

# Abbeville County School District

## STUDENTS' RIGHTS & RESPONSIBILITIES HANDBOOK 2021 - 2022

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*"The mission of the Abbeville County School District is to develop proficient, creative, self-motivated students by providing quality educational opportunities in a safe, nurturing environment which supports innovation and lifelong learning."*

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## **STUDENTS' RIGHTS AND RESPONSIBILITIES**

Statements of rights and responsibilities appearing here are designed to protect all members of the school community so that they may exercise their rights and carry out their responsibilities.

This code and any additional rules governing student discipline will be distributed to students and their parent(s) or guardian(s) at the beginning of each school year and will be posted in conspicuous places within each school throughout the school year.

The Board of Education recognizes its responsibility to provide each student an equal opportunity to receive an education and to provide an atmosphere in its schools which is conducive to learning and which protects student freedoms guaranteed by the Constitution of the United States. In order to meet these responsibilities, the Board of Education adopts this statement of policy concerning students' rights and responsibilities.

Students, like citizens in any other community, must obey the laws that guide the conduct of the community. It is the function of such laws to assure that individual rights, privileges and freedoms are not violated by the misconduct or disruptive acts of individuals or groups. While every person at the school - students, teachers, aides, principals, etcetera. - is responsible to know the rules and to respect the rights of others, teachers and administrators are delegated the authority and responsibility to enforce the rules and to ensure that the desired goals of equal education opportunity and maintenance of an environment conducive to learning are achieved. However, these goals cannot be achieved without students' cooperation and respect. The respect of students is gained by recognizing and protecting their rights and freedoms.

The statements on student conduct and freedoms that follow have been adopted to achieve the established goals of this Board of Education. It is important that everyone associated with the school district understands the rules of student conduct, respects these students' rights, and utilizes these due process procedures for student discipline to the end that the quality of education in the school district will be greatly enhanced.

### **ARTICLE I - FIRST AMENDMENT RIGHTS**

#### **I-1. FREEDOM OF ASSEMBLY**

**Right:** Students have the right to assemble as long as they are peaceful and do not upset the school process. Schools have the right to set limitations on the time, place and manner of assembly.

**Responsibility:**

- A. All meetings will be scheduled with the knowledge of the principal.
- B. Normal class activities will not be disrupted by meetings.
- C. Meetings will not interfere with the health and safety of other persons or their property.
- D. The availability of loudspeakers, telephones, duplicating machines and bulletin boards will be determined by the principal; if they are made available to one school sponsored group, they will be available to other school-sponsored groups.

## **L-2. FREEDOM OF PRESS**

**Right:** Students may use school-sponsored publications to express student views as long as editors follow the normal rules for responsible journalism.

**Responsibility:** The right of students to express their thoughts and opinions in school-sponsored publications is generally protected by the Constitution. There are certain limitations on this right, however, which students are responsible to learn in the process of their education. In order to prevent the disruption of classroom instruction, the principal may restrict the distribution of any publication at school-related activities to reasonable times and places. In addition, principals may prohibit the distribution at school-related activities of a publication if they consider the publication:

- A. to be obscene;
- B. to be libelous;
- C. to contain “fighting or abusive” words; or
- D. to be materially and substantially disruptive of school work, activities or functions.

In order to accomplish the above, printed material must be submitted to the principal for review prior to publication. If a principal prohibits the distribution of a student publication, the student will be informed that he or she may file a grievance in accordance with board policy.

## **L-3. FREEDOM OF SPEECH**

**Right:** Students have the right to express what is on their minds whether it is oral or written as long as they do not force others to share their point of view. It may be a fact that a student’s views are unpopular, but this alone is not considered material and substantial disruption. Students may display buttons or other insignia that demonstrate their views, but the messages may not mock, ridicule or provoke others because of sex, race, religion or national origin. Neither will the speech be obscene or libelous. Schools have the right to set limitations on the time, place and manner of public speech.

**Responsibility:** Any speech, either verbal or symbolic, which materially or substantially disrupts classroom work, school activities or school functions, or infringes upon the rights of others is not protected by the Constitution and may be dealt with by school and civil authorities. Understanding the meaning of the First Amendment’s protection of free speech is an important responsibility which students must accept in their learning process. The following types of speech are not generally protected by the Constitution and are prohibited at schools or at school-related activities:

- A. profanity: words which are clearly considered profane by contemporary community standards of behavior;
- B. obscenity: words which describe sexual conduct and which, read as a whole, appeal to a prurient interest in sex, portray sex in a manner offensive to contemporary community standards and do not have a serious literary, artistic, political or scientific value;

- C. fighting or abusive words: words which are spoken solely to harass or injure other people, such as threats of violence, defamation of a person's race, religion or ethnic origin;
- D. disruption: speech, be it verbal, written or symbolic which materially and substantially disrupts classroom work, school activities or school functions, such as demonstrations, "sit-ins," "boycotts," or simply talking in class when told not to do so by the teacher.

#### **I-4. RIGHT TO PETITION**

**Right:** The right to petition is guaranteed by the Constitution. Students may petition the administration and/or the board of education at any time and be assured that signing such petitions will result in no disciplinary or legal actions against them.

**Responsibility:** Students who circulate signed petitions should be certain that the petition is free of obscenities or libelous statements and is within the bounds of reasonable conduct and is distributed in accordance with school rules concerning time, place and manner of distribution.

### **ARTICLE II - PERSONAL RIGHTS AND PRIVILEGES**

#### **II-1. RIGHT TO AN EDUCATION**

**Right:** The student has a right to a general and uniform system of public education in which equal opportunities will be provided for all students.

**Responsibility:** Students are responsible for the way they use this right. They must accept, along with the right, the consequences for their actions as set forth in board policy and administrative regulations. Schools are responsible for enforcing the attendance law, and students will adhere to the attendance policy of the county schools.

#### **II-2. RIGHT TO FREEDOM FROM DISCRIMINATION**

**Right:** Students have a right to an education and to participation in co-curricular activities free from discrimination for reason of race, religion, sex or socioeconomic background. No individual identified as handicapped will solely by reason of the handicap be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity. The right to participate in all the activities of the school will not be restricted solely because of marriage, pregnancy or parenthood.

**Responsibility:** It is the responsibility of students and the professional staff to protect against any act of discrimination. It is the policy of this Board of Education that no student will be denied the benefits of or the right to participate in any program or activity offered by this school system on the basis of race, religion, national origin, sex (except as provided by Title IX of the Education



Amendments of 1972) or handicap (except as provided by Section 504 of the Rehabilitation Act of 1973).

### **II-3. DRESS CODE AND PERSONAL APPEARANCE**

**Right:** The First Amendment to the Constitution also respects a student's right to choose his or her style of dress or appearance.

**Responsibility:** Students are responsible for using good judgment in dress and grooming so that their dress and appearance do not present health and safety problems, damage to school property, or threaten substantial or material disruption to the educational process.

If a student's dress or lack of cleanliness is detrimental to his or her health or safety, the principal may require the student and the student's parents or guardians to take appropriate action to remedy the situation. In addition, if a student's dress or appearance is so unusual, inappropriate or lacking in cleanliness that it clearly and substantially disrupts class or learning activities, the student may be required to change his or her dress or appearance.

Local school administrators may maintain written guidelines to assist students in determining appropriate dress for school, copies of which will be made available to parents or guardians and students. All such guidelines are subject to the review of the superintendent. Copies of all locally developed guidelines that implement this section on dress and personal appearance will be made available to the board of education.

### **II-4. PRIVILEGE TO A SAFE ENVIRONMENT**

**Privilege:** The student has the privilege of a safe environment and to possess property free from harm or damage.

**Responsibility:** Students have the responsibility to respect other persons, school property, and the property of others. Students may be sued in court and/or face disciplinary action if they intentionally damage property, set fires, break and enter, engage in extortion, trespass, take the property of another without permission, gamble, harm another person or disrupt the educational process by boycotts, sit-ins, walk-outs, riots, violence, or demonstrations. Students must share with teachers and administrators the responsibility of maintaining order at school by complying with all lawful directions of principals, teachers, substitute teachers, teacher assistants, or the other school personnel authorized to give such directions.

### **II-5. RIGHT TO FREEDOM FROM UNREASONABLE SEARCH AND SEIZURE**

**Right:** Students possess the right to privacy of person as well as freedom from

unreasonable search and seizure of property guaranteed by the Fourth Amendment of the United States Constitution. That individual right, however, is balanced by the school's responsibility to protect the health, safety and welfare of all its students.

**Responsibility:** Students are responsible for the way they use this right. Illegal items (firearms, weapons, etc.) or other possessions reasonably determined by the proper school authorities to be a threat to the safety or security of the possessor or others may be seized by school officials. Items that may be used to disrupt or interfere with the educational process may be temporarily removed from the student's possession.

## **II-6. PRIVILEGE TO USE SCHOOL LOCKER**

**Privilege:** Students have the privilege to use school lockers as assigned to them. School lockers are the property of the school. Searches and inspections of lockers may be conducted by authorized school personnel with prior approval of the principal or assistant principal.

**Responsibility:** The student should respect the locker as school property and should store only those items needed for school or school-related activities in the locker.

## **II-7. RIGHT TO USE OF LEGAL DRUGS**

**Right:** Students have the right to take medication at school that is prescribed by a doctor. Possessing, selling, transferring, or using any prohibited drugs or narcotics while in attendance at school or at activities sponsored by the school or on school property, however, is contrary to law.

**Responsibility:** Students are responsible for obeying all laws and not engaging in activities that may interfere with any student's educational and personal development. Students will not possess, use, give away, attempt to sell or purchase, or be under the influence of any illegal narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, malt beverage, wine, alcoholic beverage or any other controlled substance as defined by South Carolina law with the exception of a drug authorized by a prescription from a physician. Also, students will not have in their possession drug paraphernalia such as syringes, needles, etc.

## **II-8. PRIVILEGE TO USE STUDENT VEHICLES**

**Privilege:** Any licensed student driver may drive a vehicle onto the school grounds under conditions specified by each individual school.

**Responsibility:** All students are responsible for knowing and adhering to school regulations relative to motor vehicles. Courteous, preventive driving procedures and local and state traffic laws must be followed when operating vehicles on

school grounds. Vehicles may be towed at student's expense if deemed necessary by local administrative personnel.

## **II-9. RIGHT TO HEALTH CARE**

**Right:** Students have the right to emergency health care in accordance with school regulations.

**Responsibility:** Students are responsible for obeying school rules when first aid is required.

## **II-10. THE PRIVILEGE OF PUBLIC SCHOOL TRANSPORTATION**

**Privilege:** Students, in accordance with school and state regulations, have the privilege of school bus transportation as long as their conduct does not materially or substantially disrupt the transportation process.

**Responsibility:** Students are responsible for conduct on the bus in a manner that does not infringe upon the rights of other passengers or create a safety or health hazard. Students may lose their privilege to ride a school bus if the rules for riding a school bus as established by the board of education are not followed. These rules forbid:

- the use of offensive and profane language;
- showing disrespect for the rights of other students;
- disruptive and unsafe behavior;
- the lack of cooperation with the monitor or driver;
- acts of vandalism.

## **II-11. CONFIDENTIALITY AND ACCESS TO STUDENT RECORDS**

In compliance with the Family Education Rights and Privacy Act of 1974 [20 U.S.C.1232], the school district adheres to the following policy:

### **Policy JRA: Student Records**

The principal of each school is the legal custodian of all student records for that school.

Students and parents/legal guardians will have access to their school records. The schools will notify parents/legal guardians and adult students of the following.

- type of records kept
- procedure for inspecting and copying these records
- right for interpretation
- right to challenge data thought to be erroneous, the procedures for expunging such data or inserting a rebuttal statement
- right to lodge a complaint with the U.S. Department of Education if mandates are not adequately implemented

Cumulative record folders for all students will be kept in each school office. The educational records or school records include all materials directly related to a student that a school maintains. Records

and notes maintained by a teacher, administrator, school physician or school psychologist for his/her own use, and which are not available to others, are exempted from this definition.

The school will require prior written consent before information may be divulged to third parties. Exceptions to this rule exist for school district employees who have legitimate interests in viewing the records, officials in other schools in which the student seeks to enroll, and military recruiters who seek student contact information. At the time of transfer, parents/legal guardians may review the material.

State and national educational organizations that require student data for confidential research and statistical purposes are also exempted from the parental consent prerequisite. An exemption also exists for material under court order, although parents/legal guardians must be notified of the order.

The district, with certain exceptions, may disclose directory information, which may include names, addresses, telephone listings and dates of birth, without first obtaining written parental permission. However, the district must define directory information to the public before disclosures.

The superintendent will establish administrative regulations for compliance with the Family Educational Rights and Privacy Act and other applicable acts and regulations.

The principal will maintain juvenile criminal records and information provided by the department of youth services in accordance with this policy and applicable district procedures.

The principal will destroy such juvenile criminal records upon the juvenile's completion of secondary school, or when the juvenile reaches 21 years of age, whichever occurs earlier.

**Right:** Parents or guardians have the right to review and copy the contents of their children's school records. Students 18 years of age or older have the right to review their own school records. In the school district the permanent record is the official record and it will follow the student through school. \*See procedures below.

**Responsibility:** School authorities have the responsibility to make certain that the student's file remains confidential, relevant, and factual. \*Comprehensive procedures for handling student records are available in each school and at the office of the board of education; a summary of these rules follows:

### **Procedures for Review by Parents/Guardian-Students- School Personnel**

A student's "education records" are those records directly related to a student and maintained by the school district or a party acting for the school district.

"Parent" refers to a parent, a legal guardian, a person acting as a parent, a surrogate appointed in accordance with laws regulating programs for disabled students or a student who is 18 years of age or over, or a student who is attending an institution of postsecondary education on a full-time basis.

"Written consent" as used in this policy and administrative rule includes signed and dated written consent in electronic format that does the following.

- identifies and then indicates a particular person as the source of the electronic consent
- indicates the person's approval of the information in the electronic consent

Whenever a student is 18 or is attending an institution of postsecondary education, the rights accorded to and the consent required of the parent of the student will thereafter only be accorded to and required of the eligible student unless the school district has received notice that a court has awarded legal guardianship beyond the age of majority or the student is dependent on the parent/legal guardian for support and is claimed as dependent for tax purposes under the Internal Revenue Code. The school will document such notice.

In maintaining student records, the schools will follow applicable state and federal laws and regulations.

### **Location of the student records**

The school or the district records office (if a student is no longer enrolled) will maintain a cumulative record folder that contains directory information, scholastic information, standardized test data, health records, discipline records and other information. This cumulative record will include, but not be limited to, the following information.

- name (last, first and middle), also the preferred name (nickname)
- date of birth (verified) along with the sex and ethnic background
- address and telephone number
- names of parents and/or legal guardians
- health record, including surveys for vision, speech and hearing
- standardized test scores
- end of year assessment scores
- attendance and scholarship record card
- special services contact report
- reading and mathematics continual record
- appropriate correspondence with parents
- discipline records
- criminal record (if convicted of certain crimes)
- incident reports relating to charges for certain offenses outlined in the Juvenile Justice Code, and relating to other offenses if requested by the principal
- other information in the form of notice by a law enforcement agency that a child has been charged with an offense as outlined in the Juvenile Justice Code, or upon final disposition of a case as outlined in the code

Except as provided in paragraph 4 of this section, the district maintains copies of psychological reports and related records if the district has given psychological evaluations to the student as follows.

- in the office of special services
- in the student's school in a file especially for psychological reports

The appropriate personnel in the district office and/or the appropriate school will keep records concerning students who have had administrative hearings.

Once a student graduates, the district files the student's records in the high school. If a student drops out of school before graduation, the school will file his/her records for five years and then transfer the records to the district's central location for record storage.

## **Directory information**

Schools will treat each student's education records as confidential and primarily for local school use. The exception to this rule is for directory information, which includes the following information about a student.

- name
- address
- telephone number
- date and place of birth
- participation in officially recognized activities and sports
- weight and height of members of athletic teams
- dates of attendance
- diploma or certificate and awards received
- electronic mail address
- photographs, digital images, images on videotape and other electronic images (as related to school-sponsored or district-sponsored events, activities and special recognitions)
- grade level
- most recent previous educational agency or institution attended by the student
- other similar information which may appear in newspaper articles, on television, in radio broadcasts, on displays, on the world wide web or in district or school promotional pieces

The district will not release directory information to any person or agency for commercial use. The district expects its employees to use good judgment in releasing directory information so it serves the best interests of the student.

Within 15 days after the annual distribution of notification of privacy rights, the parent of the student or the eligible and currently enrolled student has the right to refuse to permit the designation of any or all of the categories of personally identifiable information as directory information. The parent/eligible student's notification must be in writing. The written notification will become part of the student's education record. The principal of the school the student is attending is responsible for notifying appropriate personnel of the request, filing the request in the student's cumulative folder and marking the folder as specified by the superintendent or his/her designee.

This notification of privacy will include notice to parents that military recruiters are entitled to some student directory information and that parents have the right to deny this access.

## **Release of school records**

The Family Education and Privacy Act of 1974 requires the following procedures in the release of school records.

- The district cannot release school records to any person or agency (employer, government agency, etc.) without the written consent of a student's parent. If the student is 18 years of age, he/she may sign for the release of his/her records.
- The district will release school records, without prior written consent of parent or eligible student, to officials of other educational institutions in which the student seeks or intends to enroll. The school will notify the student's parent of the transfer only if he/she has requested this exception to the district's policy.

### **Records made by an employee**

A school district employee's personal records on a student are not part of the student's education record as long as that person keeps the notes solely for his/her own use and maintains them separately from the school files.

A substitute who performs the employee's duties on a temporary basis may use these personal records. However, the employee may not pass the records on to a successor.

### **Management of records**

The district will protect the confidentiality of personally identifiable data on children during collection, storage, disclosure and destruction.

School district personnel, school psychologists under contract with the school district and other eligible state and federal employees who need the records to carry out their assigned duties and who have a legitimate educational interest will have access to or may receive information from the education records. The superintendent will maintain a current list of such individuals. The district will also give access to parents and eligible students as provided below.

The appropriate administrative head of each group collecting or using personally identifiable information will give instruction regarding these regulations to the group.

### **Students transferring to another school**

When a student transfers to another public or private school, the school will send the student's permanent school records, including incident reports relating to charges for certain offenses outlined in law and the discipline record of suspensions and expulsions, to the receiving school and notify the parent of the transfer.

Schools must transfer these records as soon as possible, but no later than 10 business days, upon receiving the written request from the school to which the student is transferring. Schools may not withhold the transfer of records to a school for fees owed by the student.

### **Disclosure (except for directory information)**

The school district has the right to disclose personally identifiable information from the education records of a student to appropriate parties in connection with an emergency, if knowledge of the information is immediately necessary to protect the health or safety of the student or other individuals.

The school will require a written request or consent from a parent or eligible student for each act of release of information. Blanket authorization for release of information is not permissible. Written requests or consent will include the types of information to be released, the purpose(s) for the disclosure, the parties or class of parties to whom the disclosure may be made, the date signed and the signature of the parent or eligible student.

The district will not require prior consent for disclosure when state and federal officials request the information as authorized by statutes or regulations implementing statutes.

The district will not require prior consent to disclose information to organizations conducting studies for, or on behalf of, the district for the purpose of developing, validating or administering predictive tests, administering student aid programs, and improving instruction as long as students and/or their

parents are not personally identified and the records are destroyed when no longer needed for the prescribed purpose.

The district will not require prior consent when disclosing information to accrediting organizations in order for them to carry out their accrediting functions.

The district will not require prior consent when disclosing information in order for the school district to comply with a request from a judicial order, a lawfully issued subpoena, or a family court judge or his/her duly authorized representative acting in an official capacity.

Except as provided elsewhere in this administrative rule, the school district will keep a record of disclosures not authorized by the parent, eligible student or this administrative rule.

The student's cumulative folder will provide the following information.

- name of the party receiving the information
- data released
- legitimate purpose for which the data was requested

On the same day, the person releasing the information must mail written notification of the above to the parent or eligible student at the last known address if there is no evidence that the parent or eligible student is aware of the release of information.

### **Students in foster care**

Upon enrollment of a child in foster care, the Department of Social Services (DSS) will provide a copy of the court order to the school district for inclusion in the student's records.

The district will request school records of a student in foster care within two days of placement into a school and will transfer records within two days of receiving a request for school records of a student in foster care.

The district may permit an authorized representative of DSS to have access to the records of a child in foster care for the purpose of fulfilling educational case management responsibilities required by law and to assist with the school transfer or placement of the child.

### **Annual notification of rights**

Each school will distribute annual notice of privacy rights to parents and eligible students in attendance at the time of notification.

### **Request for inspection**

Anyone who wants to inspect the records must make the request for inspection (or an explanation or interpretation) of a student's record to the principal of the school in which the student is enrolled or where the record is housed.

Principals or designated district office administrators will set a time and place for the inspection of such records within a reasonable period of time, but in no case more than 45 days after the request has been made. If a hearing concerning the student is pending, the employee will honor the request for inspection of the student's record prior to the hearing.



At the inspection, the principal will have appropriate personnel available to interpret information on the records.

The school district is responsible for the maintenance of each student's record. Therefore, school personnel are not to turn the original record or microfilmed copy of a record over to any person or organization unless they have a specific, written judicial order for such action.

If the parent or eligible student believes that the information in the education record is inaccurate, misleading or violates the privacy or other rights of the student, he/she can request an amendment to the record. The school official receiving the request will either amend the record, if appropriate, or notify the parent or eligible student within 15 working days in writing that the request is denied and that he/she has the right to request a hearing as provided below.

Each parent of a child has the right to inspect and review the child's record unless the school district has written evidence that there is a legally binding instrument or a court order governing such matters as divorce, separation or custody which provides to the contrary. The same applies to parental requests for disclosure to other individuals and to organizations.

A parent or an eligible student has the right to give written authorization for a representative to inspect and review the education records of the student.

### **Hearings to challenge information in students' records**

Parents or eligible students will make requests for hearings to the principal where the record is housed. The principal or his/her designee may conduct the hearing.

Principals or administrators will set a date, time and place for the hearing and notify the requester in writing of the date, time and place. The principal will establish the hearing date within five working days of receipt of the request. The principal must mail written notice of the hearing to the parent or eligible student at least 10 days prior to the hearing.

A school district official who does not have a direct interest in the outcome will conduct the hearing.

At the hearing, the principal or administrator will try to have present the person who has entered the information in question if the person is known and reasonably available. The parent or student who requested the hearing will have the right to question that person if present and be able to show evidence that would correct inaccurate, misleading or otherwise inappropriate information. Such evidence will become a permanent part of the student's record.

The parent of the student or the eligible student will have a full and fair opportunity to present relevant evidence, and may be assisted or represented at their expense by legal counsel.

If, as a result of the hearing, the school district decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it will inform the parent or eligible student in writing that he/she has the right to place in the education record a statement commenting upon the information in the record and/or setting forth any reasons for disagreeing with the decision. Any such statement must remain with the record as long as the contested portion remains in the record. Disclosure of the contested portion must include the statement of the parent or eligible student.

The school district will send its decision (including a summary of the evidence), the reasons for the decision and the right to a judicial appeal in writing to the parent or eligible student within five

working days after the conclusion of the hearing. The school district will base its decision solely on evidence.

### **Destruction of education records**

The school district may destroy data that are no longer needed for providing direct educational services as long as the following conditions apply.

- There is no outstanding request to inspect and review the education record.
- The district keeps the record of disclosures as long as it maintains the education record to which it relates.
- The data do not concern the referral, evaluation, staffing and placement of a disabled student or a student suspected at one time of having a disability. Such data will be sent to the office of programs for the disabled when no longer needed for providing direct educational services to a student.

No one may remove the following items from a student's cumulative record at any time.

- name (last, first and middle), also the preferred name (nickname)
- date of birth (verified), along with the sex and ethnic background
- address and telephone number
- names of parents
- health record, including surveys for vision, speech and hearing
- standardized test scores
- end of year assessment scores
- attendance and scholarship record card

Special service contact report is to be removed from a student's cumulative record at the end of five years if the student is not enrolled in a special program. The curriculum coordinator or guidance counselor will remove this record. The continual reading and mathematics records K through eight are to be removed and made a part of the record keeping system to be in force for grades nine through 12. Correspondence with parents should be reevaluated and thrown away after five years. Any materials relating to a child's preschool and kindergarten experiences should be discarded after second grade.

### **Record provided by the department of juvenile justice**

A person's juvenile criminal record must be provided by the department of juvenile justice to the principal of the school which the juvenile is eligible to attend immediately upon the person's release from the department of juvenile justice.

The principal will ensure that the student's juvenile criminal record is maintained in the school disciplinary file or other such confidential location. Access to the record will be restricted to school personnel having need for such information in order to adequately address the educational needs of the student.

These records must be destroyed upon the student's completion of secondary school or upon reaching 21 years of age.

## **Fingerprint records**

In accordance with law, the county will provide each school in the county with the forms and ink pads necessary to record each student's fingerprints in kindergarten through grade 12.

The district schools with the assistance of the State Law Enforcement Division and/or local law enforcement agencies will fingerprint school children in kindergarten and grades one through 12 when the parent of a child requests in writing that his/her child be fingerprinted for identification purposes for the child's protection.

The school will give the fingerprints to the student's parents.

## **The Family Educational Rights and Privacy Act Office**

Parents/Legal guardians and eligible students have the right to file written complaints concerning alleged violations of the Family Educational Rights and Privacy Act. Written complaints should be sent to the following address.

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202-4605

This office has the responsibility for investigating, processing and reviewing alleged violations. This office will refer appropriate cases to a review board for adjudication.

Issued 8/26/75; Revised 9/25/84, 3/27/90, 2/25/03, 8/23/06, 8/25/15

## **II-12. FREEDOM FROM SEXUAL HARASSMENT**

The Board of Education believes that all students are entitled to school-related environments that are free of sexual harassment. To this end, the board prohibits students from engaging in sexual harassment and advises students that when evidence of sexual harassment is established, disciplinary action may be taken, up to and including expulsion.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment by a student when such conduct has the purpose or effect of unreasonably interfering with another student's educational performance or creating an intimidating, hostile or offensive environment.

Examples of sexual harassment include, but are not limited to, continued or repeated offensive sexual flirtations, advances or propositions, continued or repeated verbal remarks about an individual's body, sexually degrading words used toward an individual or to describe an individual, and the display of sexually suggestive objects or pictures. Sexual harassment does not include personal compliments welcomed by the recipient or social interactions or relations freely entered into by students.

In the event that a student believes that he or she has been sexually harassed by another student, he or she should bring the matter to the attention of the principal or the school system's Title IX Coordinator (864-366-5427). The principal or the principal's designee or Title IX Coordinator will investigate the matter and the principal may impose disciplinary sanctions on the harassing student in accordance with disciplinary policies. Any student reporting sexual harassment who is not satisfied

with the principal's response or who continues to be sexually harassed may follow the student grievance procedures. However, student discipline records remain confidential and may not be revealed by the principal or other school personnel to the student reporting sexual harassment.

Sexual harassment of a student by an employee also is prohibited. Any student who believes he or she may be sexually harassed by an employee should refer to the definitions and procedures found in the board's personnel sexual harassment policy.

Sexual harassment will not be tolerated in this school district. Students will respect the rights of others while on school property and while attending school functions.

## **Policy Prohibiting Sexual Harassment**

### Statement of policy and rationale

Sexual harassment is a form of sex discrimination prohibited by federal and state laws. Consistent with these laws, it is the policy of the district that sexual harassment of students is prohibited.

### Definition

Sexual harassment of students is defined as unwelcome sexual advances, requests for sexual favors, verbal or otherwise expressive behaviors or physical conduct commonly understood to be of a sexual nature by a person of either sex against a person of the opposite or same sex, when one of the following occurs.

- Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education.
- Submission to or rejection of such conduct is used as a basis for educational actions, decisions or assessments that favor or adversely affect the student's welfare as a student.
- Such conduct unreasonably and substantially interferes with an individual's welfare and creates an intimidating, hostile, offensive and demeaning environment.

### Responsibility

Each administrator, supervisor, faculty member, staff member and student will strive to provide an educational environment free from sexual harassment.

### Policy of non-reprisal

No student, employee or member of the public may be subject to restraint, interference, coercion or reprisal for seeking information about sexual harassment, filing a sexual harassment complaint or serving as a witness.

### Filing a complaint

Any student who feels he/she has been directly the victim of sexual harassment by a district employee may file a complaint. A complainant should begin the complaint procedure by initiating the informal consultation, after which a formal complaint for investigation may be filed according to the Administrative Rule for Sexual Harassment (JI-R). The investigation will be conducted in a confidential manner and concluded within a reasonable period of time. Nothing in district policy

requires the complainant to present the complaint to the person who is the subject of the complaint. A formal complaint must be filed within 150 calendar days of the alleged occurrence. However, no one should be precluded from filing an informal complaint at any time or from pursuing a claim of sexual harassment with the Equal Employment Opportunity commission or the South Carolina Human Affairs Commission.

#### Complaint notification

The superintendent is to be notified when a complaint is filed.

### **II-13. EQUAL EDUCATIONAL OPPORTUNITY/NON-DISCRIMINATION – POLICY JB**

Purpose: To establish the board's vision regarding equal educational opportunities for all students in the district.

The board believes that the district must provide public education in an atmosphere where differences are understood and appreciated. The district should treat all persons fairly, with respect, and without discrimination or threats of violence or abuse.

Every student of this school district will have equal educational opportunities regardless of ethnic or racial background, religious beliefs, sex, disability, immigrant status or English-speaking status, and economic or social conditions. The district schools will not refuse to admit or exclude any person based on these criteria. The district will advertise this nondiscrimination policy.

