

CODE OF CONDUCT

EDITION 2024



DISTRICT FIVE OF LEXINGTON & RICHLAND COUNTIES

**1020 DUTCH FORK RD.
IRMO, SC 29063**

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CODE OF CONDUCT

In order to maintain an appropriate educational climate, it may be necessary to apply disciplinary sanctions to students, including their removal from the learning environment. These sanctions will occur only for good cause and in accordance with applicable state and federal law.

The following regulations are designed to protect all members of the educational community in the exercising of their rights and responsibilities. These regulations are effective during the following times and places:

- On school grounds before, during or after school hours.
- On school grounds at any other time when the school is being used by a school group.
- Off the school grounds at any school and/or school-related activity, function, or event.
- On a school bus, district vehicle, or other contracted vehicle.
- At any time or in any place (including off school grounds and during non-school hours) where student conduct has a direct effect on the school's ability to maintain an orderly and safe learning environment.
- FIVE virtual enrollment.
- Any instructional platform approved by School District 5 of Lexington and Richland Counties.

Students and parents are encouraged to become familiar with the rules and regulations contained in this booklet.

If you have any questions, please talk with your building level administrator or call the Office of Student Services.

In determining whether a student has violated the Code of Conduct, the principal or his/her designee will consider all the facts and circumstances of the particular situation and may consider, but will not be limited to, verbal and/or written statements of admission; witness statements from others; video surveillance, et al.

AUTHORITY OF THE STUDENT SERVICES OFFICER

- 1. **Uphold or alter the decision of a principal to suspend a student.**
- 2. **Reduce the number of days of an out of school suspension imposed by the school's administration.**
- 3. Determine the dates that an out of school suspension will be served.**
- 4. Expel a student from school and all activities associated with schools in the District.**
- 5. In lieu of expulsion, transfer students from their home school to the Academy for Success and FIVE for a definite period.**
- 6. Return students to their regular school after an expulsion hearing.**
- 7. Decide the placement of a student entering or returning to the District via DJJ, imprisonment and/or confinement or mandatory stay in a medical facility for behavioral issues.**

****Denotes only applicable in situations where out of school suspension is 8 days or more or if the principal is directly involved.**

CODE OF CONDUCT

CHAPTER 1

ELEMENTARY K - 5



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LEVEL III OFFENSES:

Acts considered as Level III Offenses include but are not limited to the following:

- 3.010. ***Furnishing, possessing or transferring dangerous explosives, plastic explosives, chemical reaction-type, pipe bomb materials including, but not limited to, Molotov cocktails, dynamite, or poison.**
 - 3.025. ***Participating in sexual conduct/activity, which also includes compromising situations and circumstances. Such conduct may involve only the individual student or may involve other people. (Follow Title IX protocols, if applicable)**
 - 3.220. Illegal use of technology (e.g. communicating threats of violence).**
 - 3.260. Bomb threat.**
 - 3.350. ***Unauthorized tampering with security, fire, access control or surveillance system or alarms.**
 - 3.500. ***Arson, which is the intentional damage of school property, or attempted arson of school property. (See Glossary: Arson)**
 - 3.510. ***Active participation in an act of mob violence, to include lynching. A mob is described as two or more people. (See Glossary: Mob)**
 - 3.520. ***Assault of a staff member or any other adult designated by the school to supervise students, including volunteers. (See Glossary: Assault)**
 - 3.540. ***Burglary to a school, portable classroom, school district building, or any structure on school district property.**
 - 3.580, 3.570, 3.575.**
*****Possession (3.580), transfer (3.570), distribution (3.570), use in any amount or being under the influence (3.575) of marijuana (including marijuana seeds), hallucinogenic drugs, inhalants, edibles or any other controlled or illegal substance. This includes being present on District/school property or at any school-sponsored event after using any amount of these substances. (See Glossary: Under the Influence or Inhalants)**
- Note 1:** In determining whether a student is under the influence of drugs, the student's appearance/manner/behavior, as well as statements made by the student as to consumption of drugs will be considered.
- 3.610. ***Sexual assault. (See Glossary: Sexual Assault) (Follow Title IX protocols, if applicable)**
 - 3.680. ***Possession, transfer, distribution, use in any amount, or being under the influence of alcohol. Since alcohol consumption is illegal by minors, consumption of any amount of alcohol will constitute a violation of this section. This includes being present on District/school property or at any school-sponsored event**

LEVEL III OFFENSES (Continued):

after using any amount of these substances, (See Glossary: Under the Influence)

Note 1: In determining whether a student is under the influence of alcohol, the student's appearance/manner/behavior and or the presence of an alcohol odor, as well as statements made by the student as to consumption of alcohol will be considered.

3.690. Non-forcible sexual intercourse with a person who is under the statutory age of consent. (Follow Title IX protocols, if applicable)

3.700. ***Communicating a Threat of a Destructive Device or Weapon:Communicating, writing, threatening, or transmitting to a person or school facility that there is, or will be, a destructive device, shooting, or dangerous event, with the intent of intimidating, threatening, or interfering with government functions or school activities; or, harboring one who is guilty of this offense.

3.760, 3.670, 3.740 Vandalism (3.760) or theft (3.670), possession or transfer (3.740) of personal or school district property (Major) (See Glossary: Vandalism)

3.770. ***Auto Breaking unlawful entry into a motor vehicle on school property or into a school district vehicle at any location.

3.789. ***Possession, transfer or use of a firearm. (See Glossary: Firearm)

3.789. ***Possession, transfer or use of a prohibited weapon other than a firearm including but not limited to a knife with a blade over two inches, BB gun, paint ball gun, pellet gun, air-soft pistol, razor, razor blade, martial arts throwing star, metal knuckles, taser, mace and pepper spray, blackjack, and a metal pipe or pole. Box cutters and utility/X-Acto knives containing any size blades are also considered a violation of this section. (SC16-23-430.) (See Glossary: Prohibited Weapon)

CONSEQUENCES FOR STUDENTS WHO COMMIT A LEVEL III OFFENSE WILL BE AS FOLLOWS:

- A. When considering the developmental appropriateness of consequences, kindergarten, first, and second graders, (*K-2), will be addressed as follows (but may include a recommendation for expulsion contingent upon the specific violation)

1st Offense - As determined by the principal or designee may include, but not be limited to, a parent conference, time-out, detention, administrative review, in-school or out-of-school suspension.

2nd Offense - Three (3) days out of school suspension.

3rd Offense - Five (5) days out-of-school suspension and the student may be recommended for expulsion.

4th Offense – Recommendation for expulsion.

- B. Elementary students, grades 3 - 5, will be addressed as follows:

1st Offense - Three (3) day out-of-school suspension and the student may be recommended for expulsion.

2nd Offense - Five (5) day out-of-school suspension from school and the student may be recommended for expulsion.

3rd Offense - Recommendation for expulsion.

- C. When Level III Offenses are committed on a school bus or other school vehicle, the Transportation Department will conduct a preliminary investigation and report their findings to the appropriate school administrator for action. Students who are suspended out-of-school immediately forfeit the opportunity to ride the school buses or other district vehicles for the duration of the suspension or until a decision is made otherwise by the principal or the hearing officer.
- D. Restitution of property and damages where appropriate will be sought by the school or district.
- E. Elementary students who commit alcohol, drug, or sexually related violations will be referred to the appropriate school personnel for assessment.
- F. Students who are expelled for possession of a firearm will be subject to the 1995 Federal and State laws that mandate a one-year (365 days) expulsion term, unless the Superintendent determines to reduce the term of expulsion. (See 59-63-235)

**CONSEQUENCES FOR LEVEL III OFFENSE ON THE BUS OR DISTRICT VEHICLE
WILL BE AS FOLLOWS:**

1st Offense – (K-5) - Ten (10) day suspension.

2nd Offense – (K-5) - Indefinite suspension from the school bus or district vehicle or other contracted vehicle.

LAW ENFORCEMENT INVOLVEMENT:

*****All Level III Offenses will involve law enforcement.**

LEVEL II OFFENSES:

Acts considered as Level II Offenses include, but are not limited to, the following:

- 2.004. ***Selling, possessing, transferring or using items represented as being illegal, controlled substances, prescription drugs or over the counter drugs without regard to amount. (See Glossary: Controlled Substance)**
- 2.009. **Fighting. (See Glossary: Fighting)**
- 2.010. **Possession and/or detonating (in any way causing to go off) fireworks, incendiary devices, smoke and/or stink bombs or other noxious gas devices.**
- 2.013. **Sexual harassment. (See Glossary: Sexual Harassment) (Follow Title IX protocols, if applicable)**
- 2.019. ***Indecent exposure. (See Glossary: Indecent Exposure) (Follow Title IX protocols, if applicable)**
- 2.020. **Planning and/or organizing and/or instigating and/or participating in an activity that causes substantial disruption to the educational program, including a situation that may result in the disruption of the safe and orderly operation of the school or school bus.**
- 2.027, 2.651, 2.650, 2.600, 2.652.**
****Threatening (2.027), bullying (2.651) or intimidating (2.650) or cyberbullying (2.652) or extorting (2.600) students, a staff member, or any other adult designated by the school to supervise students including volunteers. (See Appendix C: Harassment, Intimidation or Bullying/Policy JICFB Gavin's Law)**
- 2.210, 2.290.**
****Profanity/obscenity (2.210) racial or ethnic slurs (2.290) directed to a staff member or to any adult authorized by the school to supervise students, including volunteers.**
- 2.220. **Tampering, changing or altering records or documents of the school or district by any method, including but not limited to, computer access or other electronic means.**
- 2.250. **Participation in Gangs or Gang-Related Activity. (See Policy JICF)**
- 2.230. Possession/use of transfer of tobacco or tobacco products. ("This includes electronic cigarettes, vapors, juul/vape pods, juuling devices, vape devices, paraphernalia. (SC State Statute 16-17-501(7) and SC State Statute 16-17-501(8))**
- 2.270. **Refusal to obey school or District Administrator.**
- 2.520. ***Physical assault of a student. (See Glossary: Physical Assault)**
- 2.585. **Possession of any item of drug paraphernalia. (See Glossary: Drug Paraphernalia)**

LEVEL II OFFENSES (Continued):

2.620. ***Fraud such as request for emergency services, financial identity fraud, or identity fraud.

2.700. **Any other behavior, whether on or off campus, that threatens the safety of students or staff members (regardless of where behavior takes place) or disrupts the operation or function of the school. This does include coming on school/district property after consuming non-prescribed controlled substances and/or illegal drugs. Notes 1 & 2 apply also.

2.710. **Possession/distribution of pornographic or obscene material.

2.750. **Trespassing. (See Glossary: Trespassing)

2.760, 2.670, 2.740.

***Vandalism (2.760) or theft (2.670) possession or transfer (2.740) of personal or school district property (Minor) (See Glossary: Vandalism)

2.789. **Possession of a knife with a blade two inches or less, starter pistol, replica weapon/device or bat. The blade will be measured from tip to base. This does not include a baseball bat that has been approved for recreational purposes in the elementary school. (See Glossary: Prohibited Weapon)

2.789. ***Use of any item not generally considered as a weapon but used as a weapon to inflict bodily harm. Such items include, but are not limited to, a knife with a blade two inches or less, starter pistol, replica weapon/device, paintball gun, or bat.

CONSEQUENCES FOR STUDENTS WHO COMMIT LEVEL II OFFENSES ARE AS FOLLOWS:

A. Grades K-2

1st Offense – Parent conference and a penalty deemed appropriate by the principal or designee.

2nd Offense – May include, but not limited to, time-out, detention, refer to counselor, administrative review, in-school suspension, or out-of-school suspension.

3rd Offense – Three (3) days suspension from school and a possible recommendation for expulsion.

B. Grades 3-5

1st Offense – May include, but not limited to, time-out, detention, refer to counselor, administrative review, in-school suspension, or out-of-school suspension.

