



FAIRFIELD
COUNTY SCHOOL DISTRICT

STUDENT CODE OF CONDUCT

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FAIRFIELD COUNTY SCHOOL DISTRICT CODE OF CONDUCT

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Fairfield County School District CODE OF CONDUCT

The district expects students to conduct themselves in such a way that they do not violate the rights and privileges of others. Everyone is entitled to a safe, secure, orderly environment in which to learn and work. The rules and regulations presented are designed toward that end and are in effect while on school property, on a bus, and when participating in or attending school-sponsored or school-related activities, such as field trips, conferences, or athletic events. Additionally, students may be subject to disciplinary action for conduct at any time, or in any place, including away from school or district property, when the conduct has a direct and immediate effect on maintaining order and discipline in the schools. Students, parents, and staff are expected to become familiar with and follow the rules and regulations established by the district and each school. **This Code of Conduct is aligned with the Fairfield County School District Board policy JICDA and JICDA-R (Administrative Rule).**

EXPECTATIONS OF STUDENTS

Good student behavior is important to a child's education. Teachers are able to teach and students are able to learn when there is order in classrooms. Students are expected to follow the rules of their schools:

- Students will use appropriate language.
- Students will exhibit self-control and self-discipline.
- Students will cooperate and respect each other, faculty, staff, and all others.
- Students will dress in an appropriate manner, adhering to current dress code policy.
- Students will not use and/or possess tobacco, alcohol, and non-prescribed drugs.
- Students will not destroy school property or the property of others.
- Students will not possess weapons or replicas.
- Students will not make threats of any kind.

EXPECTATIONS OF PARENTS

The support of parents is necessary for a child to succeed in school. Parents can help in many ways:

- Provide a wholesome environment for your child.
- Support the school's efforts to ensure learning.
- Be sure your child is at school every day.
- Be sure your child arrives at school on time.
- Be sure your child is picked up on time.
- Provide a time and place for homework.
- Talk with teachers on a regular basis.
- Praise and encourage your child.
- Discipline your child, set limits, and enforce rules.
- Serve as a positive role model that adheres to all of the above student expectations.



FAIRFIELD
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EXPECTATIONS OF TEACHERS

Teachers pledge to do their part to ensure that your child succeeds in school.

- Teachers will have high expectations of all students.
- Teachers will reinforce learning.
- Teachers will provide quality instruction.
- Teachers will establish an environment for learning.
- Teachers will encourage all students.
- Teachers will make reasonable assignments.
- Teachers will make meaningful assignments.
- Teachers will communicate with parents.



GENERAL PROCEDURES FOR SUSPENSIONS

A. Commencement of Suspension

In the event suspension is warranted, the principal will have a conference with the student. At this conference, the principal will notify the student of the charges against him/her. If the student denies the charges, the principal will offer the student an explanation of the evidence and an opportunity to present his/her side of the story. The principal will keep a written record of this conference. Suspension becomes effective after the informal suspension hearing (i.e. the administrator's conference with the student) and notification of the parent or at the end of the school day.

B. Notification of Suspension

When a student is suspended, the principal will attempt to contact the parents to request that they pick up the student from school. If the principal cannot reach the parent, the student must stay at school until the end of the school day. It is the responsibility of the parent to update the school regarding telephone numbers and any change in pertinent information.

A letter of suspension is presented to the student and mailed to the parents advising them of (1) the date and specific reasons for the suspension; (2) the appeal procedures; (3) the length of the suspension; and (4) the time and place he/she will be available to meet with them for a conference. The conference should be held not more than two school days after the day of the suspension and, if possible, before the student is to return to school.

During a period of suspension, a student may not participate in any school-related activity nor be present on any school-owned property without prior authorization of the principal.

In any disciplinary incident in which bus safety is a concern, a student may be temporarily removed from the bus pending the result of a full investigation. Investigations will normally be completed within three school days. No student will be suspended from riding a school bus or other school vehicle until direct contact is made with the student's parent/legal guardian.

C. Homework during Suspension

To ensure the continuation of learning, suspended students are expected to complete schoolwork and homework. All suspended students will be given assignments during the period of suspension. The student must complete all assignments within five days after returning to school.

D. Loss of Bus Riding Privilege

During the time of a school bus suspension, parents are responsible for transporting the student. Students are expected to attend school.

APPEAL PROCEDURE

A. Request for Suspension Appeal

If, after a conference with the principal, the parents believe the student's suspension was unjustified, an appeal of the suspension may be made to the principal. To request an appeal, the parents must write a letter to the principal within three (3) calendar days after the principal's conference advising the principal why it is believed the suspension was unfair. There is NO appeal beyond the school level for detentions, in-school suspensions or lesser consequences.