This concept of equal educational opportunity serves as a guide for the board and the staff in making decisions related to school facilities, employment of personnel, selection of educational materials, equipment, curriculum and regulations affecting students. It will be the superintendent's responsibility for developing a plan and providing procedures to assure support of this policy. Each building principal will be responsible for working with the staff and students in his/her school to ensure equal opportunity for all students in all building level programs and activities.

### **II-14. FREEDOM FROM HARASSMENT, INTIMIDATION, OR BULLYING**

The board prohibits acts of harassment, intimidation or bullying of a student by students, staff and third parties that interfere with or disrupt a student's ability to learn and the school's responsibility to educate its students in a safe and orderly environment whether 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.

Students, parents/legal guardians, teachers, and staff members should be aware that the district may take disciplinary actions for conduct initiated and/or created off-campus involving the inappropriate use of the Internet or web-based resources if such conduct poses a threat or substantially interferes with or disrupts the work and discipline of the schools, including discipline for student harassment and bullying.

For purposes of this policy, harassment, intimidation or bullying is defined as a gesture, electronic communication, or a written, verbal, physical or sexual act 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 feels he/she has been subjected to harassment, intimidation or bullying is encouraged to report the action in accordance with procedures established by the superintendent. 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.

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. The district also prohibits any person from falsely accusing another as a means 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 or employee who is found to have engaged in the prohibited actions as outlined in this policy will be subject to disciplinary action, up to and including expulsion in the case of a student or termination in the case of an employee. Individuals may also be referred to law enforcement officials. The district will take all other appropriate steps to correct or rectify the situation.

The superintendent 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 will also ensure that a process is established for discussing the district policy with students.

## **Reports**

The district board of trustees requires the principal or his/her designee at each school to be responsible for receiving complaints alleging violations of this policy. Incidents involving staff will be dealt with promptly by the administrator in charge. All school employees are required to report alleged violations of this policy to the principal or his/her designee. All other members of the school community, including students, parents/legal guardians, volunteers and visitors, are encouraged to report any act that may be a violation of this policy. While submission of a written report is not required, the reporting party may submit a written report; however, oral reports will also be promptly addressed. Reports may be made anonymously, but formal disciplinary action must not be based solely on the basis of an anonymous report. If requested, the identity of the victim will be protected to the extent allowed by law.

Instances of harassment, intimidation or bullying are classified under Level II – Disruptive Conduct. The staff will follow these basic enforcement procedures in instances of disruptive conduct.

- When the administrator observes (or is notified and verifies) an offense, he/she will investigate the circumstances of the misconduct and confer with staff on the extent of the consequences.
- The administrator will notify the parent/legal guardian of the student's misconduct and related proceedings. The administrator will meet with the student and, if necessary, the parent/legal guardian to confer with them about the student's misconduct, and effect the appropriate disciplinary action.
- The administrator will keep a complete record of the procedures.
- The administration may apply consequences and/or remedial measures in cases of harassment, intimidation or bullying as outlined in district policy.





Disciplinary actions will include appropriate hearings and review. The removal of a student from the learning environment will occur only for just cause and in accordance with due process of law. The board authorizes its school authorities to employ probation and suspension and to recommend expulsion, if necessary, to enforce this policy. The administration will consider extenuating circumstances when taking disciplinary action.

### **False reports**

The district board of trustees prohibits any person from falsely accusing another as a means of harassment, intimidation or bullying. The consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion. Consequences and appropriate remedial action for a school employee found to have falsely accused another, as a means of harassment, intimidation or bullying will be disciplined in accordance with district policies, procedures and contracts. Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation or bullying will be determined by the school administrator after consideration of the nature, severity and circumstances of the act, including reports to appropriate law enforcement officials.

## **II-15. PARENTAL RIGHTS AND RESPONSIBILITIES – POLICY KBB**

Purpose: To establish the board's vision for the rights and responsibilities of the parents/legal guardians of the district's students.

The board has adopted the following statement on the rights and responsibilities of parents/legal guardians to describe the role of the parent/legal guardian and the role of the school in supporting a successful school experience for each child as well as establishing and maintaining a parent-friendly school setting.

For purposes of this policy, the term "parent" refers to custodial and noncustodial parents.

Every parent/legal guardian has the following **rights**:

- to be treated with courtesy by all members of the school staff
- to be respected as an individual regardless of race, creed, national origin, economic status, sex, or age
- to secure as much help as is available from the school district to further the progress and improvement of his/her child
- to receive reasonable protection for his/her child from physical harm while under school authority
- to organize and participate in organizations for parents
- to participate in his/her child's school activities (unless prohibited by court order)

### *Special education*

- to be informed of all programs in special education

- to appeal the placement, in accordance with established guidelines, of his/her child in a special education class
- to be designated as the educational representative for an adult student with a disability by the adult student once the student reaches the age of 18 and is accorded all rights to make his/her educational decisions or to be designated as the educational representative by the district if the adult student is incapable of communicating in accordance with state law

*Receiving information*

- to be informed of academic requirements of any school program
- to be informed of school policies and administrative decisions
- to be informed of procedures for seeking changes in school policies and for appealing administrative decisions
- to expect that school personnel will make reasonable attempts to ensure that parents/legal guardians receive important school news and messages
- to be informed of education and cultural programs available to public school children

*Conferences*

- to participate in meaningful parent-teacher conferences to discuss his/her child's school progress and welfare

*Records*

- to inspect his/her child's education record in conformity with current guidelines established by state and federal law

Every parent/legal guardian has the following responsibilities:

- to make reasonable efforts to provide for the physical needs of the child
- to prepare the child emotionally and socially to make the child receptive to learning and discipline
- to hold high expectations for academic achievement
- to expect and communicate expectations for success
- to recognize that parental involvement in middle and high school is equally as critical as in elementary school
- to ensure attendance and punctuality
- to attend parent-teacher conferences
- to monitor and check homework
- to communicate with the school teacher

- to build partnerships with teachers to promote successful school experiences
- to attend, when possible, school events
- to model desirable behaviors
- to use encouraging words
- to stimulate thought and curiosity
- to show support for school expectations and efforts to increase student learning
- to encourage appropriate behavior at school and during school-sponsored events

Cf. KB

Adopted 2/25/03; Revised 10/24/06

## **ARTICLE III - GRIEVANCE RIGHTS**

### **III-1. RIGHT TO EQUITABLE RESOLUTIONS OF GRIEVANCES AND COMPLAINTS**

**Right:** Students and parents or guardians have the right at the lowest possible level of administration to orderly, equitable resolution of problems which may arise affecting them and the school system. An attempt should be made to resolve grievances and complaints with school officials prior to bringing the matter to the board of education.

**Responsibility:** The school has the responsibility for establishing grievance procedures, and the student and/or parent or guardian has the responsibility of pursuing established procedures in order to resolve matters of concern. Whenever a student and/or parent or guardian believes that he or she has been adversely affected because a school official (teacher, principal or any other school system employee) has misinterpreted, violated, or failed to enforce a state or federal law, school board policy, administrative regulation, or local school rule or regulation, a grievance may be brought in accordance with the following procedures.

### **III-2. CONCEPT OF GRIEVANCE PROCEDURE**

A basic element of a grievance is that students and/or parents or guardians are dissatisfied because of a conflict, either personal or organizational. The objective in setting up a grievance procedure is to provide a means to ensure that such conflicts will be resolved amicably, justly and quickly at the lowest possible level of administration.

### **III-3. STUDENT CONCERNS, COMPLAINTS AND GRIEVANCES – POLICY III**

Purpose: To establish the basic structure for a student grievance procedure.

The district provides a grievance procedure as a formal method for the resolution of any grievances concerning the treatment of students by district personnel. These grievances may arise from allegations of violations of student legal rights or district policy.

In addition, the board recognizes there may be conditions in the school system that the district could improve and that students should have some means by which they can effectively express their concerns.

The district will resolve student complaints and grievances through orderly processes and at the lowest possible level.

- A teacher will provide any student or his\her parent/legal guardian the opportunity to discuss a decision or situation that the student considers unjust or unfair.
- If the incident remains unresolved, the student, his/her parent/legal guardian or the teacher may bring the matter to the principal's attention for consideration and action.
- The student may also bring the matter to the attention of class officers or the student council (in grades and schools where such are elected) for possible presentation to the principal.
- If the matter is still unresolved after the procedure outlined above, the complaining party may bring the matter to the superintendent or his/her designee for consideration.
- If the matter is still unresolved, the complaining party may bring it in writing to the board for review.

#### **Title IX complaints**

Students who believe that they have been discriminated against on the basis of their sex have the right to appeal to their principals. If the student is not satisfied with the decision of the principal, he/she may appeal to the district Title IX coordinator/superintendent and then to the board.

#### **Section 504 complaints**

Students who believe that they have been discriminated against on the basis of their handicapping condition have the right to appeal to their principals. If the student is not satisfied with the decision of the principal, he/she may appeal to the district Section 504 coordinator/superintendent and then to the board. The superintendent will schedule appeals to the board.

### **ARTICLE IV - PROCEDURAL RIGHTS**

#### **IV-1. RIGHT TO DUE PROCESS**

**Right:** Careful attention must be given to procedures and methods whereby fairness and consistency in discipline will be assured each student. All students in the school are protected by the due process clause in the 14<sup>th</sup> Amendment of the U.S. Constitution. Students will be apprised in writing of school rules and procedures and the process by which discipline will be exercised.

**Responsibility:** Students who do not respond to guidance or minor disciplinary action, or are consistently at odds with school regulations or legal authority, must accept the consequences of such actions.

#### **IV-2. CONCEPT OF DUE PROCESS**

The following elements embody the total concept of due process:

- A. there must be a fair and reasonable rule which is broken or disobeyed;
- B. the rule must apply equally to all;
- C. if punishment is meted out for violation of a reasonable and fair rule, that procedure by which the punishment is assessed must be fair, reasonable and impartial. At a minimum, it requires that a student be notified of the charges against him and be given an opportunity to explain or respond before being disciplined.

All disciplinary actions do not require the total due process procedures, but the requirements for the protection of the rights of students are dependent upon the extent of the disciplinary action being considered.

#### **IV-3. MINOR DISCIPLINARY PROBLEMS**

Most minor disciplinary problems can be handled effectively by the teacher, principal or his or her designee without resorting to suspensions or expulsions. Such action may include a warning, extra work, detention, probation, conference with parents or guardians, etcetera. When a student has been accused of a minor infraction, he or she will have the right to know what he or she is accused of and the right to present his or her case to the teacher, principal or his or her designee.

#### **IV-4. LEGAL BASIS FOR SUSPENSIONS – EXPULSIONS**

South Carolina State Statute 59-19-90-(3) states that boards of trustees shall promulgate rules prescribing scholastic standards of achievement and standards of conduct and behavior that must be met by all pupils as a condition to the right of such pupils to attend the public schools of such district. The rules shall take into account the necessity of proper conduct on the part of all pupils and the necessity for scholastic progress in order that the welfare of the greatest possible number of pupils shall be promoted notwithstanding that such rules may result in the ineligibility of pupils who fail to observe the required standards, and require the suspension or permanent dismissal of such pupils.

South Carolina State Statute 59-63-210-(A) provides that any district board of trustees may authorize or order the expulsion, suspension, or transfer of any pupil for the commission of any crime, gross immorality, gross misbehavior, persistent disobedience, or for violation of written rules and promulgated regulations established by the district board, county board, or the State Board of Education, or when the presence of the pupil is detrimental to the best interest of the school. Each expelled pupil has the right to petition for readmission for the succeeding school year. Expulsion or suspension must be construed to prohibit a pupil from entering the school or school grounds, except for a prearranged conference with an administrator, attending any day or night school functions, or riding a school bus. The provisions of this section do not preclude enrollment and attendance in any adult or night school.

The district board must expel for no less than one year a student who is determined to have brought a firearm to a school or any setting under the jurisdiction of a local board of trustees. The expulsion must follow the procedures established pursuant to Section 59-63-240. The one-year expulsion is subject to modification by the district superintendent of education on a case-by-case basis. Students expelled pursuant to this section are not precluded from receiving educational services in an

alternative setting. Each local board of trustees is to establish a policy which requires the student to be referred to the local county office of the Department of Juvenile Justice or its representative. The board may expel for the remainder of the school year a pupil for any of the reasons listed in Section 59-63-210.

### **Procedural Due Process for Expulsion**

If procedures for expulsion are initiated, the parents or legal guardian of the pupil shall be notified in writing of the time and the place of a hearing either before the board or a person or committee designated by the board. At the hearing the parents or legal guardian shall have the right to legal counsel and to all other regular legal rights including the right to question all witnesses. If the hearing is held by any authority other than the board of trustees, the right to appeal the decision to the board is reserved to either party. The hearing shall take place within fifteen days of the written notification at a time and place designated by the board and a decision shall be rendered within ten days of the hearing. The pupil may be suspended from school and all school activities during the time of the expulsion procedures. The action of the board may be appealed to the proper court. The board may permanently expel any incorrigible pupil.

### **IV-5. PROCEDURES FOR SHORT TERM SUSPENSION (10 DAYS OR LESS)**

Except in extreme emergencies, before a student is suspended for a short term, the principal or assistant principal will:

- A. Investigate the incident, hearing all versions of the facts, and come to a decision;
- B. Advise the student and his or her parents or guardians of the decision by telephone if possible, and in writing, clearly informing them why the student is being excluded from school, for how long, and of their right to have a conference;
- C. In cases where mass suspension (10 or more pupils at the same time) becomes necessary, the principal should notify the superintendent immediately in addition to complying with the terms above;
- D. If a student is suspended during the last 10 days of a school year, it must be with the approval of the superintendent. The student will be notified immediately by the principal or his or her designee of the decision so that an accelerated time procedure can assure that due process is accorded the student. The board must review suspensions that occur within the last 10 days of the school year which would make a student ineligible to receive credit for the school year.

### **IV-6. EXPULSION and ALTERNATIVE SCHOOL PLACEMENT: NOTICE AND HEARING PROCEDURES (Administrative Rule JKE-R, Adopted 02/26/13)**

If a principal recommends that a student be placed at the Alternative School or be expelled from school, written notice shall be given to the student and parent(s) or guardian, notifying them of the charges and the recommendation. The principal will schedule a conference with the parent(s) or guardian within three days of the beginning of the suspension. The parent(s) or guardian will be notified of their right to a hearing on the matter. The hearing will adhere to the following guidelines:

- A. The hearing will be private and informal. Rigid rules of evidence need not be observed.
- B. The burden of proof will be on the principal or designee.
- C. All interested parties may testify and may be questioned. Witnesses may be presented by either side.

- D. The district disciplinary hearing officer will determine all facts in dispute solely upon the evidence presented.
- E. The student, his or her parent(s), or guardian(s) may be present at the hearing and the student may be represented by counsel. If the student chooses to have counsel present, notification must be given to the district disciplinary hearing officer two calendar days prior to the hearing.
- F. A record will be kept of the hearing.
- G. The District Disciplinary Hearing Officer will notify the student and parent(s) or guardian(s) of the Hearing Officer's decision within ten (10) school days following the hearing.
- H. The student and parent(s) or guardian(s) have the right to appeal the expulsion or alternative school placement decision to the Superintendent and then to the Board of Trustees. All appeals must be made in writing to the Superintendent within ten (10) school days of the expulsion or alternative school placement decision.
- I. Upon receipt of the written appeal, the superintendent will schedule a conference with the student and parent(s) or guardian(s) to review the expulsion or alternative school placement decision. The superintendent must respond to the student and parent(s) or guardian(s) within three (3) school days following the conference. If the student and parent(s) or guardian(s) wish to appeal to the Board, the appeal will be considered at the next regularly scheduled meeting of the Board.
- J. The District Disciplinary Hearing Officer shall have the authority to establish conditions which the student must satisfy prior to petitioning for readmission as set forth below.

#### **IV-7. APPEAL**

The student may appeal an Alternative School placement or expulsion decision first to the Superintendent and, then, to the Board of Trustees. For any lesser penalty, the student may petition the Superintendent for review of the penalty imposed by the District Disciplinary Hearing Officer. The Superintendent's decision shall be final. The penalty will not be postponed pending the outcome of the petition or appeal. If the appeal is granted, the student will be provided a reasonable opportunity to make up all missed work.

Appeals to the Board will be on the record created at the lower administrative levels and witness testimony generally will not be heard unless a majority of the Board wishes to hear such testimony.

#### **IV-8. PETITIONS FOR READMISSION**

Students who have been expelled for the remainder of the current school year may make a written request to the Superintendent or his/her designee for readmission. The Superintendent or his/her designee may readmit the student upon the student's presentation of documentation of successful completion of all established conditions for readmission. If the Superintendent or his/her designee denies the student's request or, in all cases of permanent expulsion, the student may make a written request to the Board of Trustees for readmission which may include a request to appear before the Board. The Board shall have discretion whether to grant the request for an appearance or to decide the matter based upon the written record. If the request is denied by the Board, the student may submit another request prior to the following school year.



## **ARTICLE V - LOCAL RULES**

Prior to the first day of school for students, each school must submit annually to the central office for review all locally developed written rules of discipline that implement or supplement county policy. This review is to assure the maintenance of current legal standards and requirements and to prevent conflict with county policy. Local schools will not develop or practice rules or procedures that conflict with these policies.

## **ARTICLE VI - REPORTING CERTAIN BEHAVIOR TO LAW ENFORCEMENT**

When a principal has personal knowledge or actual notice from school personnel that an act has occurred on school property involving assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, possession of a controlled substance in violation of the law, assault on school officials, employees and/or volunteers, homicide, including murder, manslaughter and death by vehicle, robbery, or armed robbery, the principal must immediately report the act to the appropriate local law enforcement agency and to the superintendent. "School property" means any public school building, bus, public school campus, grounds recreational area, or athletic field, in the charge of the principal.

### **VI-1. STUDENT INTERROGATIONS, SEARCHES, AND ARRESTS**

Students do not lose their constitutional rights upon entering school premises. The Fourth Amendment to the United States Constitution protects all citizens, including students, from unreasonable searches.

However, students and their belongings are subject to reasonable searches and seizures when administrators have a belief considered to be reasonable under these circumstances.

- A student committed a crime or a violation of a school rule.
  - Such a search will reveal contraband or evidence of a violation of a school rule or a criminal law.
- Any search conducted must be reasonable in scope given the age and sex of the student and the nature of the alleged infraction. Only the principal or his/her designee may conduct such searches within the constitutional parameters outlined above unless exigent circumstances exist which require another staff member to take immediate action for safety reasons.

#### **School lockers and desks**

All lockers are the property of the school district. School officials may conduct searches of lockers in accordance with publicized administrative rules.

#### **Motor vehicles**

The privilege of bringing a student-operated motor vehicle onto school premises is conditioned on consent by the student driver to allow a search of that motor vehicle when there is reasonable suspicion for a search of that motor vehicle. School officials may conduct searches of motor vehicles in accordance with publicized administrative rules.

### **Searches by canine**

The use of a canine to search out the presence of drugs in the school will be on a random and unannounced basis. The principal and policy officer, by mutual agreement, will allow a trained dog with its handler to go to the schools to sniff automobiles and lockers.

If the dog alerts its handler to the presence of any illegal substance, then a reasonable search will be made by school officials. If such substance is found to be present, school officials will follow the existing district drug abuse policy in dealing with each individual case. The dog will not enter a room containing students or sniff students, clothing they are wearing or purses.

### **Interrogations by school personnel and school resource officers**

Administrators and teachers, as well as school resource officers, may question students about any matter pertaining to the operation of a school and/or enforcement of its rules. The questioning will be conducted discreetly and under circumstances which will avoid, to the extent practical under the circumstances, unnecessary embarrassment to the person being questioned. School resource officers will act consistently with law enforcement guidelines should any routine questioning turn into a criminal investigation. Any student who answers falsely or evasively or who refuses to answer an appropriate question may be disciplined.

### **Interrogations by law enforcement other than school resource officer**

When a law enforcement officer finds it necessary to question students during the school day, the school principal or his/her designee will be present. The law enforcement officer will conduct the questioning in the principal's office with the principal or his/her designee present. The principal or his/her designee will attempt to contact the parent/legal guardian as soon as possible and request his/her attendance. If the law enforcement officer intends to take a student into custody or arrest a student, the officer must present a court pick-up order or an official warrant. In exigent circumstances, the law enforcement officer may take a student into custody to secure the scene and provide for the safety of the students and school. The principal will assist the law enforcement officer in assuring that all procedural safeguards as prescribed by law are observed.

### **Contacting law enforcement**

School administrators will contact law enforcement authorities immediately upon notice that a person is engaging in, or has engaged in, certain activities on school property or at a school sanctioned or sponsored activity. Those activities are ones which may result, or do in fact result, in injury or serious threat of injury to the person or to another person or his/her property, criminal activity or possession of contraband. In the event a student is arrested for criminal activity on school property or at a school sanctioned or sponsored event, the principal will make every reasonable attempt to contact the parents/legal guardians to notify them that their child has been arrested.

## **VI-2. SMOKING SANCTIONS**

### **A. SMOKING PROHIBITED**

The district does not allow students to use or to possess tobacco products or tobacco paraphernalia. This restriction applies while students are on school grounds, in the school buildings, on buses or during any other time they are under the direct administrative jurisdiction of the school whether on or off the school grounds.

## **B. PENALTIES FOR VIOLATION**

Penalties for violation of this smoking ban are outlined in Policy ADC - TOBACCO-FREE SCHOOLS.

### **TOBACCO-FREE SCHOOLS - Policy ADC**

Issued 2/15

Purpose: To establish the basic structure for tobacco-free schools.

The board believes that tobacco use and exposure to secondhand smoke (environmental tobacco smoke) are hazardous to the health of human beings, especially children. Therefore, the board affirms that one of the best methods of instruction is one that is provided within a 100 percent tobacco-free environment.

#### **Goal**

The goal of this policy is to provide a 100 percent tobacco-free, smoke-free environment for all students, staff, contract or other workers and visitors within all district facilities, vehicles and grounds. This includes any building, facility and vehicle owned, leased, rented or chartered by the district. The goal applies to all school-sponsored or school-related events on or off the school grounds. The district commits to the following.

- exhibiting healthy behavior for all students, staff, contract or other workers, visitors and the entire community
- utilizing a proven and effective science-based tobacco use prevention curriculum
- providing access to cessation counseling or referral services for all students and staff

#### **Procedures**

- Prohibit the use and/or possession of all tobacco products or paraphernalia including, but not limited to, cigarettes, cigars, pipes, smokeless tobacco, snuff and alternative nicotine products such as e-cigarettes by all students, staff, contract or other workers and visitors.
- Ensure that tobacco use prevention programs, as recommended by the South Carolina Department of Health and Environmental Control, the South Carolina Department of Alcohol and Other Drug Abuse Services and the South Carolina Department of Education, are an integral part of district substance abuse prevention efforts.
- Provide and/or refer to cessation services for students and staff.

#### **Enforcement**

The district will enforce this policy by determining appropriate disciplinary actions for violators (students, faculty, contract and other workers, visitors) such as the following.

##### Students

- parent/legal guardian/administrator conferences
- mandatory enrollment in a tobacco prevention education program
- community service

- in-school suspension
- out-of-school suspension
- suspension from extracurricular activities

Staff

- verbal reprimands
- written notification placed in personnel file
- suspension
- mandatory enrollment in a tobacco education program
- voluntary enrollment in a cessation program

Contract or other workers

- verbal reprimand
- notification to contract employer
- removal from district property

Visitors

- verbal requests to leave school property
- forfeiture of any fee charged for admission
- prosecution for disorderly conduct after repeated offenses

**Education and assistance**

The district will be responsible for utilizing proven and effective tobacco use prevention curricula to educate all students and providing assistance and/or making appropriate cessation referrals.

**Tobacco industry marketing or sponsorship**

The district will not accept any contributions or gifts, money or materials from the tobacco industry. The district will not participate in any type of services that are funded by the tobacco industry. In addition, any gear, paraphernalia, clothing, etc., that advertises tobacco use or tobacco products will not be allowed on district grounds or in the possession of faculty, staff, contract or other workers or students at district-sponsored events.

Cf. GBED, JICG

Adopted 10/28/86; Revised 11/24/92, 10/22/96, 12/3/02, 2/28/06, 2/24/15

**Youth Access to Tobacco Prevention Act of 2006 South Carolina (South Carolina Code of Laws 16-17-500 and 501)**

Section (E)(1) of the Youth Access to Tobacco Prevention Act of 2006 states that A minor under the age of eighteen years must not purchase, attempt to purchase, possess, or attempt to possess a tobacco product, or present or offer proof of age that is false or fraudulent for the purpose of purchasing or possessing a tobacco product.

A minor who knowingly violates a provision of subsection (E)(1) in person, by agent, or in any other way commits a non-criminal offense and is subject to a civil fine of twenty-five dollars. The civil fine is subject to all applicable court costs, assessments, and surcharges.

In lieu of the civil fine, the court may require a minor to successfully complete a Department of Health and Environmental Control approved smoking cessation or tobacco prevention program, or to perform not more than five hours of community service for a charitable institution.

If a minor fails to pay the civil fine, successfully complete a smoking cessation or tobacco prevention program, or perform the required hours of community service as ordered by the court, the court may restrict the minor's driving privileges to driving only to and from school, work, and church, or as the court considers appropriate for a period of ninety days beginning from the date provided by the court. If the minor does not have a driver's license or permit, the court may delay the issuance of the minor's driver's license or permit for a period of ninety days beginning from the date the minor applies for a driver's license or permit. Upon restricting or delaying the issuance of the minor's driver's license or permit, the court must complete and remit to the Department of Motor Vehicles any required forms or documentation. The minor is not required to submit his driver's license or permit to the court or the Department of Motor Vehicles. The Department of Motor Vehicles must clearly indicate on the minor's driving record that the restriction or delayed issuance of the minor's driver's license or permit is not a traffic violation or a driver's license suspension. The Department of Motor Vehicles must notify the minor's parent, guardian, or custodian of the restriction or delayed issuance of the minor's driver's license or permit. At the completion of the ninety-day period, the Department of Motor Vehicles must remove the restriction or allow for the issuance of the minor's license or permit. No record may be maintained by the Department of Motor Vehicles of the restriction or delayed issuance of the minor's driver's license or permit after the ninety-day period. The restriction or delayed issuance of the minor's driver's license or permit must not be considered by any insurance company for automobile insurance purposes or result in any automobile insurance penalty, including any penalty under the Merit Rating Plan promulgated by the Department of Insurance.

### **VI-3. ALCOHOL AND OTHER DRUG POLICY FOR GRADES K-12**

The school district is committed to providing a drug and alcohol free learning environment and workplace. Drug and alcohol abuse in the workplace or at school or in connection with school-sponsored activities on or off school grounds threatens the health and safety of our students and our employees and adversely affects the educational mission of the district.

No student, regardless of age, will possess, use, sell, purchase, barter, distribute or be under the influence of alcoholic beverages or other controlled substances in the following situations.

- on school property (including buildings, grounds, vehicles)
- at any school-sponsored activity, function or event whether on or off school grounds including any place (where an interscholastic athletic contest is taking place)
- during any field trip
- during any trip or activity sponsored by the board or under the supervision of the board or its authorized agents

No student will aid, abet, assist or conceal the possession, consumption, purchase or distribution of any alcoholic beverage by any other student or students in any of the circumstances listed above.

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 in any of the circumstances listed above.

All principals will cooperate fully with law enforcement agencies and will report to them all information that would be considered pertinent or beneficial in their efforts to stop the sale, possession and use of controlled substances.

The administration will suspend students who violate this policy and the board may expel them. The board intends to expel all students who distribute any controlled substance on school grounds.

#### **VI-4. POSSESSION OF FIREARMS AND OTHER WEAPONS**

##### **POLICY JICI: WEAPONS IN SCHOOL**

Issued 8/06

Purpose: To establish the basic structure for the board's prohibition of student possession of weapons.

It is the policy of the board of education to ensure the safety and welfare of its students and employees. The presence of firearms, knives with a blade length of over two inches, dirk, razor, metal knuckles, slingshot, bludgeon or any other deadly instrument used for the infliction of bodily harm or death on school district property poses a severe threat of serious harm or injury to students and staff.

While on school grounds, in school buildings, on buses or at school-related functions, students will not possess any item capable of inflicting injury or harm (hereinafter referred to as a weapon) to persons or property when that item is not used in relation to a normal school activity at a scheduled time for the student. No vehicles parked on school property may contain firearms, knives, blackjacks or other items that are generally considered to be weapons.

##### **Level of offense**

It is a felony offense, punishable by a fine of \$1,000 or imprisonment for five years, or both, to carry a weapon as referenced above on school property.

It is a misdemeanor offense, punishable by a fine of up to \$500 or imprisonment for up to 90 days, to carry a concealed dirk, slingshot, metal knuckles, razor or other deadly objects.

##### **Weapons (firearms)**

**NOTE:** The following is directed specifically by the Gun-Free Schools Act, 20 U.S.C. 7151.

The board will expel any student who brings a weapon to school. For purposes of this policy, weapon means a firearm. The term firearm is defined extensively in the U.S. Code, but generally means a weapon (gun) or destructive device (explosive, incendiary).

The period of expulsion will be no less than one year.

The board directs the superintendent to bring recommendations for expulsion consistent with this policy, except that the superintendent, on a case-by-case basis, may modify this expulsion requirement.

The district will not provide educational services in an alternative setting to students expelled under this policy. Services will be provided for students who have an Individual Education Plan (IEP) in accordance with IDEA guidelines.

The district will refer each expelled student to the local county office of the Department of Juvenile Justice.

