



2008-2009

GRADES K-6

PUPIL DISCIPLINE CODE

Revision XXI – March 2008

**INTRODUCTION:
THE PUPIL DISCIPLINE CODE AND YOU**

It is our goal in Florence School District One to promote and develop good academic achievement and school citizenship.

Most students are excellent examples of good citizens. They are rarely absent or tardy, recognize the importance of learning, enjoy the challenges of increased responsibility, form healthy relationships with staff and other students, participate in school activities of their choice, and in general, meet the demands of growing up and getting an education in a most satisfactory manner.

However, a few students seem unable or unwilling to accept responsibility for their own behavior. Some seem determined to avoid any serious effort to gain an education or to respect common rules of behavior. Worse still, they sometimes make it difficult for serious students to go about the important business of learning.

This Discipline Code identifies unacceptable pupil behavior in our elementary schools. Pupils who commit the offenses listed in this Code will be disciplined as indicated.

We feel discipline is a preventive and integral part of the elementary program. The offenses and corrective actions/penalties listed may not be appropriate to every child. Therefore, the Code is written to allow the administrator some flexibility to judge the seriousness of the offense and the appropriate corrective action or penalty. The major purpose of the Elementary Pupil Discipline Code is to teach, counsel, and correct any pupil discipline problem while providing a consistent, fair policy for all.

Each child has been provided a copy of this Code. Each parent/guardian should review the Code with his/her child(ren) and stress the importance of acceptable behavior. A personal copy of this Code will be provided to any resident upon request.

AUTHORITY OF THE BOARD OF TRUSTEES

The Board of Trustees may authorize or order the expulsion, suspension, or transfer of any student for gross immorality, gross misbehavior, persistent disobedience or for violation of written rules and regulations established by the Board of Trustees or State Board of Education. The Board may also authorize or order the expulsion,

suspension, or transfer of any student when the presence of the student is detrimental to the best interest of the school.

59-63-210 Code of Laws of South Carolina 1976

NOTE TO PARENTS/GUARDIANS AND STUDENTS

It is very difficult to write a Code that is consistent and fair to all students, especially in an area such as the elementary school, which deals with such a large age range among students. Therefore, options have been provided for the principal. This Discipline Code is not exhaustive, and the administration may take other appropriate disciplinary action when necessary.

PARENT/GUARDIAN RESPONSIBILITY

Although a Discipline Code is established by a local Board of Trustees, the school system is not responsible for teaching discipline standards to students. It is the responsibility of parents/guardians to ensure that their children exhibit acceptable behavior.

DECISION PROCESS

Decisions on discipline infractions are made by the administrators of the building based on discipline precedents. If an unusual situation occurs, the principal will contact the appropriate district level administrator prior to finalizing the decision.

If a student referred to the office is suspended out-of-school, in-school or overnight, the parent will be notified, and the parent will be required to attend a parent/student/administrator conference prior to the child being readmitted to school.

EXPLANATION OF IMPORTANT TERMS

STUDENT CONFERENCE WITH THE ADMINISTRATOR:

A referral of a student to the office for disciplinary action may include a warning, detention, work detail, referral to other support personnel, or other appropriate action. Options available to the principal include, but are not limited to:

1. principal counseling
2. referral to the school counselor
3. referral to the school psychologist
4. referral to an appropriate State agency
5. overnight suspension
6. suspension 1-5 days

OVERNIGHT SUSPENSION:

The school administrator will assign suspension effective at the end of

the school day on which the violation occurred. The school will make every effort to reach and inform the parent/guardian of the suspension. A discipline notice will be sent home with the child. Reinstatement will occur immediately following a conference between a parent or guardian and the school administrator. If the conference is held prior to the beginning of the next school day, the student will suffer no loss of class/activity privilege.

SUSPENSION: Suspension from school for a specified number of days means the student may not attend classes or any other school functions, ride a school bus, or enter school grounds except for a prearranged conference with a school administrator.

ADMINISTRATIVE HEARING:

A student who commits a violation leading to an administrative hearing will be suspended out-of-school pending such a hearing. The hearing will take place at a time and place set by the District's hearing officer after the parent/guardian has contacted the District Office for the hearing. Students with multiple violations in more than one category may be recommended for an administrative hearing by the principal or designee. Following this hearing the student may be recommended for expulsion from Florence District One Schools or some lesser action.

