for Special Education Students - 45 days)
Misc.	Misc. Weapons	Weapons such as: toy guns, toy cap guns, toy pellet guns, and bullets that do not inflict injury	see Level 2 sheet

BOARD AGENDA ACTION FORM Committee of the Whole July 11, 2016 Board Meeting July 25, 2016		
Section:	Open Session	
Subject:	Renew Use of Hearing Officers	
Name/Department:	John F. Emerson, Office of General Counsel	
Agenda Item Number:	7 . 2	
Background:	In its 2016 session, the legislature amended the Teacher Employment and Dismissal Act, which, as you know, guarantees a continuing contract teacher the right to appeal to the Board. At the same time, the legislature renewed, for 2016-2017, the same temporary proviso which has allowed the board to use hearing officers. Under that process the hearing officers hold the hearing and make a recommendation to the Board, but the Board makes the ultimate decision on the appeal. The use of hearing officers has increased the efficiency of the hearing process and has resulted in a substantial savings of money, as is demonstrated on the attached chart. The ability to use hearing officers does not require a change in policy for this school year. The renewed proviso only requires a simple resolution approving the practice and approving a list of hearing officers as was done last year.	
Discussion:	The Board can maintain the process of assigning teacher appeal hearings to hearing officers under the 2016-2017 proviso, while the ultimate decision-making authority continues to rest with the Board. It is evident that, in doing so, the District will realize substantial savings. In order to do so, the Board need only renew its current approval of the practice and affirm the list of hearing officers, which has been amended and expanded to include more diversity of practice and perspective.	
Goals& Budget:		
This recommendation supports CCSD goal #:	Highly effective teachers.	
Overall budget for implementing CCSD goal:	N/A	
Request approval for funds within that budget in the amount of \$:	N/A	Funding Source
Resulting positive impact for students in our District will be:	Improved teaching staff.	
Potential impact of this decision on other budget areas will be:	N/A	
Future Fiscal Impact:	N/A	
Recommendation:	☒ Action	☐ Information
	☒ Open Session	☐ Executive Session
Move that the Board approve renewal of the existing practice of allowing hearing officers to hear the appeals of continuing contract teachers, while retaining the ultimate decision-making authority over any appeals, and to approve the amended existing list of approved hearing officers, which is attached to this action item.		
Person(s) Responsible for Implementation:	John F. Emerson, General Counsel	

Superintendent's Approval:		
Board Member(s) Approval:		
Attachment(s):	☒ Yes	☐ No

MEMORANDUM

TO: CCSD Board of Trustees

CC: Dr. Gerrita Postlewait, Superintendent of Schools

FROM: John F. Emerson

RE: Comparing Costs of Teacher Appeal Hearings

DATE: July 15, 2016

John F. Emerson
General Counsel

Gerrita Postlewait
Superintendent of Schools

75 Calhoun Street
Charleston, SC 29401
Tel. (843) 937-6515
Fax (843) 937-6546

We were asked to determine whether there is a savings associated with the Board's practice of delegating to hearing officers the appeals of continuing contract teachers. We have compared the expenses associated with the four hearings we have held before hearing officers with the last ten hearings held by the board. The numbers are pretty dramatic as you can see by the attached chart.

There are several categories of expense associated with such hearings. By far the most substantial expense is the salary paid to a teacher awaiting an appeal hearing. From non-renewal or dismissal, through notice of appeal and until a final decision by the board is made, teachers continue to draw income and benefits as if they are working. The faster a hearing can be scheduled the lower this expense. Naturally, finding time with a hearing officer is much easier than finding time with five board members at the same time. Some board members may recall that, several years ago, the Post and Courier ran an article stating that, over a two-year period, the District had paid teachers with pending hearings over \$150,000.00.

Delay also places a great burden on the school and the students in those classes formerly taught by the appealing teacher. With the teacher no longer at the school, the school has an FTE it cannot fill until the teacher's appeal is resolved. The school must use long term substitutes at additional expense and generally to the detriment of the students in the class who would probably do better with a permanent, qualified teacher with expertise in the content area. The impact of this burden cannot be overstated.

In addition, the impact on the teacher awaiting a hearing can be substantial. It is time lost in the classroom, it may have an impact on their certification or other credentials and being in limbo would likely have emotional effects as well.