**ARTICLE VII - HEALTH OF STUDENTS**

**VII-1. REQUIRED VACCINATIONS FOR ENROLLMENT IN DAY CARE OR CHILD DEVELOPMENT CLASSES FOR 2021-2022**

Pursuant to Section 44-29-180, South Carolina Code of Laws, "...no owner of a public or private childcare facility as defined in Section 63-13-20 may...enroll or retain a child or person who cannot produce satisfactory evidence of having been vaccinated or immunized so often as directed by the Department of Health and Environmental Control. Records of vaccinations or immunizations must be maintained by the institution, school or day care facility to which the child or person has been admitted."

The Department of Health and Environmental Control has declared the following minimum requirements are necessary to receive the final immunization certificate for day care attendance for **4K programs and younger**. Children enrolled in day care who have not yet received all required immunizations must present a valid SC Certificate of Immunization that indicates by expiration date of the certificate when the next immunization(s) are due. The child is allowed to remain in the day care **no longer than 30 days after the noted expiration date**.

*Children enrolled in grade 5K or greater AND enrolled in a childcare facility (e.g., after school and/or summer program) must meet school immunization requirements and have a valid SC Certificate of Immunization on file at the childcare facility.*

**Minimum Requirements:<sup>1, 3</sup>**

<i>Vaccine for:</i>	<i>Day Care Requirements:</i>
<b>Diphtheria, Tetanus and Pertusis</b>	Four (4) doses of any combination of DTP, DT, or DTaP vaccine.
<b>Polio</b>	Three (3) doses of any combination of oral or inactivated Polio vaccine.
<b>Haemophilus Influenza Type b (Hib)</b>	Current, age-appropriate <i>Haemophilus influenzae</i> Type b conjugate vaccination according to the currently published immunization schedule. For children 15-59 months of age who have not yet completed age-appropriate Hib vaccination, one (1) dose of <i>Haemophilus influenzae</i> Type b vaccine at or after 15 months of age is required. <b>Hib vaccine is <u>not</u> required for children 5 years of age and older.</b>
<b>Rubeola (Measles)</b>	One (1) dose of Rubeola (Measles) vaccine received on or after the first birthday.
<b>Rubella (German Measles)</b>	One (1) dose of Rubella (German Measles) vaccine received on or after the first birthday.
<b>Mumps</b>	One (1) dose of Mumps vaccine received on or after the first birthday.

<b>Hepatitis B</b>	Three (3) doses of Hepatitis B vaccine with the third dose received $\geq$ 24 weeks of age and at least 16 weeks after the first dose.
<b>Varicella</b>	One (1) dose of Varicella vaccine received on or after the first birthday or positive history of disease.
<b>Pneumococcal</b>  <b>Pneumococcal (Continued)</b>	Current, age-appropriate pneumococcal vaccination according to the currently published immunization schedule. <sup>2</sup> For children aged 24-59 months who have not yet completed any age-appropriate pneumococcal vaccination schedule (PCV7 or PCV13), one (1) dose of 13-valent pneumococcal conjugate vaccine on or after the 2 <sup>nd</sup> birthday is required. <b>Pneumococcal conjugate vaccine is <u>not</u> required for children 5 years or age and older.</b>

<sup>1</sup> When issuing a South Carolina Certificate of Immunization, doses documented on the immunization certificate must be valid according to accepted practice standards for minimum age(s) and intervals.

<sup>2</sup> A single supplemental dose of PCV13 is strongly recommended for all children 14-59 months of age who have completed age-appropriate pneumococcal vaccination with the 7-valent pneumococcal vaccine (PCV7), but is not required for day care attendance.

<sup>3</sup> Pursuant to Section 44-29-180, South Carolina Code of Laws, and South Carolina Regulation 61-8, children may be exempt from these immunization requirements for the following reasons:

**Medical Exemption:** The Medical Exemption section of the SC Certificate of Immunization should only be completed when a child has a permanent or temporary medical reason for exclusion from receipt of vaccine(s). The Medical Exemption section must only be completed by a licensed Physician (MD or DO) or his/her authorized representative (e.g., Physician’s Assistant, or Advanced Practice Registered Nurse).

**Religious Exemption:** A religious exemption may be granted to any student whose parents, parent, guardian, or person in loco parentis signs and has notarized the appropriate section of the South Carolina Certificate of Religious Exemption. The South Carolina Certificate of Religious Exemption may only be obtained from the Department of Health and Environmental Control.

## **VII-2. REQUIRED VACCINATIONS FOR SCHOOL ENROLLMENT FOR 2021-2022**

Pursuant to Section 44-29-180, South Carolina Code of Laws, and South Carolina Regulation 61-8, “no superintendent of an institution of learning, or school board or principal of a school...may...enroll or retain a child or person who cannot produce satisfactory evidence of having been vaccinated or immunized so often as directed by the Department of Health and Environmental Control.... Records of vaccinations or immunizations must be maintained by the institution, school or day care facility to which the child or person has been admitted.”

The Department of Health and Environmental Control has declared the following minimum immunization requirements are necessary for a child to be admitted to any public, private, or parochial school, grades five-year-old kindergarten through twelve (5K – 12):

### **Minimum Requirements**

<i>Vaccine for:</i>	<i>Grade</i>	<i>Grade Level Requirements:</i>
		<i>Grade level requirements apply to all students entering or retained in the grades specified.</i>
<b>Diphtheria, Tetanus and Pertussis</b>	5K – 12	Four (4) doses of any combination of DTP, DT, DTaP, Td, or Tdap vaccine with at least one (1) dose received on or after the fourth birthday. <sup>2</sup>



<b>Tdap Booster</b>	7 – 12	One (1) dose of Tdap vaccine received on or after the 7 <sup>th</sup> birthday. <sup>3</sup> <b>If necessary, this dose of Tdap may be included as one of the doses needed to meet the requirement for Diphtheria, Tetanus, and Pertussis noted above.</b>
<b>Polio<sup>4</sup></b>	5K - 6	Three (3) doses of oral and/or inactivated polio vaccine with at least one (1) dose received on or after the fourth birthday.
	7 – 12	Three (3) doses of oral and/or inactivated Polio vaccine (IPV) with at least one (1) dose received on or after the 4 <sup>th</sup> birthday <b>OR</b> four (4) doses of oral and/or inactivated polio vaccine (IPV) before 4 <sup>th</sup> birthday (if all doses separated by at least 4 weeks). <b>Follow CDC recommendations for students 18 years of age and older.</b> <sup>4</sup>
<b>Rubeola (Measles)</b>		Two (2) doses of rubeola (Measles) vaccine with both doses received on or after the first birthday and separated by at least one month.
<b>Rubella (German Measles)</b>	5K – 12	One (1) dose of rubella (German Measles) vaccine received on or after the first birthday.
<b>Mumps</b>		One (1) dose of mumps vaccine received on or after the first birthday.
<b>Hepatitis B</b>	5K – 12	Three (3) doses of Hepatitis B vaccine with the third dose received $\geq 24$ weeks of age and at least 16 weeks after the first dose.
<b>Varicella</b>	5K - 4	Two (2) doses of varicella vaccine with both doses received on or after the first birthday and separated by at least 4 weeks or a positive history of disease.
	5 - 12	One (1) dose of varicella vaccine received on or after the first birthday or positive history of disease.

<sup>1</sup> When issuing a new South Carolina Certificate of Immunization, doses documented on the immunization certificate must be valid according to accepted practice standards for minimum age(s) and intervals.

<sup>2</sup> For unvaccinated or incompletely vaccinated children 7 years of age and older, refer to currently published ACIP Catch-Up Schedule for number of doses necessary to complete diphtheria, tetanus, and pertussis series and meet this requirement.

<sup>3</sup> Tdap is routinely administered at 11-12 years of age; however, a dose administered on or after the seventh birthday will meet this requirement.

<sup>4</sup> Routine vaccination of persons 18 years of age and older who reside in the United States is not necessary or recommended, unless in the following high risk categories: 1) traveler to areas where poliomyelitis is endemic or epidemic; 2) laboratory worker handling specimens that may contain polioviruses; or 3) healthcare worker who has close contact with patients who might be excreting wild polioviruses.

<sup>5</sup> Pursuant to Section 44-29-180, South Carolina Code of Laws, and South Carolina Regulation 61-8, students may be exempt from these immunization requirements for the following reasons:

**Medical Exemption:** The Medical Exemption section of the SC Certificate of Immunization should only be completed when a child has a permanent or temporary medical reason for exclusion from receipt of vaccine(s). The Medical Exemption section must only be completed by a licensed Physician (MD or DO) or his/her authorized representative (e.g., Physician’s Assistant - PA, or Advanced Practice Registered Nurse - APRN).

**Religious Exemption:** A religious exemption may be granted to any student whose parents, parent, guardian, or person in loco parentis signs the appropriate section of the South Carolina Certificate of Religious Exemption

stating that one or more immunizations conflicts with their religious beliefs. The South Carolina Certificate of Religious Exemption may only be obtained from the Department of Health and Environmental Control.

**Special Exemptions:** A South Carolina Certificate of Special Exemption, signed by the school principal or his/her authorized representative, may be issued to transfer students while awaiting arrival of medical records from their former area of residence or to other students who have been unable to secure immunizations or documentation of immunizations already received. This exemption may be issued only once and is valid for only thirty (30) calendar days from the date of enrollment. Upon expiration of this special exemption, the student must present a valid South Carolina Certificate of Immunization or a valid South Carolina Certificate of Religious Exemption.

### **VII-3. ADMINISTRATION OF MEDICATIONS**

#### **Policy JLCD – Assisting Students with Medications**

School personnel will not dispense medications (including over the counter medications) except as provided below and in administrative procedures developed by the superintendent.

All medication should be administered by students' parents or guardians before or after school hours when possible.

The principal or his/her designee may assist students with oral medications during school hours at the written request of the healthcare provider and parent/legal guardian. The Medication Administration Record (MAR) must be signed by personnel designated by the principal to dispense medication. Each time medication is dispensed to a student, the time and date must be recorded on the MAR and initialed by the person dispensing the medication.

Students who bring over the counter medication to school to take during the school day must have written parental permission to take the medication. All medication must be properly labeled and in its original container.

Students must leave all medication brought to school in the school office. The principal will keep the medication in a locked case. Students will not be allowed to keep any medication on their person, book bag, or locker unless parental and healthcare practitioner forms to self-administer and self-monitor have been signed.

Students will not share any prescription or over the counter medication with another student. Each year, the district will notify students in writing of this prohibition and that violations may result in disciplinary action including, but not limited to, suspension or expulsion.

If a school employs a licensed practical nurse (LPN), a registered nurse (RN) must be available on call (by phone, fax, e-mail).

#### **Individual Healthcare Plan (IHP)**

The district will provide certain students with special healthcare needs an individual healthcare plan. This plan will meet the needs of the student for health monitoring and care during the school day or at school-sponsored events.

In accordance with this plan, the district authorizes the student to self-monitor and self-administer medication as prescribed by the student's healthcare provider unless there is sufficient evidence that unsupervised self-monitoring or self-medication would seriously jeopardize the safety of the student or others.

The district will grant permission to self-monitor and self-administer medication on a year by year basis based on appropriate written authorization from the parent/legal guardian and the student's healthcare provider who prescribed the medication.

The parent/legal guardian must sign a statement acknowledging that the district is not liable for any injury arising out of the student's self-monitoring or self-medicating and agreeing to indemnify and hold the district harmless against any other claims arising out of the self-monitoring or self-administration (i.e., the injury of another student).

At the beginning of the school year, the district will send a notice developed by the state department of education to all parents/legal guardians that notifies them of available services and rights pursuant to Section 504 of the Rehabilitation Act of 1973, the IDEA and medical homebound regulations.

Adopted 3/27/90; Revised 10/27/98, 2/25/03, 8/23/07, 01/23/07, 04/23/13, 02/25/14

### **Administrative Rule JLCD-R – Assisting Students with Medication**

All medication should be administered by students' parents or guardians before or after school hours when possible.

Students are not allowed to bring medications to school except as directed below.

The principal or his/her designee is authorized to give medication as outlined below. The designee must be a school secretary, a teacher, teacher's aide, a guidance counselor or a school nurse.

The person administering the medication will document medication administered at the school on the student's individual medical record. The documentation must include the initials of the person and the date and time of the administration. Each person administering medication must have his/her signature and initials on the bottom of the medication record.

The student must submit the permission for prescription medication form signed by the parent and the physician before the principal or his/her designee will assist the student with medication. If the medication is not a prescription medication, the permission for non-prescription medication form must be submitted to the school prior to the student receiving any medication. Medication forms must be kept in the school office.

A new permission slip must be obtained each school year for each medication. If the dosage changes during the school year, a new permission slip with physician and parent/legal guardian signature must be obtained.

Medication must be brought to the school properly labeled and in its original container. If the medication is a controlled substance; for example, Ritalin, Adderall, Dexadrine or other amphetamines, parents/legal guardians must bring the medication to school. Under no circumstances will controlled substances be sent home on the school bus or brought to school on the bus.

All medications must be stored in a secured, locked, clean container or cabinet accessible only by authorized school personnel.

When refrigeration of medication is required, the medication must be segregated from food items in a secured plastic container labeled with the student's name.

School nurses will conduct weekly counts of all controlled substances. Written notification will be sent to parents/legal guardians if students fail to take their medication at the scheduled time.

If a school employs a licensed practical nurse (LPN), a registered nurse (RN) must be available on call (by phone, fax, email).

Parents/Legal guardians will reclaim any unused medication within one week of termination of treatment or on the last day of school. The school will destroy any unused medications after the last day of school.

Neither the school district nor its personnel will be responsible for any adverse drug reaction when the medication has been given in the manner prescribed.

The school district retains the discretion to reject requests for assisting students with medication.

### **Individual Healthcare Plan (IHP)**

An Individual Healthcare Plan (IHP) will be developed for all students with special healthcare needs. Any student who self-monitors or self-administers medication will have an IHP.

Students will be allowed to self-administer medication with proper authorization unless there is sufficient evidence that supervised self-monitoring or self-medicating would seriously jeopardize the safety of the student or others. The determination of who will administer the medication will be outlined in the individual healthcare plan. If allowed to self-monitor or self-administer, the student must “possess on his/her person” and administer medication while in the classroom, in school or on school grounds at any school-sponsored activity, in transit to or from school and/or during and before or after school activities on school operated property.

In order to self-monitor and/or medicate, the student’s parent/legal guardian must provide written authorization for the student to self-monitor or self-administer. The parent/legal guardian must provide a statement from the prescribing healthcare practitioner verifying the medical condition and that the student has been instructed and demonstrates competency in self-monitoring or self-administration. This authorization is effective for one school year and must be renewed each school year.

Issued 3/27/90; Revised 2/25/03, 11/29/05, 8/23/06, 1/23/07, 04/23/13, 02/25/14

## **VII-4. COMMUNICABLE/INFECTIOUS DISEASES**

Policy JLCC – Communicable/Infectious Diseases

Purpose: To establish the basic structure for dealing with students who have communicable or infectious diseases.

### **HIV infection**

Evidence shows that the risk of transmitting human immunodeficiency virus (HIV) is extremely low in school settings when current guidelines are followed. The presence of a person living with HIV infection or diagnosed with acquired immunodeficiency syndrome (AIDS) poses no significant risk to others in school, daycare or school athletic settings.

### *School attendance*

A student with HIV infection has the same right to attend school and receive services as any other student and will be subject to the same rules and policies. HIV infection will not factor into decisions concerning class assignments, privileges or participation in any school sponsored activity.

School authorities will determine the educational placement of a student known to be infected with HIV on a case-by-case basis by following established policies and procedures for students with chronic health problems or students with disabilities. Decision makers must consult with the student's physician and parent/legal guardian; respect the student's and family's privacy rights; and reassess the placement if there is a change in the student's need for accommodations or services.

School staff members will always strive to maintain a respectful school climate and not allow physical or verbal harassment of any individual or group by another individual or group. This includes taunts directed against a person living with HIV infection, a person perceived as having HIV infection or a person associated with someone with HIV infection.

### *Student athletics*

The privilege of participating in physical education classes, athletic programs, competitive sports and recess is not conditional on a person's HIV status. School authorities will make reasonable accommodations to allow students living with HIV infection to participate in school-sponsored physical activities.

All employees must consistently adhere to infection control guidelines in locker rooms and all play and athletic settings. Rulebooks will reflect these guidelines. First aid kits that include personal protective equipment for preventing exposure to blood borne pathogens must be on hand at every athletic event.

Physical education teachers and athletic program staff members should complete an approved first aid and injury prevention course or training that includes implementation of infection control guidelines. Student orientation about safety on the playing field will include guidelines for avoiding HIV infection.

### *Related Services*

Students will have access to voluntary, confidential, age and developmentally appropriate counseling about matters related to HIV infection. School administrators will maintain confidential linkage and referral mechanisms to facilitate voluntary student access to appropriate HIV counseling and testing programs and to other HIV-related services as needed. Public information about resources in the community will be kept available for voluntary student use.

### *Privacy*

State regulations require that the superintendent, school nurse or other health professional who receives notice of a minor's human immunodeficiency virus (HIV) infection must keep the information strictly confidential. Violation of the confidentiality requirements is a violation of state law.

Students or staff members are not required to disclose HIV infection status to anyone in the education system. HIV antibody testing is not required for any purpose.

Every employee has a duty to treat as highly confidential any knowledge or speculation concerning the HIV status of a student or other staff member. Violation of medical privacy is cause for disciplinary action, criminal prosecution and/or personal liability for a civil suit.

No information regarding a person's HIV status will be divulged to any individual or organization without a court order or the informed, written, signed and dated consent of the person with the HIV infection (or the parent/legal guardian of a legal minor). The written consent must specify the name of the recipient of the information and the reason for disclosure.

All health records, notes and other documents that reference a person's HIV status will be kept under lock and key. Access to these confidential records is limited to those individuals named in written permission from the person (or parent/legal guardian) and to emergency medical personnel. Information regarding HIV status will not be added to a student's permanent educational or health record without written consent.

### **Head lice (Pediculosis)**

If a teacher suspects a child of having head lice, he/she will notify the school nurse or principal's designee. If the student has an active infestation, school personnel will notify the parents/legal guardians by telephone or in writing with recommendations for treatment procedures.

The school will inform parents/legal guardians, teachers, school nurses and administrators of the following.

- recommendations for treatment procedures
- documentation required for readmission to school

### **Readmission to school**

The district prohibits a student who is sent home with head lice from returning to school until he/she meets the following conditions.

- the student shows evidence of treatment as determined by the school
- the student passes a physical screening by the school nurse or principal's designee that shows the absence of head lice

At no time will a student be allowed to return to school without proof of treatment and a screening.

Adopted 08/23/06; Revised 08/24/10

## **VII-5. STUDENT WELFARE**

### **Policy JLF – Student Welfare**

Purpose: To establish the basic structure for the reporting of child abuse.

The schools of this district will cooperate vigorously to expose the problems of child abuse and neglect.

Any principal, assistant principal, school teacher, school attendance officer, nurse or counselor who has received information in his/her professional capacity which gives him/her reason to believe that a child under the age of 18 has been or may be abused or neglected as defined by law must report such

a situation. These individuals may make the report to a law enforcement agency in the county where the child resides or to the county department of social services.

Other school employees who have reason to believe that a child under the age of 18 has been or may be abused or neglected as defined by law may also report or cause a report to be made as stated above.

The State of South Carolina provides both civil and criminal immunity to those reporting suspected child abuse or neglect. Anyone required to report who knowingly fails to do so may be guilty of a misdemeanor.

### **Reporting procedures**

School personnel who suspect child abuse or neglect may make a report in good faith. It is not the responsibility of school personnel to prove that the child has been abused or neglected, or to make a determination of whether the child is in need of protection. Any involvement of school personnel in investigation or treatment should be in conjunction with the local child protection unit of the department of social services.

The teacher or other school employee first suspecting the abuse must make an oral report by telephoning or otherwise which includes the following information.

- name, address and age of student
- name and address of parent/legal guardian or caretaker
- nature and extent of injuries or description of neglect
- any other information that might help to establish the cause of the injuries or condition

The person making the report should tell the principal of the school of any oral or written report submitted in a case of child abuse or neglect.

School employees who make child abuse or neglect reports must maintain the confidentiality of the information contained in the report. Employees will release this information only to the department of social services or, in the alternative, the county law enforcement agency.

Adopted 1/27/04; 8/23/06; 03/22/16

## **VII-6. FOOD ALLERGIES AND SPECIAL DIETARY NEEDS**

### **Policy JLCDC Food Allergies and Special Dietary Needs**

Purpose: To establish the basic structure for the management of food allergies.

The board is committed to the well-being of all students and will provide a safe and healthy learning environment for those with food allergies.

The purpose of this policy is to accomplish the following:

- Reduce the likelihood of severe or potentially life-threatening allergic reactions.
- Ensure a rapid and effective response in the case of a severe or potentially life-threatening allergic reaction.

- Protect the rights of food allergic students to participate in all school activities.

Schools are considered high risk areas for students with food allergies, with most incidents of allergic reactions occurring due to accidental exposure. While schools may not be able to totally prevent allergic reactions, they can dramatically reduce both the likelihood of such reactions occurring and the severity of consequences if they do occur with effective prevention and treatment plans, proper procedures, well-trained staff and clear communication.

The level of sensitivity and the types and severity of reactions vary considerably among students with food allergies. Approaches to preventing and treating food allergies must be tailored to the needs of each student. At the same time, an undiagnosed student may experience an allergic reaction to food for the first time while at school, and staff must be prepared for such occurrences.

### **Definitions**

*Anaphylaxis* - An acute allergic reaction that affects more than one system of the body. It is a life-threatening event. If someone exhibits difficulty breathing, a drop in blood pressure or symptoms in more than one body system (cutaneous, respiratory, gastrointestinal or cardiovascular) after possible exposure to an allergen, it should be considered anaphylaxis. Medical attention and treatment should be sought immediately.

*Epinephrine* (also known as adrenaline) - Treatment to prevent or treat anaphylaxis which helps to reverse the symptoms and prevent progression to other symptoms. Epinephrine should be given immediately, as a delay in treatment with epinephrine can be fatal.

*Epinephrine auto-injector* (sometimes called EpiPen) - A device that is used for the automatic injection of epinephrine into the body.

*Food allergy* - An abnormal, adverse reaction to food that is triggered by the body's immune system. The immune system responds to an otherwise harmless food as if it were harmful, resulting in the release of various chemicals, including histamines. The most common food allergies are to peanuts, tree nuts, milk, soy, eggs, fish, crustacean shellfish and wheat.

*Food allergy symptoms* - Manifestations of the allergic reaction in various parts of the body.

Areas of the body affected may include the following:

- the cutaneous system (skin inflammation, tingling, itching, hives, rash, swelling of the lips, tongue and/or throat)
- the respiratory system (runny or stuffy nose, sneezing, coughing, wheezing, difficulty breathing)
- the gastrointestinal tract (abdominal cramps, vomiting, diarrhea)
- the cardiovascular system (drop in blood pressure, dizziness, lightheadedness, heartbeat irregularities, fainting, shock)

Symptoms can begin immediately upon, or up to two hours after, exposure to an allergen. Some individuals exhibit initial symptoms followed by a second phase of symptoms two to four hours later. If more than one system is affected, it is considered anaphylaxis.

*Individual Healthcare Plan (IHP)* - A comprehensive plan for the care of children with special healthcare needs, including food allergies. Plans should include both preventive measures and a set of procedural guidelines that provide specific directions about what to do in an emergency situation.



All principals, in coordination with the school nurse, will implement student IHP protocol consistent with this policy. The protocols will be reviewed and updated annually, as well as after any serious allergic reaction has occurred at school or a school-sponsored activity.

All principals will identify school personnel who might be involved in managing an emergency in a school, including anaphylaxis. Training will be provided for personnel on the signs and symptoms of anaphylactic shock, proper epinephrine auto-injector administration, adverse reactions to epinephrine and preparation for movement and transport of the student. Personnel will review emergency protocols on an annual basis.

### **Individual Healthcare Plans**

An IHP will be developed for each student identified with any food allergy with potentially serious health consequences. The school nurse will develop the IHP in collaboration with the student's health care provider, parents/legal guardians and the student (if appropriate). This must be done prior to entry into school or immediately thereafter for students previously diagnosed with an allergy and should be done immediately for students already enrolled who are newly diagnosed with an allergy. These plans should include both preventative measures to help avoid accidental exposure to allergens and emergency measures in case of exposure.

Depending on the nature and extent of the student's allergy, the measures listed in the IHP may include, but are not limited to, the following:

- prohibiting the sale of particular food items in the school
- designating special tables in the cafeteria
- prohibiting particular food items from certain classrooms and/or the cafeteria
- completely prohibiting particular food items from the school or school grounds
- educating school personnel, students and families about food allergies
- implementing particular protocols around cleaning surfaces touched by food products, such as washing of hands after eating, etc.

### **Self-management**

A student at risk for anaphylaxis will be allowed to carry an epinephrine auto-injector with him/her at all times in accordance with the physician's order and the self-monitoring and self-medication authorization forms. If this is not appropriate (e.g., because of the age of the student), the epinephrine auto-injector will be kept in the locked medicine cabinet in the health room.

### **Allergy bullying**

All threats or harassment of students with food allergies will be taken very seriously and will be dealt with in accordance with the district's policy regarding bullying and harassment.

### **Confidentiality**

The confidentiality of students with food allergies will be maintained to the extent appropriate and as requested by the student's parents/legal guardians in accordance with federal law.

Cf. JLCD, JLCDB, JLCE

Adopted 11/17/15

## **VII-7. STUDENT INSURANCE**

Abbeville County School District makes a low-cost accident insurance program available to all students for purchase. At a minimum, the insurance will provide accident coverage for students on the way to and from school on the school bus, while they are at school, and whenever they are engaging in school-sponsored activities.

The purchase of school insurance is optional and is provided by an outside carrier. It is the responsibility of each parent to purchase the school insurance package desired and to understand the coverage and benefits offered by the plan. Independent of the purchased school insurance package, Abbeville County School District is not required and does not provide accident coverage for students who are injured at school or school-related activities.

## **VII-8. INTERSCHOLASTIC SPORTS INSURANCE**

Abbeville County School District (ACSD) provides a secondary insurance coverage to all athletic participants.

***Participants with Insurance Coverage:*** Your personal insurance pays first. The ACSD insurance may cover a portion of the remaining amount. **The insurance may not cover all fees. Any remainder is the parent's responsibility.**

***Participants without Insurance Coverage:*** If the participant does not have insurance, the ACSD insurance may cover a portion of the medical expense. **The insurance may not cover all fees. Any remainder is the parent's responsibility.**

In the event the participant is injured, the following injury claims procedures must be followed:

- Report the accident to the Coach. The Coach will complete an Incident Report Form.
- The Incident Report Form must be submitted to the Athletic Director within 24 hours of the accident.
- The Athletic Director will complete Part 1 of the Student Accident Claim Form. The parent/guardian is responsible for obtaining the form from the Athletic Director and completing Part 2 of the Form.
- It is the parent's responsibility to mail the form and any itemized bills to the insurance company within 90 days of the date of the accident.

Interscholastic sports participants must annually sign an "Interscholastic Sports Insurance Coverage Notification" form and return it to the Athletic Department at the school to avoid jeopardizing participation in sports.

## **ARTICLE VIII – SPECIAL PROGRAMS**

### **VIII-1. INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)**

The Office of Special Services offers a full continuum of services to students who qualify under the Individuals with Disabilities Education Act. It is the policy of Abbeville County School District to provide a free and appropriate public education including special education and related services for all students with disabilities from the ages of 3 to 21.

A wide range of special services are offered through the speech, resource, and the self-contained classrooms. Students who qualify for these programs receive additional educational support through teachers specially trained for their needs. Students who are experiencing difficulty in school may be referred to the Student Support Team which is located at each school. For questions related to special education, you may contact the Coordinator of Special Services at (864) 366-5427.

### **VIII-2. SECTION 504 OF THE REHABILITATION ACT OF 1973**

Abbeville County Schools, in compliance with Section 504 of the Rehabilitation Act of 1973, provides accommodations for students who have a physical or mental impairment that significantly limits one or more major life functions (including learning). The 504 plan is designed for the individual student according to the identified need. For questions related to Section 504, you may contact the Coordinator of Special Services at (864) 366-5427.

### **VIII-3. GIFTED EDUCATION**

Gifted education in Abbeville County School District is based on a rigorous, challenging curriculum that provides academic and intellectual depth for students who need instructional differentiation. The program differs from school to school, offers a variety of individual-oriented services and includes students from all socio-economic and ethnic groups. The program focuses on active learning, creativity, and academic rigor in an attempt to meet the needs of gifted students.

Academically and Intellectually gifted students perform or show the potential to perform at substantially high levels of accomplishment when compared with others of their age, experience or environment. These students exhibit high performance capability in intellectual areas, specific academic fields or in both intellectual areas and specific academic fields. Students may refer themselves or may be referred by parents or teachers.

Academically or intellectually gifted students require differentiated education services beyond those ordinarily provided by the regular educational program. Outstanding abilities are present in students from all cultural groups, across all economic strata, and in all areas of human endeavor.

Gifted education services are available to all students regardless of race, gender, age, religion, disability or national origin. For additional information or issues of concern, please contact: GT Teacher, Counselor or Principal at your school, or the Coordinator of 4-Year-Old Child Development/Gifted and Talented/Assessment at (864) 366-5427.

### **VIII-4 EVERY STUDENT SUCCEEDS ACT – TITLE I**

The purpose of Title I, Part A of the *Every Student Succeeds Act* is to enable schools to provide opportunities for children served to acquire the knowledge and skills contained in the challenging state content standards and to meet the challenging state performance standards developed for all children.