2nd Offense – Three (3) days suspension from school and the student may be recommended for expulsion.

3rd Offense – Five (5) days suspension from school and student may be recommended for expulsion.

C. Students who are suspended out-of-school immediately forfeit the opportunity to ride school buses or other school vehicles for the duration of the suspension.

D. Restitution of property and damages where appropriate will be sought by the school or district.

E. Elementary and Intermediate students who commit alcohol, drug, or sexual harassment related violations will be required to complete an approved counseling program.

NOTE 1. A series of repeated infractions may result in a recommendation for expulsion.

NOTE 2. In determining whether a student has violated the Code of Conduct, the principal or his/her designee will consider all the facts and circumstances of the particular incident.

NOTE 3. Students who inappropriately use video cameras, video phones or other recording devices are subject to violation of the Privacy Act and can be assigned school and bus consequences.

**CONSEQUENCES FOR LEVEL III OFFENSE ON THE BUS OR DISTRICT VEHICLE
WILL BE AS FOLLOWS:**

- F. Because of the seriousness of these offenses, if the violation occurs on the bus, the Office of Transportation will conduct the preliminary investigation, take action regarding the opportunity to ride a bus, and refer the violation to the school for further action.

1st Offense – (K-5) 3-5 day suspension.

2nd Offense – (K-5) 5-10 day suspension.

3rd Offense – (K-5) 10-15 day suspension.

LAW ENFORCEMENT INVOLVEMENT

Some acts may also result in the involvement of law enforcement. These acts are denoted with asterisks and indicate the following:

2 stars ** = Law enforcement **may be** contacted after investigation of the situation.

3 stars *** = Law enforcement **will be** contacted.

LEVEL I OFFENSES:

Acts considered as Level I Offenses include, but are not limited to, those listed below.

- 1.003, 1.029.** Health Code Violation including but not limited to biting (**1.003**), spitting (**1.003**) and urination and or defecation (**1.029**) in a public or inappropriate location. (See Glossary: Health Code Violations)
- 1.007.** Class disruption or disruption of school activities or environment, including school bus.
- 1.012.** Harassment. (See Glossary: Harassment)
- 1.015.** Inappropriate display of affection. (Follow Title IX protocols, if applicable)
- 1.016.** Engaging in verbal or written abuse, name calling, (i.e., ethnic or racial slur, or derogatory statements about sexual orientation) intentionally addressed publicly to others that may disrupt the school educational program or incite violence.
- 1.017.** Inappropriate behavior.
- 1.018.** Possession, use, sale, or distribution of unauthorized materials at school (ie.lighter, match, ...)
- 1.022.** Inappropriate physical contact, including, but not limited to, pushing or shoving.
- 1.023.** Unauthorized or inappropriate use of school equipment, including, but not limited to computers.
- 1.030.** Creating or participating in a classroom disturbance that interferes with the instructional process.
- 1.031.** Violation of health room rules. All medication (to include over the counter drugs such as Benadryl, Tylenol, etc. or personal prescriptions) brought to school by a student must be in the original container, labeled appropriately and administered by the school nurse. Exceptions under a physician's order are managed by the school nurse.
- 1.150, 1.160.** Cutting school (**1.150**) or class (**1.160**).
- 1.151.** Truant.
- 1.180.** Excessive tardiness/early dismissals.
- 1.190.** Cheating. (See Honor Code)
- 1.200.** Being in an unauthorized area.
- 1.210, 1.290.** Profanity (**1.210**)/obscene gesture (**1.290**) directed toward another student or directed toward no one in particular.

LEVEL I OFFENSES (Continued):

- 1.220.** Violation of the Acceptable Use Agreement.
- 1.270.** Failure or refusal to obey a staff member or any other adult authorized by the school to supervise students.
- 1.280.** Dress code violations. Including school issued ID's.
- 1.310.** Leaving or attempting to leave school grounds without permission, whether or not the school day has actually begun. This includes unauthorized driving/riding to an off campus class.
- 1.320.** Walking out of a class (without teacher approval).
- 1.330, 1.390.** Misuse of Electronic Communication Devices (cell phones (1.330), tablets, computers on school grounds during school hours.
- 1.340.** Any behavior or act that interferes with the safe operation of a school bus (including violation of school bus safety rules listed in Chapter 4).
- 1.407.** Provoking or simulating a fight.
- 1.420.** Disrespect to teacher or staff member or other adult approved by the school to supervise students, including volunteers.
- 1.430.** Violation of a behavior contract.
- 1.630.** Gambling (games of chance for money or profit).
- 1.750.** **Unauthorized entry to any school sponsored events.

CONSEQUENCES FOR STUDENTS WHO COMMIT LEVEL I OFFENSES ARE AS FOLLOWS:

Consequences for students (K-5) who commit any Level I Offense are determined by the principal/designee and will be as follows:

- A.** May include, but not be limited to time-out, referral to counseling, detention, administrative review, in-school suspension, out-of-school suspension, placed on a behavior contract by the school and/or recommendation for expulsion.
- B.** Repeated Level I Offenses may result in a recommendation for expulsion.
- C.** Restitution of property and damages where appropriate will be sought by the school or the district.
- D.** If a Level I Offense occurs on the bus, the Department of Transportation will conduct a preliminary investigation and refer the report to the school administration for further action.
- E.** Students who are suspended from school immediately forfeit the opportunity to ride school buses or other school vehicles for the duration of the suspension.

CONSEQUENCES FOR LEVEL I OFFENSE ON THE BUS OR DISTRICT VEHICLE WILL BE AS FOLLOWS:

1st Offense – (K-5) 1 - 3 day suspension.

2nd Offense – (K-5) 3 – 5 day suspension.

3rd Offense – (K-5) 5 – 10 day suspension.

CONSEQUENCES FOR STUDENTS WHO COMMIT LEVEL III OFFENSES ARE AS FOLLOWS:

- A.** Student will be suspended from school immediately with a recommendation for expulsion. During the investigative period, middle school students may be suspended from school for up to 3 school days pending a possible recommendation for expulsion. Once the investigation has been completed, the principal or his/her designee shall meet with the student and his/her parent/guardian to discuss the results of the investigation and to provide the student the opportunity to present his/her defense to the matter. At the conclusion of that meeting, the principal or his/her designee shall inform the student whether she/he intends to proceed forward with the recommendation for expulsion.
- B.** Whenever Level III Offenses are committed, law enforcement will be called and charges (juvenile petition or warrant) can be filed against the perpetrator. Although in some cases, law enforcement's decision whether to press criminal charges for weapons or drugs may require possession of that item on the person, in all such cases the school administrator will still contact law enforcement and file an incident report.
- C.** When Level III Offenses are committed on a school bus or other school vehicle, the Transportation Department will conduct a preliminary investigation and report their findings to the appropriate school administrator for action. Students who are suspended out-of-school immediately forfeit the opportunity to ride the school buses or other district vehicle for the duration of the suspension or until a decision is made otherwise by the principal or the Student Services Officer.
- D.** Restitution of property and damages where appropriate will be sought by the school or district.
- E.** Elementary school students who commit alcohol, drug, or sexually related violations will be required to complete an appropriate counseling program. Failure to successfully complete an approved counseling program may result in additional disciplinary action. Alternative alcohol and other drug programs must be approved by the Student Services Officer.
- F.** Students who are expelled for possession of a firearm will be subject to the 1995 Federal and State laws that mandate a one-year (365 days) expulsion term, unless the Superintendent determines to reduce the term of expulsion. (See 59-63-235)

CODE OF CONDUCT

CHAPTER 2

INTERMEDIATE / MIDDLE 6 - 8



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LEVEL III OFFENSES:

Acts considered as Level III Offenses include but are not limited to the following:

- 3.010.** ***Furnishing, possessing or transferring dangerous explosives, plastic explosives, chemical reaction-type, pipe bomb materials including, but not limited to, Molotov cocktails, dynamite, or poison.
 - 3.025.** ***Participating in sexual conduct/activity, which also includes compromising situations and circumstances. Such conduct may involve only the individual student or may involve other people. (Follow Title IX protocols, if applicable)
 - 3.220.** ** Illegal use of technology (e.g. communicating threats of violence).
 - 3.260.** Bomb threat.
 - 3.350.** ***Unauthorized tampering with security, fire, access control or surveillance system or alarms.
 - 3.500.** ***Arson, which is the intentional damage of school property, or attempted arson of school property. (See Glossary: Arson)
 - 3.510.** ***Active participation in an act of mob violence, to include lynching. A mob is described as two or more people. (See Glossary: Mob)
 - 3.520.** ***Assault of a staff member or any other adult designated by the school to supervise students, including volunteers. (See Glossary: Assault)
 - 3.540.** ***Burglary to a school, portable classroom, school district building, or any structure on school district property.
 - 3.580, 3.570, 3.575.** ***Possession (**3.580**), transfer (**3.570**), distribution (**3.570**), use in any amount or being under the influence (**3.575**) of marijuana (including marijuana seeds), hallucinogenic drugs, inhalants, edibles or any other controlled or illegal substance. This includes being present on District/school property or at any school-sponsored event after using any amount of these substances. (See Glossary: Under the Influence or Inhalants)
- Note 1:** In determining whether a student is under the influence of drugs, the student's appearance/manner/behavior, as well as statements made by the student as to consumption of drugs will be considered.
- 3.610.** ***Sexual assault. (See Glossary: Sexual Assault) (Follow Title IX protocols, if applicable)

LEVEL III OFFENSES (Continued):

- 3.680.** ***Possession, transfer, distribution, use in any amount, or being under the influence of **alcohol**. Since alcohol consumption is illegal by minors, consumption of any amount of alcohol will constitute a violation of this section.

This includes being present on District/school property or at any school-sponsored event after using any amount of these substances, (See Glossary: Under the Influence)

Note 1: In determining whether a student is under the influence of alcohol, the student's appearance/manner/behavior and or the presence of an alcohol odor, as well as statements made by the student as to consumption of alcohol will be considered.

- 3.690.** *** Non-forcible sexual intercourse with a person who is under the statutory age of consent. (Follow Title IX protocols, if applicable)
- 3.700.** ***Communicating a Threat of a Destructive Device or Weapon:Communicating, writing, threatening, or transmitting to a person or school facility that there is, or will be, a destructive device, shooting, or dangerous event, with the intent of intimidating, threatening, or interfering with government functions or school activities; or, harboring one who is guilty of this offense.
- 3.760, 3.670, 3.740** *** Vandalism (**3.760**) or theft (**3.670**), possession or transfer (**3.740**) of personal or school district property (Major) (See Glossary: Vandalism)
- 3.770.** ***Auto Breaking unlawful entry into a motor vehicle on school property or into a school district vehicle at any location.
- 3.789.** ***Possession, transfer or use of a firearm. (See Glossary: Firearm)
- 3.789. 3.789. 3.789.** ***Possession, transfer or use of a prohibited weapon other than a firearm including but not limited to a knife with a blade over two inches, BB gun, paint ball gun, pellet gun, air-soft pistol, razor, razor blade, martial arts throwing star, metal knuckles, taser, mace and pepper spray, blackjack, and a metal pipe or pole. Box cutters and utility/X-Acto knives containing any size blades are also considered a violation of this section. (SC16-23-430.) (See Glossary: Prohibited Weapon)

CONSEQUENCES FOR STUDENTS WHO COMMIT LEVEL III OFFENSES ARE AS FOLLOWS:

- A.** Student will be suspended from school immediately with a recommendation for expulsion. During the investigative period, middle school students may be suspended from school for up to 3 school days pending a possible recommendation for expulsion. Once the investigation has been completed, the principal or his/her designee shall meet with the student and his/her parent/guardian to discuss the results of the investigation and to provide the student the opportunity to present his/her defense to the matter. At the conclusion of that meeting, the principal or his/her designee shall inform the student whether she/he intends to proceed forward with the recommendation for expulsion.
- C.** Whenever Level III Offenses are committed, law enforcement will be called and charges (juvenile petition or warrant) can be filed against the perpetrator. Although in some cases, law enforcement's decision whether to press criminal charges for weapons or drugs may require possession of that item on the person, in all such cases the school administrator will still contact law enforcement and file an incident report.
- D.** When Level III Offenses are committed on a school bus or other school vehicle, the Transportation Department will conduct a preliminary investigation and report their findings to the appropriate school administrator for action. Students who are suspended out-of-school immediately forfeit the opportunity to ride the school buses or other district vehicle for the duration of the suspension or until a decision is made otherwise by the principal or the Student Services Officer.
- E.** Restitution of property and damages where appropriate will be sought by the school or district.
- F.** Intermediate and Middle school students who commit alcohol, drug, or sexually related violations will be required to complete an appropriate counseling program. Failure to successfully complete an approved counseling program may result in additional disciplinary action. Alternative alcohol and other drug programs must be approved by the Student Services Officer.
- G.** Students who are expelled for possession of a firearm will be subject to the 1995 Federal and State laws that mandate a one-year (365 days) expulsion term, unless the Superintendent determines to reduce the term of expulsion. (See 59-63-235)

CONSEQUENCES FOR STUDENTS WHO COMMIT A LEVEL III OFFENSE ON THE BUS OR DISTRICT VEHICLE WILL BE AS FOLLOWS:

Indefinite suspension from the school bus, district vehicle or other contracted vehicle.