ADMINISTRATIVE HEARING OFFICER:

The Superintendent may appoint one or more persons to serve as administrative hearing officers. In that role, they serve as the designee of the Superintendent and the official representative of the District. The decision of a hearing officer is final unless appealed to the Superintendent in writing within five (5) working days of the decision of the hearing officer.

EXPULSION:

The Board of Trustees may authorize or order the expulsion of any student for a commission of any crime, gross immorality, gross misbehavior, or persistent disobedience, or for violation of written rules and regulations established by the Board of Trustees or State Board of Education. Expulsion means the loss of privilege to attend classes or other school functions for the remainder of the school year. Every expelled student has the right to petition for readmission for the succeeding school year, unless permanently expelled as an incorrigible student.

SUSPENSION PENDING ADMINISTRATIVE HEARING:

When an administrative hearing is necessary, the student is suspended for three (3), but no more than five (5) days. Students requiring a third (3rd) administrative hearing in a school year may be recommended to

the Superintendent for expulsion.

LAW ENFORCEMENT:

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.

CRIMINAL CONDUCT:

A student charged with criminal conduct and/or returning from an incarceration in the penal system may be denied readmission to school. The student may appeal the non-admittance to the Board of Trustees.

OFFENSE:

A violation of school rules occurring on any school property, while riding a school bus, or while attending any day or night function or activity under the sponsorship or jurisdiction of the school. Misbehavior related to S.C. High School League sanctioned events and other school extracurricular activity, whether on or off campus, is subject to the Pupil Discipline Code.

CONSULTATION WITH THE SCHOOL PSYCHOLOGIST:

This will involve a school psychologist reviewing a student's permanent records, disciplinary file, and discussing the case with appropriate teachers and staff. If necessary, the psychologist could interview the student. If the interview indicates that a complete psychological evaluation is necessary, parental permission would be obtained.

MAKE-UP WORK:

All work missed due to an absence must be made up within five (5) school days as scheduled by the teacher(s). If a student has more than one graded assignment to make up, the student and teacher(s) will agree on a schedule. Failure to make up the assignment will result in a zero for the work.

DISABLED STUDENTS

Disabled students are not exempt from the disciplinary process nor are they entitled to remain in a particular educational program when their conduct substantially impairs the education of other children in the program. The student's disabling condition will be taken into consideration when deciding whether or not a particular form of

discipline is to be utilized.

**PROCEDURES FOR
SUSPENSION/EXPULSION OF DISABLED STUDENTS**

1. If a disabled student commits an offense(s), which may lead to suspension, the administrator will first consider the student's disabling condition and what alternative punishment, if any, is desired.
2. If suspension without an administrative hearing is justified, the administrator will follow standard District suspension procedures, including written notices to parent/guardian, and a referral will be made for a Functional Behavior Assessment/Behavioral Intervention Plan when appropriate.
3. If a disabled student is suspended for an administrative hearing, the building administrator must notify district office personnel to ensure that a mutually convenient date and time is scheduled with the parent/guardian, school officials, and the hearing officer. In no case may the student be suspended for more than ten (10) days. Indefinite suspensions are not permitted under South Carolina law. Parents/guardians have the responsibility to attend the hearing.
4. If a disabled student is suspended for an administrative hearing and expulsion is recommended by the school officials, the building administrator must immediately notify district office personnel who will arrange for both a manifestation meeting and administrative hearing.

The multi-disciplinary team will review the list of offenses committed, determine whether or not the student committed the offenses, and if the offenses are related to the disabling condition of the student. If the committee feels the expellable offense(s) was related to the student's disability, expulsion will not be used. However, the committee may recommend a more or less restrictive placement.

5. Parent(s)/guardian(s) will be informed of their due process rights, as appropriate.

ALL CATEGORIES CORRECTIVE ACTION OPTION: The principal or designee may require that the parent(s)/guardian(s) attend school with their child(ren) one-half day/whole day as part of corrective action/penalty. If the parent(s)/guardian(s) does not accept attendance, the student will be suspended (the length of time determined by principal/designee). If accepted, principal or designee will secure written agreement from the parent(s)/guardian(s) at conference for agreed upon date of attendance.