Other than the modest per diem paid to board members, the other expense associated with a board hearing that is not associated with one before a

hearing officer is the expense of having an attorney advise the board during the hearings. That is calculated at an hourly rate.

On the other hand, the District must pay the hourly rate of the hearing officer for those hearings, an expense not incurred in hearings before the board. These two expenses may cancel each other out.

The other costs remain consistent either way, such as the attorney's fees for counsel representing the administration, as well as the cost of the court reporter.

Teacher	Presiding Body	Date of Appeal	Date of Board's Decision	Duration	Salary Paid	Cost of Hearing Officer (H/O)	Cost of External CCSD Attorney	Cost of External Attorney Advising the Board	Total Costs
	H/O Johnson	04/29/16	Pending - Heard by H/O 6/3/16	5 weeks		\$7,280.00 (approx.)	\$11,828.37	NA - Board adviser not needed.	\$19,108.37
	H/O Johnson	04/27/16	07/11/16	11 weeks		\$7,525.78	\$9,076.62	NA - Board Adviser Not Needed.	\$16,602.40
	H/O Seibert	02/16/16	6/27/16 - Allowed to resign	19 weeks	\$17,893.76	\$1,673.12	\$3,539.40	NA - Board Adviser Not Needed.	\$23,106.28
	H/O Johnson	11/16/15	03/21/16	18 weeks	\$22,437.28	\$7,034.41	\$11,000.82	NA - Board Adviser Not Needed.	\$40,472.51
	H/O Austen	05/11/15	08/24/15	15 weeks	NA - Charter School Employee	\$2,670.00	\$9,361.96	NA - Board Adviser Not Needed.	\$12,031.96
	Board	04/27/15	05/20/15	3 weeks	\$4,599.52	NA - H/O wasn't utilized at this time.	\$5,747.61	\$1,282.25	\$11,629.38
	Board	01/22/15	02/02/15	2 weeks	\$2,056.89	NA - H/O wasn't utilized at this time.	\$4,579.46	\$997.50	\$7,633.85
	Board	10/23/14	03/02/15	19 weeks	\$17,700.00	NA - H/O wasn't utilized at this time.	\$1,999.68	\$855.00	\$20,555
	Board	04/28/14	03/16/15	46 weeks	\$46,599.04	NA - H/O wasn't utilized at this time.	\$20,416.83	\$1,615.00	\$68,630.87
	Board	04/22/14	Non-renewal Withdrawn by District 2/15/15	43 weeks	\$39,461.63	NA - H/O wasn't utilized at this time.	NA - No cost assessed as a hearing did not take place.	NA - No cost assessed as a hearing did not take place.	\$39,461.63
	Board	04/26/13	03/16/15	98 weeks	\$110,297.32	NA - H/O wasn't utilized at this time.	\$24,122.11	\$1,156.25	\$135,575.68
	Board	04/24/13	02/25/14	44 weeks	\$33,612.28	NA - H/O wasn't utilized at this time.	\$4,011.10	\$1,295.00	\$38,918.38
	Board	04/23/13	08/19/14	70 weeks	\$50,481.00	NA - H/O wasn't utilized at this time.	\$12,632.46	\$2,636.25	\$65,750
	Board	04/29/13	10/10/13	23 weeks	\$12,111.96	NA - H/O wasn't utilized at this time.	\$8,878.68	\$1,620.00	\$22,610.64
	Board	04/19/13	Non-renewal Withdrawn by District 2/15/15	95 weeks	\$126,815.60	NA - H/O wasn't utilized at this time.	\$1,166.13	NA - Board Adviser wasn't utilized at this time.	\$127,981.73
					\$484,066.28	\$26,183.31	\$128,361.23	\$11,457.25	\$650,068.07



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Charleston County School Board's failure to hold teacher hearings racks up \$150,000 bill for district

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Jan 26 2014 12:01 am Jan 26 1:49 pm

What do you think?

Should teachers fired by the Charleston County School District be paid while they await their appeal hearings?

Yes.

No.

I have no strong opinion.

Submit

The Charleston County School District has shelled out more than \$150,000 to pay eight teachers who haven't set foot in a classroom this year because their contracts were not renewed from the previous school year.

The district decided in April 2013 to terminate a group of teachers for the 2013-14 school year, but state law gives them the right to appeal to the county school board.