Title I funds are distributed to specified schools based on the free/reduced lunch count and the numbers of students attending that school. In Abbeville County, Title I schools operate under a school-wide planning model. A school-wide planning model allows schools to use Title I funds to serve the entire student population of the school. With the help of a planning team, each Title I

school develops a school-wide plan of how they intend to spend the funds. A copy of each school's Title I plan is kept on file at the school and may be viewed by contacting the principal. If you would like to become involved in the planning process, contact the principal at your child's school. For questions related to Title I, you may contact the Director of Federal Programs at (864) 366-5427.

## **VIII-5. INSTRUCTIONAL SERVICES FOR LIMITED ENGLISH PROFICIENCY STUDENTS**

### **Policy IHBEA – Instructional Services for Limited English Proficiency Students**

Purpose: To establish the basic structure of instructional programs for limited English proficiency students in the district.

The board believes that all students, including those with limited English proficiency (LEP), should receive a high quality education within the district. As such, LEP students will be identified, have meaningful access to school programs, attain English proficiency, develop high levels of academic achievement in English and meet the student achievement standards.

“LEP students” refers to learners who are identified as still in the process of acquiring English as an additional language, students who may not speak English at all or, at least, do not speak, understand and write English with the same skill as their classmates because they did not grow up speaking English.

LEP students who are able to demonstrate that they can read, write and comprehend English well enough to participate meaningfully in the district's programs, as assessed by the district, will be reclassified. The district will periodically monitor newly reclassified students to ensure that students continue making progress.

### **Compliance**

The superintendent or his/her designee will be responsible for implementing procedures to comply with federal and state laws. Procedures will be established to do the following:

- Identify and assess all students whose primary language is not English and therefore, have or may have difficulty performing ordinary class work in English.
- Maintain adequate records of the educational level and progress of each child identified as a candidate for LEP services and make those records available to appropriate staff members and parents/legal guardians.
- Objectively assess the progress of LEP students in order to determine when reclassification or transfer to fully English proficient programs is appropriate. Standards for exit from LEP services should be objectively based and should be designed to determine whether LEP students are able to read, write and comprehend English well enough to participate meaningfully without such services.
- Monitor reclassified students' academic achievement to determine whether reclassified students are able to succeed in all-English programs based on their English language proficiency.

## **Assessment**

A home language survey must be administered to all students. Based on the information in the survey, schools must give a standardized language assessment to potential LEP and migrant students to determine needs and provide alternative language program services.

LEP students will be placed with students of the same age. Classroom teachers will modify instruction, assignments and grades to meet the needs of such students.

An LEP student will be advanced along with his/her peers unless there is evidence that the student was held back for factors other than English proficiency.

LEP students are eligible to participate in all age-appropriate school programs and to receive all available services.

Students will be monitored for at least two years after students have exited alternative language services. Such services may be reinstated as necessary.

Parents/Legal guardians may contact the State Department of Education to file a complaint if they believe their children have been denied educational opportunities due to their English-speaking status.

Cf. IHBA, JFAA, JH, JRA

Adopted 11/17/15

## **VIII-6 STUDENT FEES, FINES, AND CHARGES**

Section 59-19-90(8) of the South Carolina Code of Laws gives the Board of Trustees the power to charge and collect matriculation and incidental fees from students; however, regulations or policies adopted by the board regarding charges and collections must take into account the students' ability to pay and must hold the fees to a minimum reasonable amount. Fees may not be charged to students eligible for free lunches and must be reduced pro rata for students eligible for reduced price lunches.

### **Policy JQ – Student Fees, Fines, and Charges**

Purpose: To establish the basic structure for the assessment of student fees, fines and charges.

#### **Fees**

The board recognizes that it may charge student fees to offset the cost of educational materials and supplies. The district will not deny any student an education because of his/her failure to pay these supplementary charges.

No school will charge a fee that has not been approved by the board.

The superintendent will work with principals to formulate the necessary controls and records to assure that all fees are uniform and held to a minimum.

The district will not charge instructional fees to students who qualify for free lunches and will prorate instructional fees for students who qualify for reduced-price lunches, excluding electives.

## **Fines and Charges**

No student is exempt from charges for books, lockers, materials, supplies and equipment that are lost or damaged.

Adopted 1/27/04; Revised 8/23/06

## **ARTICLE IX – ENROLLMENT, ATTENDANCE, AND TRUANCY**

### **IX-1. ENROLLMENT OF RESIDENT STUDENTS**

Generally, all persons of legally defined and mandated school age who reside in the district and who have presented required birth certificates and certificates of immunization may attend the free public schools.

#### **First-Time Enrollment**

When a student seeks to enroll in the district for the first time, the board may consider whether the student meets the district's standards of conduct and behavior. The board will consider non-school records and the student's disciplinary records in any school in which the student was previously enrolled. The board will consider these records as they relate to the adjudication of delinquency in any jurisdiction for violent crimes, unlawful use or possession of weapons, or unlawful sale of drugs. If the board does not allow the student to enroll based on his/her record, the board will notify the student's parent/legal guardian. The board will give the student a hearing and other procedural rights in accordance with administrative rule JKE-R (Expulsion).

The bar to enrollment applies for a maximum of one year. After the bar is lifted, the student may reapply.

#### **Criteria for Admission**

Under South Carolina law, district may admit a student who lives in the district provided the student meets one of the following criteria.

- lives with his/her parents
- lives with his/her legal guardian
- lives with his/her foster parents
- is emancipated
- is homeless or is a child of a homeless individual, as defined in Public Law 100-77
- resides in an emergency shelter located within the district
- lives in a residential community-based care facility licensed by the South Carolina Department of Social Services or operated by the South Carolina Department of Social Services or the South Carolina Department of Youth Services

#### **Guardianship**

The school district adheres to the opinion of the Attorney General that the term “legal guardian” as used in Section 59-63-30(b) of the Code of Laws of South Carolina means either a testamentary guardian or guardian by judicial appointment. A copy of the official document establishing the guardian relationship will be filed in the child’s permanent record at the school.

Enrollment will not be permitted until an appropriate guardianship has been established. An exception may be allowed for bona fide hardship cases, as determined by the superintendent or his/her designee. Students whose parents/legal guardians reside in districts contiguous to Abbeville County School District normally will not be a bona fide hardship case. In all cases of hardship exceptions, the student will pay in advance tuition based on cost per student as last determined for attendance in the public schools of the school district until an appropriate guardianship has been established.

If an adult resident of the district signs an affidavit as required by law, the district must admit a student who lives with an adult resident of the district provided the child resides with the adult as a result of any of the following.

- the death, serious illness, or incarceration of a parent/legal guardian
- the relinquishment by a parent/legal guardian of the complete control of the child as evidenced by the failure to provide substantial financial support and parental guidance
- abuse or neglect by a parent/legal guardian
- the physical or mental condition of a parent/legal guardian is such that he/she cannot provide adequate care and supervision of the child
- a parent's/legal guardian's homelessness, as that term is defined by Public Law 100-77

In addition, the adult must attest that the child's claim of residency in the district is not primarily related to attendance at a particular school. The adult must also accept responsibility for educational decisions for the child.

In all cases the student must do the following.

- have maintained a satisfactory scholastic record in accordance with scholastic standards of achievement set by the board of trustees
- not have been guilty of violating the rules of conduct and behavior that must be met by all students as a condition to the right to attend the public schools of the district as set by the board of trustees

### **Verifying Residence and Domicile**

Students who live in Abbeville County and are seeking admission to a school or special program must verify where they live. This verification concerns a student's domicile, the place at which a person is physically present and that the person regards as home. This requires documentation on the property the student occupies as his/her domicile.

A student's domicile shall be verified not later than the date the student is admitted to the school. Once a student has been admitted, it shall not be necessary for the student to re-establish domicile each year; however, if deemed necessary by the principal, the principal may require a student to provide the required documentation to verify a student's domicile.

Special circumstances (e.g., student not living with a parent/legal guardian, other primary caregiver and primary vs. secondary residence) will require the investigation of state legal requirements and interpretation of legal counsel, if necessary. Any adult resident of the district with whom a student lives must provide an affidavit as required by law to show that the child is domiciled with the adult.

## **Documents to Prove a Student's Domicile**

Each new enrollee must have the following:

- Parent/Legal guardian's affidavit about the student's domicile. The "Affidavit of Student's Domicile" must be signed under penalty of perjury and state law penalties for falsifying domicile information.
- One of the documents in category one
- One or more of the documents in category two (all documents must be current; must show name and street address; display of P.O. Box is unacceptable).

### **Required Affidavit**

The affidavit which shall be required of all new enrollees shall be the form "Affidavit of Student's Domicile" as attached to this administrative rule.

### **Required Category One Document (at least one must be provided for each student)**

- If property is rented, the parent/legal guardian or responsible person must provide a copy of a signed and dated lease. If a lease was not provided or required by the property owner at the time of occupancy, a signed, notarized and dated writing from the property owner verifying that the parent/legal guardian or responsible person and the student are domiciled at the stated address.
- If property is owned, a copy of the most recent tax bill reflecting that the student's parent/legal guardian or responsible person owns the property.
- If property is being bought or being built, a copy of the contract for sale with date of closing including buyer and seller, or a copy of the contract for construction.

### **Required Category Two Documents (at least one of which must be provided for the property you and the student occupy as your domicile)**

- Electric or gas bill
- Water bill
- Phone bill (not cell phone)
- Cable bill
- Voter registration card
- Car registration (not driver's license)
- Pay stub (must show employer's name, name and address of the parent/legal guardian or responsible person)
- Local, state, or federal agency correspondence (Social Security, Medicaid, DSS, IRS, food stamps, court documents, etc.) that reflects the name and address of the parent/legal guardian or responsible person



**If the parent/legal guardian or other responsible person and the student live with someone else in their home, the affidavit and documents from categories one and two must be provided.**

- The parent/legal guardian or other responsible person must provide the required affidavit. In addition, the person with whom you and the student are living must provide a signed, notarized and dated writing verifying the address and that the parent/legal guardian or responsible person and the student are domiciled at the stated address.
- The person with whom you are living must provide the required documents from categories one and two.
- The parent/legal guardian or other responsible person must provide two documents from category two showing their name at that address.

Procedures and proof of residency affidavit are contained in exhibit JFAA-E. Falsification of documentation may be subject to forgery and penalties of perjury. Applicants must certify as follows:

“Under penalty of perjury I certify that, as primary caregiver of my applicant child: (A) the residence which is the subject of this application **is my legal residence and my domicile, the place where I and the student actually live at the time of this application** and that I do not claim to be a legal resident of a jurisdiction other than Abbeville County, South Carolina for any purpose; and (B) that neither I nor any other member of my household (that is; the owner-occupant’s or leaser-occupant’s spouse, except when that spouse is legally separated from the owner/leaser-occupant and any child of the owner/leaser-occupant claimed or eligible to be claimed as a dependent on the owner/leaser-occupant’s federal income tax return) is residing in or occupying any other residence which I or any member of my immediate family has qualified for legal residency.”

The district will not deny admission to any student on the basis of race, religion, color, creed, sex, immigrant status or English-speaking status, national origin or disabling condition.

Adopted 06/28/11

## **IX-2. ADMISSION OF HOMELESS STUDENTS**

### **Policy JFABD – Admission of Homeless Students**

Purpose: To establish the basic structure for the admission of homeless students to schools within the district.

Homeless students in the district will have access to the education and other services needed to ensure that an opportunity is available to meet the same academic achievement standards to which all students are held.

A liaison for students in homeless situations will be designated by the district to carry out duties as required by law.

The district will ensure that homeless students are not stigmatized or segregated on the basis of their status. A homeless student will be admitted to the district school in the attendance area in which the student is actually living or to the student’s school of origin as requested by the parent/legal guardian and in accordance with the student’s best interest. Transportation will be provided to and from the

student's school of origin at the request of the parent/legal guardian or, in the case of an unaccompanied student, the district's liaison for homeless students.

An unaccompanied youth or the parent/legal guardian of a homeless student may request a state-level review of the district's final decision regarding an enrollment issue. Under no circumstances will the resolution of a dispute delay the enrollment of said student.

The district will not deny admission to any student on the basis of race, religion, sex, disability, national origin, immigration or English-speaking status.

The superintendent will develop administrative procedures to implement this policy.

Cf. EEA, IHBA, JFAA, JH, JRA

Adopted 1/27/04; Revised 8/23/06, 11/17/15

## **Administrative Rule R-JFABD**

### **Definitions**

*Enrollment* - attending classes and participating fully in school activities.

*School of origin* - the school that the student attended when permanently housed or the school where last enrolled, including a preschool, and the designated receiving school at the next grade level for all feeder schools when a student completes the final grade level served by the school of origin.

*Homeless student* - individual who lacks a fixed, regular, and adequate nighttime residence and includes the following:

- student who is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; is living in a motel, hotel, trailer park, or camping ground due to lack of alternative adequate accommodations; is living in emergency or transitional shelter; or is abandoned in a hospital
- student who has a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for a human being
- student who is living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting
- migratory student who qualifies as homeless because the student is living in circumstances described above

*Unaccompanied student* - includes a student not in the physical custody of a parent/guardian.

### **Assignment to School**

The district will, according to the student's best interest, continue the student's education in the school of origin for the duration of homelessness, or enroll the student in a school on the same basis as other students in the attendance area in which the homeless student is actually living.

In determining the best interest of the student, the district will do the following:

- Give priority to the request of the parent/guardian or unaccompanied student.
- Operate under the presumption that placement in the school of origin is in the student's best interest and, to the extent feasible, keep a homeless student in the school of origin, unless doing so is contrary to the wishes of the student's parent/guardian.
- Consider student-centered factors in making its determination, including, but not limited to, the effect of mobility on the achievement, education, health, and safety of homeless students and the placement of the student's siblings.
- Provide a written explanation, including a statement regarding the right to appeal and to request a state-level review, if the district sends a homeless student to a school other than the school of origin or the school requested by the parent/guardian.
- In the case of an unaccompanied student, ensure that the district's liaison, helping with placement or enrollment decisions, considers the views of the student and provides notice of the right to appeal and to request a state-level review.

When a student obtains permanent housing, transportation to the school of origin will be provided until the end of the academic year if it is in the best interest of the student to remain in that school.

### **Enrollment**

The district will immediately enroll the student in the school selected even if the student is unable to produce records normally required for enrollment such as academic records, medical records, proof of residency, proof of guardianship, birth certificates, or other documentation.

The district will contact the school last attended to obtain relevant academic and other records.

If the student needs to obtain immunizations or medical records, the district will refer the parent/guardian to the district's liaison who will help in obtaining necessary immunizations or records.

As appropriate, the district will ensure homeless students have access to academic and extracurricular activities for which they meet eligibility criteria.

### **Records**

Any records ordinarily maintained by the district including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs will be maintained so that the records are available in a timely fashion when a homeless student enters a new school or district, consistent with state and federal law.

Schools will treat information about a homeless student's living situation as a student education record, subject to the protections of the Family Educational Rights and Privacy Act (FERPA).

## **Enrollment Disputes**

If a dispute arises over school selection or enrollment, the student will immediately be admitted to the requested school pending resolution of the dispute.

The parent/guardian of the student will be provided with a written explanation of the district's decision regarding school selection, including the rights of the parent/guardian or student to appeal the decision. At a minimum, the explanation will include the following:

- the justification of how the school reached its decision regarding eligibility, school selection, or enrollment, including:
  - a description of the action proposed or refused by the district
  - an explanation of why the action is proposed or refused
  - a description of any other options the school considered
  - the reasons why any other options were rejected
  - a description of any other factors relevant to the school's decision and information related to the eligibility or best interest determination, including the facts, witnesses, and evidence relied upon and their sources
- appropriate timelines to ensure any relevant deadlines are not missed
- contact information for the local liaison and state coordinator and a brief description of their roles

The student or parent/guardian will be referred to the district's liaison who will ensure the resolution process is carried out as expeditiously as possible. In the case of an unaccompanied student, the district's liaison will ensure the student is immediately enrolled in school pending the resolution of any administrative or judicial proceeding regarding an enrollment dispute. The student must be provided all relevant services and be allowed to participate fully in all school activities.

When it is determined that a dispute cannot be settled at the district level, the district will do the following in a timely manner:

- Inform the unaccompanied student or parent/guardian of a homeless student of his/her right to request a South Carolina Department of Education (SCDE) review of the district's decision. This request must be made either on the district-supplied request-for-review form or by a telephone interview with the appropriate SCDE contact.
- Provide the unaccompanied student or parent/guardian a copy of the appropriate form and the SCDE contact information.
- Inform the unaccompanied student or parent/guardian that he/she may seek the assistance of advocates or attorneys for the review.

After receiving the appropriate documentation from SCDE, the district will respond to the department and the individual filing the state review request within five business days.

*See JFABD-E (1-3) for further information regarding the settlement of enrollment disputes.*

## **Services**

Each homeless student will be provided services comparable to services offered to other students, including the following:

- transportation services
- education services for which the student is eligible, such as the following:
  - Title 1
  - special education
  - programs for English learner students
  - career and technical education programs
  - talented and gifted programs
  - advanced placement courses
  - online learning
- school nutrition programs
- extracurricular activities

## **Coordination**

The district will coordinate the provision of services to homeless students with local social service agencies and other agencies or programs providing services to homeless students and their families. Services will also be provided in cooperation with other districts on inter-district issues, such as transportation or transfer of school records, to ensure that homeless students have access to available education and related services.

## **District Liaison**

The district's liaison will ensure the following:

- Homeless students are identified.
- Homeless students enroll in and have a full and equal opportunity to succeed in district schools.
- Homeless students receive appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with state law and regulations as well as district policies.
- Homeless families and students receive educational services for which they are eligible and referrals to healthcare services, dental services, mental health services, housing services, and other appropriate services.
- The parent/guardian of a homeless student is informed of the educational and related opportunities available to the student and is provided with meaningful opportunities to participate in the education of his/her child.
- Public notice of the educational rights of homeless students is distributed where such students receive services (e.g., schools, family shelters, public libraries, and soup kitchens) and in a manner and form understandable to the parents/guardians of such students.

- Enrollment disputes are mediated.
- The parent/guardian of a homeless student or any unaccompanied student is informed about and assisted in requesting a state-level review of the district’s final enrollment decision.
- The parent/guardian of a homeless student or any unaccompanied student is fully informed of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school selected.
- School personnel, service providers, and advocates working with homeless students and their families are informed of the liaison’s duties and receive professional development and other support from the liaison.
- Unaccompanied students are enrolled in school, have opportunities to meet the same challenging academic standards as other students, and are informed of their status as independent students under Section 480 of the Higher Education Act and their right to receive verification of this status from the local liaison for purposes of determining their eligibility for aid for post-secondary program enrollment.
- The parent/guardian has access to the resources of the district for preparation of an appeal of an enrollment decision (e.g., copying, mailing, or obtaining records).

The district’s liaison will coordinate and collaborate with the state coordinator, community, and school personnel responsible for the provision of educational and related services to homeless students.

Issued 1/27/04; Revised 8/23/06, 11/28/17

### **IX-3. ADMISSION OF LIMITED ENGLISH PROFICIENCY AND MIGRANT STUDENTS**

#### **Policy JFABE – Admission of Limited English Proficiency and Migrant Students**

Purpose: To establish the basic structure for the admission of students with limited English proficiency and migrant students to schools within the district.

Students with limited English proficiency and migrant students will have equal access to the same educational opportunities as other students within the district.

A student will not be denied enrollment due to the lack of proof of immigration status and the district will not request that information from the parents/legal guardians.

Only the following two documents are required for enrollment:

- immunization records (DHEC allows a 30-day waiver for student to present records or to begin immunizations)
- birth certificates or proof of age (required for first-time enrollment of children entering kindergarten or first grade)

Parents/Legal guardians do not have to present a South Carolina driver’s license or other photo ID for access to the main office in order to enroll their children in school.

Students with limited English proficiency should be placed with students of the same age.

Students with limited English proficiency and migrant students are eligible to participate in all age-appropriate school programs and to receive all available services.

The district will not deny admission to any student on the basis of race, religion, sex, disability, national origin, immigrant status or English-speaking status.

Parents/Legal guardians may contact the state department of education to file a complaint if they believe their children have been denied enrollment due to their English-speaking or immigration status.

Adopted 11/17/15

#### **IX-4. ATTENDANCE AND TRUANCY**

The board believes that attendance is a key factor in student achievement. Any absence from school represents an educational loss to the student. However, the board recognizes that some absences are unavoidable.

In order to receive one Carnegie unit of credit, a student must be in attendance at least 120 hours, per unit, regardless of the number of days missed. The board may grant approval of excessive absences in accordance with board policy.

The district will utilize a written intervention plan for improving student attendance. The purpose of the plan will be to link students with attendance problems and their families to all appropriate school and community resources.

The board recognizes that truancy is primarily an educational issue and will take all reasonable, educationally sound and corrective actions prior to resorting to the juvenile justice system.

Any student who misses school must present a written excuse, signed by his/her parent/legal guardian. The excuse will contain such other information as directed by the administration. The school administration will keep all excuses confidential.

If a student fails to bring a valid excuse to school, he/she will automatically receive an unexcused absence. If a student brings a false (or forged) excuse, the teacher will refer the student to the school administration for appropriate action.

The district will consider students **lawfully absent** under the following circumstances.

- They are ill and their attendance in school would endanger their health or the health of others.
- There is a death or serious illness in their immediate family.
- There is a recognized religious holiday of their faith.
- Prearranged absences for other reasons and/or extreme hardships at the discretion of the principal.

The district will consider students **unlawfully absent** under the following circumstances.

- They are willfully absent from school without the knowledge of their parent/legal guardian.
- They are absent without acceptable cause with the knowledge of their parent/legal guardian.

Suspension is not to be counted as an unlawful absence for truancy purposes.

The principal will be responsible for implementing and expediting medical homebound instruction for students experiencing a prolonged illness or injury requiring them to be absent from school.

### **Administrative Rule JH-R – Student Absences and Excuses**

The board designates the principal of the school to promptly approve or disapprove any student's absence of more than 10 days in a school year.

#### **Unlawful Absences**

A student ages six to 17 years who has three consecutive unlawful absences or a total of five unlawful absences is considered truant as defined by State Board of Education regulation.

A student ages 12 to 17 years who fails to comply with the school's intervention plan and accumulates two or more additional unlawful absences is considered a habitual truant.

When a student ages 12 to 17 years who has been through the school intervention process, has reached the level of a habitual truant, has been referred to family court, and has been placed on an order to attend school, and continues to accumulate unlawful absences, that student is considered a chronic truant.

#### *Intervention*

In order to encourage and assist students in attending school regularly, the administration will administer the appropriate intervention procedures.

Once a student is determined to be truant, school officials will make every reasonable effort to meet with the parent/legal guardian to identify the reasons for the student's continued absence, including telephone calls, home visits, written messages, and emails.

A written intervention plan will be developed by school administrators in conjunction with the student and the parent/legal guardian. The intervention plan must include, but is not limited to, the following:

- a designated person to lead the intervention team (may be someone from another agency)
- reasons for the unlawful absences
- actions the parent/legal guardian and student will take to resolve the causes of the unlawful absences
- documentation of referrals to appropriate service providers and, if available, alternative school and community-based programs
- actions to be taken by intervention team members
- actions to be taken in the event unlawful absences continue
- signature of parent/legal guardian or evidence that attempts were made to include them
- documentation of involvement of team members
- guidelines for making revisions to the plan

School officials may utilize a team intervention approach to include representatives from social services, community mental health, substance abuse and prevention, and other persons deemed appropriate in formulating the intervention plans.



### *Referrals and judicial intervention*

The district will not refer a child ages six to 17 years to the family court to be placed on an order to attend school prior to the written intervention plan being completed by the school with the parent/legal guardian. The district will not use a consent order from any local school or district as an intervention plan.

Refusal by the parent/legal guardian to cooperate with school intervention plans can result in a referral of the student to family court and the filing of a report against the parent/legal guardian with social services in accordance with law.

The district will inform the parent/legal guardian and/or the student of their right to have legal representation and their right to a trial.

If the situation continues to where the student is classified as a habitual truant, school officials may file a petition for a school attendance order. Once a school attendance order has been issued by the family court and the student continues to accumulate absences to the point of becoming a chronic truant, school officials may refer the case back to family court. The school and district will exhaust all reasonable alternatives prior to petitioning the family court to hold the student and/or parent/legal guardian in contempt of court.

### *Transfer to another school*

If a student transfers to another public school in the state, the district will forward the student's intervention plan to the receiving school.

### **Approval of Absences in Excess of 10 Days**

After 10 lawful or unlawful absences, or a combination thereof, the principal of the school will approve or disapprove each succeeding absence.

Furthermore, in order to more fully clarify unusual or unexpected mitigating circumstances, each school principal should evaluate individually and approve the following lawful absence situations such as but not limited to:

- family educational trips
- community and church related activities
- organized competitive events or related activities

### **Make-Up Work**

Students whose absences are approved should be allowed to make up any work missed in order to satisfy the 120-hour attendance requirement. Examples of make-up work that address both time and academic requirements of a course may include after-school and/or weekend make-up programs and extended-year programs.

All make-up time and work must be completed within two weeks after the end of the course. The board or its designee may extend the time for a student's completion of the requirements due to extenuating circumstances that include, but are not limited to, the student's medical condition, family emergencies, and other student academic requirements that are considered to be a maximum load. Make-up requirements that extend beyond 30 days due to extenuating circumstances must be completed prior to the beginning of the subsequent new school year.

### *Proficiency-based credit*

On a limited case-by-case basis, students who have excessive absences approved by the board may be permitted to demonstrate course proficiency without satisfying the 120-hour attendance requirement. Students who have excessive absences and who have a C/70 average or higher in the course will not have to make up seat time. Credits will only be awarded in this manner through a proficiency-based course credit system approved by the South Carolina Department of Education.

School principals will exert every realistic effort to provide assurance that this administrative rule is adhered to in a fair and consistent manner. Principals will place special emphasis on coordinating implementation affecting students within the same family.

Issued 08/23/06; Revised 8/26/14, 3/27/18

### **IX-5. ELEMENTARY TARDINESS AND EARLY DISMISSAL**

Students are expected to be at school and ready to begin work at the beginning of each instructional day and to remain at school until the end of the instructional day.

If a primary or elementary student is persistently tardy and/or dismissed early from school, the principal and/or designee will notify parents/legal guardians and take appropriate disciplinary and/or remedial action. Unexcused tardies and early dismissals are those that would not qualify as “lawful” under this policy.

#### **Primary and Elementary Students**

Primary and elementary students who are chronically late to school or who are dismissed early from school often suffer academically from lost instructional time. For this reason, a record should be kept of all tardies and early dismissals. When tardies or early dismissals become excessive, the principal, in consultation with appropriate staff, will counsel the parent/legal guardian. An intervention plan to correct the problem will be written.

If the parent/legal guardian fails to comply with the intervention plan, the principal and/or designee at his/her discretion may refer the case to the District Attendance Officer where a case for educational neglect may be pursued if deemed necessary by the principal and the District Attendance Officer.

#### **Lawful and Unlawful Tardies**

The district will consider the following circumstances resulting in tardiness and/or early dismissal as lawful (excused):

- Students are ill and their attendance in school would endanger their health or the health of others.
- There is a death or serious illness in their immediate family.
- There is a recognized religious holiday of their faith.
- Tardies and/or early dismissals for other reasons and/or extreme hardships at the discretion of the principal.

The district will consider the following circumstances resulting in tardiness and/or early dismissal as unlawful (unexcused):

- Students are willfully tardy or dismissed early from school without the knowledge of their parent/legal guardian.
- Students are tardy and/or dismissed early without acceptable cause with the knowledge of their parent/legal guardian.

### **Tardy Intervention Procedures**

Primary and elementary students who are tardy for school or who are dismissed early will be dealt with in the following manner:

- The parents/guardians of students who arrive at school late must bring the child into the school office to sign the child in and receive a pass to class.
- The principal or designee will use the state-approved attendance criteria to determine if the tardy is excused or unexcused.
- If a child is dismissed early, the parent/guardian must come into the school office and sign the student out, listing the reason for early dismissal.
- The principal or designee will use the state-approved criteria to determine if the early dismissal is excused or unexcused.

### **Intervention Steps**

- If a child accumulates a total of 3 tardies and/or early dismissals, a warning letter will be sent to the child's parent or guardian. **After accumulating a total of 3 tardies and/or early dismissals, a student is disqualified from perfect attendance.**
- If a child accumulates a total of 6 tardies and/or early dismissals, the child's parent/guardian must attend a conference with the principal and/or designee in which an Intervention Plan will be written.
- If a child accumulates a total of 8 tardies and/or early dismissals, the child's parent/guardian will be referred to the District Attendance Officer who will review the Intervention Plan and contact the parent/guardian to discuss the Intervention Plan and tardies/early dismissals.
- If a child accumulates a total of 10 tardies and/or early dismissals, a letter will be sent to the Department of Social Services, notifying them about chronic tardies/early dismissals. At this point, the District Attendance Officer may elect to pursue a case of education neglect against the parent/guardian.

Adopted 04/26/2011

## **ARTICLE X – CODE OF CONDUCT – POLICY JICDA**

The district's code of conduct and discipline is established to achieve and maintain order in the schools. In administrative rule JICDA-R, the board and the administration offer a list of offenses along with the required or recommended dispositions for the information of students, parents/legal guardians and school personnel.

Disciplinary actions will include appropriate hearings and review. The removal of a student from the learning environment will occur only for just cause and in accordance with due process of law. The administration will consider extenuating circumstances when taking disciplinary action.

The administrative rule is effective during the following times and in the following places.

