

## Sumter School District Code of Conduct

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It is the opinion of the board that acceptable student behavior, including the following criteria, is to be expected from all students.

- respect to peers, faculty and staff exhibited through actions and speech
- pride in personal and school property exhibited by taking care of the physical building and respecting the property rights of others
- desire and effort toward educational achievement are to be priorities as exhibited by following teacher/staff direction; reporting to class promptly and consistently; and being prepared to work without interfering with instruction
- obedience to all laws, discipline code, rules and community norms

The board believes that all students should receive fair and consistent discipline when school rules are violated. Therefore, this definitive code on student discipline was developed with the assistance of parents/legal guardians, students and administrators from Sumter School District.

This code will be in effect at bus stops, en route to and from school or school activities, on school buses or in any other school vehicles, on school grounds, at school and at all school-sponsored activities, both on and off campus, and at any time or at any place where the conduct has a direct and immediate effect on maintaining order and discipline in the district schools, buildings, or grounds. Copies of this code, or a summary thereof, will be transmitted at the beginning of the school year to the parents/legal guardians of each student attending schools in the district. School staffs, students and bus drivers will be trained in this discipline system each year. Students in grades Pre-K through 12 will participate in code of conduct instructional sessions. Teachers and students will document that instruction has occurred. After instruction has been completed, principals will sign and submit an attestation form to the discipline office.

Each school will provide intervention strategies that address or redirect maladaptive behaviors.

### Student conduct away from school grounds or school activities

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

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

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

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

- returning the student to his/her normal class schedule and removing all evidence of suspension
- placing the student on probation and allowing the student to resume his/her normal class schedule
- placing the student on probation, allowing the student to continue class work, but restricting the student's participation in extracurricular activities and/or designated school activities, e.g., clubs, study halls, pep rallies, student government, etc.
- suspending the student
- recommending expulsion of the student from regular school and placement in the District's alternative program
- recommending expulsion but allowing access to virtual school programs through the District's alternative school; these students are only allowed on campus for exams that require a proctor in a virtual school accessed through the District's alternative program, and students not able to successfully enroll will be expelled for the remainder of the school year
- recommending expulsion of the student for the remainder of the 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, safety or general welfare of other students, faculty, staff and/or administrators.

**Note Regarding Special Education Students:** Administrators must ensure that all procedural safeguards afforded to special education students are also implemented in such circumstances

## Level of Offenses

Listed below are the four discipline categories for offenses with Category I as the least serious offenses and Category IV as the most serious offenses. Each category also has a listing of corresponding administrative actions.

### Discipline - Category I offenses

- bus violation (refer to the transportation policy)
- detention violation
- excessive noise
- inappropriate affection
- inappropriate language
- inappropriate materials
- littering
- violation of class rule
- other offenses (minor)

#### *Category I actions*

Violations in this category may result in, but not exceed, the following administrative actions:

#### *Grades Pre-K through five*

- 1st - 3rd offense – parent/legal guardian notification/conference
- 4th offense – school counselor referral
- 5th - 10th offense – one to three class days out-of-school suspension

### Discipline – Category II offenses

- aiding others
- cheating
- confrontation/altercation
- cutting activity
- cutting class
- cutting school
- dishonesty
- disrupting class
- dress code violation
- driving violation
- failure to comply with disciplinary action
- gambling
- horseplay
- ID violation
- inappropriate affection
- larceny/theft
- leaving class
- loitering
- obscene gesture
- off limits (in a restricted area)
- profanity
- refusal to obey/defiant
- running
- tardy
- throwing objects
- tobacco
- unauthorized (use of an electronic) device
- vandalism
- other offenses (minor)

#### *Category II actions*

Violations in this category may result in, but not exceed, the following administrative actions:

#### *Grades Pre-K through five*

- 1st offense – warning conference or administrative detention
- 2nd offense – administrative detention and school counselor referral
- 3rd offense – administrative detention and parent/legal guardian conference
- 4th offense – one to three class days out-of-school suspension
- 5th offense – three to five class days out-of-school suspension
- 6th offense – five to seven class days out-of-school suspension
- 7th offense – recommendation for expulsion

### Discipline – Category III offenses

- bite/pinch/spit
- bullying\*
- computer violation
- contraband
- cyberbullying\*
- fighting\*
- fireworks
- forgery
- gang activity\*
- harassment\*
- hit/kick/push
- inappropriate physical contact
- intimidation\*
- larceny/theft
- leaving school
- loitering
- major disruption
- obscene gesture
- profanity
- property misuse
- refusal to obey/defiant
- simple assault\*
- issue threats
- trespassing
- vandalism
- other minor infractions

### *Category III actions*

Violations in this category may result in, but not exceed, the following administrative actions:

#### *Grades Pre-K through 12*

- 1st offense – one to five class days out-of-school suspension and school counselor referral
- 2nd offense – three to five class days out-of-school suspension and parent/legal guardian conference
- 3rd offense – five to seven class days out-of-school suspension
- 4th offense – recommendation for expulsion

The following aggressive offenses: \*bullying, cyberbullying, fighting, gang activity, harassment, intimidation, and simple assault and any combination of these seven offenses **may** result in a recommendation for expulsion with the second offense.