Ten of them did so; five of those hearings have taken place, but the other five have not, mostly because the board hasn't gotten a quorum of its members - five - together to hear the cases.

Teachers will continue earning a paycheck and not

Who has attended the hearings?

The Charleston County School Board has held five hearings since April 2013 for teachers whose contracts were not renewed for the current school year. The following is a breakdown of how many hearings each school board member has attended.

Craig Ascue - 5

John Barter* - 1

Cindy Bohn Coats - 5

Chris Collins - 1

Tom Ducker - 5

Chris Fraser - 1

Todd Garrett - 1

Michael Miller - 2

Elizabeth Moffly - 5

*No longer on the school board.

Charleston County School District

doing any work until the board hears their appeals.

"It's despicable," said Jon Butzon, former leader of a Charleston education advocacy group. "If they had to come up with that \$150,000 out of their own pockets, these appeal hearings would've long since been addressed. But it's not their money. They should treat it like it's their money, and that's part of the obligation they have to the citizens of Charleston County."

Lengthy hearings

Four board members have attended all five hearings that have been held. Four other members - Chris Collins, Todd Garrett, Chris Fraser and Michael Miller - have attended either one or two of the five hearings that have been held. Each of those board members said one of the biggest problems is the length of the appeal hearings, which typically take up an entire day.

"Being self-employed ... if I'm not working, I'm not earning an income," said Miller, who owns a barber shop in West Ashley. "I realize it's my responsibility as a board member, but it's extremely difficult to fulfill my obligation to my family considering some of the hearings have taken such a long time. It's difficult to find time in my personal schedule."

Garrett said he and others signed up for some hearings that were canceled by either the district or the teacher involved, not the board. Garrett is an independent contractor who works on commission, and he said he can't afford to miss that much work when the hearings last an entire day.

Those hearings are in addition to the other times board members are expected to be present, such as committee meetings and workshops.

Still, Garrett said that didn't excuse the cost to the district.

"It's a waste," he said, "and it's on us."

Fraser, president of a commercial real estate firm, said this is less an issue of board members' willingness to hear the cases and more an issue of finding five people who have the same day available to hear a case. It's a challenge to give up an entire day of work for these hearings, he said.

"It's a lot of time," Fraser said. "If these things were limited to an hour or two, it would be no problem getting people together. They have become a half-day or full-day event."

Collins, who runs an appliance repair shop, said he had a number of reasons for not being able to attend the hearings. He sometimes was available when others were not, and he said he didn't think the district and board chairwoman have made a good effort to schedule hearings.

Also, he said, the hearings turn into an all-day job, and if he doesn't go to his full-time job, he doesn't get paid.

"I have to work and feed my family," Collins said.

Cost to the district

The school board has heard and decided five teacher appeals in the last several months. Two of those were held last summer while teachers were still under contract for the 2012-13 school year. The other three were held at the start of the 2013-14 school year, and the district paid those three teachers \$39,894 for not working this school year. All hearings upheld.

The remaining five teachers have split more than \$115,000 in salaries while waiting for their hearings. Those figures don't count the benefits that are paid to teachers, which usually are nearly 25 percent of their salary.

The Post and Courier attempted to reach those five but was unsuccessful in doing so.

After the newspaper began asking questions for this story, two of those five teacher appeal hearings were scheduled for Jan. 28 and Jan. 29. Those who promised to attend were Chairwoman Cindy Bohn Coats, Vice Chairman Tom Ducker, Fraser, Garrett and Tripp Wiles.

Butzon said if board members don't have the time to fulfill their school board duties, they should submit their resignations and hope someone doesn't sue them for not doing their jobs.

Legislation on the way

The monetary cost to the district when the hearings don't happen in a timely way is only one part of a larger problem, said Sen. Paul Thurmond, R-Charleston.

Some districts can't afford to replace the teachers who are waiting for hearings, so substitute teachers are placed in classrooms for months while teachers go through the appeals process, he said. And just being able to not renew a teacher's contract is a "bureaucratic nightmare" that takes away from a principal's main duties, he said.

"My concern, especially having young children, is that we have under our current system a process in which a teacher who is identified as not able to properly educate our children or perform his/her duties has tremendous coverage and bureaucratic process on her or his side if he/she has been in the system more than three years," he said.