- on the school grounds during and immediately before or immediately after school hours
- on the school grounds at any other time when the school is being used by a school group
- off the school grounds at a school activity, function or event
- en route to and from school on a school bus or other school vehicle
- at any time and in any place where the conduct threatens student/staff safety or otherwise disrupts the educational environment

## **X-1. CODE OF CONDUCT – ADMINISTRATIVE RULE JICDA-R**

### **Level I - Behavioral Misconduct**

Behavioral misconduct includes any activity in which a student engages that tends to impede orderly classroom procedures or instructional activities, orderly operation of the school, or the frequency or seriousness of which disturb the classroom or school.

Acts of behavioral misconduct may include, but are not limited to, the following:

- classroom tardiness
- cheating on examinations or classroom assignments
- lying
- abusive language between or among students
- failure to comply with directives from school/district personnel or agents (to include volunteer aides or chaperones)
- use of forged notes or excuses
- cutting class
- school tardiness
- truancy (three consecutive unlawful absences from school or a total of five unlawful absences)
- possession of an electronic communications device as defined by and in conflict with district policy
- other acts of behavioral misconduct as determined and communicated by the administration

Staff will follow these basic enforcement procedures in instances of behavioral misconduct and will maintain a complete record of the procedures.

When a staff member observes, or is notified of and has verified acts of behavioral misconduct, the staff member will take immediate action to rectify the misconduct. Verification is defined as self-admittance by the student, witnessed involvement of the student by staff, parental admission of student involvement, or evidence obtained through an investigation. The staff member will impose an appropriate consequence and maintain a record of the misconduct and the consequence.

If, either in the opinion of the staff member or according to policy, a certain misconduct is not immediately rectifiable, the staff member should refer the problem to the appropriate administrator for action specified by policy.

The administrator should meet with the reporting staff member, and, if necessary, the student and the parent/legal guardian, and impose the appropriate consequence and/or establish an intervention plan and/or behavioral contract.

Consequences that may be applied in cases of behavioral misconduct may include, but are not limited to, the following:

- withdrawal of privileges
- verbal reprimand
- demerits
- detention (silent lunch, after school, weekends, or another time that does not interfere with the instructional day)
- other consequences as approved and communicated by the administration

## **Level II - Disruptive Conduct**

Disruptive conduct includes those activities in which students engage that are directed against persons or property and the consequences of which tend to endanger the health or safety of themselves or others in the school. Some instances of disruptive conduct may overlap certain criminal offenses, justifying both administrative consequences and court proceedings.

Students, parents/legal guardians, teachers, and staff members should be aware that the district may take disciplinary actions for conduct that occurs off campus, including conduct initiated and/or created off-campus involving the inappropriate use of the Internet or web-based resources if such conduct poses a threat or substantially interferes with or disrupts the work and discipline of the schools, including discipline for student harassment and bullying.

The administration may reclassify behavioral misconduct (Level I) as disruptive conduct (Level II) if the student engages in the activity three or more times.

Acts of disruptive conduct may include, but are not limited to, the following:

- violation of a Level I intervention plan and/or behavioral contract
- use of an intoxicant
- fighting
- harassment, intimidation, or bullying
- vandalism (minor)
- stealing
- threats against others
- trespassing
- abusive language to staff
- repeated refusal to comply with directives from school personnel or agents (such as volunteer aides or chaperones)
- possession or use of unauthorized substances, as defined by law and/or local school board policy
- illegally occupying or blocking school property in any way with the intent to deprive others of its use
- unlawful assembly
- disrupting lawful assembly
- hazing
- inappropriate use of technology (e.g., bullying, harassing, or intimidating other students or district employees; plagiarizing copyrighted materials; and accessing inappropriate websites)
- other acts as determined and communicated by the administration

Staff will follow these basic enforcement procedures in instances of disruptive conduct and will maintain a complete record of the procedures.

When an administrator observes, or is notified of and has verified an offense, the administrator will investigate the circumstances of the misconduct and confer with staff on the extent of the consequences.

The administrator will notify the parent/legal guardian of the student's misconduct and related proceedings. The administrator will meet with the student and, if necessary, the parent/legal guardian, confer with them about the student's misconduct, and impose the appropriate disciplinary action.

The administrator may refer the student to the appropriate intervention team to establish behavioral management strategies (e.g., restorative justice, counseling, service learning projects) and propose the appropriate disciplinary action.

The administrator or school official may refer Level II misconduct to the school resource officer or other law enforcement authorities only when the conduct rises to the level of criminality and the conduct presents an immediate safety risk to one or more people or it is the third or subsequent act which rises to the level of criminality during the school year.

The administration may apply consequences in cases of disruptive conduct which may include, but are not limited to, the following:

- temporary removal from class
- alternative education program
- in-school suspension
- out-of-school suspension
- transfer
- referral to outside agency
- expulsion
- restitution of property and damages, where appropriate
- other consequences as approved and communicated by the administration

### **Level III - Criminal Conduct**

Criminal conduct includes those activities in which students engage that result in violence to themselves or to another's person or property or which pose a direct and serious threat to the safety of the students themselves or others in the school. These activities usually require administrative actions which result in the immediate removal of the student from the school, the intervention of the school resource officer or other law enforcement authorities, and/or action by the board.

Acts of criminal conduct may include, but are not limited to, the following:

- assault and battery
- extortion
- threat of the use of a destructive device (bomb, grenade, pipe bomb, or similar device)
- possession, use, or transfer of dangerous weapons
- sexual offenses
- vandalism (major)
- theft, possession, or sale of stolen property
- arson
- furnishing or selling unauthorized substances, as defined by law and/or board policy
- furnishing, selling, or possession of controlled substances (drugs, narcotics, or poisons)
- illegal use of technology (e.g., communicating a threat of a destructive device, weapon, or event with the intent of intimidating, threatening, or interfering with school activities; maliciously transmitting sexual images of minors other than images of the student or images transmitted with the uncoerced consent of the individual in the images)
- threatening to take the life of or inflict bodily harm upon a teacher, principal, or members of their immediate family

Staff will follow these basic enforcement procedures in instances of criminal conduct and will maintain a complete record of the procedures.

When an administrator observes, or is notified of and has verified a criminal offense, the administrator must contact the school resource officer or local law enforcement authorities immediately.

An administrator will notify the student's parent/legal guardian as soon as possible.

An administrator will impose the appropriate disciplinary action. If warranted, the administrator should immediately remove the student from the school environment.

Staff will follow established due process procedures when applicable.

The administration may apply consequences in cases of criminal conduct which may include, but are not limited to, the following:

- out-of-school suspension
- assignment to alternative schools
- expulsion
- restitution of property and damages, where appropriate (should be sought by school authorities)
- other consequences as approved and communicated by the administration

### **Extenuating or Mitigating Circumstances**

The board may confer upon the appropriate administrator the authority to consider extenuating or mitigating circumstances which may exist in a particular case of misconduct, excluding criminal conduct. The administrator should consider such circumstances in determining the most appropriate sanction.

The board may also confer upon the appropriate administrator the authority to consider aggravating circumstances which may exist in a particular case of misconduct or criminal conduct. Such circumstances should be considered in determining the most appropriate sanction.

### **Discipline of Students with Disabilities**

Students with disabilities are not exempt from school disciplinary processes, nor are they entitled to remain in a particular educational program when their conduct substantially impairs the education of other students in the program. However, federal and state laws and regulations require schools to meet the individual educational needs of such students to the extent possible.

The process of disciplining a student who receives special education services involves both administrative authorities who are responsible for discipline and the special education department, including teachers and administrators who have been assigned specific responsibilities in the implementation of the student's Individualized Education Program (IEP).

#### *Program prescriptions*

An IEP team may prescribe or prohibit specified disciplinary measures for an individual student by including appropriate provisions in the student's IEP. The committee must take into consideration the student's disabling condition when deciding whether or not staff may use a particular form of discipline. Administrative authorities will observe any such provisions contained in a student's IEP.



### *Suspensions*

The administration may suspend a student with a disability unless a suspension is prohibited by the student's IEP. At the end of the suspension, the school will return the student to the same educational placement, if appropriate.

The school may suspend a student for not more than 10 consecutive school days, and for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change in placement under the law).

However, students who bring weapons to school or a school function, knowingly possess or use illegal drugs or solicit the sale of controlled substances, or inflict serious bodily injury upon another person while at school or a school function may be removed for up to 45 days at a time. If school officials believe that a student with a disability is substantially likely to injure him/herself or others in the student's regular placement, they may ask an impartial hearing officer to order that the student be removed to an interim alternative educational setting for a period up to 45 days.

### *Expulsions*

Expulsion of a student with a disability is equivalent to a change in educational placement and, therefore, requires special procedures. Before such a student may be expelled, a multi-disciplinary team must determine whether or not there is a connection or causal relationship between the disabling condition and the misconduct. If so, then expulsion resulting in cessation of educational services for the student is not the appropriate discipline.

The district will continue to provide a free and appropriate education as set forth in a student's IEP to expelled students with disabilities.

### *Immediate removal*

Nothing contained in this administrative rule will be construed as limiting an administrator's ability to remove a student with a disability from school immediately under emergency conditions.

Issued 2/25/03; Revised 8/23/06, 1/23/07, 11/28/2017

## **X-2. POSSESSION/USE OF PAGING/TELECOMMUNICATIONS DEVICES – Policy JICI**

Purpose: To establish the basic structure for student possession/use of paging/ telecommunications devices in school.

For purposes of this policy, paging/telecommunications devices are defined as any telecommunications device (including cellular telephones, pagers, etc.) that emits an audible signal, vibrates, displays a message or otherwise summons or delivers a communication to the possessor.

Students may possess a telecommunication device in school as long as the device remains off during the school day, including school bus rides to and from school unless the device is specifically authorized for use by a school official. Students may use a telecommunication device before and after school or at certain times during the school day in designated areas at the discretion of school officials

as long as the use does not disrupt the school environment. If allowed, the times and areas shall be determined by school administrators for each respective school.

A student in possession of a telecommunication device in conflict with this policy will be subject to discipline as provided under the district's code of student conduct as described in the student rights and responsibilities handbook. Personal telecommunication devices are never to be used to photograph or video record images while on school property including buses, restrooms, locker rooms, etc., unless specifically authorized by a school official.

Bringing a telecommunication device to school is a privilege, not a right. School and district personnel are not responsible for the loss or damage of any telecommunication device brought onto district property by students. Further, the school and district will not be responsible for the condition of any confiscated device upon its return to the student or the student's parent/legal guardian.

Cf. JICDA

Adopted 9/15/03; Revised 11/29/05, 8/23/06, 3/25/08, 8/26/14, 8/27/19

## **ADMINISTRATIVE RULE JICJ-R**

Purpose: To establish the basic structure for student possession/use of paging/ telecommunications devices in school.

### **Terms**

Bring your own device (BYOD)

### **Definition of "device"**

For the purposes of BYOD, "device" means a privately owned wireless and/or portable electronic hand held equipment that includes, but is not limited to, laptops, notebooks, netbooks, tablets, e- Readers, media players, or smart phones that can be used for word processing, wireless Internet access, image capture/recording, sound recording, and information transmitting, receiving, storing, etc.

### **BYOD teacher agreement**

Teachers that allow students to use devices in the classroom must have prior approval from the school administrator. The devices must only be used for instructional purposes. Use of devices provides an alternative means to complete an assignment and is not the only method to accomplish the assignment.

### **BYOD student agreement**

The use of technology to provide educational material is not a necessity, but a privilege. All usage is under the supervision of the teacher. It is a privilege for a student to use his/her laptop, cell phone or other electronic device while at school. When abused, privileges will be taken away. When respected, they will benefit the learning environment as a whole.

Devices must be off while on school campus and while riding the school bus, unless otherwise directed. They may not be used to engage in unethical conduct or violate any student code of conduct. They also may not be used to record, transmit or post photographic images, or to record video of a person or persons on campus during school activities and/or hours unless given permission from the individual(s) and the instructor for instructional purposes only. Capturing images is prohibited in locker rooms, restrooms or other areas where personal privacy is expected.

All laptops must have antivirus protection.

Students using BYOD must abide by the following guidelines.

- The school's network filters will be applied to one's connection to the Internet and no attempts to bypass the filter will be made.
- Connecting to an open network port in the wall is not allowed. Students may only connect personal devices through a wireless connection on a designated student network.
- Intentionally bringing on premises or infecting the network with a virus, Trojan or program designed to damage, alter, destroy or provide access to unauthorized data or information is in violation of policy JICJ and may incur disciplinary action.
- Processing or accessing information on school property related to "hacking", altering or bypassing network security policies is in violation of policy JICJ and may incur disciplinary action.
- The district has the right to collect and examine any device that is suspected of causing problems or was the source of an attack or virus infection.
- An administrator may examine a student's personal device and search its contents, in accordance with disciplinary guidelines.
- Printing from personal devices is not possible.
- Personal devices must be charged prior to bringing them to school and they must run off their own battery while at school.
- The technology staff will not work on personal devices. Consult the manufacturer for support.

### **Internet**

Only the Internet gateway provided by the school may be accessed while on campus. Personal Internet connective devices including, but not limited to, cell phones and cell network adapters are not permitted to be used to access outside Internet sources.

### **Security and damages**

Responsibility to keep the device secure rests with the individual owner. The district is not liable for any device stolen or damaged on campus. If a device is stolen or damaged, it will be handled through the administrative office similar to other personal artifacts that are impacted in similar situations. These devices have educational and monetary value. Students are prohibited from trading or selling these items to other students on district property, including school buses. It is recommended that

school appropriate skins (decals) and other custom touches are used to physically identify a student's device from others. Additionally, protective cases for devices are encouraged.

Adopted 8/26/14

**X-3. BREACHES OF CONDUCT**

In the event of a breach of conduct, the following charts provide guidance for the assignment of consequences. While the chart of consequences provides the principal guidance in the administration of behavior consequences, these recommended consequences in no way reduce the principal's use of discretion to consider extenuating circumstances, age of the child, and severity of the breach in the administration of consequences.

**PRIMARY SCHOOL: Grades 4K - 2**

<b><u>LEGEND</u></b>	
<b>Numbers indicate number of days</b>	
RE: Recommend Expulsion	AD: Administrative Detention
VR: Verbal Reprimand	LAW: Law Enforcement
WR: Written Reprimand	R: Referral to Outside Agency
WP: Withdrawal of Privileges	RES: Restitution of Property/Damages
PC: Parent Contact/Conference	ISS: In-School Suspension
TD: Teacher Detention/Restricted Recess	OSS: Out-of-School Suspension
OR: Office Referral	T: Transfer
TRC: Temporary Removal from Class	EXP: Expulsion
AIP: Attendance Intervention Plan	DAO: District Attendance Officer
DET: Detention	

<b>LEVEL 1 – BEHAVIORAL MISCONDUCT</b>				
<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
Cheating on examinations or classroom assignments	DET/zero on assignment/PC	DET/zero on assignment/PC	DET/zero on assignment/PC	OR/zero on assignment/PC
Lying	WP/TD	WP	DET	OR
Acting in a manner so as to interfere with the instructional process	WP/TD	VR/Parent Contact	DET	OR
Inappropriate language between or among students	WP/TD	WP	DET	OR
Failure to complete assignments or carry out directions	WP/TD	WP	DET	OR
Use of forged notes or excuses	VR/Parent Contact	DET/Parent Contact	WP/Parent Contact	OR
Cutting class	WP	WP	DET	OR
Unexcused school tardiness	(3 Tardies)	(6 Tardies)	(8 Tardies)	(10 Tardies)

	Warning Letter	AIP	1 OSS/DAO	2 OSS/R/DSS
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<b>LEVEL 2 – DISRUPTIVE CONDUCT</b>				
<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
Use of an intoxicant	OSS/LAW	OSS/LAW	OSS/LAW	OSS/LAW
Fighting	CP or OSS	CP or OSS	OSS	OSS
Vandalism (minor)	VR/RES	RES/PC	OSS	OSS
Minor Theft	WP/RES/PC	WP/RES/PC	OSS/RES	OSS/RES
<b>Breach of Conduct</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>	<b>4th Offense</b>
Abusive language to staff	PC/ISS or PC/AD	ISS/CP/AD	OSS	OSS
Refusal to obey school personnel or agents (such as volunteer aides or chaperones) whose responsibilities include supervision of students	WP/PC	ISS or OSS	ISS or OSS	OSS
Possession or use of unauthorized substances, as defined by law or local school board policy	PC/OR/1 OSS	R/OSS	R/OSS	R/OSS
Unlawful assembly	LAW	LAW	LAW	LAW/EXP
Inappropriate Use of Cell Phone	PC & Return Phone to Parent	PC/WP & Return to Parent	PC/OSS & Return to Parent	PC/OSS/Loss of Cell Phone Privilege for Remainder of Year
Disrupting lawful assembly	WP/OR	PC	ISS/OSS	ISS/OSS
Hazing	PC/TRC	TRC	OSS	OSS
Harassment/Intimidation/Bullying	WP/Parent Contact	ISS/OSS	ISS/OSS	OSS

<b>LEVEL 3 – CRIMINAL CONDUCT</b>				
<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
Assault and battery	OSS/LAW	OSS/LAW	EXP/LAW	
Extortion	OSS	OSS	OSS	EXP
Bomb threat	5 OSS/LAW	EXP/LAW		
Trespassing	LAW	LAW	LAW	LAW/EXP
Possession, use or transfer of a weapon	OSS/LAW	EXP/LAW		
Possession of a Firearm	EXP for a minimum of 12 Months/ LAW			
Sexual offenses	OSS	OSS	OSS	EXP
Vandalism (major)	OSS	OSS	OSS	OSS
Major theft, possession or sale of stolen property	OSS/LAW	OSS/LAW	OSS/LAW	OSS/LAW
Arson	EXP/LAW			
Possession of controlled	OSS/LAW	EXP/LAW		

substances (drugs, narcotics, or poisons)				
Furnishing, selling, or distribution of controlled substances (drugs, narcotics, or poisons)	EXP/LAW			
Distribution, sale, purchase, manufacture or unlawful possession of a controlled substance while in or within a radius of one-half mile of school grounds	EXP/LAW			
<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
Threatening to take the life of or inflict bodily harm upon another student.	OR/OSS3	OR/OSS/LAW		
Threatening the safety and security of the school and/or bus.	OR/OSS3	OR/OSS/LAW		
Threatening to take the life of or inflict bodily harm upon a principal, staff member or members of their immediate family.	OR/OSS/LAW	EXP/LAW		

**NOTE: Law Enforcement may be contacted for any Level III Offense.**

**ELEMENTARY SCHOOL: Grades 3 - 5**

<b><u>LEGEND</u></b>	
<b>Numbers indicate number of days</b>	
RE: Recommend Expulsion	AD: Administrative Detention
VR: Verbal Reprimand	LAW: Law Enforcement
WR: Written Reprimand	R: Referral to Outside Agency
WP: Withdrawal of Privileges	RES: Restitution of Property/Damages
PC: Parent Contact/Conference	ISS: In-School Suspension
TD: Teacher Detention/Restricted Recess	OSS: Out-of-School Suspension
OR: Office Referral	T: Transfer
TRC: Temporary Removal from Class	EXP: Expulsion
AIP: Attendance Intervention Plan	DAO: District Attendance Officer

<b>LEVEL 1 – BEHAVIORAL MISCONDUCT</b>				
<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
Cheating on examinations or	DET/zero on	DET/zero on	DET/zero on	OR/zero on

classroom assignments	assignment/PC	assignment/PC	assignment/PC	assignment/PC
Lying	WP	WP	DET	OR
Acting in a manner so as to interfere with the instructional process	WP	VR/PC	DET	OR
<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
Inappropriate language between or among students	WP	WP	DET	OR
Failure to complete assignments or carry out directions	WP	WP	DET	OR
Use of forged notes or excuses	VR/Parent Contact	DET/Parent Contact	WP/Parent Contact	OR
<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
Cutting class	WP	WP	DET	OR
Unexcused school tardiness	(3 Tardies) Warning Letter	(6 Tardies) AIP	(8 Tardies) 1 OSS/DAO	(10 Tardies) 2 OSS/R/DSS

<b>LEVEL 2 – DISRUPTIVE CONDUCT</b>				
<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
Use of an intoxicant	OSS/LAW	OSS/LAW	OSS/LAW	OSS/LAW
Fighting	OSS	OSS	OSS	OSS
Vandalism (minor)	VR/RES	RES/PC	OSS	OSS
Minor Theft	WP/RES/PC	WP/RES/PC	OSS/RES	OSS/RES
Abusive language to staff	PC/ISS or PC/AD	ISS/CP/AD	OSS	OSS
Refusal to obey school personnel or agents (such as volunteer aides or chaperones) whose responsibilities include supervision of students	WP/PC	ISS or OSS	ISS or OSS	OSS
Possession or use of unauthorized substances, as defined by law or local school board policy	PC/OR/1 OSS	R/OSS	R/OSS	R/OSS
Unlawful assembly	LAW	LAW	LAW	LAW/EXP
Inappropriate Use of Cell Phone	PC & Return Phone to Parent	PC/WP & Return to Parent	PC/OSS & Return to Parent	PC/OSS & Loss of Cell Phone Privilege for Remainder of Year
Disrupting lawful assembly	WP/OR	PC	ISS/OSS	ISS/OSS
Hazing	PC/TRC	TRC	OSS	OSS
Harassment/Intimidation/Bullying	WP/Parent Contact	ISS/OSS	ISS/OSS	OSS

**NOTE: The administrator or other school officials may refer Level 2 misconduct to the School Resource Office or other local law enforcement authority when the conduct rises to a level of**

**criminality, the conduct presents an immediate safety risk, or the conduct is the third or subsequent act which rises to a level of criminality in that school year.**

<b>LEVEL 3 – CRIMINAL CONDUCT</b>				
<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
Assault and battery	OSS/LAW	OSS/LAW	EXP/LAW	
Extortion	OSS	OSS	OSS	EXP
Bomb threat	5 OSS/LAW	EXP/LAW		
Trespassing	LAW	LAW	LAW	LAW/EXP
Possession, use or transfer of a weapon	OSS/LAW	EXP/LAW		
Possession of a Firearm	EXP for a minimum of 12 Months/ LAW			
<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
Sexual offenses	OSS	OSS	OSS	EXP
Vandalism (major)	OSS	OSS	OSS	OSS
Major theft, possession or sale of stolen property	OSS/LAW	OSS/LAW	OSS/LAW	OSS/LAW
Arson	EXP/LAW			
Possession of controlled substances (drugs, narcotics, or poisons)	OSS/LAW	EXP/LAW		
Furnishing, selling, or distribution of controlled substances (drugs, narcotics, or poisons)	EXP/LAW			
Distribution, sale, purchase, manufacture or unlawful possession of a controlled substance while in or within a radius of one-half mile of school grounds	EXP/LAW			
Threatening to take the life of or inflict bodily harm upon another student.	5 OSS/PC/ LAW	10 OSS/PC/ LAW	RE/PC/LAW	
Threatening the safety and security of the school and/or bus.	5 OSS/PC/ LAW	10 OSS/PC/ LAW	RE/PC/LAW	
Threatening to take the life of or inflict bodily harm upon a principal, staff member or members of their immediate family.	OR/OSS/LAW	EXP/LAW		

**NOTE: Law Enforcement may be contacted for any Level 3 Offense.**



**MIDDLE SCHOOL: Grades 6 - 8**

**LEGEND**

Numbers indicate number of days.

TD: Teacher Detention  
 PC: Parent Contact/Conference  
 ISS: In-School Suspension  
 OSS: Out-of-School Suspension

RES: Restitution of Property/Damages  
 COC: Change of Clothing  
 AD: Administrative Detention  
 RE: Recommend Expulsion  
 LAW: Law Enforcement

**LEVEL 1 – BEHAVIORAL MISCONDUCT**

<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
Cutting class without leaving school grounds	AD	1 OSS/PC	3 OSS/PC
Distribution or sale, or implying the distribution or sale, of materials unauthorized by principal	AD	AD or OSS PC	2 OSS PC
Leaving school grounds without permission or not following proper checkout and check-in procedures	1 OSS PC	3 OSS PC	5 OSS PC
Tardy (First Teacher Reported - 3 <sup>rd</sup> Student tardy – 9-Week Reset)	1 TD/PC	1 AD/PC	1 OSS/PC
Being in unauthorized areas of building/campus without permission, including after school	1 AD	1 OSS/PC	2 OSS/PC
Cheating	Zero for Grade/AD/PC	Zero/1 OSS/PC	Zero/3 OSS/PC
Public display of affection	Warning/PC	1 AD/PC	3 OSS/PC
Dress Code Violation— Inappropriate attire as described in Board policy and school rules	Warning/COC	AD/COC	1 OSS/COC/PC
Inappropriate language between or among students	1 TD	1 AD	1 OSS/PC
Transporting of students off campus without proper checkout procedures/permission	1 OSS/PC	3 OSS/PC	5 OSS/PC and loss of driving privileges for the remainder of the school year

**LEVEL 2 – DISRUPTIVE CONDUCT**

<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
Use of obscene, profane, or other inappropriate language or gesture to another student	2 OSS	3 OSS	5 OSS

<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
Unauthorized presence on school grounds, or illegally riding authorized school transportation	2 OSS	3 OSS	5 OSS
Unlawful assembly	LAW	LAW	LAW
Using or possessing tobacco or tobacco products or paraphernalia on school property	1 OSS/PC	3 OSS/PC	5 OSS/PC
Minor theft of property	1 OSS/PC/RES	3 OSS/PC/RES	5 OSS/PC/RES
Willful destruction or defacing of school/personal property, including the installation of viruses on computers and non-approved software	5 OSS/RES/PC	10 OSS/RES/PC	RE/RES/PC
Continuous disruption of the learning process	1 OSS/PC	3 OSS/PC	5 OSS/PC
Illegal use of the Internet or programs on school computers	2 OSS/PC and Loss of Privilege	5 OSS/PC and Loss of Privilege	10 OSS/PC/RE
Inappropriate use of cell phone	PC and Return Phone to Student at End of Day	1 OSS/PC and Return Phone to Student at End of Day	2 OSS/PC and Return Phone to Student at End of Day
Failure to cooperate with school officials	2 OSS/PC	3 OSS/PC	5 OSS/PC/RE
Fighting	5 OSS		
Disobedience/disrespect toward a teacher, staff member or visitor	3 OSS/PC	5 OSS/PC	10 OSS/PC/RE
Use of obscene, profane, or other inappropriate language or gesture to faculty or staff member	5 OSS/PC	10 OSS/PC	RE/PC
<p><b>NOTE: The administrator or other school officials may refer Level 2 misconduct to the School Resource Office or other local law enforcement authority when the conduct rises to a level of criminality, the conduct presents an immediate safety risk, or the conduct is the third or subsequent act which rises to a level of criminality in that school year.</b></p>			

<b>LEVEL 3 – CRIMINAL CONDUCT</b>			
<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
Possession or distribution of obscene literature, pictures, or devices	2 OSS/PC/LAW	3 OSS/PC/LAW	10 OSS/PC LAW/RE
Illegal use of cell phone	3 OSS/PC	5 OSS/PC	RE/PC
Gambling	1 OSS/PC	3 OSS/PC	5 OSS/PC
Threatening, harassing, or intimidating another student	5 OSS/PC/LAW	10 OSS/PC/RE	

<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
Possession and/or use of smoke bombs, ammunition, stink bombs or other fireworks on school grounds or at any school-sponsored event (including buses).	5 OSS/PC/LAW	RE/PC	
Possession and/or use of a bomb or explosive device on school grounds or at any school-sponsored event (including buses).	Recommend Permanent Expulsion/PC/LAW		
Sexual assault of a student or staff member	RE/PC/LAW		
Physically abusing a member of the school staff	RE/PC/LAW		
Threatening, harassing, or intimidating a principal or staff member by one or more students	RE/PC/LAW		
Major theft of property	3 OSS/PC/RES	5 OSS//PC/RES	10 OSS/PC/RES
Possession of any kind of firearm on school property (including buses) or at any school-sponsored event	RE for a minimum of twelve months PC/LAW		
Possession of any other weapon, and/or instrument used as a weapon	RE/PC/LAW		
Possession, consumption, or being under the influence of drugs or alcoholic beverages (or a facsimile of) or possession of drug paraphernalia at school or school-sponsored event	RE/PC/LAW		
Selling or possession with intent to distribute drugs or alcoholic beverages or selling items portrayed as such at school or school-sponsored events	RE/PC/LAW		
Distribution, sale, purchase, manufacture, or unlawful possession of a controlled substance while in or within a radius of one-half mile of school grounds.	RE/PC/LAW		
Starting fires on school grounds or in school buildings	RE/PC/LAW		
Tampering with, removing or discharging fire extinguishers without probable cause	10 OSS/PC/LAW	RE/PC	
Unauthorized entrance in school building with or without theft of school property or damage of	RE/PC/LAW		

school property			
Threatening to take the life of or inflict bodily harm upon a principal, staff member or members of their immediate family.	RE/PC/LAW		
Threatening to take the life of another student.	RE/PC/LAW		
Threatening the safety and security of the school and/or bus.	RE/PC/LAW		

**NOTE: Law Enforcement may be contacted for any Level 3 offense.**

### HIGH SCHOOL: Grades 9 - 12

#### LEGEND

Numbers indicate number of days.