LAW ENFORCEMENT INVOLVEMENT:

*****All Level III Offenses will involve law enforcement**

LEVEL II OFFENSES:

Acts considered as Level II Offenses include, but are not limited to, the following:

2.003, 2.029.

Health Code Violation including but not limited to biting (2.003), spitting (2.003) and urination and or defecation (2.029) in a public or inappropriate location. (See Glossary: Health Code Violations)

2.004. ***Selling, possessing, transferring or using items represented as being illegal, controlled substances, prescription drugs or over the counter drugs without regard to amount. (See Glossary: Controlled Substance)

2.009. **Fighting. (See Glossary: Fighting)

2.010. **Possession and/or detonating (in any way causing to go off) fireworks, incendiary devices, smoke and/or stink bombs or other noxious gas devices.

2.013. **Sexual harassment. (See Glossary: Sexual Harassment) (Follow Title IX protocols, if applicable)

2.019. ***Indecent exposure. (See Glossary: Indecent Exposure) (Follow Title IX protocols, if applicable)

2.020. **Planning and/or organizing and/or instigating and/or participating in an activity that causes substantial disruption to the educational program, including a situation that may result in the disruption of the safe and orderly operation of the school or school bus.

2.027, 2.651, 2.650, 2.600, 2.652.

**Threatening (2.027), bullying (2.651) or intimidating (2.650) or cyberbullying (2.652) or extorting (2.600) students, a staff member, or any other adult designated by the school to supervise students including volunteers. (See Appendix C: Harassment, Intimidation or Bullying/Policy JICFB Gavin's Law)

2.210, 2.290.

**Profanity/obscenity (2.210) racial or ethnic slurs (2.290) directed to a staff member or to any adult authorized by the school to supervise students, including volunteers.

2.220. **Tampering, changing or altering records or documents of the school or district by any method, including but not limited to, computer access or other electronic means.

2.230. Possession/use of transfer of tobacco or tobacco products. (This includes electronic cigarettes, vapors, juul/vape pods, juuling devices, vape devices, paraphernalia. (SC State Statute 16-17-501(7) and SC State Statute 16-17-501(8))

2.250. **Participation in Gangs or Gang-Related Activity. (See Appendix D: Policy JICF)

LEVEL II OFFENSES (Continued):

- 2.270.** **Direct refusal to obey a school or District administrator.
- 2.520.** ***Physical assault of a student. (See Glossary: Physical Assault)
- 2.585.** **Possession of any item of drug paraphernalia. (See Glossary: Drug Paraphernalia)
- 2.620.** ***Fraud such as request for emergency services, financial identity fraud, or identity fraud.
- 2.700.** **Any other behavior, whether on or off campus, that threatens the safety of students or staff members (regardless of where behavior takes place) or disrupts the operation or function of the school. This does include coming on school/district property after consuming non-prescribed controlled substances and/or illegal drugs. Notes 1 & 2 apply also.
- 2.710.** **Possession/distribution of pornographic or obscene material.
- 2.750.** **Trespassing. (See Glossary: Trespassing)
- 2.760, 2.670, 2.740.**
***Vandalism (2.760) or theft (2.670) possession or transfer (2.740) of personal or school district property (Minor) (See Glossary: Vandalism)
- 2.789.** **Possession of a knife with a blade two inches or less, starter pistol, replica weapon/device or bat. The blade will be measured from tip to base. This does not include a baseball bat that has been approved for recreational purposes in the elementary school. (See Glossary: Prohibited Weapon)
- 2.789.** ***Use of any item not generally considered as a weapon but used as a weapon to inflict bodily harm. Such items include, but are not limited to, a knife with a blade two inches or less, starter pistol, replica weapon/device, paintball gun, or bat.

CONSEQUENCES FOR STUDENTS WHO COMMIT LEVEL II OFFENSES ARE AS FOLLOWS:

1st Offense: Up to five (5) days out-of-school suspension or recommendation for expulsion.

2nd Offense – Six (6) to Ten (10) days out-of-school suspension and possible recommendation for expulsion. Law enforcement may be called and charges may be filed.

3rd Offense: Immediate suspension from school with a recommendation for expulsion.

Note 1: In determining whether a student is under the influence of drugs or alcohol, the student's appearance or manner, their behavior and/or the presence of an alcohol odor, as well as statements made by the student as to consumption of alcohol or drugs, will be considered. (See Glossary: Under the Influence)

Note 2: Any student who violates the alcohol, inhalant or controlled and/or illegal substance rule will be suspended from participation and attendance in any and all extracurricular activities. (See Glossary: Under the Influence)

Note 3: Intermediate and Middle school students who commit alcohol, drug, or sexual harassment related violations may be required to complete an approved counseling program.

Note 4: Restitution of property and damages where appropriate will be sought by the school or district.

Note 5: If the violation occurs on the bus, the Department of Transportation will conduct the preliminary investigation, take action regarding the opportunity to ride a bus and refer the violation to the school for further action. Students who are suspended out-of-school forfeit the opportunity to ride the school bus or other school district vehicle for the duration of the suspension.

CONSEQUENCES FOR STUDENTS WHO COMMIT A LEVEL II OFFENSE ON THE BUS OR IN A SCHOOL VEHICLE WILL BE AS FOLLOWS:

1st Offense – 5-10 days bus suspension.

2nd Offense – 10-15 days bus suspension.

3rd Offense – Indefinite suspension from the school bus or school vehicle.

LAW ENFORCEMENT INVOLVEMENT

Some acts may also result in the involvement of law enforcement. These acts are denoted with asterisks and indicate the following:

2 stars ** = Law enforcement **may be** contacted after investigation of the situation.

3 stars *** = Law enforcement **will be** contacted.

All fights **will be** reported to law enforcement **regardless of denotation.**

LEVEL I OFFENSES:

Acts considered as Level I Offenses include, but are not limited to, those listed below:

- 1.007.** Class disruption or disruption of school activities or environment, including school bus.
- 1.012.** Harassment. (See Glossary: Harassment)
- 1.015.** Inappropriate display of affection.
- 1.016.** Engaging in verbal or written abuse, name calling, (i.e., ethnic or racial slur, or derogatory statements about sexual orientation) intentionally addressed publicly to others that may disrupt the school educational program or incite violence.
- 1.017.** Inappropriate behavior.
- 1.018.** Possession, use, sale, or distribution of unauthorized materials at school (ie. lighter, match or other like items ...)
- 1.022.** Inappropriate physical contact, including, but not limited to, pushing or shoving.
- 1.023.** Unauthorized or inappropriate use of school equipment, including, but not limited to computers.
- 1.030.** Creating or participating in a classroom disturbance that interferes with the instructional process.
- 1.031.** Violation of health room rules. All medication (to include over the counter drugs such as Benadryl, Tylenol, etc. or personal prescriptions) brought to school by a student must be in the original container, labeled appropriately and administered by the school nurse. Exceptions under a physician's order are managed by the school nurse.
- 1.150, 1.160.** Cutting school (1.150) or class (1.160).
- 1.151.** Truant.
- 1.180.** Excessive tardiness/early dismissals.
- 1.190.** Cheating. (See Glossary: Honor Code)
- 1.200.** Being in an unauthorized area.
- 1.210, 1.290.** Profanity (1.210)/obscene gesture (1.290) directed toward another student or directed toward no one in particular.
- 1.220.** Violation of the Acceptable Use Agreement.

LEVEL I OFFENSES (Continued):

- 1.270.** Failure or refusal to obey a staff member or any other adult authorized by the school to supervise students.
- 1.280.** Dress code violations including school issued ID's.
- 1.310.** Leaving or attempting to leave school grounds without permission, whether or not the school day has actually begun.
- 1.320.** Walking out of a class (without teacher approval).
- 1.330, 1.390.** Misuse of Electronic Communication Devices (cell phones, **(1.330)**, tablets, computers on school grounds during school hours.
- 1.340.** Any behavior or act that interferes with the safe operation of a school bus (including violation of school bus safety rules listed in Chapter 4).
- 1.407.** Provoking or simulating a fight.
- 1.420.** Disrespect to teacher or staff member or other adult approved by the school to supervise students, including volunteers.
- 1.430.** Violation of a behavior contract.
- 1.630.** Gambling (games of chance for money or profit).
- 1.750.** ****Unauthorized entry to any school sponsored events.**

CONSEQUENCES FOR STUDENTS WHO COMMIT LEVEL I OFFENSES ARE AS FOLLOWS:

- A. The following consequences for Intermediate and Middle school students will be assigned for all Level I Offenses:

1st Offense – Administrative conference, parent conference, referral to counselor, removal from class, detention, in-school suspension and/or possible out-of-school suspension.

2nd Offense – Administrative conference, parent conference, referral to counselor, removal from class, detention, in-school suspension and/or possible out-of-school suspension. Up to Two (2) days in-school suspension and/or possible out-of-school suspension.

3rd Offense – Up to Two (2) day out-of-school suspension.

4th Offense – Up to Five (5) day out-of-school suspension.

5th Offense – Out-of-school suspension and possible recommendation for expulsion.

- B. Restitution of property and damages where appropriate will be sought by the school or the district.
- C. Students who are suspended from school immediately forfeit the opportunity to ride any school bus or other school vehicle for the duration of the suspension.

CONSEQUENCES FOR STUDENTS WHO COMMIT A LEVEL I OFFENSE ON THE BUS OR DISTRICT VEHICLE WILL BE AS FOLLOWS:

1st Offense – Up to five (5) days bus suspension.

2nd Offense – Up to ten (10) days bus suspension.

3rd Offense – Up to fifteen (15) day bus suspension.

4th Offense – Indefinite suspension from the school bus or school vehicle.

LAW ENFORCEMENT INVOLVEMENT

Some acts may also result in the involvement of law enforcement. These acts are denoted with asterisks and indicate the following:

2 stars ** = Law enforcement may be contacted after investigation of the situation.