Thurmond said he plans to introduce legislation in the coming weeks to address the entire system that doesn't appropriately and efficiently handle under-performing teachers.

He wouldn't give any specifics of his proposal, but said it would address this issue of teachers having the ability to "continue sitting there and marking time" during the appeals process.

Need for reform

Most Charleston school board members agree on the need to change the teacher appeal-hearing process, and they have varying ideas on how that could happen.

Collins questioned why a smaller committee of the board couldn't do the hearing, and their recommendation would be presented to the full board for consideration. The district handled teacher-appeal hearings in that way until November 2011, and district attorney John Emerson changed that process because state law requires teachers to appeal to the full board.

A former Charleston County teacher's case that made it to the state Supreme Court confirmed Emerson's position, with the court finding that "at a minimum, a quorum of the Board must engage in a meaningful review of the evidence and testimony presented at the dismissal hearing."

Garrett suggested that the administration hear the teacher appeals, and the board could receive all relevant documents, ask questions and decide whether the case was handled appropriately.

State law requires the board to determine whether the evidence showed "good and just cause" for the teacher dismissal, but Fraser said the hearings sometimes involve the board evaluating a teacher's competency, which it isn't qualified to do.

State law needs to change so that someone, such as a hearing officer, could evaluate these cases and determine whether the law was followed and process handled fairly, Fraser said.

"It's a flawed system," he said.

Similar stories from The Post and Courier

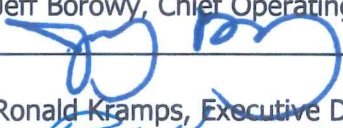
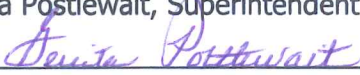
BOARD AGENDA ACTION FORM

July 11, 2016 Committee Meeting

July 25, 2016 Board Meeting

Section:	Audit and Finance	
Subject:	Capital Maintenance Reallocation (2017-2022 Capital Program Phase IV-Sales Tax)	
Name/Department:	Ronald Kramps, Executive Director of Facilities Management	
Agenda Item Number:	8.1	
Background:	On March 9, 2015, Item 10.1.J the Charleston County School District Board of Trustees approved \$2M advanced funding (Spring BAN) for early designs and early execution of projects under the Capital Program (Phase IV) - Capital Maintenance.	
Discussion:	During the FY16 Program year all projects were addressed, executed and completed. After completion of these projects, FM currently shows an overall savings of \$54,722. FM requests approval from the Board of Trustees for the reallocation of these funds to the FY17 FM Capital Maintenance Early Out Program - Restroom Project #5272.	
Goals & Budget:	The District continues to support a desired level of quality and equity throughout the District, for everything from technology to facility conditions and furnishings and equipment.	
This recommendation supports CCSD goal #:		
Overall budget for implementing CCSD goal:	\$54,722	
Request approval for funds within that budget in the amount of \$:	\$54,722	Funding Source 2017-2022 Capital Program (Phase IV) Sales Tax Referendum initially funded with Bond Anticipation Note (BAN).
Resulting positive impact for students in our District will be:	Well maintained facilities and building systems provide CCSD students a safe and healthy environment to prepare them for higher education opportunities, ability to move into the working environment and mold them to become model citizens.	
Potential impact of this decision on other budget areas will be:	N/A	
Future Fiscal Impact:	N/A	
Recommendation:	☒ Action ☒ Open Session	☐ Information ☐ Executive Session

It is hereby recommended that the Board of Trustees receive and approve the reallocation of funds in the amount of \$54,722 as shown on the attached resolution.

Person(s) Responsible for Implementation:	Jeff Borowy, Chief Operating Officer  Ronald Kramps, Executive Director of Facilities Management 	
Superintendent's Approval:	Gerrita Postlewait, Superintendent 	
Board Member(s) Approval:		
Attachment(s): 1 - Resolution Requesting Reallocation of Funding	☒ Yes	☐ No