TD: Teacher Detention  
 PC: Parent Contact/Conference  
 ISS: In-School Suspension  
 OSS: Out-of-School Suspension

RES: Restitution of Property/Damages  
 COC: Change of Clothing  
 AD: Administrative Detention  
 RE: Recommend Expulsion  
 LAW: Law Enforcement

#### LEVEL 1 – BEHAVIORAL MISCONDUCT

Breach of Conduct	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Cutting class without leaving school grounds	AD	1 OSS/PC	3 OSS/PC
Distribution or sale, or implying the distribution or sale, of materials unauthorized by principal	AD	AD or OSS PC	2 OSS PC
Leaving school grounds without permission or not following proper checkout and check-in procedures	1 OSS PC	3 OSS PC	5 OSS PC
Tardy (First Teacher Reported - 3 <sup>rd</sup> Student tardy – 9-Week Reset)	1 TD/PC	1 AD/PC	1 OSS/PC
Being in unauthorized areas of building/campus without permission, including after school	1 AD	1 OSS/PC	2 OSS/PC
Cheating	Zero for Grade/AD/PC	Zero/1 OSS/PC	Zero/3 OSS/PC
Public display of affection	Warning/PC	1 AD	3 OSS/PC

<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
Dress Code Violation— Inappropriate attire as described in Board policy and school rules	Warning/COC	AD/COC	1 OSS/COC/PC
Parking Violation	Fine with two weeks to Pay. No pay is considered 2 <sup>nd</sup> offense	Loss of driving privileges for remainder of the semester	Loss of driving privileges for the remainder of the school year
Inappropriate language between or among students	1 TD	1 AD	1 OSS/PC
Transporting of students off campus without proper checkout procedures/permission	1 OSS/PC	3 OSS/PC	5 OSS/PC and loss of driving privileges for the remainder of the school year

<b>LEVEL 2 – DISRUPTIVE CONDUCT</b>			
<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
Use of obscene, profane, or other inappropriate language or gesture to another student	2 OSS	3 OSS	5 OSS
Unauthorized presence on school grounds, or illegally riding authorized school transportation	2 OSS	3 OSS	5 OSS
Unlawful assembly	LAW	LAW	LAW
Reckless driving on campus	Loss of driving privileges for 10 school days/PC	Loss of driving privileges for 45 school days/PC	Loss of driving privileges for one calendar year/PC
Using or possessing tobacco or tobacco products or paraphernalia on school property	1 OSS/PC	3 OSS/PC	5 OSS/PC
Minor theft of property	1 OSS/PC/RES	3 OSS/PC/RES	5 OSS/PC/RES
Willful destruction or defacing of school/personal property, including the installation of viruses on computers and non- approved software	5 OSS/RES/PC	10 OSS/RES/PC	RE/RES/PC
Continuous disruption of the learning process	1 OSS/PC	3 OSS/PC	5 OSS/PC
Illegal use of the Internet or programs on school computers	2 OSS/PC and Loss of Privilege	5 OSS/PC and Loss of Privilege	10 OSS/PC/RE
Inappropriate use of cell phone	PC and Return Phone to Student at End of Day	1 OSS/PC and Return Phone to Student at End of Day	2 OSS/PC and Return Phone to Student at End of Day
Failure to cooperate with school officials	2 OSS/PC	3 OSS/PC	5 OSS/PC/RE
Fighting	5 OSS		
Disobedience/disrespect toward a teacher, staff member or visitor	3 OSS/PC	5 OSS/PC	10 OSS/PC/RE

<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
Use of obscene, profane, or other inappropriate language or gesture to faculty or staff member	5 OSS/PC	10 OSS/PC	RE/PC
<p><b>NOTE: The administrator or other school officials may refer Level 2 misconduct to the School Resource Office or other local law enforcement authority when the conduct rises to a level of criminality, the conduct presents an immediate safety risk, or the conduct is the third or subsequent act which rises to a level of criminality in that school year.</b></p>			

<b>LEVEL 3 – CRIMINAL CONDUCT</b>			
<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
Possession or distribution of obscene literature, pictures, or devices	2 OSS/PC/LAW	3 OSS/PC/LAW	10 OSS/PC LAW/RE
Illegal use of cell phone	3 OSS/PC	5 OSS/PC	RE/PC
Gambling	1 OSS/PC	3 OSS/PC	5 OSS/PC
Threatening, harassing, or intimidating another student	5 OSS/PC/LAW	10 OSS/PC/RE	
Possession and/or use of smoke bombs, ammunition, stink bombs or other fireworks on school grounds or at any school-sponsored event (including buses).	5 OSS/PC/LAW	RE/PC	
Possession and/or use of a bomb or explosive device on school grounds or at any school-sponsored event (including buses).	Recommend Permanent Expulsion/PC/LAW		
Sexual assault of a student or staff member	RE/PC/LAW		
Physically abusing a member of the school staff	RE/PC/LAW		
Threatening, harassing, or intimidating a principal or staff member by one or more students	RE/PC/LAW		
Major theft of property	3 OSS/PC/RES	5 OSS/PC/RES	10 OSS/PC/RES
Possession of any kind of firearm on school property (including buses) or at any school-sponsored event	RE for a minimum of twelve months PC/LAW		
Possession of any other weapon, and/or instrument used as a weapon	RE/PC/LAW		

<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
Possession, consumption, or being under the influence of drugs or alcoholic beverages (or a facsimile of) or possession of drug paraphernalia at school or school-sponsored event	RE/PC/LAW		
Selling or possession with intent to distribute drugs or alcoholic beverages or selling items portrayed as such at school or school-sponsored events	RE/PC/LAW		
Distribution, sale, purchase, manufacture, or unlawful possession of a controlled substance while in or within a radius of one-half mile of school grounds.	RE/PC/LAW		
Starting fires on school grounds or in school buildings	RE/PC/LAW		
Tampering with, removing or discharging fire extinguishers without probable cause	10 OSS/PC/LAW	RE/PC	
Unauthorized entrance in school building with or without theft of school property or damage of school property	RE/PC/LAW		
Threatening to take the life of or inflict bodily harm upon a principal, staff member or members of their immediate family.	RE/PC/LAW		
Threatening to take the life of another student.	RE/PC/LAW		
Threatening the safety and security of the school and/or bus.	RE/PC/LAW		
<b>NOTE: Law Enforcement may be contacted for any Level 3 offense.</b>			

**ARTICLE XI – USE OF TECHNOLOGY**

**XI.1. INTERNET ACCESS POLICY**

Technology is a vital part of education and the curriculum of Abbeville County School District. In an effort to promote learning and expand educational resources for students, Abbeville County School District has made arrangements to provide Internet access to students and staff. Access to the Internet is a privilege, not a right. With this privilege there also is a responsibility to use the Internet solely for educational purposes and not to access materials not suitable for those purposes.

Prior to accessing the Internet, students and staff must receive instruction on the appropriate use of the Internet. In addition, parents will be required to sign a permission form at the beginning of each school year before students will be allowed access. Students who have parent permission must sign a form annually acknowledging that they have read and understand the administrative rule, that they will comply with the guidelines, and that they understand the consequences for violating these guidelines. Employees who want or must have access in order to perform their duties must sign a similar acknowledgement form.

## **XL-2. USE OF TECHNOLOGY RESOURCES IN INSTRUCTION – POLICY JINDB**

The purpose of technology systems access, including computer, handheld, network, Internet access, email access, telecommunications and media retrieval in the district is to promote educational excellence. Access to technology systems supports the school district's mission by providing opportunities for communication, research, collaboration, professional development and the sharing of successful programs, practices and materials.

### **Users**

These guidelines and conditions of use apply to all students, employees, contractors, board members, parents/legal guardians, guests or anyone else with access to any technology resources owned and operated by the district. The use of the district's technology systems is a privilege, not a right, thus, all users must submit a signed acceptable use policy to gain access. **Individuals who gain access to technology systems without a signed acceptable use policy may not claim ignorance of the policy as an excuse for violating the stated conditions and guidelines.**

### **Responsibilities and acceptable use**

As members of a networked community, users have specific responsibilities with regard to the efficient, ethical and legal utilization of computer devices and networked and Internet resources and must strictly adhere to the following guidelines and conditions of use.

### **Security**

Security on any technology system is a high priority.

Users are responsible for the proper use of accounts issued to them such as email, Internet or access to software, and must not provide or display their passwords and login information to anyone, nor leave an application open when unattended.

Users should change their passwords regularly and make efforts to use passwords that are unique and not easily guessed.

Users are responsible for all activity under their account.

Attempts to compromise the security, integrity or functionality of the system, or possession of tools while on school or district property, designed to do so, is a violation of this policy. This includes, but is not limited to, the following.

- intentional uploading or creation of computer viruses



- deletion or alteration of other user files or applications
- removing protection to gain access to restricted areas
- unauthorized blocking of access to information, applications or areas of the network, downloading, printing or uploading files to a computer, the server or any electronic devices by student users must be approved by a teacher and must be related to schoolwork.

It is a federal offense to break into any security system. Financial and legal consequences of such actions are the responsibility of the user.

If a user feels he/she has identified a security problem on the network, he/she must notify a network system administrator. Do not demonstrate the problem to other users.

Any user identified as a security risk may be subject to severe restriction of, or cancellation of, privileges.

It is a violation of this policy to introduce or attach any software or hardware to technology used in Abbeville County School District which is not owned by the district or specifically authorized by the system administrator at the school or district level.

No modification to any hardware or software owned or managed by the district may be made without specific authorization by the system administrator at the school or district level.

### **System resources**

System resources are limited and are intended to support the educational objectives of the district.

The use of technology systems must be consistent with, and support, educational objectives.

Therefore, activity on the network, such as Internet sites accessed, communications via email, listservs, forums or chat rooms must support the district's instructional goals.

File storage capacity is limited. Users should regularly review and delete unnecessary files, email messages and voicemail messages.

Users should make a conscientious effort to conserve district resources. Use of high bandwidth resources, such as video conferencing, online music or streaming video must be related to educational goals and authorized by the system administrator at the school or district level.

Users are responsible for backing up copies of documents that are important to their jobs. The district will not be responsible for loss of data.

Using email to send chain letters, advertisements, personal and/or political notices, or engaging in "spamming" (sending an annoying or unnecessary message to large numbers of people) is in violation of this policy.

### **Property**

All technology systems and assets purchased with state, local, federal and/or grant funds by any individual employed by Abbeville County School District belong to the district. These assets include, but are not limited to, the following.

- hardware: desktops, laptops, printers, projectors, cameras, scanners, etc. (any modifications, upgrades or repairs at the users' expense do not negate district ownership)
- software: applications, games, documents, Web pages, tools, etc., purchased or developed during district resources are also applicable

Items purchased through teacher/cooperative grants will remain at the school for which the grant was originally intended regardless of the current employment status of the grant writer(s).

## **Privacy**

Communications, including voicemail messages, email, attached documents and images are not private. In theory, all records (except those specifically excluded by law), whether in electronic or hardcopy form, are subject to the South Carolina Freedom of Information Act and open to public inspection.

Abbeville County School District reserves the right for system administrators to examine, restrict or remove any material that is on or passes through its technology systems.

Users are asked to use judgment and caution in communications concerning students and staff to ensure that personally identifiable information remains confidential.

Users may not reveal home addresses, personal email addresses or personal phone numbers of colleagues or students.

## **Internet**

The Internet provides access to schools, people and informational sites all over the world. The educational potential is limitless; however, users must understand that neither the district nor any district employee controls the content of the information available on the systems. The school district does not condone the use of controversial or offensive materials and cannot be held responsible for such use. The Abbeville County School District is in compliance with the Children's Internet Protection Act (CIPA). Filtering services are in use on all computers accessing the Internet via the district network.

- Users are expected to take individual responsibility for their appropriate use of the Internet.
- Student use of the Internet must be supervised. Adults must be aware that filtering does not guarantee that students will not access inappropriate sites.
- All communications must be polite and use appropriate language. Swearing and vulgar language are considered inappropriate and are a violation of this agreement.
- Messages relating to, or in support of, illegal activities may be reported to local law enforcement authorities.
- Employees and students, under the direction of a teacher, may publish materials on the Internet on district-approved sites that support the school district's mission and are relevant to school-related activities. In publishing information on the Internet, users must adhere to all previously stated conditions and guidelines, as well as the following:

- An Internet Web page may include pictures of students or items of student work, identified by first name only, **if parental permission is obtained.**

- No Web page will be linked to a personal Web address on another server.

- Copyright laws must be honored. Permission to copy or use materials must be obtained from the copyright owner and must be cited. The failure of a site to display a copyright notice may not be interpreted as permission to copy the materials.

- The unauthorized installation, use, storage or distribution of copyrighted software or materials on district systems is prohibited.

Some examples of unacceptable use of district systems include the following.

- conducting commercial activities, product advertisement, political lobbying or unethical/ illegal solicitation
- supporting illegal activities, such as the illegal sale or use of drugs or alcohol, criminal gang activity or threats, intimidation or harassment of any other person or for any activity prohibited by district policy
- accessing, distributing or selling files or Web sites that contain pornographic or obscene pictures, videos, stories or other material; or exposing others to such material
- purchasing goods or services, without authorization, that requires the user to submit a credit card number or obligates the school or district to another party; the school district will not be held responsible for any financial obligations for goods or services purchased over the Internet or via telephone conversation without appropriate authorization
- responding to any messages, files, Web sites that solicit personal information about the user or someone else, or requesting a personal contact with the user or another user

### **Consequences**

Violation of any of the conditions of this acceptable use policy may be cause for disciplinary action which may include the suspension of accounts for investigation, revocation of system privileges, termination of contract or employment or suspension from school. Inappropriate conduct or misuse of district technology systems may be subject to restitution for costs associated with hardware, software and system restoration.

District and school computer technicians who are working with a computer and come across sexually explicit images of children must report this to local law enforcement. The report must include the name and address of the owner or person in possession of the computer.

### **Warranty**

Abbeville County School District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The district will not be responsible for any damages users suffer. This includes loss of data resulting in delays, non-deliveries, misdirected deliveries or service interruptions caused by system upgrade or repair, its own negligence or user errors or omissions. Use of any

information obtained via the Internet is at the user's own risk. The district specifically denies any responsibility for the accuracy or quality of information obtained through its services.

The guidelines and conditions outlined in this policy in no way limit the school district's prerogative to manage its technology systems as it sees fit or restrict its authority to take any actions it deems necessary to adequately supervise, protect and, if necessary, discipline its users. The district reserves the right to revise this policy at any time, and all revisions will take effect immediately as per district governance.

**TECHNOLOGY OFFENSES**

**LEGEND**

VR: Verbal Reprimand	DET: Detention
WP: Withdrawal of Privileges	CP: Corporal Punishment
PC: Parent Contact/Conference	ISS: In-School Suspension
RES: Restitution	OSS: Out-of-School Suspension
AD: Administrative Detention	

ELEMENTARY SCHOOL – K4 - 5				
Breach of Conduct	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense	4 <sup>th</sup> Offense
Using other student's passwords or sharing of passwords	PC	AD & PC	ISS/OSS	ISS/OSS
Using/sharing teacher passwords	OSS	OSS	OSS	OSS
Accessing teacher electronic grade book	OSS	OSS	OSS	OSS
Accessing teacher e-mail	OSS	OSS	OSS	OSS
Accessing internet without permission	VR & PC	ISS/OSS/CP	ISS/OSS/CP	OSS/CP
Bypassing internet content filter through proxy (for porn, Social Media, etc.)	DET	ISS/OSS/CP	ISS/OSS/CP	ISS/OSS/CP
Willful damage to technology equipment (pencils in drives, theft of mouse balls, keyboard keys, etc.)	OSS & RES	OSS & RES	OSS & RES	OSS & RES
Willful damage or duplication of files on the network (deleting and/or stealing files)	OSS & RES	OSS & RES	OSS & RES	OSS & RES

<b>Breach of Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
Unauthorized installation of software (games, chat, hacks, etc.)	OSS & RES	OSS & RES	OSS & RES	OSS & RES

**MIDDLE AND HIGH SCHOOL: Grades 6 - 12**

**The consequences for Middle and High School Technology Offenses are addressed in the Breach of Conduct Charts for Middle and High School in the Code of Conduct Section.**

**ARTICLE XII – SCHOOL BUS REGULATIONS AND PROCEDURES**

**XII-1. SCHOOL BUS REGULATIONS**

The safety of our students being transported to and from school is very important. Any violation of the student behavior code will be enforced while students are en route to their bus stop, while at the bus stop, and during their time on the bus.

A school bus driver represents the school authority and, being responsible for the students on the bus, must have supervision and authority over the passengers. Riding the bus is a privilege and must be treated as such. To continue riding the bus, passengers must follow certain rules of behavior. These rules are as follows:

1. Upon entering the bus, go to the area you have been assigned.
2. Do as the driver asks. If you have a complaint, take it to the assistant principal or principal.
3. Remain seated until you are at school or home.
4. Never put your head, arm, or legs out of a bus window.
5. Do not talk to the driver except in an emergency.
6. Smoking, eating, or drinking are not allowed on the bus.
7. Obscene language and signs are prohibited, as well as making rude remarks to persons outside the bus.
8. You must ride your usual bus every day. You may not switch buses without permission beforehand.

**XII-2. STUDENT CONDUCT ON BUSES**

**Policy EEAEC Student Conduct on Buses**

Issued 7/06

Purpose: To establish the basic structure for safe student transportation.

Safety is of prime importance for our students as we transport them to and from school and school-sponsored activities. Safety requires the cooperation of students, parents/legal guardians and school personnel.

The district charges students with the responsibility of conduct that will result in safe transportation, respect for school personnel and respect for other students. The school bus is an extension of school activity. Therefore, the board expects students to conduct themselves on the bus in a manner consistent with the established standards for safety and classroom behavior. All bus riders must cooperate fully with the bus driver and observe the bus rules.

The bus driver is responsible for supervision of students on the bus. The driver may stop the bus at any time when misbehavior or threatened misbehavior presents a hazard to safe driving.

The driver will report students who create a disturbance on school buses. The principal or his/her designee as authorized by state law and regulation, may suspend or deny bus transportation to a student whose conduct is persistently and/or flagrantly detrimental to safety and order on the bus.

The board supports the use of video cameras on school buses used for transportation to and from school as well as for field trips, curricular and extracurricular events. The district will use video cameras to monitor student behavior. The district may use videotapes as evidence in a student disciplinary proceeding. The videotapes are student records subject to the Family Education Rights and Privacy Act, school district confidentiality, board policy and administrative regulations.

Adopted 1974; Revised 4/24/90, 10/22/96, 2/25/03, 7/25/06

## **AR EEAEC-R Student Conduct on Buses**

Issued 7/06

### **Video cameras on state owned school buses**

Video cameras may be placed on any school bus in Abbeville County School District as authorized by the local transportation director. All students will be notified that they are subject to being videotaped on the school bus at any time. Notification to parents/legal guardians of all students will be made through the school district and the media. The taping will be audio and video.

The method of videotaping on the buses will be on a rotation basis so as not to select only certain buses. Based on the number of incidents or misconduct or the seriousness of these reports, video monitoring of a bus route may be done more extensively. The district transportation coordinator or local transportation supervisor may decide if more extensive monitoring is needed based on just cause.

After the videotaping has been conducted, the tapes are to be stored in the local transportation supervisor's office for a period of 10 days. The local transportation supervisor will review periodically videotapes randomly selected to ensure proper school bus conduct. If no incidents are reported within 10 days, the tapes will be recycled. If incidents are reported, or if incidents are viewed during random viewing, the videotapes will be kept until final disciplinary action is carried out.

A request for reviewing can only be made with the intent to observe a given problem or situation and in an effort to work towards a resolution of that problem or incident.

A request for viewing a videotape can be made only by drivers, school administrators, the local transportation supervisor or parents/legal guardians. The request will be made in writing to the local transportation supervisor.

**XII-3. SCHOOL BUS VIOLATION PROCEDURE**

The following procedures are the steps normally followed in dealing with student violations. At the discretion of the administration, additional options may be provided. Note also that for a severe and serious violation, a student may be suspended from the bus for the remainder of the year regardless of whether previous violations exist. Only designated persons/students are allowed to ride school buses. Students may be suspended from bus transportation for creating a disruption on the bus. Video cameras have been installed in our school buses which are randomly turned on to monitor student and driver behavior.

Student behavior violations are divided into two levels depending on their severity. Level 1 offenses are composed of student behavior that is disorderly to the operation of the buses. Level 2 offenses are composed of student behavior that is disruptive and/or criminal in nature. The behaviors include but are not limited to the following:

**Level 1 – Disorderly Conduct**

- |   |  |
|---|--|
| • Eating and drinking on the bus              | • Horse playing on the bus or stop                             |
| • Littering on the bus                        | • Refusing to obey driver and monitor                          |
| • Possession or use of electronics on the bus | • Rude, boisterous conduct                                     |
| • Out of assigned seat                        | • Other violations as deemed appropriate by the administration |

**Level 2 – Disruptive and/or Criminal Conduct**

- |   |  |
|---|--|
| • Unsafe boarding / departure               | • Opening emergency exit                                       |
| • Standing while bus in motion              | • Pushing / tripping   |
| • Harassment of other students              | • Smoking / using tobacco                                      |
| • Throwing objects on or out of bus         | • Using profanity  |
| • Hanging out of the window                 | • Getting off at unassigned stop                               |
| • Possession of a weapon(s)                 | • Riding another bus without permission                        |
| • Assaulting the driver / monitor           | • Possession of obscene items                                  |
| • Making a threat (Individual or Terrorist) | • Obscene gestures / actions                                   |
| • Vandalism to bus                          | • Other violations as deemed appropriate by the administration |
| • Assaulting another student / Fighting     |  |

**ACTIONS NORMALLY TAKEN BY ADMINISTRATOR:**

1<sup>st</sup> Referral – Warning / Reprimand

**Level 1**

2<sup>nd</sup> Referral – Conference with student / Call to parent(s)

3<sup>rd</sup> Referral – SUSPENDED from riding all buses for three (3) days

*(A 4<sup>th</sup> Referral at Level 1 becomes a 2<sup>nd</sup> Referral at Level 2. Fighting is a Level 2, 2<sup>nd</sup> Referral.)*

## **Level 2**

2<sup>nd</sup> Referral – SUSPENDED from riding all buses for five (5) days

3<sup>rd</sup> Referral – SUSPENDED from riding all buses for ten (10) days

4<sup>th</sup> Referral – SUSPENDED from riding all buses for the remainder of the school year

*Infractions that are a substantial disruption to the safe operation of the school bus and its passengers can result in the immediate removal of transportation privileges for the remainder of the school year.*

## **XII.4. CHANGING TRANSPORTATION HOME**

At the beginning of school, parents must notify the schools about their child's designated transportation home. Students are expected to use the same transportation home each day unless written permission is provided to the principal by the parent. The principal, if approved, will authorize the change in transportation.

Changes in transportation should be submitted in writing to the school before 1:00 P.M. each day and should be limited to emergencies. Phone calls to change a child's transportation will not be accepted. Parents should send a written note in the morning or go to the school prior to 1:00 P.M.

Changes in transportation that are too frequent or that are submitted too late may create a disruption for the school transportation system and thus threaten the safety of the student and the orderly operation of the buses. The principal reserves the right to deny any requests for a change in transportation if the requests become frequent or if they are submitted too late.

## **XII.5. PARENTAL RESPONSIBILITY FOR STUDENT TO AND FROM THEIR BUS STOP**

**SECTION 59-67-415.** Parental responsibility for safe and timely arrival of children to and from bus stop. (South Carolina Code of Laws)

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.

## **XII.6. INTERFERENCE WITH OPERATION OF SCHOOL BUS**

**SECTION 59-67-245.** Interference with operation of school bus; penalties. (South Carolina Code of Laws)

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 a school bus driver relating to the occupancy of a 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 Section 16-17-530. Nothing contained herein shall be interpreted to infringe upon the power and duties of duly constituted authorities.

## **ARTICLE XIII – SCHOOL SECURITY**

### **XIII-1. SCHOOL CLOSURES AND EARLY DISMISSALS**

Because of inclement weather or other emergency situations, it may be necessary to dismiss school early or to cancel the school day altogether. In the event of inclement weather, weather conditions will be monitored in consultation with local Emergency Preparedness and law enforcement and, as a general rule, a school closure decision will be made by 5:00 A.M. The decision will be made to close schools, operate under a two-hour delay, or open schools as normal. The following television and radio stations will be notified about the school closure decision. Please tune in to these stations for the latest school closure information.

WZLA Radio  
WYFF – News Channel 4  
WSPA – News Channel 7  
FOX – News Channel 21  
WLOS – News Channel 13

In the event of early school closure, West Carolina Telephone Cooperative and Charter Cable will also be contacted in addition to the above television and radio stations. Once the early dismissal decision is made, schools will call the parents of students to notify them of the early dismissal decision. Messages will also be sent through the mass calling system known as SchoolMessenger.

### **XIII-2. VISITORS TO CAMPUS**

All visitors to campus must report to the school office before visiting any portion of the school to obtain permission, sign in, and receive a visitor’s badge. Before leaving campus, the visitor must report back to the office to sign out and return the visitor’s badge.

### **XIII-3. CHANGING TRANSPORTATION HOME**

At the beginning of school, parents must notify the schools about their child’s designated transportation home. Students are expected to use the same transportation home each day unless written permission is provided to the principal by the parent. The principal, if approved, will authorize the change in transportation.

### **XIII-4. SCHOOL CRIME REPORT ACT**

Section 59-63-310 through 59-63-390 of the South Carolina Code of Laws is entitled the “School Crime Report Act.” The School Crime Report Act requires each school district in the state to report school-related crimes on a quarterly basis to the South Carolina Department of Education. The

information reported must conform to the requirements set by the federal “No Child Left Behind Act.”

If a student is convicted of or adjudicated delinquent for assault and battery against school personnel, assault and battery of a high and aggravated nature committed on school grounds or at a school-sponsored event against any person affiliated with the school in an official capacity, a violent offense, an offense in which a weapon\* (as defined by Section 59-63-370) was used, or for distribution or trafficking in unlawful drugs as defined in Article 3, Chapter 53 of Title 44, the following notifications are required:

1. If the student is assigned to the Department of Juvenile Justice, the Department of Corrections, or to the Department of Probation, Parole, and Pardon Services, that agency is required to provide immediate notice of the student’s conviction or adjudication to the senior administrator of the school in which the student is enrolled, intends to be enrolled, or was last enrolled. These agencies are authorized to request information concerning school enrollment from a student convicted of or adjudicated delinquent for an offense listed in this item.
2. If the student is not sentenced to incarceration or probation, the presiding judge shall order the clerk of the court to provide, within ten days, notification of the student’s sentence to the appropriate school district for inclusion in the student’s permanent record. If the student is under the jurisdiction of the family court and is not referred to the Department of Juvenile Justice, the prosecuting agency must provide notification within ten days to the appropriate school district.
3. An administrator notified about the conviction or adjudication of a student for any of the above offenses is required to notify each teacher or instructor in whose class the student is enrolled of the student’s conviction or adjudication for the offense. This notification must be made to the appropriate teachers and instructors every year the student is enrolled in school.
4. Information concerning the conviction of or delinquent adjudication of any of the above offenses must be placed in the student’s permanent school record and must be forwarded with the student’s permanent school records if the student transfers to another school or school district.

\*A “weapon”, as defined by Section 59-63-370, means a firearm, knife with a blade-length of over two inches, dirk, razor, metal knuckles, slingshot, bludgeon, or any other deadly instrument used for the infliction of bodily harm or death.

A person affiliated with a school in an official capacity is granted immunity from criminal prosecution and civil liability when making a report of school-related crime in good faith, to the extent that the exposure to criminal prosecution or civil liability arises from the same report of school-related crime.

## **ARTICLE XIV – ANNUAL NOTIFICATIONS**

### **XIV-1. FAMILY EDUCATIONAL PRIVACY RIGHTS AMENDMENT (FERPA)**

#### **English Version**

The Family Educational Rights and Privacy Act (FERPA) affords parents/legal guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

**The right to inspect and review the student's education records within 45 days of the day the school receives a request for access.**

Parents/Legal guardians or eligible students should submit to the school principal, or appropriate school official, a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent/legal guardian or eligible student of the time and place where the records may be inspected.

**The right to request the amendment of the student's education records that the parent/legal guardian or eligible student believes are inaccurate, misleading or otherwise in violation of the student's privacy rights under FERPA.**

Parents/Legal guardians or eligible students who wish to ask the school to amend a record should write the school principal, or appropriate school official, clearly identify the part of the record they want changed and specify why it should be changed. If the school decides not to amend the record as requested by the parent/legal guardian or eligible student, the school will notify the parent/legal guardian or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/legal guardian or eligible student when notified of the right to a hearing.

**The right to privacy of personally identifiable information in the student's education records, except to the extent that FERPA authorizes disclosure without consent.**

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant or therapist); a parent/legal guardian or student serving on an official committee, such as a disciplinary or grievance committee; or a parent/legal guardian, student or other volunteer assisting another school official in performing his/her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent/legal guardian or student of the records request unless it states in its annual notification that it intends to forward records on request.

**The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the office that administers FERPA are as follows.**

Family Policy Compliance Office  
U.S. Department of Education

**Spanish Version**

**NOTIFICACIÓN DE DERECHOS PARA PRIMARIA Y  
ESCUELAS SECUNDARIAS**

La Ley de Derechos Educativos y Privacidad (FERPA) otorga a los padres / tutores legales y estudiantes mayores de 18 años de edad ("estudiantes elegibles") ciertos derechos con respecto a los registros de educación del estudiante. Estos derechos son:

**El derecho a inspeccionar y revisar los registros de educación del estudiante dentro de los 45 días del día que la escuela recibe una solicitud de acceso.**

Los padres / tutores legales o estudiantes elegibles deben presentar al director de la escuela, o el correspondiente funcionario escolar, una solicitud por escrito que identifique el expediente (s) que desean inspeccionar. El oficial de la escuela hará arreglos para el acceso y notificará al padre / tutor legal o estudiante elegible de la hora y el lugar donde podrán inspeccionar los registros.