CODE OF CONDUCT

CHAPTER 3

HIGH 9 - 12



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LEVEL III OFFENSES:

Acts considered as Level III Offenses include but are not limited to the following:

- 3.010. ***Furnishing, possessing or transferring dangerous explosives, plastic explosives, chemical reaction-type, pipe bomb materials including, but not limited to, Molotov cocktails, dynamite, or poison.**
 - 3.025. ***Participating in sexual conduct/activity, which also includes compromising situations and circumstances. Such conduct may involve only the individual student or may involve other people. (Follow Title IX protocols, if applicable)**
 - 3.220. Illegal use of technology (e.g. communicating threats of violence).**
 - 3.260. Bomb threat.**
 - 3.350. ***Unauthorized tampering with security, fire, access control or surveillance system or alarms.**
 - 3.500. ***Arson, which is the intentional damage of school property, or attempted arson of school property. (See Glossary: Arson)**
 - 3.510. ***Active participation in an act of mob violence, to include lynching. A mob is described as two or more people. (See Glossary: Mob)**
 - 3.520. ***Assault of a staff member or any other adult designated by the school to supervise students, including volunteers. (See Glossary: Assault)**
 - 3.540. ***Burglary to a school, portable classroom, school district building, or any structure on school district property.**
 - 3.580, 3.570, 3.575.**
***** Possession (3.580), transfer (3.570), distribution (3.570), use in any amount or being under the influence (3.575) of marijuana (including marijuana seeds), hallucinogenic drugs, inhalants, edibles, or any other controlled or illegal substance. This includes being present on District/school property or at any school-sponsored event after using any amount of these substances, (See Glossary: Under the Influence or Inhalants)**
- Note 1:** In determining whether a student is under the influence of drugs, the student's appearance/manner/behavior, as well as statements made by the student as to consumption of drugs will be considered.
- 3.610. ***Sexual assault. (See Glossary: Sexual Assault) (Follow Title IX protocols, if applicable)**

LEVEL III OFFENSES (Continued):

3.670, 3.740, 3.760.

Theft (3.670), possession or transfer of, (3.740), vandalism (3.760) of personal or school district property (Major) (See Glossary: Vandalism)

- 3.680. ***Possession, transfer, distribution, use in any amount, or being under the influence of alcohol.** Since alcohol consumption is illegal by minors, consumption of any amount of alcohol will constitute a violation of this section. This includes being present on District/school property or at any school-sponsored event after using any amount of these substances, (See Glossary: Under the Influence)

Note 1: In determining whether a student is under the influence of alcohol, the student's appearance/manner/behavior and or the presence of an alcohol odor, as well as statements made by the student as to consumption of alcohol will be considered.

- 3.690.** Non-forcible sexual intercourse with a person who is under the statutory age of consent. (Follow Title IX protocols, if applicable)
- 3.700. ***Communicating a Threat of a Destructive Device or Weapon:**Communicating, writing, threatening, or transmitting to a person or school facility that there is, or will be, a destructive device, shooting, or dangerous event, with the intent of intimidating, threatening, or interfering with government functions or school activities; or, harboring one who is guilty of this offense.
- 3.770. ***Auto Breaking** unlawful entry into a motor vehicle on school property or into a school district vehicle at any location.
- 3.789. ***Possession, transfer or use of a firearm.** (See Glossary: Firearm)
- 3.789. ***Possession, transfer or use of a prohibited weapon other than a firearm** including a knife with a blade over two inches, BB gun, paint ball gun, pellet gun, air-soft pistol, razor, razor blade, martial arts throwing star, metal knuckles, taser, mace and pepper spray, blackjack, and a metal pipe or pole. Box cutters and utility/X-Acto knives containing any size blades are also considered a violation of this section. (SC 16-23-430.) (See Glossary: Prohibited Weapon)

CONSEQUENCES FOR STUDENTS WHO COMMIT LEVEL III OFFENSES ARE AS FOLLOWS:

- A.** Student will be suspended from school immediately with a recommendation for expulsion. During the investigative period, high school students may be suspended from school for up to 3 school days pending a possible recommendation for expulsion. Once the investigation has been completed, the principal or his/her designee shall meet with the student and his/her parent/guardian to discuss the results of the investigation and to provide the student the opportunity to present his/her defense to the matter. At the conclusion of that meeting, the principal or his/her designee shall inform the student whether she/he intends to proceed forward with the recommendation for expulsion.
- B.** Whenever Level III Offenses are committed, law enforcement will be called and charges (juvenile petition or warrant) can be filed against the perpetrator. Although in some cases, law enforcement's decision whether to press criminal charges for weapons or drugs may require possession of that item on the person, in all such cases the school administrator will still contact law enforcement and file an incident report.
- C.** When Level III Offenses are committed on a school bus or other school vehicle, the Transportation Department will conduct a preliminary investigation and report their findings to the appropriate school administrator for action. Students who are suspended out-of-school immediately forfeit the opportunity to ride the school buses or other district vehicle for the duration of the suspension or until a decision is made otherwise by the principal or the Student Services Officer.
- D.** Restitution of property and damages where appropriate will be sought by the school or district.
- E.** High school students who commit alcohol, drug, or sexually related violations will be required to complete an appropriate counseling program. Failure to successfully complete an approved counseling program may result in additional disciplinary action. Alternative alcohol and other drug programs must be approved by the Student Services Officer.
- F.** Students who are expelled for possession of a firearm will be subject to the 1995 Federal and State laws that mandate a one-year (365 days) expulsion term, unless the Superintendent determines to reduce the term of expulsion. (See 59-63-235)

**CONSEQUENCES FOR LEVEL III OFFENSE ON THE BUS OR DISTRICT VEHICLE
WILL BE AS FOLLOWS:**

1st Offense – Ten (10) day suspension.

2nd Offense – Indefinite suspension from the school bus or district vehicle or other contracted vehicle.

LAW ENFORCEMENT INVOLVEMENT:

***** All Level III Offenses will involve law enforcement.**

LEVEL II OFFENSES:

Acts considered as Level II Offenses include, but are not limited to, the following:

2.003, 2.029.

Health Code Violation including but not limited to biting (2.003), spitting (2.003) and urination and or defecation (2.029) in a public or inappropriate location. (See Glossary: Health Code Violations)

2.004. *Selling, possessing, transferring or using items represented as being illegal, controlled substances, prescription drugs or over the counter drugs without regard to amount. (See Glossary: Controlled Substance)**

2.009. **Fighting. (See Glossary: Fighting)

2.010. **Possession and/or detonating (in any way causing to go off) fireworks, incendiary devices, smoke and/or stink bombs or other noxious gas devices.

2.013. **Sexual harassment. (See Glossary: Sexual Harassment) (Follow Title IX protocols, if applicable)

2.019. *Indecent exposure. (See Glossary: Indecent Exposure) (Follow Title IX protocols, if applicable)**

2.020. **Planning and/or organizing and/or instigating and/or participating in an activity that causes substantial disruption to the educational program, including a situation that may result in the disruption of the safe and orderly operation of the school or school bus.

2.027, 2.651, 2.650, 2.600, 2.652.

****Threatening (2.027), bullying (2.651) or intimidating (2.650) or cyberbullying (2.652) or extorting (2.600) students, a staff member, or any other adult designated by the school to supervise students including volunteers. (See Appendix C: Harassment, Intimidation or Bullying/Policy JICFB Gavin's Law)**

2.210, 2.290.

****Profanity/obscenity (2.210) racial or ethnic slurs (2.290) directed to a staff member or to any adult authorized by the school to supervise students, including volunteers.**

2.220. **Tampering, changing or altering records or documents of the school or district by any method, including but not limited to, computer access or other electronic means.

2.230. Possession/use of transfer of tobacco or tobacco products. ("This includes electronic cigarettes, vapors, juul/vape pods, juuling devices, vape devices, paraphernalia. (SC State Statute 16-17-501(7) and SC State Statute 16-17-501(8))

2.250. **Participation in Gangs or Gang-Related Activity. (See Policy JICF)

LEVEL II OFFENSES (Continued):

- 2.270.** Refusal to obey school or District Administrator.
- 2.520.** *** Physical assault of a student (See Glossary: Physical Assault)
- 2.585.** **Possession of any item of drug paraphernalia. (See Glossary: Drug Paraphernalia)
- 2.620.** ***Fraud such as request for emergency services, financial identity fraud, or identity fraud.
- 2.700.** **Any other behavior, whether on or off campus, that threatens the safety of students or staff members (regardless of where behavior takes place) or disrupts the operation or function of the school. This does include coming on school/district property after consuming non-prescribed controlled substances and/or illegal drugs. Notes 1 & 2 apply also.
- 2.710.** **Possession/distribution of pornographic or obscene material.
- 2.750.** **Trespassing. (See Glossary: Trespassing)
- 2.760, 2.670, 2.740.**
***Vandalism (2.760) or theft (2.670) possession or transfer (2.740) of personal or school district property (Minor) (See Glossary: Vandalism)
- 2.789.** **Possession of a knife with a blade two inches or less, starter pistol, replica weapon/device or bat. The blade will be measured from tip to base. This does not include a baseball bat that has been approved for recreational purposes in the elementary school. (See Glossary: Prohibited Weapon)
- 2.789.** ***Use of any item not generally considered as a weapon but used as a weapon to inflict bodily harm. Such items include, but are not limited to, a knife with a blade two inches or less, starter pistol, replica weapon/device, paintball gun, or bat.

CONSEQUENCES FOR STUDENTS WHO COMMIT LEVEL II OFFENSES ARE AS FOLLOWS:

1st Offense – Up to eight (8) days suspension from school or recommendation for expulsion.

2nd Offense - Immediate suspension from school with a recommendation for expulsion.

Note 1: In determining whether a student is under the influence of drugs or alcohol, the student's appearance or manner, their behavior and/or the presence of an alcohol odor, as well as statements made by the student as to consumption of alcohol or drugs, will be considered. (See Glossary: Under the Influence)

Note 2: Any student who violates the alcohol, inhalant or controlled and/or illegal substance rule will be suspended from participation and attendance in any and all extracurricular activities. (See Glossary: Under the Influence)

Note 3: High school students who commit alcohol and/or drug related violations are required to complete an approved alcohol and drug counseling program.

Note 4: Restitution of property and damages where appropriate will be sought by the school or district.

Note 5: If the violation occurs on the bus, the Department of Transportation will conduct the preliminary investigation, take action regarding the opportunity to ride a bus and refer the violation to the school for further action. Students who are suspended out-of-school forfeit the opportunity to ride the school bus or other school district vehicle for the duration of the suspension.

CONSEQUENCES FOR STUDENTS WHO COMMIT A LEVEL II OFFENSE ON THE BUS OR DISTRICT VEHICLE WILL BE AS FOLLOWS:

1st Offense – Up to Fifteen (15) day bus suspension.

2nd Offense – Up to Thirty (30) days bus suspension.

3rd Offense – Indefinite suspension from the school bus or school vehicle.

LAW ENFORCEMENT INVOLVEMENT

Some acts may also result in the involvement of law enforcement. These acts are denoted with asterisks and indicate the following:

2 stars ** = Law enforcement **may be** contacted after investigation of the situation.

3 stars *** = Law enforcement **will be** contacted.

All fights **will be** reported to law enforcement **regardless of denotation.**

LEVEL I OFFENSES:

Acts considered as Level I Offenses include, but are not limited to, those listed below:

- 1.007.** Class disruption or disruption of school activities or environment, including school bus.
- 1.012.** Harassment. (See Glossary: Harassment)
- 1.015.** Inappropriate display of affection.
- 1.016.** Engaging in verbal or written abuse, name calling, (i.e., ethnic or racial slur, or derogatory statements about sexual orientation) intentionally addressed publicly to others that may disrupt the school educational program or incite violence.
- 1.017.** Inappropriate behavior.
- 1.018.** Possession, use, sale, or distribution of unauthorized materials at school (ie. lighter, match or other like items ...)
- 1.022.** Inappropriate physical contact, including, but not limited to, pushing or shoving.
- 1.023.** Unauthorized or inappropriate use of school equipment, including, but not limited to computers.
- 1.030.** Creating or participating in a classroom disturbance that interferes with the instructional process.
- 1.031.** Violation of health room rules. All medication (to include over the counter drugs such as Benadryl, Tylenol, etc. or personal prescriptions) brought to school by a student must be in the original container, labeled appropriately and administered by the school nurse. Exceptions under a physician's order are managed by the school nurse.
- 1.150, 1.160.** Cutting school (1.150) or class (1.60).
- 1.151.** Truant.
- 1.180.** Excessive tardiness/early dismissals.
- 1.190.** Cheating. (See Honor Code)
- 1.200.** Being in an unauthorized area.