CATEGORY I OFFENSES

OFFENSES IN THIS CATEGORY MAY REQUIRE SUSPENSION AND/OR AN ADMINISTRATIVE HEARING THAT MAY RESULT IN EXPULSION FROM SCHOOL. AGAIN NOTING THE MATURITY LEVEL AND AGE OF THE STUDENT, AN ADMINISTRATIVE HEARING WILL BE REQUIRED WHEN, IN THE JUDGMENT OF THE PRINCIPAL/DESIGNEE, THE STUDENT IS BELIEVED TO BE A DEFINITE THREAT TO OTHER STUDENTS, STAFF MEMBERS OR HIMSELF/HERSELF. THE PRINCIPAL WILL DETERMINE THE CORRECTIVE ACTION/PENALTY BASED ON THE SEVERITY OF THE VIOLATION. ANY OR ALL OF THE PUNISHMENTS LISTED MAY BE USED.

OFFENSES 1-14

- OFFENSE- 1:** Possession, use, and/or transfer in school of a pistol, blackjack, knife, or any other weapon able to cause bodily harm.
- OFFENSE- 2:** Threatening, intimidating, or an act of physical abuse by a student to a staff member. Staff includes teachers, custodians, assistants, all adults, and bus drivers.
- OFFENSE- 3:** Act of initiating a fire or igniting fireworks (any pyrotechnic device).
- OFFENSE- 4:** Setting a false alarm and/or making a bomb threat.
- OFFENSE- 5:** Blackmailing or extortion.

- OFFENSE- 6:** Sale, attempted sale, or distribution of alcohol, drugs, or other purported substances.
- OFFENSE- 7:** Possession or use of alcohol, drugs, or other purported substances.
- OFFENSE- 8:** Use of obscene or profane language, printed material or gestures (by a student to a staff member).
- OFFENSE- 9:** Gang-like activities (Two or more students attack, threaten, or intimidate another student).
- OFFENSE-10:** Access to inappropriate Internet sites; violation of acceptable use policy.
- OFFENSE-11:** Changing basic school computer set up (e.g., password, security, setting, etc.). Entering chat room, using e-mail without permission.
- OFFENSE-12:** Invasion of privacy including inappropriate sexual behavior, molestation, area off limits to that sex, and violation of other's property and person.
- OFFENSE-13:** Disrespect – major.
- OFFENSE-14:** Possession, use and/or transfer of substance or object replicating drugs, pistol, black jack, knife, or any other weapon to cause bodily harm.

CATEGORY I OFFENSES 1-14 CORRECTIVE ACTION/PENALTY
CONSEQUENCES

FIRST TIME

Notification of parents or legal guardian (required)

Confiscation of weapon, substance, object or drug (required)

Student conference with administrator (required)

Counseling (required)

Referral to the school psychologist

Referral to an appropriate State Agency

Overnight suspension with parent/guardian conference required for reinstatement. The principal may suspend out-of-school pending administrative hearing.

SECOND TIME

Notification of parents or legal guardian (required)
Confiscation of weapon, substance, object or drug (required)
Suspension pending an administrative hearing (required)

OFFENSE-15: Possession of “paging device” (a telecommunications device that emits an audible signal, vibrates, or otherwise summons or delivers a communication to the possessor, whether active or inactive-including cell phones). *Cell phones and other paging devices are not allowed at school.*

- Cellular telephones and paging devices *are not* allowed in the school building during the regular, academic school day.

Students using devices to send text messages, pictures, or use in a way that violates others or disturbs school will be charged with the appropriate offense within the code; i.e., cheating, invasion of privacy, disturbing, etc. The school principal or his/her designee reserves the right to limit and/or confiscate these devices if the use of the device is causing a disruption to the school. The device is to be returned to the parent at the conference.

OFFENSE 15 CONSEQUENCES:

FIRST TIME: Warning

SECOND TIME: Overnight suspension

THIRD TIME: One (1) day OSS (Out-of-School Suspension)

CATEGORY II OFFENSES:

OFFENSES THAT MAY REQUIRE SUSPENSION AND MAY LEAD TO AN ADMINISTRATIVE HEARING.

A STUDENT WHO ACCUMULATES FOUR (4) OFFENSES IN AREAS 16 THROUGH 26 MAY BE RECOMMENDED FOR AN ADMINISTRATIVE HEARING UPON THE FOURTH (4TH) OFFENSE IF IN THE JUDGMENT OF THE PRINCIPAL, THE STUDENT IS BELIEVED TO BE A THREAT TO OTHER STUDENTS, STAFF, OR HIMSELF/HERSELF.