**El derecho a solicitar la modificación de los registros educativos del estudiante que el padre / tutor legal o estudiante elegible cree que son inexactos, engañosos o en violación de los derechos de privacidad del estudiante bajo FERPA.**

Los padres / tutores legales o estudiantes elegibles que desean pedir a la escuela que se modifique un registro deben escribir al director de la escuela, o el oficial de la escuela, identificando claramente la parte del expediente que quieren cambiar y especificar por qué debe ser cambiado. Si la escuela decide no enmendar el expediente según lo solicitado por el padre / tutor legal o estudiante elegible, la escuela notificará al padre / tutor legal o estudiante elegible de la decisión y les informará de su derecho a una audiencia sobre la solicitud de modificación. Información adicional sobre los procedimientos de audiencia será proporcionada al padre / tutor legal o estudiante elegible cuando se le notifique del derecho a una audiencia.

**El derecho a la privacidad de la información de identificación personal en los registros de educación del estudiante, excepto en la medida en que FERPA autoriza la divulgación sin consentimiento.**

Una excepción, que permite la divulgación sin consentimiento, es la revelación a funcionarios escolares con intereses educativos legítimos. Un funcionario escolar es una persona empleada por la escuela como un administrador, supervisor, instructor o personal de apoyo (incluyendo personal de salud o médico y personal de la policía); una persona que sirve en la junta escolar; una persona o compañía con quien la escuela ha externalizado los servicios o funciones que de otro modo utilizar sus propios empleados para llevar a cabo (como un abogado, auditor, consultor médico o terapeuta); un padre / tutor legal o estudiante sirviendo en un comité oficial, como un comité de disciplina o de quejas; o un padre / tutor legal, estudiante u otro voluntario ayudando a otro funcionario escolar en el desempeño de su / sus tareas.

Un funcionario escolar tiene un interés educativo legítimo si el funcionario necesita revisar un registro educativo a fin de cumplir con su responsabilidad profesional.

A petición, la escuela revela los registros educativos sin consentimiento a oficiales de otro distrito escolar en el cual el estudiante busca o intenta inscribirse o ya está inscrito, si la divulgación es a los efectos de la inscripción o transferencia del estudiante. NOTA: FERPA requiere que el distrito escolar haga un intento razonable para notificar al padre / tutor legal o estudiante de la solicitud de registros a menos que se indique en su notificación anual que tiene la intención de enviar los registros a petición.

**El derecho a presentar una queja ante el Departamento de Educación de EE.UU. sobre presuntas fallas por la escuela para cumplir con los requisitos de FERPA. El nombre y la dirección de la oficina que administra FERPA son los siguientes.**

Family Office Policy Compliance  
Departamento de Educación de EE.UU.  
400 Maryland Avenue, SW  
Washington, DC 20202-8520

### **Ukrainian Version**

#### **Правах сім'ї на освіту КОНФІДЕНЦІЙНОСТІ ЗМІНА (FERPA)**

Закон про сімейні освітніх правах і конфіденційності (FERPA) надає батькам / законним опікунам та студентів старше 18 років ( «мають право студенти») певні права щодо освітніх документів студента. Ці права є:

**Право перевіряти і переглядати записи освіти студента протягом 45 днів з дня школа отримує запит на доступ.**

Батьки / опікуни або юридичні право студентів повинні представити директор школи, або відповідне офіційне особа, письмовий запит, який ідентифікує запис (и) вони хочуть, щоб перевірити. Школа чиновник буде вживати заходів для забезпечення доступу і повідомляє батько / законний опікун або має право студента часу і місця, де записи можуть бути перевіряються.

**Право вимагати внесення поправок в освітніх документів студента, що батько / законний опікун або наділений студент вважає, є неточними, що вводить в оману або іншим чином на порушення прав на приватне життя студента під FERPA.**

Батьки / опікуни або юридичні право студентів, які хочуть попросити школу змінити запис повинні написати директор школи, або відповідний працівник школи, чітко визначити ту частину запису вони хочуть змінилися і вказати, чому це повинно бути змінено. Якщо школа вирішує не змінити запис на прохання батька / законного опікуна або правомочний учень, школа повідомить батьків / законного опікуна або мають право студента рішення і повідомити їм про своє право на слухання справи в зв'язку з проханням про внесення поправок , Додаткова інформація про процедури слухань буде надана батьком / законним опікуну або мають право студента, коли повідомлення про право на слухання.

**Право на недоторканність приватного особистої інформації, що міститься в освітніх документах учня, за винятком випадків, що FERPA дозволяє розкриття без згоди.**

Один виняток, яке допускає розкриття без згоди, є розкриттям шкільних посадових осіб з законними освітніми інтересами. Шкільний чиновник людина, що працює в школі в якості адміністратора, керівника, інструктора або співробітника підтримки (в тому числі здоров'я або

медичного персоналу і співробітників правоохоронних органів одиниць персоналу); особа, яка відбуває на шкільній дошці; особа або компанія, з якою школа аутсорсингу послуг або функції він буде іншим чином використовувати своїх співробітників для виконання (наприклад, адвокат, аудитор, медичний консультант або терапевт); батько / законний опікун або студент виступає в якості офіційного комітету, наприклад, дисциплінарного або розгляду скарг комітету; або батько / законний опікун, студент або доброволець сприяння інший працівник школи у виконанні його / її завдань.

Школа чиновник має законний пізнавальний інтерес, якщо офіційна особа має розглянути запис освіти, з тим щоб виконати свою професійну відповідальність.

За бажанням, школа розкриває освітні документи без згоди посадових осіб іншого шкільного округу, в якому студент прагне або має намір вчинити, або вже зарахований, якщо розкриття інформації для цілей реєстрації або передач студента. Примітка: FERPA вимагає шкільного округу, щоб зробити розумну спробу повідомити батько / законний опікун або студент запиту записів, якщо це не зазначено в своєму щорічному повідомленні, що він має намір направити документи на вимогу.

**Право подати скаргу до Департаменту США освіти щодо передбачуваних відмов в школі, щоб відповідати вимогам FERPA. Назва та адреса офісу, який управляє FERPA наступним чином.**

Управління сімейної політики Compliance  
Департамент США за освітою  
400 Maryland Avenue, SW  
Вашингтон, округ Колумбія 20202-8520

## **XIV-2. NOTICE OF DIRECTORY INFORMATION**

### **English Version**

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that the district, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the district may disclose appropriately designated "directory information" without written consent, unless you have advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the district to include this type of information from your child's education records in certain school publications. Examples include the following.

- a playbill, showing your student's role in a drama production
- the annual yearbook
- honor roll or other recognition lists
- graduation programs
- sports activity sheets, such as for wrestling, showing weight and height of team members

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent/legal guardian's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require a district receiving

assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with names, addresses and telephone listings, unless parents/legal guardians have advised the district that they do not want their student's information disclosed without their prior written consent.

If you do not want the district to disclose directory information from your child's education records without your prior written consent, you must notify the district in writing by **September 12, 2017**. The district has designated the following information as directory information.

- student's name
- address
- telephone listing
- electronic mail address
- photograph
- date and place of birth
- major field of study
- dates of attendance
- grade level
- participation in officially recognized activities and sports
- weight and height of members of athletic teams
- degrees, honors, and awards received
- most recent educational agency or institution attended
- student ID number, user ID or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (a student's SSN, in whole or in part, cannot be used for this purpose)

### **Spanish Version**

#### **AVISO DE INFORMACIÓN DEL DIRECTORIO**

La Ley de Derechos Educativos y Privacidad (FERPA), una ley federal, requiere que el distrito, con ciertas excepciones, obtenga su consentimiento por escrito antes de la divulgación de información de identificación personal de los registros educativos de su hijo. Sin embargo, el distrito puede divulgar apropiadamente designada "información de directorio" sin el consentimiento por escrito, a menos que haya notificado al distrito de lo contrario de acuerdo con los procedimientos del distrito. El propósito principal del directorio es permitir que el distrito para incluir este tipo de información de los registros de educación de su hijo en ciertas publicaciones escolares. Los ejemplos incluyen los siguientes.

- Un programa, mostrando el papel de su estudiante en una producción dramática
- el anuario
- cuadro de honor u otras listas de reconocimiento
- programas de graduación
- Hojas de actividades deportivas, tales como lucha libre, mostrando el peso y la altura de los miembros del equipo

La información del directorio, que es información que generalmente no se considera dañina o una invasión de la privacidad, también puede ser divulgada a organizaciones externas sin el consentimiento previo por escrito de un padre / tutor legal. Las organizaciones externas incluyen,

pero no se limitan a, compañías que fabrican anillos de graduación o publican anuarios. Además, dos leyes federales requieren que un distrito que recibe asistencia bajo la Ley de Educación Primaria y Secundaria de 1965 (ESEA) para proporcionar a los reclutadores militares, previa solicitud, con nombres, direcciones y números de teléfono, a menos que los padres / tutores legales hayan solicitado al distrito que no quieren que la información del estudiante sea divulgada sin su consentimiento previo por escrito.

Si no desea que el distrito divulga la información de los expedientes educativos de su hijo sin su previo consentimiento por escrito, debe notificar al distrito por escrito antes del **12 de septiembre de 2017**. El distrito ha designado la siguiente información como información del directorio.

- el nombre del estudiante
- dirección
- Número de Teléfono
- dirección de correo electrónico
- fotografía
- Fecha y Lugar de Nacimiento
- área principal de estudio
- Fechas de asistencia
- nivel de grado
- participación en actividades y deportes oficialmente reconocidos
- Peso y altura de miembros de equipos deportivos
- grados, honores y premios recibidos
- agencia educativa más reciente o institución asistieron
- número de identificación, ID de usuario u otro identificador personal único que se utiliza para comunicarse en los sistemas electrónicos que no se pueden utilizar para acceder a los registros educativos sin un PIN, contraseña, etc. (de SSN, en su totalidad o en parte, no puede ser utilizado para este estudiante propósito)

### **Ukrainian Version**

#### **ПОВІДОМЛЕННЯ ПРО довідкової інформації**

Закон про сімейні освітніх правах і конфіденційності (FERPA), федеральний закон вимагає, щоб район, з деякими винятками, отримати ваше письмову згоду перед розкриттям особистої інформації від навчальної документації вашої дитини. Проте, район може розкрити належним чином позначений «довідкову інформацію» без письмової згоди, якщо тільки ви не порадили району навпаки, відповідно до процедур, оточенні. Основна мета довідкової інформації, щоб дозволити району включити цей тип інформації з навчальної документації вашої дитини в деяких шкільних виданнях. Приклади включають в себе наступне.

- Афіша, показуючи роль вашого студента в постановці драми
- щорічника
- пошани або інші списки визнання
- програма градації
- листи спортивної діяльності, такі як боротьба, показуючи вагу і зріст членів команди

інформація Довідник, що інформація, яка, як правило, не вважається шкідливим чи вторгненням в приватне життя, якщо звільнені, також можуть бути передані стороннім



організаціям без попередньої письмової згоди батьків / законного опікуна. Зовнішні організації включають, але не обмежуються ними, компанії, які займаються виробництвом класу кільця або видають щорічники. Крім того, два федеральні закони вимагає району, який отримує допомогу відповідно до Закону про початкову та середню освіту від 1965 року (ESEA) для забезпечення військових вербувальників, на їхнє прохання, імена, адреса і телефонні списки, якщо батьки / опікуни не порадившись район, що вони не хочуть отримувати інформацію свого студента розкриватися без їх попередньої письмової згоди.

Якщо ви не хочете, щоб округ розкривати інформацію каталогу з навчальної документації вашої дитини без Вашої попередньої письмової згоди, ви повинні повідомити про це в письмовій формі районі 12 вересня, 2017. Район призначив наступну інформацію в якості довідкової інформації.

- ім'я студента
- адреса
- телефонна реклама
- Адреса електронної пошти
- фотографія
- Дата і місце народження
- головна область дослідження
- дати відвідування
- рівень якості
- участь в офіційних заходах і спортивних
- вага і зріст членів спортивних команд
- ступеня, почесні звання, і нагороди
- найостанніше освітній заклад чи заклад відвідали
- студент ID номер, ідентифікатор користувача або інший унікальний персональний ідентифікатор, який використовується для зв'язку в електронних системах, які не можуть бути використані для доступу до записів освіти без PIN-коду, пароля і т.д. (студента ПЛА, повністю або частково, не може бути використана для цього призначення)

#### **XIV-3. PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)**

##### **English Version**

The Protection of Pupil Rights Amendment (PPRA) (20 U. S. C. § 1232h; 34 CFR Part 98) applies to programs that receive funding from the U. S. Department of Education (ED). PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)—
  1. Political affiliations or beliefs of the student or student’s parent;
  2. Mental or psychological problems of the student or student’s family;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;
  6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
  7. Religious practices, affiliations, or beliefs of the student or parents; or

8. Income, other than as required by law to determine program eligibility.
- *Receive notice and an opportunity to opt a student out of –*
    1. Any other protected information survey, regardless of funding;
    2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
    3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
  - *Inspect, upon request and before administration or use –*
    1. Protected information surveys of students;
    2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
    3. Instructional material used as part of the educational curriculum.

These rights transfer to from the parents to a student who is 18 years old or an emancipated minor under State law.

Abbeville County School District will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

Abbeville County School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Abbeville County School District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey.

Abbeville County School District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys.

Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

*Parents who believe their rights have been violated may file a complaint with:*

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5901

## **Spanish Version**

La Protección de la Enmienda de Derechos de Alumno (PPRA) (20 U. S. C. 1232h; 34 de CFR Part 98) aplica a programas que reciben la financiación del U. S. El departamento de la Educación (ED). PPRA proporciona a padres ciertos derechos con respecto a nuestro conducto de inspecciones, la colección y el uso de información para vender propósitos, y para ciertos exámenes físicos. Estos incluyen el derecho a:

• *El Consentimiento* antes estudiantes son requeridos a someterse a una inspección que concierne uno o más del siguiente áreas protegidas ("la inspección protegida de información") si la inspección es financiada en el total o en parte por un programa de los EE.UU. El departamento de la Educación (ED)–

1. Las afiliaciones o las creencias políticas del padre de estudiante o estudiante;
2. Los problemas mentales o psicológicos de la familia de estudiante o estudiante;
3. La conducta del sexo o actitudes;
4. Ilegal, antisocial, ser-incriminando, o degradar la conducta;
5. Las evaluaciones críticas de otros con quién demandados tienen las relaciones cercanas de la familia;
6. Legalmente reconocido privilegió las relaciones, tan al igual que con abogados, al igual que con los médicos, o al igual que con los ministros;
7. Las prácticas religiosas, las afiliaciones, o las creencias del estudiante o cría; o
8. Los ingresos, de otra manera que como requerido por la ley para determinar la elegibilidad del programa.

• *Recibe nota y una oportunidad de optar un estudiante fuera de –*

1. Cualquier otra inspección protegida de la información, a pesar de la financiación;
2. Ninguna no-emergencia, el examen ni la investigación físicos invasivos requirieron como una condición de asistencia, administrado por la escuela ni su agente, y no necesario para proteger la salud y la seguridad inmediatas de un estudiante, menos vista, menos la visión, o menos las investigaciones de la escoliosis, o ningún examen o la investigación físicos permitieron o requirieron bajo la ley del Estado; y
3. Las actividades que implican la colección, la revelación, o el uso de información personal obtenida de estudiantes para vender o para vender o de otro modo para distribuir la información a otros.

• *Inspecciona, sobre el pedido y antes de la administración o el uso –*

1. Las inspecciones protegidas de la información de estudiantes;
2. Los instrumentos reunían información personal de estudiantes para cualquiera del encima de vender, las ventas, u otros propósitos de la distribución; y
3. La materia instruccional utilizó como parte del plan educativo.

Estos derechos transfieren a de los padres a un estudiante que tiene 18 años o a un menor emancipado bajo la ley del Estado.

Abbeville County School District desarrollará y adoptará las políticas, en la consulta con padres, con respecto a estos derechos, así como los arreglos para proteger a estudiante la intimidad en la administración de inspecciones protegidas de información y la colección, de la revelación, o del uso de información personal para vender, para las ventas, o para otros propósitos de la distribución.

Abbeville County School District notificará directamente a padres de estas políticas por lo menos anualmente en el comienzo de cada año escolar y después de algún cambio sustantivo. Abbeville County School District también notificará directamente, tal como por EE.UU. El correo o correo electrónico, los padres de estudiantes que son planificados para tomar parte en las actividades o las

inspecciones específicas notadas debajo de y proporcione una oportunidad para el padre para optar su niño fuera de participación de la actividad o la inspección específicas.

Abbeville County School District hará esta notificación a padres en el principio del año escolar si el Distrito ha identificado las fechas específicas o aproximadas de las actividades o inspecciones en aquel momento. Para inspecciones y actividades planificó después de los comienzos de año escolar, los padres serán proporcionados la notificación razonable de las actividades e inspecciones planeadas listó abajo y es proporcionada una oportunidad de optar su niño fuera de tales actividades e inspecciones

Los padres serán proporcionados también una oportunidad de revisar alguna inspección pertinente. Siguiente es una lista de las actividades e inspecciones específicas cubrió bajo este requisito:

- La colección, la revelación, o el uso de información personal para vender, las ventas u otra distribución.
- La administración de inspección protegida de información no financió en el total ni en parte por ED.
- Cualquier no-emergencia, reconocimiento o investigación invasivos describieron como arriba.

Los padres que cree que sus derechos han sido violados pueden archivar una queja con:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5901

### **Ukrainian Version**

Захист Учень Поправка прав (СРППИ) (20 У. С. С. § 1232h; 34 CFR Part 98) відноситься до програм, які отримують фінансування від У. С. Департаменту освіти (ED). СРПП дає батькам певні права щодо нашої поведінки обстежень, збору і використання інформації в маркетингових цілях, а також деяких фізичних іспитів. Вони включають в себе право на:

- Згода перед студентами зобов'язані подавати в опитуванні, яке відноситься до одного або більше з таких захищених областей ( «захищена інформація обстеження»), якщо обстеження фінансується повністю або частково програмою Департаменту освіти США (ED) –

1. Політичні приналежності або переконання учня або батьків учня;
2. Психічні і психологічні проблеми учня або сім'ї учня;
3. Поведінка секс або відносини;
4. Незаконний, ці заходи є засобом, сам-викривають, або принизливе поведження;
5. Критична оцінка інших, з якими респонденти мають близькі родинні стосунки;
6. Штамп визнав привілейовані відносини, такі як з адвокатами, лікарями, або міністрами;
7. Релігійні практики, приналежність або вірування учня або його батьків; або
8. Доходи, за винятком випадків, передбачених законом для визначення права участі в програмі.

- Отримувати повідомлення і можливість відмовитися студента з –

1. Будь-який інший захищеної інформації опитування, незалежно від фінансування;

2. Будь-якого нечрезвичайних, інвазивний медичний огляд або скринінг потрібно в якості умови відвідування, у віданні школи або його агентом, а не з метою захисту негайного здоров'я і безпеки студента, для слуху, зору або сколіоз скринінги за винятком або будь-який фізичний іспит або скринінг дозволено або вимагається відповідно до законодавства штату; і
3. Діяльність, пов'язана збирання, розголошення або використання особистої інформації, отриманої від студентів для маркетингу або продавати або іншим чином поширювати інформацію третім особам.

• Перевірте, за запитом і до введення або використання –

1. Захищені інформаційні огляди студентів;
2. Інструменти, які використовуються для збору особистої інформації від студентів для будь-якого з вище маркетингу, продажів або інших цілей розподілу; і
3. Навчальні матеріали використовуються в рамках навчальної програми.

Ці права передаються від батьків до студента, який 18 років або емансиповані неповнолітній відповідно до закону штату.

Аббевілл County School District буде розробляти і проводити політику, в консультації з батьками, щодо цих прав, а також мерли по захисту студентської конфіденційності в адміністрації захищених інформаційних обстежень і збір, розголошення або використання особистої інформації для маркетингу, продажів, або інші цілі розподілу.

Аббевілл County School District буде безпосередньо повідомляти батьків такої політики, принаймні раз на рік на початку кожного навчального року і після будь-яких істотних змін. Аббевілл County School District також безпосередньо повідомить, наприклад, через пошту США або по електронній пошті, батьки студентів, які планують взяти участь в конкретних заходах або обстежень, зазначених нижче, і забезпечить можливість для батьків, щоб вибрати його або її дитини від участі питомої активності або обстеження.

Аббевілл County School District зробить це повідомлення батьків на початку навчального року, якщо Район ідентифікував певні або приблизні дати проведення заходів або обстежень в той час. Для обстежень і заходів, запланованих після початку навчального року, батьки будуть забезпечені розумним повідомлення про плановані заходи і обстеженнях, перерахованих нижче, і бути надані можливістю відмовитися своєю дитиною від такої діяльності і обстежень.

Батьки також буде надана можливість розглянути будь-які відповідні обстеження. Нижче наводиться перелік конкретних заходів і обстежень, які охоплюються цією вимогою:

- Збір, розкриття або використання особистої інформації для маркетингу, продажів або іншого розподілу.
- Адміністрація будь-якого захищеного інформаційного опитування, що не фінансуються повністю або частково за рахунок ЕД.
- Будь-який нечрезвичайних, інвазивний медичний огляд або огляд, як описано вище.

Батьки, які вважають, що їхні права були порушені, можуть подати скаргу:

Управління сімейної політики Compliance  
Департамент США за освітою  
400 Maryland Avenue, SW  
Вашингтон, округ Колумбія 20202-5901

#### **XIV-4. RIGHT TO REVIEW TITLE I AND SCHOOL RENEWAL PLANS**

##### **English Version**

Each Title I school maintains a copy of the Title I plan for that school. Individuals may review the Title I plan by making the request to the principal at the school. The School Renewal Plan is also kept on file at the school and may be reviewed by making the request to the principal of the school.

Each Title I school also welcomes input related to the School-wide Title I Plan. You may submit your comments and/or suggestions by contacting the principal at your child's school.

##### **Spanish Version**

Cada Título I escuela mantiene una copia del Título que planeo para aquella escuela. Los individuos pueden examinar el Título que planeo haciendo la petición al principal en la escuela. El Plan de Renovación Escolar también es guardado en el archivo en la escuela y puede ser examinado haciendo la petición al principal de la escuela.

Cada Título I escuela también da la bienvenida a la entrada relacionada con el Título por toda la Escuela que Planeo. Usted puede presentar sus comentarios y/o sugerencias por ponerse en contacto con el principal en la escuela de su niño.

##### **Ukrainian Version**

Кожна школа по Розділу I зберігає копію Назви я планую для цієї школи. Фізичні особи можуть переглянути Назву я планую, зробивши запит на довіритель в школі. План Школа поновлення також зберігається в файлі в школі і може бути переглянута, зробивши запит на директора школи.

Кожна школа по Розділу I також вітає внесок, пов'язаний з загальношкільних Назва Планую. Ви можете представити свої зауваження та / або пропозиції, звернувшись до директора в школі вашої дитини.

#### **XIV-5. PARENT'S RIGHT TO KNOW ABOUT TEACHER QUALIFICATIONS**

##### **English Version**

In compliance with the requirements of the Every Students Succeeds Act, Abbeville County School District would like to inform you that you may request information about the professional qualifications of your student's teacher(s) and/ or paraprofessional(s). The following information may be requested:

- Whether the student's teacher—
  - has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
  - is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and

- is teaching in the field of discipline of the certification of the teacher.
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

If you would like information about your child's teacher's qualifications, you may go to the South Carolina Department of Education's Educator Qualification Search page at the following link to search by name or location.

Educator Qualification Search Link - <http://ed.sc.gov/policy/federal-education-programs/esea-title-ii-part-a1/parents-right-to-know-requirement/educator-qualification-search/>

If you would like information about the qualifications of a paraprofessional that works with your child, please contact your child's principal.

### **Spanish Version (Version en español)**

En conformidad con los requisitos de la Ley de Sucesos Cada Alumno, el Distrito Escolar del Condado de Abbeville le informará que puede solicitar información sobre las calificaciones profesionales de los maestros y / o paraprofesionales de su estudiante. Se puede solicitar la siguiente información:

- Si el profesor-
  - ha cumplido con los criterios estatales de calificación y licencia para los niveles de grado y áreas temáticas en las que el maestro imparte instrucción;
  - está enseñando en estado de emergencia u otro estado provisional a través del cual se han renunciado a los criterios de calificación o de licencia del Estado; y
  - está enseñando en el campo de la disciplina de la certificación del profesor.
- Si el niño recibe servicios de los paraprofesionales y, en caso afirmativo, sus calificaciones.

Si desea información sobre las calificaciones del maestro de su hijo, puede ir a la página de Búsqueda de Calificación del Educador del Departamento de Educación de Carolina del Sur en el siguiente enlace para buscar por nombre o ubicación.

Calificación del Educador Search Link - <http://ed.sc.gov/policy/federal-education-programs/esea-title-ii-part-a1/parents-right-to-know-requirement/educator-qualification-search/>

Si desea información sobre las calificaciones de un paraprofesional que trabaja con su hijo, comuníquese con el director de su hijo.

### **Ukrainian Version (Українська версія)**

Відповідно до вимог Закону "Про успіх кожного студента", Шкільний округ округу Абвілл хоче повідомити вас про те, що ви можете запитати інформацію про професійну кваліфікацію вчителя (ів) вашого та (або) фахівця. Наступна інформація може бути запитана:

- Чи вчитель-

- виконував державні кваліфікаційні та ліцензійні критерії для рівнів та предметних областей, в яких учитель надає інструкції;
  - викладання в надзвичайних ситуаціях або інший тимчасовий статус, за допомогою якого критерії державної кваліфікації або критерії ліцензування відмовляються; I
  - викладає в галузі дисципліни з сертифікації вчителя.
- Чи забезпечується дитиною послуги парапрофесіоналів та, якщо так, їх кваліфікація.

Якщо ви хочете отримати інформацію про кваліфікацію викладача вашої дитини, ви можете перейти на сторінку пошуку кваліфікації викладачів освіти Південної Кароліни за такою посиланням, щоб шукати за назвою чи місцезнаходженням.

Кваліфікація педагога Serach Link - <http://ed.sc.gov/policy/federal-education-programs/esea-title-ii-part-a1/parents-right-to-know-requirement/educator-qualification-search/>

Якщо вам потрібна інформація про кваліфікацію професіонала, який працює з вашою дитиною, зверніться до директора вашої дитини.

## **ARTICLE XV – ACADEMICS**

### **XV-1. STATEWIDE UNIFORM GRADING SCALE**

Purpose: To establish the board's vision for grading and assessment of student academic progress.

Students respond more positively to the opportunity for success than to the threat of failure. The district seeks, therefore, through learner objectives and its instructional program, to make achievement both recognizable and possible for students. The district should emphasize achievement in its process of evaluating student performance.

Regularly issued report cards, combined with scheduled parent-teacher conferences, serve to promote a process of continuous evaluation of student performance. This process informs students and their parent/legal guardian and provides a basis for bringing about change in student performance if such change seems necessary.

#### **Statewide Uniform Grading Scale**

The school will follow the statewide uniform grading scale as approved by the State Board of Education. This uniform grading scale and the system for calculating grade point averages (GPAs) and class rank will apply to all courses carrying Carnegie units, including units earned at the middle/junior high school level.

The uniform grading scale is as follows:

A	90 - 100
B	80 - 89
C	70 - 79
D	60 - 69
F	59 and below

All report cards and transcripts will use numerical grades for courses carrying Carnegie units.



Adopted 06/14/16; Revised 2/27/90, 2/25/03, 10/24/06, 6/14/16

## **XV-2. CONTENT AND CREDIT RECOVERY**

### **Policy IKADD (Content and Credit Recovery)**

Students who have been unsuccessful in mastering content or skills required to receive course credit may be offered the opportunity to participate in the district's content or credit recovery programs.

#### **Content Recovery**

The district's content recovery program consists of a course-specific, skill-based learning opportunity for students who are still enrolled in a course with the original teacher of record assigned by the school who have not achieved mastery of course content that has already been addressed. Content recovery allows a student to retake a subset of a course, including a single unit, more than one unit, or other supplemental assignments/activities assigned and approved by a certified teacher as needed for the student to achieve mastery of the course content.

#### **Credit Recovery**

The district's credit recovery program consists of a course-specific, skill-based learning opportunity for students who have previously failed to master content or skills required to receive credit in a given course. The program is designed for students who are no longer enrolled in a course but who have achieved sufficient mastery to benefit from a block of instruction, less than the entirety of the course, which targets specific components or a subset of standards to address the student's deficiencies.

There will be no increase in the GPA of a student who achieves credit for a credit recovery course. Should a student wish to modify his/her GPA, he/she should repeat the full course for credit and not seek participation in the credit recovery program.

#### **Student Athletes**

Student athletes and their parents/legal guardians should be aware that current National Collegiate Athletic Association (NCAA) rules place strict limitations on credits earned through content recovery and credit recovery programs. Participation in these programs **are** likely to affect a student's eligibility for NCAA play (i.e., VirtualSC credit recovery courses are not approved by the NCAA). Consult the district athletic director for more information.

Issued 4/24/18

### **Administrative Rule – IKADD-R (Content and Credit Recovery)**

School administrators will coordinate with staff members to identify students appropriate for participation in content and credit recovery programs.

#### **Content Recovery**

Students must be currently enrolled in a course to participate in content recovery.

### *Eligibility*

Students are eligible for participation in content recovery through the recommendation of their classroom teacher based upon a variety of factors including, but not limited to, documented student performance on formative and/or summative classroom assessments, student attendance patterns, documented student performance with failure to pass portions of the standards, and course content and curriculum pacing.

Students who are enrolled in content recovery will be removed after two documented absences and a failure to make passing grades on cumulative/chapter/unit tests.