LEVEL I OFFENSES (Continued):

- 1.210, 1.290.** Profanity (1.210)/obscene gesture (1.290) directed toward another student or directed toward no one in particular.
- 1.220.** Violation of the Acceptable Use Agreement.
- 1.270.** Failure or refusal to obey a staff member or any other adult authorized by the school to supervise students.
- 1.271.** Failure to serve any properly assigned school discipline.
- 1.280.** Dress code violations including school issued ID's.
- 1.310.** Leaving or attempting to leave school grounds without permission, whether or not the school day has actually begun. This includes unauthorized driving/riding to an off campus, class...
- 1.320.** Walking out of a class (without teacher approval).
- 1.330, 1.390.** Misuse of Electronic Communication Devices (cell phones, (1.330), tablets, computers on school grounds during school hours.
- 1.340.** Any behavior or act that interferes with the safe operation of a school bus (including violation of school bus safety rules listed in Chapter 4).
- 1.407.** Provoking or simulating a fight.
- 1.420.** Disrespect to teacher or staff member or other adult approved by the school to supervise students, including volunteers.
- 1.430.** Violation of a behavior contract.
- 1.630.** Gambling (games of chance for money or profit).
- 1.750.** **Unauthorized entry to any school sponsored events.

CONSEQUENCES FOR STUDENTS WHO COMMIT LEVEL I OFFENSES ARE AS FOLLOWS:

- A.** The following consequences for high school students will be assigned for all Level I Offenses other than use of profanity/obscenity, racial or ethnic slur directed to a staff member or to any adult authorized by the school to supervise students, including volunteers, uses an inappropriate sexual gesture or behavior or plans and/or organizes and/or instigates and/or participates in an activity that causes substantial disruption to the education program:

1st Offense – Administrative conference, parent conference, referral to counseling, removal from class, detention, in-school suspension and/or possible out-of-school suspension.

2nd Offense – Administrative conference, parent conference, referral to counseling, removal from class, detention, in-school suspension and/or possible out-of-school suspension. Up to Two (2) days in-school suspension and/or possible out-of-school suspension.

3rd Offense – Up to Three (3) day out-of-school suspension.

4th Offense – Up to Five (5) day out-of-school suspension and possible recommendation for expulsion.

5th Offense – Out-of-school suspension and possible recommendation for expulsion.

- B.** Restitution of property and damages where appropriate will be sought by the school or the district.
- C.** Students who are suspended from school immediately forfeit the opportunity to ride any school bus or other school vehicle for the duration of the suspension.

CONSEQUENCES FOR STUDENTS WHO COMMIT A LEVEL I OFFENSE ON THE BUS OR DISTRICT VEHICLE WILL BE AS FOLLOWS:

1st Offense – Up to five (5) days bus suspension.

2nd Offense – 5 – 10 day suspension.

3rd Offense – Fifteen (15) day suspension.

4th Offense – Indefinite suspension from the school bus or, district vehicle or other contracted vehicle.

LAW ENFORCEMENT INVOLVEMENT

Some acts may also result in the involvement of law enforcement. These acts are denoted with asterisks and indicate the following:

2 stars ** = Law enforcement may be contacted after investigation of the situation.

CODE OF CONDUCT

CHAPTER 4

SCHOOL BUS SAFETY RULES AND APPEALS



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At all times while on a School Bus, Activity Bus or other district vehicle used for the purpose of transportation of students to or from school, sports programs and other school sponsored event. Consequences will be for any violation of these rules and additional school consequences may be applied.

SCHOOL BUS SAFETY RULES

- No glass containers on the bus.
- No spitting, eating, chewing gum or drinking on the bus.
- No profanity, verbal abuse, harassment, teasing, obscene or sexual gestures.
- No standing while the bus is in motion (including while making a stop).
- No hanging any part(s) of your anatomy out a window.
- No throwing or shooting any type of objects.
- No play fighting or horse playing
- Do not ride any bus that you are not assigned to.
- Do not ride any bus during a suspension of bus privileges.
- Do not vandalize the bus or ignite any flammable object while on the bus
- Do not hold onto the bus from the outside or pass items in or out the bus window.
- Do not make excessive noise or other disruptive behavior.
- Keep your feet, body, and bags out of the aisle.
- Do not block the aisle with band instruments or book bags.
- Students must follow the directions of the driver.
- Students may not exhibit any behavior that disturbs the students or driver.
- Talk quietly, but avoid loud, boisterous behavior, including singing, clapping, stomping, or yelling.
- No spraying of cologne, deodorant, body spray or any other type chemicals or aerosols, pump spray, or lotion while on the bus.
- Never tamper with the emergency exits or any other part of the bus equipment, including fire extinguishers and first aid equipment unless there are reasonable grounds to believe that an actual emergency situation exists.
- Students must board and exit the bus at their designated stop or school.
- Students must be at the bus stop 5 minutes prior to scheduled pick-up time.
- Students must wear ID while on the bus.
- The usage of cell phone or other electronic device that causes a disruption on the bus or distraction to the driver is not allowed.
- Emergency exits and aisles are not blocked. All book bags, equipment, instruments, etc., must be properly stowed in the student's seat or on the floor.
- Students may not sell candy or other fund-raising items on the bus.
- Students may not sit on their book bag, luggage, or legs because the design of the seats is such that a serious injury could occur if the child rises above the height of the seat.
- Students may not touch or hang on to the bus in any manner before boarding or after discharge.
- Students who inappropriately use video cameras, video phones or other recording devices while on the school bus are subject to violation of the Privacy Act and can be assigned school and bus consequences.
- Any behavior or act that interferes with the safe operation of a school bus.

GENERAL PROCEDURES FOR TRANSPORTATION SUSPENSION

The Office of Transportation will assign suspensions from riding the school bus or other school vehicles. Inappropriate behavior (Level I, II, III) on a bus or in a school vehicle will be determined by the Office of Transportation, in collaboration with a school administrator and may involve a school assigned consequence.

In any disciplinary incident in which safety is a concern, a student may be temporarily suspended from the bus pending the result of a full investigation. Investigations will normally be completed within 3 school days. No student will be removed from the bus until a transportation supervisor has made direct contact with the student's parent/guardian. In the event parents or guardian can not be reached by phone a letter will be mailed with the suspension information.

Students will have the right to appeal bus suspensions to the Transportation Director in the same manner as suspensions from school.

When an out-of-school suspension and bus suspension are adjudicated for an incident, the suspension from riding the bus will begin after the completion of the out-of-school suspension.

Bus suspensions are appealed to the Transportation Director only. A written request which list reasons or justification for appeal must be sent to the District Transportation Office to the attention of the Transportation Director. Request must be received within (3) school days and may be emailed to hwillia@lexrich5.org.

CODE OF CONDUCT

CHAPTER 5

SUSPENSION OF STUDENTS WITH DISABILITIES



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GENERAL PROCEDURES FOR SCHOOL SUSPENSION OF STUDENTS WITH DISABILITIES:

Students identified as disabled pursuant to the Individuals with Disabilities Education Improvement Act ("IDEIA disabled") will be disciplined in accordance with federal and state law as set forth in the special education procedures developed by the administration.

Violations of the discipline code by students with disabilities may be dealt with according to the consequences specified in the code when the behavioral violation is not related to the student's disability as determined by the Individualized Education Program (IEP) Team or Individual Accommodations Plan (IAP) Team. Any suspension or combination of suspensions which exceeds 10 days is considered a change in placement and may occur only when the appropriate procedures are followed according to the Special Education Discipline Procedures.

For students whose behavioral violations are determined by the IEP/IAP committee to be directly related to the student's disability, any suspension or combination of suspensions which exceeds 10 days is considered a change in placement and may occur only when the appropriate procedures are followed according to the Special Education Discipline Procedures. In such cases, the IEP/IAP committee will determine appropriate behavioral interventions and/or consider the appropriateness of the student's educational placement and need for a change in placement.

The Office of Transportation will assign suspensions from riding the school bus or in other school vehicles. Inappropriate behavior (Level I, II, and III) on a bus or in a school vehicle will also involve school assigned consequences.

No student will be removed from the bus until a transportation supervisor has made direct contact with the student's parent or guardian. Transportation Supervisors will coordinate with the student's assigned school so as not to exceed 10 days out of school suspension.

Bus suspensions are appealed to the Transportation Director only. A written request which list reasons or justification for appeal must be sent to the District Transportation Office to the attention of the Transportation Director. Request must be received within (3) school days and may be faxed to 803-476-8091.

CODE OF CONDUCT

CHAPTER 6

GENERAL PROCEDURES FOR SCHOOL SUSPENSION AND APPEALS



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GENERAL PROCEDURES FOR SCHOOL SUSPENSION

1. Suspension in- or out-of-school will be assigned by the school principal/director or designee according to the procedures specified in Board policy, JKD...Suspension of students.
2. Within 3 calendar days of any suspension, the administrator will invite the student's parents/guardians for a conference (virtual or in person) to discuss the suspension. The conference date will be extended beyond the 3 days only if the parents or guardians request an extension in writing.
3. After the second suspension, the parent/guardian may be called in for a Triage/Student Assistance Intervention meeting before the student can return to school/class. These meetings may also be held for each student that has accumulated at least one Level II offense, two Level I offenses, and anytime during Level III offenses. The purpose of the meetings will be to discuss individual student school behavior plans, academic progress and achievement, and social awareness. These meetings may be held with the following members present: parents/guardian, students, school administration, school counselor/social worker, school nurse, psychologist, or other. Although the school counselor and social worker will serve as an advocate for the parent and student, parents are free to have additional support personnel present. In addition, a behavior contract will be signed by a parent/guardian and child after the second out of school suspension.

SUSPENSION APPEALS:

After a parent/guardian is notified in writing of a suspension, the parent/guardian has 3 school days to request an appeal of the suspension. The request for appeal must be in writing and should state the specific basis for the appeal. Suspensions may be appealed as follows:

- A.** To the Principal if the decision to suspend was made by a school-level designee. (Asst. Principal or Adm. Assistant)
- B.** To the Student Services Officer if the decision to suspend was made by the Principal.
- C.** In the event that the Principal determines that he/she has been too involved in the decision to suspend or to conduct an impartial hearing, the Principal may request that the Student Services Officer conduct the appeal hearing.
- D.** In cases of 8-10 day suspensions, if the Principal holds the appeal hearing, and subsequently decides to uphold the suspension, the parent/guardian may petition the Student Services Officer for a further appeal, provided that such petition is made in writing within 3 school days of the date of the signed receipt of the decision letter from the Principal. The petition shall state on what basis the parent/guardian believes that the suspension was unfair or unwarranted. The Student Services Officer will have discretion whether to grant a further appeal and that decision will be final.
- E.** All in-school suspensions and out-of-school suspensions under 8 days may not be appealed beyond the school level unless the suspension was initially assigned by the principal. There is no appeal for detentions or lesser consequences beyond the school level.
- F.** All suspensions should begin immediately.
- G.** The Board of Trustees hears only expulsion appeals.

CODE OF CONDUCT

CHAPTER 7

EXPULSION FROM SCHOOL



Expulsions will be recommended only by the Principal of the school to which the student is assigned. Procedures to be followed regarding expulsions are specified in Board policy, JKE-Expulsion of students. Expelled students may not attend any event in which a District Five school is participating nor be on any District property during the period of expulsion. Any expelled student who is on district property after school hours for church services, recreational league sports, or if it is court ordered (monitored) community service hours must have the prior written permission of the superintendent or his/her designee.