B. Hearing Process

1. The student shall have an opportunity for a hearing which is conducted by the Disciplinary Hearing Officer.
2. The Disciplinary Hearing Officer shall provide written notice to the parent of the time, date, location, and purpose of the hearing by registered or certified mail.
3. The appeal will be conducted as an informal hearing. The principal, parents, and student may be present, and either side may be represented by an attorney at this proceeding.
4. The Disciplinary Hearing Officer will allow the parties to clearly explain their respective points of view and to submit whatever evidence they have available that is relevant to the suspension.
5. The Disciplinary Hearing Officer decision shall be final and rendered in writing to the parents, principal, and the Disciplinary Hearing Officer members within 5 school days.

EXPULSION, EXCLUSION, AND TRANSFER IN LIEU OF EXPULSION

Expulsion is the most severe punishment a school system may use. In certain cases, a student may be permanently expelled. For example, a student who is determined to have brought a firearm to school, as defined in Section §59-63-235 of South Carolina's Code of Laws, shall be expelled for a period of not less than one calendar year (365 days). Expelled students cannot enroll in, or attend any educational programs, or extracurricular activities (i.e. dances, athletic events) operated by the school district.

Exclusion and/or Transfer in lieu of Expulsion are the second most serious forms of punishment used in Fairfield County School District. In these cases, due to misconduct, students are "excluded" from attending their assigned schools; however, they may be offered the opportunity to attend an alternative school or program.

The Disciplinary Hearing Officer and/or the board may transfer a student to another school or the district's alternative program in lieu of expulsion but only after a conference or hearing with the parent/legal guardian where a determination has been made to remove the student from the regular school program. The parent/legal guardian may appeal an assignment made by the Disciplinary Hearing Officer to the board.

Due Process

If a principal investigates a report of student misbehavior as outlined in the student handbook and decides to recommend expulsion or exclusion, the principal will:



1. Suspend the student for not more than 10 days. (The student will be suspended from school, school buses, and school-related activities during the time of expulsion procedures, except for scheduled conferences).
2. Notify parents of the recommendation (expulsion or exclusion).
3. Schedule a hearing with the Disciplinary Hearing Officer.
4. Inform verbally and in writing the student facing expulsion or exclusion that he may not ride a school vehicle or attend classes (or school, if deemed necessary) during the period of time the Disciplinary Hearing Officer is considering the principal's recommendation.

Hearing Process

Upon receipt of the recommendation from the school, the **Disciplinary Hearing Officer** will schedule a hearing to be held within 15 days. A certified letter, return receipt requested, will be mailed to the parents /legal guardians concerning the time and date of the hearing. At the hearing, the parents/legal guardians will have the right to witnesses. In addition, the parents/legal guardians will have the right to access the investigative file in its entirety, including all documents and videos, at least three days prior to the hearing, with appropriate exemptions and redactions as required by the Family Educational Rights and Privacy Act. Prior to the hearing, parents/legal guardians will be provided contact information for a legal aid service provider which may determine eligibility for free legal representation. If a parent/guardian chooses to be represented at the hearing by legal counsel, the Disciplinary Hearing Officer must be notified at least 48 hours in advance of the hearing. Failure by the parent/legal guardian to give such notice will result in the postponement of the hearing.

The Disciplinary Hearing Officer will render a decision within 10 days of the hearings

Conditions for Expulsion

1. A student may not receive course credit for the semester and/or year in which the expulsion occurs.
2. An expelled student is prohibited from attending any school function (day or night), riding a school bus or entering district school/grounds/property, except for an approved, prearranged conference with an administrator. If a student violates this restriction, the action will be considered trespassing.
3. Expelled students may be readmitted to a Fairfield County School after submitting a request to the hearing office at least 30 calendar days before the beginning of the school year or the semester, as the case may be.
2. A student with a disabling condition may be expelled for engaging in conduct that warrants such action for a non-disabled student if the misconduct is not related to the disabling condition. The student, however, shall continue to receive a free and appropriate public education in an alternative setting, as determined by the student's IEP team.

Conditions for Exclusion/Transfers In Lieu of Expulsion

1. Student may receive course credit while enrolled in an alternative school or program.
2. Students who have been assigned alternative placement will be allowed to attend the Fairfield Career and Technology Center.
3. Excluded students may be readmitted to a Fairfield County school after the period of exclusion from his/her original school.
4. A student with a disabling condition may be excluded for engaging in conduct that would warrant such action for a non-disabled student if the misconduct is not related to the disabling condition; as determined by a multidisciplinary manifestation meeting. The student, however, shall continue to receive a free and appropriate public education as determined by the student's IEP team.



STUDENT CONDUCT AWAY FROM SCHOOL GROUNDS

The board expects administrators to take appropriate action when student misconduct away from school grounds or school activities has a detrimental effect on the educational environment, safety, or general welfare of students or staff of the district. Student misconduct includes any action performed in person, in writing, or through electronic communications or the use of social media. The administrator should take into consideration the protection of students and staff from the effects of violence, drugs, and/or disruptions to the educational environment.