OFFENSES 16-26

- OFFENSE-16 (A):** Physical Abuse: Students
A. Provoked (both students involved in a fight as willing participants with intent to do bodily harm)
- OFFENSE-16 (B):** Physical Abuse: Students
B. Aggression (student(s) attacks another student)
- OFFENSE-17:** Threatening, intimidating, harassment, bullying, taunting, verbal or written abuse of another student, inciting a fight or disturbance (but not participating), cyber-bullying (an electronic communication).
- OFFENSE-18 (A):** Unacceptable behavior towards a staff member
A. Refusal to leave a room or report to the office when ordered by a teacher/ administrative personnel
- OFFENSE-18 (B):** Unacceptable behavior towards a staff member
B. Discourteous behavior or language by a student to a staff member
- OFFENSE-19:** Vandalism, defacing or destruction of materials, property
- OFFENSE-20:** Stealing
- OFFENSE-21:** Trespassing
- OFFENSE-22:** Smoking/possession of tobacco products
- OFFENSE-23:** Leaving school grounds without permission

- OFFENSE-24:** Possession of fireworks (any pyrotechnic device)
- OFFENSE-25:** Invasion of privacy
A. Violation of rights of others
- OFFENSE-26:** Disrespect – minor.

**CATEGORY II CORRECTIVE
ACTION/PENALTY**

FIRST TIME

Student conference with the school administrator (required)
Notification of parents or guardians (required)
Overnight suspension with parent/guardian conference required for reinstatement
Replacement of property (when appropriate)
Notification of law enforcement (when appropriate)

SECOND TIME

Student conference with school administrator (required)
Notification of parents or guardians (required)
Overnight suspension with parent/guardian conference required for reinstatement
Counseling (required)
Replacement of property (when appropriate)
Suspension out-of-school (1 to 3 days)

THIRD TIME

Student conference with school administrator (required)
Notification of parents or guardians (required)
Overnight suspension with parent/guardian conference required for reinstatement
Replacement of property (when appropriate)
Notification of law enforcement (when appropriate)
Suspension out-of-school (1 to 5 days) (required)
Counseling (required)

FOURTH TIME

Suspension pending an administrative hearing

CATEGORY III

OFFENSES IN THIS CATEGORY MAY REQUIRE SUSPENSION AND/OR REFERRAL TO APPROPRIATE COUNSELING PROGRAMS.

IF THE STUDENT'S BEHAVIOR, IN THE JUDGMENT OF THE PRINCIPAL, BECOMES A DETRIMENT TO THE LEARNING PROCESS AND/OR OPERATION OF SCHOOL ACTIVITIES, THE STUDENT MAY BE REFERRED FOR AN ADMINISTRATIVE HEARING.

OFFENSES 27-35

OFFENSE-27: Displaying/possessing gang materials/signs/symbols

OFFENSE-28: Forging or falsifying information; falsely accusing another person of committing an act of harassment, intimidation, or bullying.

OFFENSE-29: Cheating

OFFENSE-30: Disturbing/interfering with any school function, activity, class, bus drill, etc.

OFFENSE-31: Students in unauthorized areas (any area closed to student use by prior notice--oral, written, or posted; given permission to go to a location and does not report; not attending class)

OFFENSE-32: Use of obscene or profane language, gestures, printed materials, pictures, etc. (student to student in the presence of a staff member)

OFFENSE-33: Gambling

OFFENSE-34: Distribution of unauthorized materials on school property

OFFENSE-35: Unauthorized sale or attempted sale or solicitation

CATEGORY III CORRECTIVE ACTION/PENALTY

The principal has the authority to administer any one or a combination of penalties.

- Student conference with the school administrator.
- Referral to counselor. **(Required after second offense)**
- Conference with parent or guardian.
- Overnight suspension.
- Suspension out-of-school up to five (5) days.

CATEGORY IV

OFFENSE-36 Tardiness.

TARDINESS

According to the Education Improvement Act of 1984, it is unlawful to interrupt classes in session. Students who arrive on time have a better chance of success. Tardiness causes loss of valuable learning time. Late students miss directions for activities and often disrupt instruction of other students.

Acceptable Excuses for Tardiness:

1. A signed note from medical, court, law enforcement, or other authority indicating the reason for the pupil's tardiness.
2. Accidents that can be documented by the principal, including any police report or witness, if available.
3. Malfunctioning automobiles directly causing the tardiness with documentation to principal's satisfaction; any frequent use of this excuse for tardiness might result in the student being advised to secure more dependable transportation.