TRANSFER IN LIEU OF EXPULSION

Any student transferred to the Academy for Success/FIVE in lieu of expulsion may not attend any school sponsored event nor be on any District property during the period of their transfer. All transferred students will sign a behavior contract prior to enrolling at the Academy for Success/FIVE. The Student Services Officer will hear all appeals for dismissal from the Academy for Success.

DISMISSAL OF EXPELLED STUDENTS FROM THE ACADEMY FOR SUCCESS

1. Each student accepted at the Academy for Success will be placed on a behavior contract.
2. The Principal of the Academy for Success will have the authority to recommend for dismissal any student from the Academy for Success based upon the student's behavior violations while enrolled at the school.
3. The student and parent/guardian will be notified of the reason for recommendation dismissal in writing.
4. The recommendation for dismissal will be heard by the Student Services Officer.

TECHNOLOGY OFFENSES:

With the increasing use of technology in the school curriculum, the appropriate use of the computer and other equipment, systems and data is vital. See individual categories for specific offenses and consequences.

CODE OF CONDUCT

CHAPTER 8

GUIDELINES FOR REINSTATEMENT AND REINSTATEMENT PROCEDURES



GUIDELINES FOR REINSTATEMENT OF EXPELLED STUDENTS OR STUDENTS TRANSFERRED TO THE ACADEMY FOR SUCCESS

These guidelines must be completed and a readmission conference must be held before the student is readmitted to any school, whether in or out of District Five.

- 1. A letter requesting reinstatement to the district must be written by the student.**

The letter may be addressed to:

Mr. Jason Pollock
Student Services Officer
1020 Dutch Fork Road
Irmo, SC 29063

- 2. Student should read at least two (2) books approved by the Student Services Officer and type a two (2) page report (one page per book) on how the student plans to include in their daily lives what they have read.**
- 3. Students who are expelled because of alcohol and/or drug related reasons must successfully complete an approved counseling/education program.**
- 4. Students may be required to complete community service hours as deemed appropriate.**
- 5. Students must write a one-page essay on the following topic: What I Have Learned from This Experience and How I Can Help Others.**

REINSTATEMENT PROCEDURES

All students returning or entering the district from the Department of Juvenile Justice (or any comparable correctional facility) must report to the Office of Student Services for appropriate placement. After reviewing the student's records and conferring with appropriate staff, a decision from among the following options may be considered:

1. Allow the student to return to the school in his/her attendance zone.
2. Place the student in an interim educational program.
3. Deny the student admission into the district.

Reinstatements are "conditional" pending receipt of all official student records.

GUIDELINES FOR REINSTATEMENT OF EXPELLED STUDENTS

All students who have been expelled must submit a written request to the Student Services Officer in order to return to school. This request must be made at least 30 calendar days before the beginning of the school year or the second semester, as the case may be. The request must state, in detail, why the student should be allowed to return to school. All students returning from expulsion shall be placed on probation, the terms of which will be drawn up in a general probation or District Level Probation Contract (DLPC).

Appendix A

SCHOOL BOARD POLICIES:

JICG...TOBACCO USE BY STUDENTS: Students will not be permitted to use, possess, or transfer tobacco products or tobacco paraphernalia while on school grounds; in the school buildings; on buses; or during any other time that the student is under the direct administrative jurisdiction of the school whether on or off the school grounds. All District Five buildings and buses are officially designated as “tobacco-free.” This particular stipulation applies to ANY individual - student, faculty/staff member, administrator, visitor, or patron.

JICH...POSSESSION AND USE OF ALCOHOL OR A CONTROLLED SUBSTANCE: Possession, sale, distribution, use, in any amount, of alcohol, marijuana, hallucinogenic drugs or any other controlled substance is prohibited. No student will market or distribute any substance which is represented to be or is substantially similar in color, shape, size or markings of a controlled substance.

JKB...DETENTION OF STUDENTS: School administrators or teachers may assign detention after school hours to students with undesirable patterns of attendance, conduct, or academic performance. Staff members shall assure that students have one day’s notice before the assigned detention period so that parents may be informed and may provide for transportation.

JKD...SUSPENSION OF STUDENTS: When suspension of a student is contemplated, the administrator will have a conference with the student. At this conference, the administrator will notify the student of the charges against him/her, and if he/she denies them, will explain the evidence the authorities have and offer the student an opportunity to present his/her side of the story. Suspension from school will be construed to prohibit a student from attending any day or night school functions or riding a school bus and from entering the school or school grounds, except for a prearranged conference with an administrator. Notice of the suspension will be sent home with the student, parent/guardian will be called and a letter will be mailed to the home address on file with the school.

JKE...EXPULSION OF STUDENTS: Expulsion means that the student cannot attend school or be on the school grounds of any school in the district, cannot attend any program at any school in the daytime or at night, and cannot ride a school bus. Expelled students cannot attend or participate in any school-sponsored event. An expelled student who is approved by the Board of Trustees may apply for acceptance into the Academy for Success.

Appendix B

SELECTIONS FROM THE SC CODE OF LAWS RELATIVE TO THE DISCIPLINE POLICY:

59-63-1110. Any person entering the premises of any school in this State shall be deemed to have consented to a reasonable search of his person and effects.

59-63-1120. School administrators may conduct reasonable searches on school property of lockers, desks, vehicles, and personal belongings with or without probable cause.

16-3-1040. Unlawful for any person to knowingly and willfully deliver or convey to a teacher, principal or public official any letter, writing, print, electronic communication or verbal communication which contain any threat to take the life of or inflict bodily harm upon them or their immediate families. If convicted, the penalty may be imprisonment of not more than 5 years.

Simple assault and battery (common law). Intentionally inflicting actual bodily harm to another. The fine not to exceed \$200 or 30 days in jail.

16-3-1700. Harassment and Stalking. Misdemeanors that carry a fine of \$200 to \$1,000 and 30 days to 1-year imprisonment or both.

16-7-160. Illegal use of stink bombs or other devices containing foul or offensive odors. This is a misdemeanor and, if convicted, may be fined for no more than \$3,000 or sentenced up to 3 years. This becomes a felony if it causes bodily harm.

16-7-170. Entering a public school for the purpose of destroying records, or, in fact, destroying or damaging records is a misdemeanor and, if convicted, shall be fined no more than \$5,000 or imprisoned not more than 3 years.

16-11-550. Threatening to kill, injure, or intimidate an individual or damage or destroy property by means of explosive or incendiary aids; agrees with; or conspires with shall be guilty of a felony. If convicted, may be jailed from 1 to 15 years.

16-16-10. Computer Crime Act. Unlawful acts involving computers are felonies and/or misdemeanors. The penalties range from fines of \$200 to \$125,000 and imprisonment of 2 to 10 years.

16-23-420. Carrying or displaying firearms in a public building or adjacent areas is a felony and, if convicted, must be fined up to \$5,000 or imprisoned up to 5 years or both.

16-23-430. Carrying weapons or other objects which may be used to inflict bodily injury while on school property. This is a felony and, if convicted, may be fined \$1,000 or jailed up to 5 years or both.

16-17-420. Disturbing school is a misdemeanor and, if convicted, shall pay a fine of \$100 to \$1,000, or imprisoned for 30 to 90 days. Fighting is included within the prohibition of this law. Use of foul or offensive language toward a principal, teacher, or police officer can constitute a crime.

- 16-17-500.** Sale or purchase of tobacco products for minors; proof of age; location of vending machines; penalties; smoking cessation programs.
- 20-7-8920.** Unlawful for anyone under 21 to purchase or possess beer, wine, or other fermented beverages. This is a misdemeanor and a fine of \$25 to \$100 plus court costs.
- 20-7-8925.** Unlawful for anyone under 21 to purchase or possess liquor. Any possession is a prima facie evidence that is knowingly possessed. This is a misdemeanor, with a fine of \$100 to \$200, plus court costs or 30 days in jail. It is also unlawful to falsely represent age for the purpose of procuring alcoholic liquors.
- 44-53-110.** Possession of drug paraphernalia.
- 44-53-1110.** Aromatic hydrocarbons shall not be used as intoxicants. This is a misdemeanor and, if convicted, the fine is not to exceed \$100 or 30 days in jail.
- 44-53-190 through 44-53-270.** Laws pertaining to possession of drugs or controlled substances. Many prescribed drugs are considered controlled substances.
- 44-95-20.** The Clean Indoor Air Act prohibits smoking in a public school. Violators are guilty of a misdemeanor and upon conviction must be fined not less than \$10 nor more than \$25.
- 56-1-745.** Six-month suspension of driver's license upon conviction of possession of hashish or marijuana. One-year suspension for conviction of any other controlled substance. If the person does not have a driver's license, the department will not issue a license for the same period of time after the person is eligible to receive one.
- 56-1-746.** Driver's license will be suspended for 90 days to 6 months for offenses relating to a person under 21 who possesses or consumes beer, wine, or alcoholic liquors.
- 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.
- 59-63-235.** A one-year (365 days) expulsion for a student who is determined to have brought a firearm to a school or any setting under jurisdiction of a local board of trustees.
- 59-63-280.** Possession of paging devices by public school students under age 18 is prohibited unless the student needs the paging device for a legitimate medical reason. A student over 18 must be an active member of a firefighting organization or emergency medical service.
- 59-67-240.** District boards of school trustees in the State may authorize school administrators to suspend or expel pupils from riding a school bus for misconduct on the bus or for violation instructions of the driver.
- 59-67-240.** The driver of each school bus shall cooperate with the teachers in their work in the school to which he is transporting pupils by being on time in the mornings and waiting in the

afternoons until all his pupils are dismissed by the school faculty and safely aboard his bus. He also shall take particular notice along his route in the mornings and give pupils within sight a reasonable time in which to board his bus. The driver shall be responsible for maintaining good conduct upon his bus and shall report promptly to the governing head of the school to or from which the pupils are transported any misconduct or any violation of the driver's instructions by any person riding in his bus.

59-67-245. No person shall willfully and wrongfully interfere with the operation of a school bus, either public or private, by boarding, restricting movement, or using threats, either physical or verbal, to the driver or any passenger while the bus is engaged in the transportation of pupils to and from school or any lawful school activity or while passengers are entering or leaving the bus nor shall any person willfully fail or refuse to obey a lawful order of school bus. The use of threatening, obscene or profane language addressed to the driver or any passenger entering, leaving or waiting for a school bus is disorderly conduct and any person convicted for the use of such language shall be punished as provided in 16-17-530. Nothing contained herein shall be interpreted to infringe upon the powers and duties of duly constituted authorities.

59-67-415. Parental responsibility for safe and timely arrival of children to and from bus stop. Parents or guardians are responsible for the safety, conduct, and the timely arrival of their children to, from, and at the designated school bus stop before the arrival of the school bus for pick up and transport to school and the timely departure of the children after the school bus leaves the designated school bus stop after transporting the children from school. For purposes of this section, the phrase "arrival of the school bus" includes the time that the school bus assigned to the school bus stop activates the required pedestrian safety devices, stops, and loads or unloads students until the school bus deactivates all pedestrian safety devices.

59-67-570. The State Board of Education may adopt such rules and regulations as may be necessary to carry out the intent and purposes of this article. Such rules and regulations shall have the full force and effect of law. But rules and regulations that affect the functions of the Department of Public Safety under this article or the operation of buses on the highways shall be adopted only jointly with the Department of Public Safety.

59-67-110. Every school bus shall be provided with a front entrance-exit on the right side of the vehicle and a rear emergency exit or door, conspicuously marked on the inside "emergency door" and equipped with a fastening device capable of being quickly released in emergency but entirely safe from accidental opening upon the application of any pressure from within the bus. Except in the event of an emergency, no person shall be allowed to enter or leave the bus by any other than the front entrance-exit.

APPENDIX C

HARASSMENT, INTIMIDATION OR BULLYING

Code JICFAA Issued 3/11

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

School District Five of Lexington and Richland Counties prohibits any acts of harassment, intimidation or bullying of a student by students, staff and third parties which interferes with or disrupts a student's ability to learn and the school's responsibility to educate its students in a safe and orderly environment, whether such acts occur in a classroom, on school premises, on a school bus or other school-related vehicle, at an official school bus stop, at a school-sponsored activity or event whether or not it is held on school premises, or at another program or function where the school is responsible for the student.