Administrators are directed to evaluate each situation on a case-by-case basis. At a minimum, administrators should meet with the student upon his/her arrival at school, give the student notice of the concerns based on the reported out-of-school behavior, and allow the student an opportunity to present his/her side of the story. Based upon all of the circumstances, including a finding that the alleged conduct will have a direct and immediate effect on the school, the administration may either permit the student to attend classes as usual or may take appropriate disciplinary action including, but not limited to, in-school suspension or out-of-school suspension in order to conduct an investigation into the matter. The parents/legal guardians of students will be notified of any action taken by the administration and offered the opportunity for a conference with the administration.

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

At the conclusion of the investigation, the administrator should take appropriate action that may include, but is not limited to, the following:

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

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

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



Reinstatement Procedures

A) Students Returning from the Department of Juvenile Justice

All students returning or entering the district from the Department of Juvenile Justice (or any comparable correctional facility) must report to the Disciplinary Hearing Officer for appropriate placement.

After reviewing the student's records, meeting with the student, and conferring with appropriate staff, the Disciplinary Hearing Officer will make a decision from among the following options

- Allow the student to return to school
- Place the student in an alternative program
- Deny the student's admission into the district.

All students returning from the Department of Juvenile Justice shall be placed on probation for a one year period, the terms of which will be drawn up in a probation contract.

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

BJ Expulsion: Return to School

All students who have been expelled must submit a written request to the Disciplinary Hearing 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 second semester, as the case may be. The request must state, in detail, why the student should be allowed to return to school. **The Disciplinary Hearing Officer** will schedule a conference with the student and parent. **The Disciplinary Hearing Officer** will make a decision from the following options:

- Allow the student to return to school
- Place student in an alternative program
- Deny the student admission into the district

In all cases of permanent expulsion, the student may make a written request to the Board for readmission, which may include a request to appear before the board. If the request is denied by the board, the student may submit another request prior to the following school year.

All students returning from expulsion shall be placed on probation for a one-year period, the terms of which will be drawn up in a probation contract.



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

CJ Transfers In Lieu of Expulsion/Exclusion: Return to Original School

All students who have been transferred to alternative schools or programs in lieu of expulsion or placed on exclusion status will be eligible to return to their appropriate school at the conclusion of the academic year in which the sanction was imposed by the Hearing Officer.

Appeal Process

The decision of the Disciplinary Hearing Officer to expel, exclude, or transfer in lieu of expulsion a student may be appealed to the Board of Trustees if a written notice of appeal is made to the **Superintendent** within 10 days of the parent/legal guardian receiving notification of the Disciplinary Hearing Officer's decision. An appeal will be limited to the established record, and additional testimony or evidence will not be received or considered by the board. The board will notify the parent/legal guardian if it desires for the student and administration to make an appearance before the board concerning the appeal. After the board reviews the appeal, the **Superintendent or designee** will notify the parent(s)/legal guardian(s) by mail with a certified, return receipt letter within 5 days of the board's decision and recommendations.

DISCIPLINE OF STUDENTS WITH DISABILITIES

Student Protected by the Individuals with Disabilities Educational Act (IDEA)

All students are expected to adhere to the Code of Conduct and discipline policies approved by the board. Students who have been identified by the school district as having a disability or handicap (as defined by the applicable federal and state laws) are not exempt from the Code of Conduct or discipline policies; however, all disciplinary action involving these students will be addressed in accordance with state and federal law. See Administrative Rule JICDA-R.

Note: Students protected under the Individuals with Disabilities Education Act (**IDEA**) are referred to as "disabled," and students protected under **Section 504** of the Vocational Rehabilitation Act of 1973 are referred to as "handicapped."

Expulsion of Students Protected by IDEA

A student with a disability or handicap protected under IDEA shall not be expelled unless an IEP or a school based team of professionals, who have knowledge of the student and the handicapping condition, meets to determine that the behavior is not a manifestation of the student's handicap. In such cases, if an expulsion sanction is imposed, the district is obligated to provide an educational program for students with disabilities in an alternative setting, as determined by the student's IEP team. The district is not obligated to provide service in an alternative program for Section 504 students.



Infractions (Definitions)

Arson: By means of fire, cause harm to property or any person or participate in or enable the burning of property of any person.

Assault and Battery: Knowingly and intentionally using force to cause personal injury, including spitting on a person; recklessly causing personal injury; intentionally placing a school employee, school volunteer, or student in reasonable apprehension of immediate personal injury or otherwise physically threatening a school employee, school volunteer, or student. An assault may be committed without actually touching, striking, or injuring the victim.

Bogus Drug: Any substance represented to be a drug or alcohol.