### **Discipline - Category IV offenses (most serious offenses)**

- aggravated assault
- alcohol/liquor law violation
- arson
- bomb threat
- bribery
- burglary
- computer violation
- contraband
- contract violation
- disturbing school
- drug distribution
- drug possession
- drug usage
- embezzlement
- extortion
- fire alarm
- fireworks
- forced sexual offense
- fraud
- gang activity
- harassment
- homicide
- indecent exposure
- intimidation
- kidnap/abduction
- non-forcible sexual offense
- pornography
- prostitution
- robbery
- sexual harassment
- sex violation
- simple assault
- issue threats
- vehicle theft
- weapons (refer to Policy JICI)
- other offenses (serious)

### *Category IV actions*

Offenses in this category require a suspension and an administrative hearing that may result in expulsion from school. Decisions will be based upon the maturity level and age of the student.

#### *Grades Pre-K through 12*

- referral to the hearing officer
- suspension until the hearing before the hearing officer which shall take place within 15 days of the written notification at a time and place designated by the hearing board

See administration actions addendum

Students with identified disabilities - notify school psychologist; see discipline for students with identified disabilities addendum

### **Administrative actions – Categories I-IV**

The Board of Education and its administration will treat all students with fairness during the resolution of disciplinary matters. Administrative actions may vary based upon the seriousness of behavior and developmental age of the student. The board directs the administration to adhere to due process requirements when making decisions directly affecting students' protected rights under federal and state law in accordance with Policy JIA (Students Due Process Rights). Actions may range from in-school suspension to permanent expulsion.

Administrator must do the following.

- give rudimentary hearing
  - oral notice of charges to student
  - explanation of evidence against student
  - student given opportunity to tell his/her version
- require notification to parent/legal guardian
- require payment for damages, if applicable
- make referral to school counselor or counseling program (required for Category I, Category II, and Category III offenses)

- consider a possible referral to outside agency, as required
- consider a possible referral to law enforcement agency
- require the student to make up class work missed while on suspension in accordance with the district's make-up policy
- require conference with parent/legal guardian when student's behavior results in suspension
- inform the parent/legal guardian that the hearing officer will conduct hearings in accordance with state law and in compliance with board policies (JKE and JKE-R), as required
- investigate alcohol or drug related offenses; see procedures for investigation (JICH and JICH-R); guidelines for drug/alcohol related offenses as provided by the school intervention program

*NOTE: Grades Pre-K through five, parent/legal guardian conference may be used at the discretion of the principal or at schools without an in-school suspension program for Categories I – III.*

### **Extenuating, mitigating or aggravating circumstances**

The board confers upon the superintendent or designee the authority to consider extenuating, mitigating or aggravating circumstances that may exist in a particular case of misconduct. Such circumstances should be considered in determining the most appropriate action.

The board realizes extenuating circumstances occur in which a student may bring an unauthorized item to school. Upon realizing the item is in his/her possession, he/she must notify immediately a teacher, staff member, administrator, or school resource officer. However, if the student chooses not to submit the unauthorized item to school officials, and he/she is found in possession of the item, the student must follow the disciplinary process outlined in this administrative rule.

### **Transportation**

The preceding student discipline code applies to student behavior en route from the bus stop to and from school and back to the bus stop on a school bus or other school vehicle.

In addition to discipline procedures outlined in this code, principals may add or substitute the following sanctions.

- three class days suspension from buses
- five class days suspension from buses
- seven class days suspension from buses
- 10 class days suspension from buses
- recommendation for permanent bus suspension\*

Parent/Legal guardian notification is required for a bus suspension.

#### *Actions based on the number of offenses*

##### *Grades Pre-K through five*

- 1st offense – warning
- 2nd offense – parent/legal guardian conference
- 3rd offense – one class day bus suspension
- 4th offense – three class days bus suspension
- 5th offense – five class days bus suspension
- 6th offense – 10 class days bus suspension
- 7th offense – recommendation for permanent bus suspension\*

*\*At the end of the first semester, principals may recommend probation if the student has been suspended from the bus for more than 45 days. If a student on probation receives one referral, the student will receive permanent suspension from the bus for the remainder of the school year.*

### **Discipline for students with an identified disability**

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