For purposes of this policy, harassment, intimidation or bullying is defined by the District as a gesture, a written, verbal, physical or sexual act, or electronic communication, to include cyber bullying (which is the use of cell phones, instant messaging, email, chat rooms or social networking sites such as Face Book, My Space and Twitter) that is reasonably perceived to have the effect of either of the following.

- Harming a student physically or emotionally or damaging a student's property or placing a student in reasonable fear of personal harm or property damage
- Insulting or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school

Any student who believes that he/she has been subjected to harassment, intimidation or bullying in violation of this policy is encouraged to file a complaint in accordance with procedures established by the District. Complaints will be investigated promptly, thoroughly and confidentially. All school employees are required to report alleged violations of this policy to the principal or his/her designee. Reports by students or employees may be made anonymously, although disciplinary action will not be taken against any person solely on the basis of an anonymous report.

The District prohibits retaliation or reprisal in any form against a student or employee who has filed a complaint or report of harassment, intimidation or bullying. However, the District prohibits any person from falsely accusing another of harassment, intimidation or bullying.

The board expects students to conduct themselves in an orderly, courteous, dignified and respectful manner. Students and employees have a responsibility to know and respect the policies, rules and regulations of the school and district. Any student who is found to have engaged in the prohibited actions as outlined in this policy will be subject to disciplinary action in accordance with the district's student behavior code. Any employee who violates this policy will be subject to disciplinary action. The district also may refer any individual who has violated this policy to law enforcement officials. The district will take any other appropriate steps to correct or rectify the situation.

HARASSMENT, INTIMIDATION OR BULLYING (continued):

The superintendent or his/her designee will be responsible for ensuring notice of this policy is provided to students, staff, parents/legal guardians, volunteers and members of the community, including its applicability to all areas of the school environment as outlined in this policy.

The superintendent or his/her designee will also ensure that a process is established for discussing the contents of this policy with students.

The District's procedures for responding to incidents of bullying, harassment, and/or intimidation are as follows:

1. Any student or parent or guardian of a student who believes that the student has been bullied, harassed or intimidated in violation of District policy will immediately report such conduct to a teacher, administrator, or other school official. The report may be oral or in writing.
2. Any school employee who observes an incident of bullying, harassment or intimidation of a student will immediately report the incident to the appropriate building administrator. (Principal, Assistant Principal, etc.)
3. A school employee who receives a report of bullying, harassment or intimidation will immediately forward the report to the appropriate building administrator. (Principal, Assistant Principal, etc.)
4. Anyone employed by the school district is to report any known or reported incidents of bullying, harassment or intimidation of any student, faculty or other district employee to the appropriate school or district administrator.
5. An administrator will promptly and thoroughly investigate all such reports and upon completion of that investigation, will notify the parents/legal guardians of all affected students that corrective action has been taken by the school.
6. Corrective action may include the student perpetrator being disciplined in accordance with the Code of Conduct, as well as being required to complete program(s) regarding conflict resolution, anger management, and/or social interaction skills.
7. In any disciplinary incident in which safety is a concern, a student may be temporarily suspended from the bus pending the result of a full investigation.

Investigations will normally be completed within 3 school days. No student will be removed from the bus until a transportation supervisor has made direct contact with the student's parent/guardian. Students will have the right to appeal bus suspensions to the Transportation Coordinator. (See Chapter 4)

8. When an out-of-school suspension and school bus suspension are adjudicated for an incident the school bus suspension will begin after the completion of the out-of-school suspension.

Policy JICFB Gavin's Law Implementation

Issued 11/23

Gavin's Law (S.C. Code Ann. Section 16-15-430) is legislation that makes sexual extortion, the act of blackmailing someone using sexually explicit images or videos, a felony offense and an aggravated felony if the victim is a minor, vulnerable adult, or if the victim suffers great bodily injury or death directly related to the crime.

Gavin's Law requires the District to collaborate with the State Department of Education, the South Carolina Law Enforcement Division, and the Attorney General's office, as appropriate, to implement a policy to educate and notify students of the provisions of this law, which includes adequate notice to students, parents or guardians, the public, and school personnel.

In accordance with Gavin's Law, the District shall notify students of the provisions of this act through providing age-appropriate instruction on the dangers and consequences of sexual extortion. Additionally, notification shall be provided to parents/guardians, the public, and school personnel regarding the law.

Any student who engages in sexual extortion will be subject to disciplinary action consistent with the District's Student Code of Conduct. Any employee who engages in sexual extortion will be subject to disciplinary action consistent with the District's policies governing staff conduct. School administrators shall notify law enforcement immediately of any allegations of such conduct, as required by State law and District policy.

Adopted 11/13/23

Legal References:

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

Section 16-15-430 - Gavin's Law.

APPENDIX D

SECRET SOCIETIES/GANG ACTIVITY JICF:

School District Five of Lexington and Richland Counties will maintain conditions on school property and at school-sponsored events in order to ensure as safe an environment as possible for students and staff in accordance with law and the standards set by the School District Five Board of Trustees. In establishing such standards, the Board prohibits the presence and activities of gangs on or near school property and at school-sponsored events.

The Board defines a gang as any non-school sponsored group, possibly of secret and/or exclusive membership, whose purpose or practices include the commission of illegal acts, the violation of school rules, the establishment of territory or "turf," or any other action which threatens the safety or welfare of others. In prohibiting the presence and activities of gangs, the Board makes the following findings.

- Gangs which initiate or advocate activities which threaten the safety and well-being of persons or their possessions anywhere on or near school property or at school-sponsored events are harmful to the educational purposes of the district.
- Gang incidents involving recruitment, initiation, hazing, wearing of colors or other gang indicators, threats and intimidation, fighting or establishment of "turf or territory" on school property or at any school-sponsored event are likely to cause intimidation or fear, bodily danger, physical harm, or personal degradation or disgrace resulting in physical and mental harm to students.
- The use of hand signals and the presence of any apparel, jewelry, accessory, book or manner of grooming which, by virtue of its color, arrangement, trademark, symbol or any other attribute, denotes membership in a gang creates a clear and present danger of the commission of unlawful acts on school premises, the violation of school regulations, or the substantial disruption of the orderly operation of the school and is prohibited. In determining whether or not a student is in violation of the prohibition on the wearing/display of a gang-related item, the district will maintain, in all of its school offices, an example of potential gang indicators including symbols, hand signals, graffiti, and clothing/accessories. In providing these examples for students and parents, the Board acknowledges that not all potential gang indicators actually connote actual membership in a gang.
- If the district determines that a student has initiated or participated in a gang or a secret society as stipulated above, that student will be disciplined in a manner which may include, but will not be limited to, detention, removal from extracurricular activities, suspension and/or expulsion, and referral to law enforcement, dependent upon the circumstances of the particular offense. The district also reserves the right to prohibit any student from wearing/displaying any article of clothing or accessory which the district has determined to be a gang indicator.

APPENDIX E

STUDENT DRESS JICA-R

The following regulations on student dress shall apply in all schools and shall be administered uniformly throughout the district.

The Administration will make final judgment on the appropriateness of dress and reserves the right to prohibit students from wearing any article of clothing or accessory which may foreseeable result in the disruption of the school environment.

Individual schools may have more specific and restrictive dress codes if recommended by the School Administration and the School Improvement Council and approved by the superintendent or his/her designee.

1. Clothing and/or hair should not be so extreme or inappropriate to the school setting as to disrupt the educational process. Therefore, clothing deemed distracting, revealing, overly suggestive or otherwise disruptive shall not be permitted. This includes bare midriffs, halter/tank tops, see-through shirts/tops/blouses and bike shorts.
2. No vulgar, obscene or otherwise inappropriate symbols, language or wording will be permitted on clothing or accessories.
3. Clothing or accessories, i.e., book bags, jewelry, hats, etc., that display alcohol, tobacco or other drug symbols are not permitted.
4. Gang attire, gang colors or gang symbols are also not permitted to be worn or displayed on accessories.
5. Hats, head stockings or kerchiefs may only be worn during the school day for special occasions when approved by the principal.
6. Proper shoes must be worn at all times.
7. Special dress or costume may be worn during the school day for special occasions when approved by the principal.
8. Wearing accessories or clothing that could pose a safety threat to one's self or others is not allowed. This includes heavy chains, not made as jewelry, fishhooks, multiple-finger rings, studded bracelets or collars, nose/lip to ear chains, etc. Unusual body piercing that is disruptive to the order of the school or is a distraction to the learning environment will not be allowed.
9. Pants must be worn at the natural waistline and undergarments are not to be visible.
10. Hats may be worn at the school bus stop or while on the bus during periods of cold weather. Hats must conform to all of the above requirements and must be removed before entering the building.

APPENDIX F

CELL PHONES / COMMUNICATION DEVICES JICJ: (Updates Pending)

Purpose: To establish the basic structure for student possession/use of cell phones/communications devices in the schools of the district.

Possession of a wireless communication device (WCD) by a student is a privilege that may be forfeited by any student who fails to abide by the terms and provisions of this policy, or otherwise engages in misuse of this privilege.

A “wireless communication device” is a device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor. The following devices are examples of WCDs: cellular and wireless telephones, pagers/beepers, personal digital assistants (PDAs), BlackBerries/Smartphones, WiFi-enabled or broadband access devices, two-way radios or video broadcasting devices, and other devices that allow a person to record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information. Students may not use WCDs on school property or at a school-sponsored activity to access and/or view Internet web sites that are otherwise blocked to students at school. “Students may use WCDs while riding to and from school on a school bus or other vehicle provided by the Board or on a school bus or Board-provided vehicle during school-sponsored activities, at the discretion of the bus driver, classroom teacher and/or sponsor/advisor/coach. Distracting behavior that creates an unsafe environment will not be tolerated.”

Students are prohibited from using WCDs to capture, record or transmit the words (i.e. audio) and/or images (i.e. pictures, video) of any student, staff member or other person in the school or while attending a school-related activity without express prior notice and explicit consent for the capture, recording or transmission of such words or images. Using a WCD to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted, unless authorized by the building principal.

Students are prohibited from using WCD’s to take pictures or record video/audio in locker rooms, bathrooms, or on school buses or other district vehicles. The use of WCD’s to take pictures or record video/audio is also prohibited in classrooms, unless deemed appropriate by the teacher and used for educational/instructional purposes only.

Students are prohibited from using a WCD in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated. See Policy JICFAA – Harassment, Intimidation or Bullying.

Students are also prohibited from using a WCD to capture and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using their WCDs to receive such information.

Violations of this policy may result in disciplinary action and/or confiscation of the WCD. The building principal may also refer the matter to law enforcement if the violation involves an illegal activity (e.g. child pornography). Discipline will be imposed in a progressive manner based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the WCD is confiscated, it will be released/returned to the student’s parent/guardian only after the student complies with any other disciplinary consequences that are imposed. Any WCD confiscated by District staff will be marked in a removable manner with the

CELL PHONES / COMMUNICATION DEVICES (Continued)

student's name and held in a secure location in the school building until it is retrieved by the parent/guardian. WCDs in District custody will not be searched or otherwise tampered with unless school officials reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance to Policy JIH – Student Interrogations, Searches and Arrests. If multiple offenses occur, a student may lose his/her privilege to bring a WCD to school for the remainder of the semester.

Students are personally and solely responsible for the care and security of their WCDs. The Board assumes no responsibility for theft, loss, damages, or vandalism to WCDs brought onto its property, or the unauthorized use of such devices.

Parents/Guardians are advised that the best way to get in touch with their child during the school day is by calling the school office.

Students may use school phones to contact parents/guardians during the school day with permission of the administration.