Unacceptable Excuses for Tardiness:

1. Oversleeping.
2. Missing the school bus (unless the school bus departed from its regular schedule).
3. Arriving late due to dependence on another person (parent, student, or anyone else).
4. Walking to school.
5. Being held up in traffic.
6. Trouble with a vehicle that could have been anticipated and controlled (example: insufficient gas).

CATEGORY IV CORRECTIVE ACTION/PENALTY

FIRST TIME

Warning

SECOND TIME

Warning

THIRD TIME

Warning/letter to parent/guardian

FOURTH TIME

Warning

FIFTH TIME

Overnight suspension

Notify attendance supervisor

SIXTH TIME

One (1) day out-of-school suspension

The parent may attend school with the child in lieu of out-of-school suspension. This may be one-half or one day as determined by the principal. (Principal option.)

BUS DISCIPLINE CODE

The code is an extension of the District Pupil Discipline Code, K-12. Pupils who commit offenses will be disciplined according to the Pupil Discipline Code. The safety of all students transported on the District school buses is of the utmost importance. Misbehavior by students will not be tolerated. A student may be denied the use of the school bus for misbehavior. Specified bus offenses will be dealt with as follows:

CATEGORY I-B OFFENSES:

1. Behavior that distracts the driver and impairs the safe operation of the bus such as loud noise, refusal to be seated, etc.
2. Pushing, shoving, tripping, etc., while boarding, riding, or departing the bus.
3. Extending arms and/or head out of bus window at any time.
4. Throwing objects inside or out of the bus.
5. Operating/tampering with the bus door or emergency door.

6. Use of emergency door except in case of an emergency or bus evacuation drill.
7. Refusing to allow another student to sit in a seat.

CONSEQUENCES:

- FIRST TIME:** Parent/guardian conference required before riding bus
- SECOND TIME:** Two (2) day bus suspension; parent/guardian conference required
- THIRD TIME:** Five (5) day bus suspension; parent/guardian conference required
- FOURTH TIME:** Ten (10) day bus suspension; parent/guardian conference required
- FIFTH TIME:** Suspended from bus remainder of the school year

IF A STUDENT RECEIVES A REFERRAL FOR OTHER MISBEHAVIOR LISTED IN THE PUPIL DISCIPLINE CODE, THE STUDENT WILL ALSO RECEIVE THE APPROPRIATE BUS SUSPENSION.

FOR EXAMPLE: FIGHTING - 2 DAY OSS WHEN STUDENT RETURNS. IF THIS WAS SECOND BUS REFERRAL, THE 2-DAY SUSPENSION WILL ALSO APPLY.

PROCEDURES FOR ADMINISTRATIVE HEARINGS AND BOARD HEARINGS

An administrative hearing will be conducted by the District administration as specified in the Florence District One Pupil Discipline Code.

1. A student who commits a violation leading to an administrative hearing will be suspended pending such a hearing. The hearing will be held at a time and place set up with the hearing officer and will be confirmed in writing.
2. On his own authority, the hearing officer will hear the views of all parties and review any documents presented. After hearing the testimony, the hearing officer will make a decision as to suspension or any other action deemed necessary. If the hearing officer requests more information, the decision may be delayed until the information is received. If suspension or other action is ordered, it will be instituted immediately. The judgment of the hearing officer is final unless appealed to the

Superintendent in writing within five (5) days. The Superintendent may review/modify any decision of a hearing officer if he so wishes.

If expulsion is recommended, the hearing officer will inform the Superintendent who will make the final decision.

3. If the decision of the hearing officer is appealed, the Superintendent may elect to rehear the case or review the case. The Superintendent will render a decision as soon as possible.

If expulsion is recommended, the Superintendent will conduct a thorough review of the case and render a judgment as soon as possible. The judgment of the Superintendent is final unless appealed to the Board of Trustees in writing within ten (10) working days.

4. If the decision of the Superintendent is appealed to the Board of Trustees, a hearing shall take place within fifteen (15) days of the request at a time and place designated by the Board. At the Board hearing, the parents or guardians have the right to legal counsel, at their own expense, and to all other regular legal rights including the right to question all witnesses. The Board shall render a decision within ten (10) days of the conclusion of the hearing. That decision is final unless appealed to the proper court within ten (10) days.
5. The student may be suspended from school and all school activities during the time of the suspension/expulsion procedures. The Board may authorize a permanent expulsion of any incorrigible student.
6. In those cases where a student is acquitted at any level, any days lost due to suspension will not be counted against the student.

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