RESOLUTION REQUESTING REALLOCATION OF FUNDING
2017-2022 CAPITAL PROGRAM (Phase IV) SALES TAX - CAPITAL MAINTENANCE

2017-2022 CAPITAL PROGRAM (Phase IV) SALES TAX - CAPITAL MAINTENANCE - TOTAL BUDGETS AND ADJUSTMENTS				
PROJECT #	PROJECT	APPROVED BUDGET	PROPOSED BUDGET	VARIANCE
5270	CALHOUN STREET (HVAC)	\$29,972	\$0	(\$29,972)
5270	BELLE HALL ES (HVAC)	\$50	\$0	(\$50)
5270	PINCKNEY ES (HVAC)	\$873	\$0	(\$873)
5270	JB EDWARDS ES (HVAC)	\$50	\$0	(\$50)
5270	CARIO MS (HVAC)	\$540	\$0	(\$540)
5270	SEPTIMA CLARK (HVAC)	\$1,040	\$0	(\$1,040)
5270	LADSON ES (HVAC)	\$1,012	\$0	(\$1,012)
5270	CORCORAN ES (HVAC)	\$1,017	\$0	(\$1,017)
5270	BRENTWOOD MS (HVAC)	\$50	\$0	(\$50)
5270	DRAYTON HALL ES (HVAC)	\$50	\$0	(\$50)
5270	MT ZION ES (HVAC)	\$1,009	\$0	(\$1,009)
5270	ST JOHNS HS (HVAC)	\$50	\$0	(\$50)
5271	JB EDWARDS ES (ROOFING)	\$50	\$0	(\$50)
5271	SEPTIMA CLARK (ROOFING)	\$50	\$0	(\$50)
5271	NORTH CHARLESTON ES (ROOFING)	\$50	\$0	(\$50)
5271	MIDLAND PARK (ROOFING)	\$50	\$0	(\$50)
5271	WEST ASHLEY HS (ROOFING)	\$50	\$0	(\$50)
5271	ST JOHNS HS (ROOFING)	\$50	\$0	(\$50)
5272	BELLE HALL ES (PLUMBING/RESTROOMS)	\$159	\$0	(\$159)
5272	PINCKNEY ES (PLUMBING/RESTROOMS)	\$115	\$0	(\$115)
5272	CORCORAN ES (PLUMBING/RESTROOMS)	\$164	\$0	(\$164)
5272	MARY FORD ES (PLUMBING/RESTROOMS)	\$174	\$0	(\$174)
5272	MT ZION ES (PLUMBING/RESTROOMS)	\$144	\$0	(\$144)
5273	BELLE HALL ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	PINCKNEY ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	LAUREL HILL (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	JB EDWARDS ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	CARIO (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	JAMES ISLAND ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	SEPTIMA CLARK (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	LADSON ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	NORTH CHARLESTON ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	HURSEY ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	GOODWIN ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	CORCORAN ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	MIDLAND PARK (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	MARY FORD ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)

**RESOLUTION REQUESTING REALLOCATION OF FUNDING
2017-2022 CAPITAL PROGRAM (Phase IV) SALES TAX - CAPITAL MAINTENANCE**

2017-2022 CAPITAL PROGRAM (Phase IV) SALES TAX - CAPITAL MAINTENANCE - TOTAL BUDGETS AND ADJUSTMENTS				
PROJECT #	PROJECT	APPROVED BUDGET	PROPOSED BUDGET	VARIANCE
5273	PEPPERHILL ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	BRENTWOOD MS (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	MILITARY MAGNET (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	DRAYTON HALL ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	WEST ASHLEY HS (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	JANE EDWARDS ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	MINNIE HUGHES ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	MT ZION ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	FRIERSON ES (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5273	ST JOHNS HS (EXTERIOR ENCLOSURE)	\$50	\$0	(\$50)
5274	DRAYTON HALL ES (PARKING/SIDEWALKS)	\$400	\$0	(\$400)
5274	MT ZION ES (PARKING/SIDEWALKS)	\$1,750	\$0	(\$1,750)
5274	PROJECT CONTINGENCY (PARKING/SIDEWALKS)	\$11	\$0	(\$11)
5275	PROJECT CONTINGENCY (ELECTRICAL)	\$5,116	\$0	(\$5,116)
5278	LIBERTY HILL (PAINTING)	\$7,484	\$0	(\$7,484)
9970	PROGRAM CONTINGENCY	\$1,993	\$0	(\$1,993)
5272	RESTROOMS (CARIO MS & PINCKNEY ES)	\$219,499	\$274,221	\$54,722
				\$0
	TOTAL	\$274,221	\$274,221	(\$0)