Elementary/Intermediate School (K - 5th):

Students may possess wireless communication devices in school, on school property, during after school activities (e.g. extra-curricular activities) and at school-related functions. However, students may not use wireless devices such as cellular phones, electronic pagers or any other communications devices while on school property during school hours. (Start and end of school will be denoted by the start and end bell).

Intermediate/Middle School (6th- 8th):

Students may possess wireless communication devices in school, on school property, during after school activities (e.g. extra-curricular activities) and at school-related functions. However, students may not use wireless devices such as cellular phones, electronic pagers or any other communications devices while on school property during school hours, *unless it is deemed appropriate by the teacher and approved by the principal for educational and/or instructional purposes ONLY.* (Start and end of school will be denoted by the start and end bell).

High School (9th- 12th):

Students may use wireless communication devices such as cellular phones, electronic pagers or any other communications devices before and after school, during their lunch break, within "Free Zones" (as determined by the principal) and as deemed appropriate by the teacher and approved by the principal for educational and/or instructional purposes ONLY. Any other use of wireless communications is considered misuse and violations may result in disciplinary action.

Consequences:

First Offense:	Warning / Return WCD to Parent
Second Offense:	School Consequence / Return WCD to Parent
Third Offense:	School Consequence / Return WCD to Parent
Fourth Offense:	Confiscate WCD through end of the semester

APPENDIX G

INTERNET ACCEPTABLE USE AGREEMENT – SEE TECHNOLOGY PLAN FOR DEVICES:

School District Five of Lexington and Richland Counties is pleased to be able to offer Internet access for student use. Our goal in offering this access is to enhance the educational experience for our students. The Internet offers access to worldwide information in text and media form that, if properly used, will stimulate student learning. It can be a particularly powerful motivational tool for students because of the richness of the format and the depth of information resources not available through conventional means.

This Code of Conduct specifies guidelines for what is and is not permissible with technology. This agreement specifically addresses the privilege of using the Internet on district network systems.

Internet Use

The Internet is an electronic highway connecting millions of computers and people around the globe. Students and teachers will have access to: electronic mail communication with people all over the world; current news; research and information databases; downloadable software and discussion groups. The District's purpose for using the Internet is to support instruction by providing access to unique resources consistent with educational objectives and the opportunity for collaborative work.

Students agree to:

- Be polite and use appropriate language (no swearing or use of vulgarities).
- Practice proper system use and observe security restrictions.
- Understand electronic mail (E-mail) is NOT guaranteed to be private.
- Respect all electronic communications and information as private property.
- Use technology resources for educational purposes as appropriate to instructional assignments.
- Take good care of the computer (no objects on the computer or food or drink near the computer).

INTERNET USE AGREEMENT (continued):

Students agree not to:

- Reveal his/her personal address or phone number or those of others.
- Use the network in ways that would cause disruption of the use of the network by other users.
- Use the computer to create, use or download materials which would not be permissible in District Five classrooms in any other form, i.e., obscene, profane, or pornographic materials.
- Use the computer, programs or files without permission.
- Delete programs, systems or data files without permission.
- Login to the computer or programs as any other person or allow anyone to login with your account.
- Deliberately tamper with a computer system. Examples: switching cables, disabling fans, introducing a virus, removing or changing keys, putting magnets on the computer, etc.
- Stealing or vandalizing any part of the computer or network.
- Use the computer to tamper with, change or alter records or documents of the District.
- Use public domain software and shareware beyond the provided evaluation period without properly registering and paying for same.

If the parent chooses to accept this use agreement, an acceptance form must be signed and on file.

APPENDIX H

GLOSSARY

AIDING AND/OR ABETTING WITH A RULE VIOLATION: Assisting with or intentionally being in the presence of another student when a violation of policy occurs.

ARSON: To intentionally damage any real or personal property by fire or incendiary device.

ASSAULT OF A STAFF MEMBER: Any deliberate inappropriate physical contact with a staff member. Any adult who has been authorized by the school to supervise students is considered a staff member in case of an assault. In determining whether an assault has occurred, the principal or his/her designee will determine the level of injury to the staff person, as well as the specific facts and circumstances of the incident.

AUTO BREAKING/TAMPERING: Entry into any type of motor vehicle parked on school district property, or a vehicle that is owned, stored, or used by the school district. With the intent to commit a crime. This includes, but is not limited to, vehicles belonging to faculty, students, parents, visitors, school buses. Entering an open or unlocked vehicle without permission with intent to commit a crime constitutes auto breaking/tampering. Forced entry is not required.

BURGLARY: Entry at any time of the day into any school, portable classroom, school district building, or structure on school property without consent with the intent to commit a crime. Forced entry is not required in burglary violations.

CONTROLLED SUBSTANCE: A drug, substance, or immediate pre-cursor as defined in SC Code of Laws, Section 44-53-190 - 44-53-270. Prescription medications are considered controlled substances and any person who knowingly or intentionally possesses dispenses or uses the substance unless the substance was obtained directly from his/her valid prescription, will be considered in violation of the policy.

CRISIS: A situation that may result in the disruption of the safe and orderly operation of the school or school bus.

DRUG PARAPHERNALIA: Any instrument, device, article or contrivance used, designed for use, or intended for use in ingesting, smoking, administering, or preparing marijuana, hashish or cocaine. Examples of paraphernalia include, but are not limited to: smoking screens, marijuana or hashish pipes or bowls, rolling papers, chamber pipes, drug scales and roach clips.

EXTRACURRICULAR ACTIVITIES: Any and all school-sponsored activities, clubs, and organizations that meet for the purpose of representing the school or district in competitions, awards ceremonies, or community appearances. This would also include athletic programs, band, chorus, and social functions, i.e., proms and school dances.

FIGHTING: Mutual combat. This may include pre-meditated attacks or assaults initiated by oral disagreements.

GLOSSARY (continued):

FIREARM: Any device designed, made or adapted to expel a projectile through a barrel by using the energy generated by explosion or burning substance or any device readily convertible to that use.

GRADUATION: The awarding of an academic degree, usually signifying the end or completion of state requirements for a diploma. Participation of any student under suspension or expulsion by a school or the district will be prohibited from graduation exercises, programs, and ceremonies.

HARASSMENT: A pattern of intentional, substantial, and unreasonable verbal, written or physical contact that is initiated, maintained or repeated after being given notice by a teacher/administrator that the conduct is inappropriate.

HAZING: To pursue by requiring unnecessary or disagreeable work; by banter, ridicule, or criticism; or to play abusive and humiliating tricks on someone by way of initiation.

HEALTH CODE VIOLATIONS: For the purpose of this policy, the following are considered health code violations: Deliberate spitting on or at another person or his/her food or beverage. Deliberate urination or defecation in a public or inappropriate location and other such health code violations will be considered as prohibited. (See Level II)

HONOR CODE: The expectation of the student to demonstrate integrity and individual responsibility, personally and academically, to maintain a fair and honest environment.

INDECENT EXPOSURE: To willfully expose one's private body parts to view of others.

INHALANT: An aromatic hydrocarbon or other such substance used for the purpose of intoxication, or inebriation. Examples of inhalants include, but are not limited to, gasoline, magic markers, glue, whiteout or nitrous oxide.

LYNCHING: Any act of violence inflicted by a mob upon the body of another person and from which death does not result.

MOB: A "mob" is defined for the purpose of this article as the assemblage of two or more persons, without color or authority of law, for the purpose and with the intent of committing an act of violence upon the person of another.

PERSONAL PROPERTY: For the purposes of this policy, all property that is not owned by the district/school is considered personal property.

PHYSICAL ASSAULT: Knowingly recklessly having the intent to cause bodily injury to another person. This does not include in the elementary school a temper tantrum by a child or incidental bodily contact. The principal or his/her designee at the elementary school will make a determination as to whether physical assault has occurred.

POSSESSION: Being in a student's locker, purse, gym bag, backpack, or other item carried by or belonging to the student, on the student's person, or in a car driven by or occupied by the student or items found in a car parked on school property or at a school sponsored activity. In

GLOSSARY (continued):

determining whether a student intentionally or knowingly possessed an item, the principal or his/her designee will consider all the facts and circumstances of the particular incident.

PROHIBITED WEAPON: Knife with a blade over two inches long, a blackjack, a dirk (a stabbing knife such as a switchblade), a metal pipe or pole, metal knuckles, razor, razor blade, martial arts throwing star, BB gun, pellet gun, or any other deadly weapon usually used to inflict personal injury. To determine the length of a knife blade, it will be measured from the tip to where the blade and handle (casing) meet. Box cutters and utility knives containing blades are also prohibited on school/district property.

When a weapon is found in a student's possession, it is up to the school principal to determine if the student's possession was knowing or intentional. If the student maintains that he or she did not knowingly have possession, and the explanation is credible to the administrator, the student will not be suspended. If the student's explanation is not deemed credible by the principal, policy requires secondary students to be suspended with a recommendation for expulsion.

Students who realize they have accidentally brought a weapon to school should go immediately to a teacher or administrator and turn the item in. If it is clear the student turned the item in immediately upon discovery, the student may not be suspended. Students who delay turning in such an item, or who turn in an item only after having been discovered, may be suspended with a recommendation for expulsion.

South Carolina Law requires the school to notify local law enforcement officials when a gun, or knife with a blade in excess of two inches, is found in the possession of a student. Law enforcement officials determine if a student is to be charged and taken into custody. (See SC 16-23-430.)

REPLICA GUN: A device which appears to be an operable firearm and is presented as being a real gun, but which lacks the ability to expel a projectile. Replica guns do not include obvious toy guns.

SEARCHES: School administrators have the right to search a student's purse, gym bag, backpack, and any other item carried or possessed by a student, as well as the student's person, pockets, or car upon reasonable suspicion. Metal detectors may be used in accordance with Board policy.

GLOSSARY (continued):

Searches of school property, including lockers and desks, may be conducted in accordance with Board policy. Canine searches are also routinely conducted in accordance with Board policy.

SEXTING: The act of sending sexually explicit messages or photos electronically, primarily between cell phones or internet.

SEXUAL ASSAULT: 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

GLOSSARY (continued):

giving consent. This definition includes forcible rape, forcible sodomy or forcible rape with an object.

SEXUAL HARASSMENT: Unwelcome sexual advances, sexual gestures, requests for sexual favors, and other verbal or physical conduct of a sexual nature where there is a pattern of harassing behavior or a single significant incident. Such conduct interferes with the student's education or creates an intimidating, hostile, offensive school environment. Sexual harassment may include but is not limited to: verbal harassment, including sexually offensive comments or slurs; physical harassment, physical interference with movement or work; or visual harassment such as sexually offensive cartoons, drawings, or posters. Sexual harassment is prohibited against members of the same sex as well as against members of the opposite sex.

TRESPASSING: Being on any district property or school campus at an unreasonable hour when not involved in a school activity, when school is out, or present on the campus of a school not enrolled in without school administration or district level authorization. Unreasonable hours in this context include, but are not limited to, after 11:00 p.m. when the school facility is not in use for an approved activity, at any time on school holidays, during summer break, and weekends or at any time someone is found inside a fenced in area that is posted with no trespassing signs. Students who are on suspended or expelled status will also be considered as trespassers if they do not have prior express school administration or district level authorization to be on school grounds.

UNDER THE INFLUENCE: In determining whether a student is under the influence of alcohol, inhalants or controlled substances, the student's appearance/manner, his/her behavior and/or the presence of an alcohol/ drug odor, or statements made by the student as to consumption may be considered. Because any consumption of alcohol or drugs by a minor is illegal, any consumption, without regard to amount, of alcohol or drugs/controlled substances/inhalants will constitute under the influence for the purpose of this policy. Law enforcement and/or the school nurse will assist building administrators in making the determination of whether a student is under the influence.

VANDALISM: Intentionally or recklessly causing damage to or defacing school or personal property, or such action causing disruption to the educational process and/or school activities.