Bomb Threat: Reporting to school, police, or fire officials the presence of a bomb on or near school property without reasonable belief that a bomb is present on school property.

Bullying: Gesture, electronic communication, or a written, verbal, physical, or sexual act that is reasonably perceived to have the effect or 1) harming a student physically or emotionally or damaging a student's property, or placing a student in reasonable fear or personal harm or property damage; or 2) insulting or demeaning a student or group of students causing substantial disruption in, or substantial interference with the orderly operation of school. Bullying may also be referred to as harassment or intimidation.

Burglary: Unauthorized entry into a building that involves a theft.

Drug Paraphernalia: Any instrument, device, article, or contrivance used, designed for use, or intended for use in ingesting, smoking, administering, or preparing marijuana, hashish, crack, or cocaine.

Electronic Device: This includes but is not limited to Cell phones, pagers, Personal Data Assistants (PDA), MP3 Players, CD Players, Bluetooth or other headphones, unauthorized Photographic Equipment, Electric Games, iPads, iPods, e-Readers, or laptops, and any other technology as defined in the District's Acceptable Use of Technology Policy/Administrative Rule.

Expulsion: The temporary (eleven to 180 school days) or permanent revocation of a student's right to attend public schools.

Extortion: Forcing another to act against his will; taking property from a person by force or threat of force.

Fighting: The exchange of mutual physical contact, with or without injury. Without clear and convincing evidence that a participant attempted to avoid the confrontation, all parties will be disciplined.

Gang-Related Behavior/Activity: Participation in any activity that serves to advertise or promote gang activity, including (but not limited to) wearing and displaying jewelry, clothing, signs, or other indications of a gang affiliation.

Manifestation Review: A meeting to determine whether a child's misconduct is a manifestation of his handicap or disability.

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

RTI: Response to Intervention

Section 504: Refers to any individual under this 1973 federal law who has a physical or mental impairment which substantially limits one or more of such person's major life activities, has a record of such impairment, or is regarded as having such impairment. (An example would be a medical diagnosis of Attention Deficit Disorder).

Sexual Extortion: Sexual extortion means intentionally and maliciously threatening to release, exhibit, or distribute a private image of another in order to compel or attempt to compel the victim to do any act or refrain from doing an act against his/her will, with the intent to obtain additional private images or anything else of value.

Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, sexually motivated contact, or other verbal or physical conduct or communication of a sexual nature. May include, but is not limited to: subtle pressure for sexual activity, inappropriate patting or pinching, intentional brushing against another's body. Please note for Title IX purposes, the definition of sexual harassment, as defined under Title IX regulations and the District's Title IX policy, will apply.

Inappropriate sexual conduct - Includes unwelcomed or other consensual sexual contact, indecent exposure, or other sexual activities which do not involve the use of force (on school property), including the transmission of sexually suggestive images via information technology devices.

Sex Violations - Sex crimes which include the use of force such as criminal sexual assault, aggravated criminal sexual assault, criminal sexual abuse, and aggravated criminal sexual abuse.

Trespassing: Entering any school facility or onto school property/bus without proper authority, including any school entry during a period of suspension or expulsion.

Vandalism: Intentionally or recklessly causing damage to or defacing school property or property of others, or such action causing disruption to the educational process and/or school activities. Minor (\$500.00 damages or below) Major (\$501.00 of damages or more)

Weapons: Any device intended to cause injury or bodily harm; any device used in a threatening manner that could cause bodily harm or injury, or any device that is primarily used for self-protection because of its potential to cause bodily harm or injury. Weapons include, but are not limited to, any type of knife, any type of firearm, any type of replica or look-alike firearm, BB guns, chains, razors, clubs, mace or other chemicals or gas, any kind or similar instruments with a sharp cutting edge, ice picks, and other pointed instruments, Nunchucks, Chinese stars. • Pepper spray, any tool or instrument when used in a threatening manner, including, but not limited to, scissors, compass, or similar items.

Zero Tolerance: Behaviors that constitute safety violations and/or criminal conduct and are punishable by a referral to the Hearing Office with a recommendation for expulsion.



Fairfield County School District

Code of Conduct Parent and Student Acknowledgment

Dear Parent(s)/Legal Guardian(s):

*The school requests your help and cooperation. Please read and discuss the rules and regulations set in the **Code of Conduct** with your child. When you have done so, you are required to sign and return this form to your child's school. Your signature and your child's signature indicate that you have received and read the **Code of Conduct**. It also indicates that you understand and consent to the responsibilities outlined in it. This signature page will be kept on file at your child's school.*

(Please Print)

Name of Student: _____ Grade: _____

School: _____

Signature of Parent/Guardian: _____ Date: _____

Signature of Student: _____ Date: _____

Please return this form to your child's school within five days of receiving it.