Resolved this 23th day of June 2016

By:  6-22-16
Glenn Stiegman
Chief Financial Officer Date

By:  6/27/2016
Jeffrey Barowy
Chief Operating Officer Date

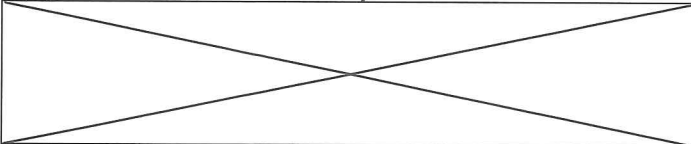
By: _____
Ron Kramps
Executive Director, Facilities Maintenance and Asset Management Date

BOARD AGENDA ACTION FORM

July 11, 2016 Committee Meeting

July 25, 2016 Board Meeting

Section:	Policy and Personnel Committee	
Subject:	Health Advisory Committee Vacancies	
Name/Department:	John F. Emerson, Office of General Counsel	
Agenda Item Number:	8.2	
Background:	The Health Advisory Committee (HAC) is created by statute to review curriculum materials associated with reproductive health education, family life education and pregnancy prevention education. The committee is comprised of 13 members including health professionals, clergy, parents, students, community members, and teachers. Currently, the HAC has the following vacancies: 1-Medical, 2-Parent, 2-Students, and 1-Teacher.	
Discussion:	Staff seeks guidance on how the Board of Trustees would like to fill the above-referenced vacancies.	
Goals & Budget:		
This recommendation supports CCSD goal #:	Effective Governance.	
Overall budget for implementing CCSD goal:	N/A	
Request approval for funds within that budget in the amount of \$:	N/A	Funding Source
Resulting positive impact for students in our District will be:	N/A	
Potential impact of this decision on other budget areas will be:	N/A	
Future Fiscal Impact:	N/A	
Recommendation:	☒ Action	☐ Information
	☒ Open Session	☐ Executive Session
Draft Motion: Approve the advertising of the attached draft notice in the Post and Courier and the Chronicle, as well as through CCSD social media (district web page, Twitter and Facebook). In addition, all high school guidance directors will be provided a copy of the notice via the District's Director of K-12 Guidance and Counseling specifically related to the two vacant student positions.		
Person(s) Responsible for Implementation:	John F. Emerson, Office of General Counsel	
Superintendent's Approval:		
Board Member(s) Approval:		
Attachment(s):	☒ Yes	☐ No

Parent Appointed 2/11/13 - Expiring Aug. 2016	Community Re-appointed 7/27/15 - Expiring Aug. 2018
Teacher Appointed 7/28/14 - Expiring Aug. 2017	Teacher Appointed 10/13/14 - Expiring Aug. 2016 (Special Abbreviated Term)
Clergy Appointed 12/14/15 - Expiring Aug. 2017	Clergy Appointed – 12/14/15 - Expiring Aug. 2017
Vacant Parent Expiring Aug. 2017	Clergy Appointed 7/28/14 - Expiring Aug. 2017
Medical Appointed 10/13/14 - Expiring Aug. 2016 (Special Abbreviated Term)	Community Appointed 12/14/15 - Expiring Aug 2018
	Medical Appointed – 12/14/15 - Expiring Aug 2018
Student Re-appointed 7/27/15 - Expiring June 2016	Student Appointed - 1/25/16 - Expiring June 2016

The Charleston County School District Board of Trustees seeks community representatives (1 Medical, 2 – Parent, 1 – Teacher, and 2 Student – being at least a junior in high school and the president of the student body) to serve on the **District's Health Advisory Committee**. Nominees must be able to attend meetings and approved trainings for the purpose of assisting in the selection of components and curriculum materials essential in teaching reproductive health, family life education, and pregnancy prevention education as outlined in the Comprehensive Health Education Act (CHEA).

Interested volunteers should submit a resume identifying the category for which you are applying and letter of interest to the Board of Trustees by noon on **xx/xx/xx**. Statements may be submitted by mail to Ms. Sherron Brightharp, Charleston County School District, 75 Calhoun Street, Charleston, SC 29401. Statements may also be delivered to the same address, if specifically marked to the attention of Ms. Brightharp. Email submissions will also be accepted at sherron.brightharp@charleston.k12.sc.us. The email subject line should read **Health Advisory Committee**. The CCSD Board of Trustees will select and approve community representatives from the list of interested volunteers.