Students are generally not limited in the amount of courses for which they may participate in content recovery; however, school administrators may elect to limit participation based upon parent/legal guardian and/or teacher recommendation.

### *Grading*

Content recovery assignments must be completed no later than the last day of the semester. Seniors must complete any content recovery assignments no later than May 1<sup>st</sup>. Upon satisfactory completion of all assigned work within the time allowed, the teacher will factor the content recovery grade in with the currently recorded grade for that subset of the course by replacing the student's initial grade with the content recovery grade.

### **Credit Recovery**

Students must have previously failed a course to be eligible for credit recovery. Participation in credit recovery will not affect a student's GPA. Should a student wish to modify his/her GPA, he/she should repeat the full course for credit and not seek participation in the credit recovery program.

### *Eligibility*

Students are eligible for a credit recovery course if they have previously taken and failed an initial credit course. Students must have obtained a grade of 50 or higher in the initial credit course, or the student is not eligible for credit recovery and must retake the full course to receive credit. Students who have already received credit for a course are ineligible to participate in credit recovery to improve their final grade.

Students will be required to complete an application to request placement in a credit recovery course. Consent of the student's parent/legal guardian must be obtained prior to enrollment.

Students may take no more than two credit recovery courses per year and may not receive credit for more than five credit recovery courses while enrolled in the district.

Students who are enrolled in credit recovery will be removed after two documented absences and a failure to make passing grades on cumulative/chapter/unit tests on missing credits.

### *Instruction and curriculum*

The method of instruction for credit recovery courses may vary based upon the district resources available, and includes, but is not limited to, use of an online or computer-based program, VirtualSC, direct instruction by a certified teacher either in person or via distance learning, or blended learning.

Individuals charged with facilitating credit recovery courses will receive training in online instruction management and related technology, when applicable.

Each credit recovery course will be based upon state curriculum standards and objectives for the corresponding subject and will be aligned across courses within the district. The standards and concepts to be addressed in credit recovery courses will be determined by the teacher who assigned the student the failing grade in the initial credit course, through a diagnostic tool utilized by the credit recovery course facilitator or software program, or through another diagnostic assessment offered by the district.

Credit recovery course offerings may be limited by the availability of space, facilitators, and appropriate computer-based content and/or due to district budgetary constraints.

### *Grading*

Students are not permitted to remain in a credit recovery course for more than one semester.

Credit recovery courses taken during the final semester of the school year must be completed no later than two weeks following the last day of the academic year. Graduating seniors must complete credit recovery courses no later than August 15; however, students will not receive diplomas until all coursework is completed. Additionally, rising seniors enrolled in credit recovery courses during a summer session must complete those courses no later than August 15th to count for the current academic year. Other students enrolled in credit recovery courses during a summer session may extend past August 15th, but the course credit will be recorded in the next academic year.

When a student has shown mastery of the credit recovery material, the student will receive credit for the course. Because end-of-course examinations focus on assessing a student's mastery of an entire course, and credit recovery only focuses on a portion of the course's content, students will not be permitted to retake the exam.

Student grades in credit recovery courses are designed to be GPA-neutral, meaning that the student's GPA will not be affected by the student's grade in the course. The failing grade in the initial credit course will remain on the student's transcript but will be marked to not count in the GPA calculation if the student recovers the credit successfully. If the student passes the credit recovery course with a 60 or higher, the passing grade will be transcribed as the numeric grade equivalent to the GPA quality points of the student's cumulative GPA at the time they complete

the credit recovery course, including the failing grade in the initial credit course. If the student's cumulative GPA is an "F," then the grade entered for passing the credit recovery course is the lowest passing grade, 60.

### *Cost*

Credit recovery courses are typically provided to students without charge. However, a student's parent/legal guardian will be responsible for any and all costs associated with a district-approved request to utilize an alternative method of instruction in lieu of the no-cost option the district offers.

A fee of \$250.00 will be charged by the district for all students. Exceptions only apply to students eligible for free lunch who are exempt from this fee and students who are eligible for reduced-price lunch who will be charged \$125.00 to recover credits.

Issued 04/24/18

### **XV-3. PROMOTION, RETENTION AND ACCELERATION OF STUDENTS**

Issued 1/15

Purpose: To establish the basic structure for the promotion, retention and acceleration of students. The district affirms academic excellence for students. This promotion/retention policy describes the standards our students must meet in order to maintain academic excellence and to be considered for promotion from one grade to the next.

This policy will be applicable to all students who are in the regular school program. Students functioning in special education programs will be governed by their Individual Educational Plan (IEP). The district will administer this policy fairly, equitably and consistently in the schools.

#### **Promotion**

##### Grades K through two

The district will evaluate students in the primary grades on their progress through the South Carolina performance standards. The district may assess these standards by methods that include state assessments, classroom assessments including district criterion-referenced tests and other assessments identified as appropriate. In addition, the district may also use schoolwork; social, emotional and physical development; and teacher judgment to evaluate progress.

##### Grades three through eight

District criteria must comply with state regulations including Academic Plans for Students (APS) requirements.

The school will determine the progress of the students in the elementary and middle grades using a combination of student performance assessment results; schoolwork; social, emotional and physical development; and teacher judgment. The student performance assessments will include the Palmetto Achievement Challenge Tests (PACT) in all subjects tested by the state. However, individual student scores on PACT will not be the sole criterion for retaining students, placing them on academic probation or requiring them to attend summer school.

#### **Academic Plans for Students (APS)**

##### Parent conferences

At the beginning of the school year (within the first 30 days of school), the school will notify each parent/legal guardian of a student in grades three through eight performing below grade level of the need for a conference at least 10 days prior to the conference date. The school will identify these students based on the following criteria.

- assessment results
- schoolwork
- teacher judgment

A student must receive an APS if he/she meets one of the following criteria.

- retained for the current school year
- did not score at the basic performance level on any test in the PACT battery

If a student with an APS transfers to this district from another district within the state, the originating school must transfer the APS with the student's academic record. Within 10 days of receiving the academic record, the school will schedule a conference to review the APS and make any needed revisions to address the academic needs of the student.

At the conference, the student, parent/legal guardian and appropriate school personnel will discuss the necessary steps to ensure student success at or above grade level. Any accommodation plans as provided for under Section 504, limited-English proficiency plan, student transition plan and student career plan, if applicable, must be taken into consideration.

If needed, the school will hold another conference for those students placed on academic probation at the end of summer school.

### **Academic plan**

Participants in the conference at the beginning of the school year will develop an APS outlining district, school, parent/legal guardian and student responsibilities to include the following.

- assistance/intervention services the district and the school will provide (summer school, comprehensive remediation program, after-school help, tutoring, etc.)
- actions the parents/legal guardians and student will take to ensure success

The APS should identify specific areas of weakness and state the objectives of the plan. Each school will provide for a method of evaluating the student's progress throughout the school year (at least once each grading period).

A parent/legal guardian will sign off on the APS. If a parent/legal guardian refuses to sign the academic plan, the school should document the refusal. If the parent/legal guardian is unable to participate in the conference, the school will appoint a school mentor (teacher or adult volunteer) to work with the student and advocate for services for the student. The mentor's role should be to represent the academic interests of the student at the initial conference. The district will send a copy of the plan developed with a school mentor to the parent/legal guardian by certified mail. The mentor will observe all district policies regarding confidentiality of information.

### Reviews

The district will implement review points in accordance with law during the school year to review and document the student's progress as outlined in the academic plan. The district will document this process.

### End of school year review

Appropriate school personnel will review the progress of each student who has an academic plan at the end of the school year. If a student is not performing at grade level or not meeting the terms of

his/her APS, the district may retain the student at his/her present grade or may require the student to attend summer school or a comprehensive remediation program the following year designed to address objectives outlined in the APS in order to be promoted to the next higher grade. If a student is considered at grade level in the end of the year review, but PACT data later show the student is not at the basic performance level, the student will be given a revised APS for the next school year. The student will not be considered to be on probation.

### **Summer school and comprehensive remediation programs**

Instruction offered in summer school and after school hours year-long comprehensive remediation programs must meet the same rigor and standards required of programs during the regular school year. Comprehensive remediation programs established by the district must operate outside of the normal school day and must meet the guidelines established for these programs as specified in the defined program and/or in Southern Association of Schools and Colleges (SAC) standards.

Academic assistance provided through comprehensive remediation programs cannot supplant academic assistance provided to the student during the normal school day or other academic assistance outlined in the student's APS.

### **End of summer school review**

#### *District panel review*

At the end of summer school, a district panel must review the student's academic progress to determine his/her readiness to achieve at the next grade level. The panel will report the student's academic progress in writing to the parent/legal guardian.

#### *Academic probation*

Students not meeting grade level standards or whose assessment results show that the standards have not been met will be placed on academic probation. The district may consider factors other than PACT data in placing a student with an APS on probationary status or requiring summer school attendance. At this point, the school will hold another conference to revise the APS. Students already on academic probation who are required to attend summer school must be administered an end of summer assessment.

#### *Retention*

If, at the end of the probationary school year, the student again fails to perform at grade level or if assessment results again show standards are not met, the district must retain the student. If, after the probationary year, the student is still not performing at grade level and the student is retained, the school must call another conference and review and/or revise the APS. If, after the retention year, the student is not performing at grade level, an APS must be developed for the following school year.

### **Appeals process**

The district will have an appeals process in place for the parent/legal guardian or student to appeal probation, mandatory summer school attendance and retention decisions.

### **Information to parents/legal guardians**

The district will distribute this promotion/retention policy to every student and parent/legal guardian at the beginning of the academic year. The district will also make every effort to educate and inform parents/legal guardians and students through newsletters, student handbooks, PTO/PTA meetings, etc.

### **Records/Reporting**

The district should maintain a copy of the academic plan, the conference notification letter and other documentation as part of the student's permanent record.

Districts must provide annual reports of students with academic plans at each grade level to the department of education.

### **Grades nine through 12**

*See policy IKF - Graduation requirements*

- *From grade eight to nine (freshman)*

promotion from grade eight

- *From grade nine (freshman) to grade 10 (sophomore)*

one unit of English, one unit of math and three units

- *From grade 10 to grade 11 (junior)*

11 units = two units of English, two units of math and seven units

- *From grade 11 to grade 12 (senior)*

17 units = two units of English, three units of math and 12 units

- *Graduation from grade 12*

24 units, including all required units

Adopted 2/25/03; Revised 10/24/06, 1/27/15

## **XV-4. STUDENT RECORDS**

### **General provisions**

A student's "education records" are those records directly related to a student and maintained by the school district or a party acting for the school district.

"Parent" refers to a parent, a legal guardian, a person acting as a parent, a surrogate appointed in accordance with laws regulating programs for disabled students or a student who is 18 years of age or over, or a student who is attending an institution of postsecondary education on a full-time basis.

"Written consent" as used in this policy and administrative rule includes signed and dated written consent in electronic format that does the following.

- identifies and then indicates a particular person as the source of the electronic consent
- indicates the person's approval of the information in the electronic consent

Whenever a student is 18 or is attending an institution of postsecondary education, the rights accorded to and the consent required of the parent of the student will thereafter only be accorded to and required of the eligible student unless the school district has received notice that a court has awarded legal guardianship beyond the age of majority or the student is dependent on the parent/legal guardian for support and is claimed as dependent for tax purposes under the Internal Revenue Code. The school will document such notice.

In maintaining student records, the schools will follow applicable state and federal laws and regulations.

### **Location of the student records**

The school or the district records office (if a student is no longer enrolled) will maintain a cumulative record folder that contains directory information, scholastic information, standardized test data, health records, discipline records and other information. This cumulative record will include, but not be limited to, the following information.

- name (last, first and middle), also the preferred name (nickname)
- date of birth (verified) along with the sex and ethnic background
- address and telephone number
- names of parents and/or legal guardians
- health record, including surveys for vision, speech and hearing
- standardized test scores
- end of year assessment scores
- attendance and scholarship record card
- special services contact report
- reading and mathematics continual record
- appropriate correspondence with parents
- discipline records
- criminal record (if convicted of certain crimes)
- incident reports relating to charges for certain offenses outlined in the Juvenile Justice Code, and relating to other offenses if requested by the principal
- other information in the form of notice by a law enforcement agency that a child has been charged with an offense as outlined in the Juvenile Justice Code, or upon final disposition of a case as outlined in the code

Except as provided in paragraph 4 of this section, the district maintains copies of psychological reports and related records if the district has given psychological evaluations to the student as follows.

- in the office of special services
- in the student's school in a file especially for psychological reports

The appropriate personnel in the district office and/or the appropriate school will keep records concerning students who have had administrative hearings.



Once a student graduates, the district files the student's records in the high school. If a student drops out of school before graduation, the school will file his/her records for five years and then transfer the records to the district's central location for record storage.

### **Directory information**

Schools will treat each student's education records as confidential and primarily for local school use. The exception to this rule is for directory information, which includes the following information about a student.

- name
- address
- telephone number
- date and place of birth
- participation in officially recognized activities and sports
- weight and height of members of athletic teams
- dates of attendance
- diploma or certificate and awards received
- electronic mail address
- photographs, digital images, images on videotape and other electronic images (as related to school-sponsored or district-sponsored events, activities and special recognitions)
- grade level
- most recent previous educational agency or institution attended by the student
- other similar information which may appear in newspaper articles, on television, in radio broadcasts, on displays, on the world wide web or in district or school promotional pieces

The district will not release directory information to any person or agency for commercial use. The district expects its employees to use good judgment in releasing directory information so it serves the best interests of the student.

Within 15 days after the annual distribution of notification of privacy rights, the parent of the student or the eligible and currently enrolled student has the right to refuse to permit the designation of any or all of the categories of personally identifiable information as directory information. The parent/eligible student's notification must be in writing. The written notification will become part of the student's education record. The principal of the school the student is attending is responsible for notifying appropriate personnel of the request, filing the request in the student's cumulative folder and marking the folder as specified by the superintendent or his/her designee.

This notification of privacy will include notice to parents that military recruiters are entitled to some student directory information and that parents have the right to deny this access.

### **Release of school records**

The Family Education and Privacy Act of 1974 requires the following procedures in the release of school records.

- The district cannot release school records to any person or agency (employer, government agency, etc.) without the written consent of a student's parent. If the student is 18 years of age, he/she may sign for the release of his/her records.
- The district will release school records, without prior written consent of parent or eligible student, to officials of other educational institutions in which the student seeks or intends to enroll. The

school will notify the student's parent of the transfer only if he/she has requested this exception to the district's policy.

### **Records made by an employee**

A school district employee's personal records on a student are not part of the student's education record as long as that person keeps the notes solely for his/her own use and maintains them separately from the school files.

A substitute who performs the employee's duties on a temporary basis may use these personal records. However, the employee may not pass the records on to a successor.

### **Management of records**

The district will protect the confidentiality of personally identifiable data on children during collection, storage, disclosure and destruction.

School district personnel, school psychologists under contract with the school district and other eligible state and federal employees who need the records to carry out their assigned duties and who have a legitimate educational interest will have access to or may receive information from the education records. The superintendent will maintain a current list of such individuals. The district will also give access to parents and eligible students as provided below.

The appropriate administrative head of each group collecting or using personally identifiable information will give instruction regarding these regulations to the group.

### **Students transferring to another school**

When a student transfers to another public or private school, the school will send the student's permanent school records, including incident reports relating to charges for certain offenses outlined in law and the discipline record of suspensions and expulsions, to the receiving school and notify the parent of the transfer.

Schools must transfer these records as soon as possible, but no later than 10 business days, upon receiving the written request from the school to which the student is transferring. Schools may not withhold the transfer of records to a school for fees owed by the student.

### **Disclosure (except for directory information)**

The school district has the right to disclose personally identifiable information from the education records of a student to appropriate parties in connection with an emergency, if knowledge of the information is immediately necessary to protect the health or safety of the student or other individuals.

The school will require a written request or consent from a parent or eligible student for each act of release of information. Blanket authorization for release of information is not permissible. Written requests or consent will include the types of information to be released, the purpose(s) for the disclosure, the parties or class of parties to whom the disclosure may be made, the date signed and the signature of the parent or eligible student.

The district will not require prior consent for disclosure when state and federal officials request the information as authorized by statutes or regulations implementing statutes.

The district will not require prior consent to disclose information to organizations conducting studies for, or on behalf of, the district for the purpose of developing, validating or administering predictive tests, administering student aid programs, and improving instruction as long as students and/or their parents are not personally identified and the records are destroyed when no longer needed for the prescribed purpose.

The district will not require prior consent when disclosing information to accrediting organizations in order for them to carry out their accrediting functions.

The district will not require prior consent when disclosing information in order for the school district to comply with a request from a judicial order, a lawfully issued subpoena, or a family court judge or his/her duly authorized representative acting in an official capacity.

Except as provided elsewhere in this administrative rule, the school district will keep a record of disclosures not authorized by the parent, eligible student or this administrative rule.

The student's cumulative folder will provide the following information.

- name of the party receiving the information
- data released
- legitimate purpose for which the data was requested

On the same day, the person releasing the information must mail written notification of the above to the parent or eligible student at the last known address if there is no evidence that the parent or eligible student is aware of the release of information.

### **Students in foster care**

Upon enrollment of a child in foster care, the Department of Social Services (DSS) will provide a copy of the court order to the school district for inclusion in the student's records.

The district will request school records of a student in foster care within two days of placement into a school and will transfer records within two days of receiving a request for school records of a student in foster care.

The district may permit an authorized representative of DSS to have access to the records of a child in foster care for the purpose of fulfilling educational case management responsibilities required by law and to assist with the school transfer or placement of the child.

### **Annual notification of rights**

Each school will distribute annual notice of privacy rights to parents and eligible students in attendance at the time of notification.

### **Request for inspection**

Anyone who wants to inspect the records must make the request for inspection (or an explanation or interpretation) of a student's record to the principal of the school in which the student is enrolled or where the record is housed.

Principals or designated district office administrators will set a time and place for the inspection of such records within a reasonable period of time, but in no case more than 45 days after the request has been made. If a hearing concerning the student is pending, the employee will honor the request for inspection of the student's record prior to the hearing.

At the inspection, the principal will have appropriate personnel available to interpret information on the records.

The school district is responsible for the maintenance of each student's record. Therefore, school personnel are not to turn the original record or microfilmed copy of a record over to any person or organization unless they have a specific, written judicial order for such action.

If the parent or eligible student believes that the information in the education record is inaccurate, misleading or violates the privacy or other rights of the student, he/she can request an amendment to the record. The school official receiving the request will either amend the record, if appropriate, or notify the parent or eligible student within 15 working days in writing that the request is denied and that he/she has the right to request a hearing as provided below.

Each parent of a child has the right to inspect and review the child's record unless the school district has written evidence that there is a legally binding instrument or a court order governing such matters as divorce, separation or custody which provides to the contrary. The same applies to parental requests for disclosure to other individuals and to organizations.

A parent or an eligible student has the right to give written authorization for a representative to inspect and review the education records of the student.

### **Hearings to challenge information in students' records**

Parents or eligible students will make requests for hearings to the principal where the record is housed. The principal or his/her designee may conduct the hearing.

Principals or administrators will set a date, time and place for the hearing and notify the requester in writing of the date, time and place. The principal will establish the hearing date within five working days of receipt of the request. The principal must mail written notice of the hearing to the parent or eligible student at least 10 days prior to the hearing.

A school district official who does not have a direct interest in the outcome will conduct the hearing.

At the hearing, the principal or administrator will try to have present the person who has entered the information in question if the person is known and reasonably available. The parent or student who requested the hearing will have the right to question that person if present and be able to show evidence that would correct inaccurate, misleading or otherwise inappropriate information. Such evidence will become a permanent part of the student's record.

The parent of the student or the eligible student will have a full and fair opportunity to present relevant evidence, and may be assisted or represented at their expense by legal counsel.

If, as a result of the hearing, the school district decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it will inform the parent or eligible student in writing that he/she has the right to place in the education record a statement commenting upon the information in the record and/or setting forth any reasons for disagreeing with the decision. Any such statement must remain with the record as long as the contested portion remains in the record. Disclosure of the contested portion must include the statement of the parent or eligible student.

The school district will send its decision (including a summary of the evidence), the reasons for the decision and the right to a judicial appeal in writing to the parent or eligible student within five

working days after the conclusion of the hearing. The school district will base its decision solely on evidence.

### **Destruction of education records**

The school district may destroy data that are no longer needed for providing direct educational services as long as the following conditions apply.

- There is no outstanding request to inspect and review the education record.
- The district keeps the record of disclosures as long as it maintains the education record to which it relates.
- The data do not concern the referral, evaluation, staffing and placement of a disabled student or a student suspected at one time of having a disability. Such data will be sent to the office of programs for the disabled when no longer needed for providing direct educational services to a student.

No one may remove the following items from a student's cumulative record at any time.

- name (last, first and middle), also the preferred name (nickname)
- date of birth (verified), along with the sex and ethnic background
- address and telephone number
- names of parents
- health record, including surveys for vision, speech and hearing
- standardized test scores
- end of year assessment scores
- attendance and scholarship record card

Special service contact report is to be removed from a student's cumulative record at the end of five years if the student is not enrolled in a special program. The curriculum coordinator or guidance counselor will remove this record. The continual reading and mathematics records K through eight are to be removed and made a part of the record keeping system to be in force for grades nine through 12. Correspondence with parents should be reevaluated and thrown away after five years. Any materials relating to a child's preschool and kindergarten experiences should be discarded after second grade.

### **Record provided by the department of juvenile justice**

A person's juvenile criminal record must be provided by the department of juvenile justice to the principal of the school which the juvenile is eligible to attend immediately upon the person's release from the department of juvenile justice.

The principal will ensure that the student's juvenile criminal record is maintained in the school disciplinary file or other such confidential location. Access to the record will be restricted to school personnel having need for such information in order to adequately address the educational needs of the student.

These records must be destroyed upon the student's completion of secondary school or upon reaching 21 years of age.

### **Fingerprint records**

In accordance with law, the county will provide each school in the county with the forms and ink pads necessary to record each student's fingerprints in kindergarten through grade 12.

The district schools with the assistance of the State Law Enforcement Division and/or local law enforcement agencies will fingerprint school children in kindergarten and grades one through 12 when the parent of a child requests in writing that his/her child be fingerprinted for identification purposes for the child's protection.

The school will give the fingerprints to the student's parents.

### **The Family Educational Rights and Privacy Act Office**

Parents/Legal guardians and eligible students have the right to file written complaints concerning alleged violations of the Family Educational Rights and Privacy Act. Written complaints should be sent to the following address.

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202-4605

This office has the responsibility for investigating, processing and reviewing alleged violations. This office will refer appropriate cases to a review board for adjudication.

Issued 8/26/75; Revised 9/25/84, 3/27/90, 2/25/03, 8/23/06, 8/25/15

### **XV-5. GRADUATION REQUIREMENTS**

Issued 1/15

A student must earn 24 units of credit in state-approved courses for graduation.

The unit requirements are distributed as follows.

<b>Subject</b>	<b>Credit Units</b>
English language arts	4
Mathematics	4
Science	3
U. S. History and Constitution	1

Economics	½
U. S. Government	½
Other social studies	1
PE or junior ROTC	1
Computer science (including keyboarding)	1
Foreign language or Career and technology education	1
Electives	7
<b>Total</b>	<b>24</b>

The student must pass a classroom examination on the provisions and principles of the United States Constitution, the Declaration of Independence, the Federalist papers and American institutions and ideals. This instruction must be given for a period of at least one year or its equivalent, either within the required course U.S. History and Constitution or within another course.

The student must pass a high school credit course in science in which an end-of-course examination is administered.

The student must be enrolled for a minimum of one semester immediately preceding his/her graduation except in case of a bona fide change of residence. Units earned in a summer school program do not satisfy this requirement.

The student must earn the required number of prescribed units.

#### **Awarding of high school credit**

A school also may award and accept credit towards a high school diploma for the following.

- in units of one-fourth, one-half and a whole; for example, an academic-standards based course that requires a minimum of 120 hours of instruction (one unit), 60 hours of instruction (one-half unit) and 30 hours of instruction (one-fourth unit)
- a course that has been approved by the South Carolina Department of Education in a proficiency-based system

- those gateway courses that are a part of the end-of-course examination program only if the student takes the course approved by the school in which he/she is enrolled and meets all the stipulated requirements of the program
- courses in summer programs that meet all the regulatory requirements for courses offered for students in grades nine through 12
- a course that is approved by the district, whether the school offers the particular course or not, if the student receives prior approval
- a course that the student takes in an approved adult education program if the course is approved by the superintendent or his/her designee
- locally designed subject-area courses, elective courses and CATE courses under conditions as outlined in state board regulation
- the PE credit if the PE course meets all statutory requirements including the personal fitness and wellness component and the lifetime fitness component
- the one-half unit of credit carried by the keyboarding course for half the required computer science credit
- the American Sign language course as the required unit in a foreign language
- a college course that a student in grades nine through 12 takes under the district's dual credit arrangement

### **Adult education**

For adult education students receiving a diploma, the unit requirements are distributed as follows.

<b>Subject</b>	<b>Credit Units</b>
English language arts	4
Mathematics	4
Science	3
U. S. History and Constitution	1
Economics	½
U. S. Government	½
Other social studies	1
Computer science (including	1



keyboarding)	
Electives	9
<b>Total</b>	<b>24</b>

\* Keyboarding may count up to one-half of the computer science requirement.

A student may transfer credit earned in the adult education program to a secondary school to count towards the units of credit required for a state high school diploma if, for each unit being transferred, the student has spent a minimum of 120 hours in class time in that subject at that level and the teacher was properly certified to teach the course.

### **High school credit for college work**

Students in grades nine through 12 and/or adult education programs can earn credits for college course work that can be applied to the required number of units for a state high school diploma.

The following conditions apply.

- Courses may be offered through distance learning and cooperative agreements with institutions of higher education. One quality point will be added to the CP weighting for dual credit courses that are applicable.
- Only courses applicable to baccalaureate degrees or to associate degrees offered by institutions accredited by the board of education of that state or the appropriate regional accrediting agency [the New England Association of Colleges and Schools, Middle States Association of Colleges and Schools, Southern Association of Colleges and Schools Council on Accreditation and School Improvement (AdvancED/SACS CASI), North Central Association of Colleges and Schools, Western Association of Colleges and Schools or Northwest Association of Colleges and Schools] qualify.
- Tuition costs and any other fees will be the responsibility of the student or his/her parent/legal guardian.

### **XV-6. SCHOOL ATTENDANCE AREAS**

**Abbeville High School:** All students in grades 9 through 12 who live within the following boundaries will attend Abbeville High School: east on Highway 72 to the Greenwood County line, west on Highway 72 to Lake Russell, south to the McCormick County line, north to and including a dotted line from Lake Russell to Latimer Road, Latimer Road, Old Calhoun Falls Highway (S-32) to Little River, Little River to Park Creek, Park Creek to Reids Creek, and Reids, Bailey, and Grays Creeks and extend to the Greenwood County line.

**Cherokee Trail Elementary School:** All students in grades 4K through 7 who live within the following boundaries will attend Cherokee Trail Elementary School: north to the Anderson County line, east to Saluda River and the Greenwood County line (excluding the Eureka District), south to

Park, Reids, Bailey and Grays Creeks and extend to the Greenwood County line, and west to Little River.

**Diamond Hill Elementary School:** All students in grades 4K through 7 and who live within the following boundaries will attend Diamond Hill Elementary School; north to the Anderson County line, east to Little River, west to Lake Russell, and south to but not including a dotted line that extends from Lake Russell to Latimer Road, Latimer Road, and Old Calhoun Falls Highway (S-32) to Little River.

**Dixie High School:** All students in grades 8 through 12 who live within the following boundaries will attend Dixie High School: north to the Anderson County line, east to Saluda River and the Greenwood County line (excluding the Eureka District), down to Reids, Bailey and Grays Creeks and extending to the Greenwood County line, west to Lake Russell, south to but not including Latimer Road and Old Calhoun Falls Highway (S-32), Little River to Park Creek, Park Creek to Reids Creek, and Reids, Bailey, and Grays Creeks and extend to the Greenwood County line.

**John C. Calhoun Elementary School:** All students in grades 4K through 5 who live within the following boundaries will attend John C. Calhoun Elementary School: north to and including a dotted line that extends from Lake Russell to Latimer Road, Latimer Road, and Old Calhoun Falls Highway (S-32) to Little River, east to Little River, west to Lake Russell and south to the McCormick County line.

**Long Cane Primary School:** All students in grades 4K through 2 who live within the following boundaries will attend Long Cane Primary School: east on Highway 72 to the Greenwood County line, west on Highway 72 to Little River, south to the McCormick County line, north to Little River to Park Creek, Park Creek to Reids Creek, and Reids, Bailey, and Grays Creeks and extend to the Greenwood County line.

**Westwood Elementary School:** All students in grades 3 through 5 who live within the following boundaries will attend Westwood Elementary School: east on Highway 72 to the Greenwood County line, west on Highway 72 to Little River, south to the McCormick County line, north to Little River to Park Creek, Park Creek to Reids Creek, and Reids, Bailey, and Grays Creeks and extend to the Greenwood County line.

**Wright Middle School:** All students in grades 6 through 8 who live within the following boundaries will attend Wright Middle School: east on Highway 72 to the Greenwood County line, west on Highway 72 to Lake Russell, south to the McCormick County line, north to and including a dotted line from Lake Russell to Latimer Road, Latimer Road, Old Calhoun Falls Highway (S-32) to Little River, Little River to Park Creek, Park Creek to Reids, and Reids, Bailey, and Grays Creeks and extend to the Greenwood County line.

## **XV-7. STUDENT TRANSFERS**

The school board establishes attendance zones which define the school a child is expected to attend based on the child's residence. The school board delegates the authority to grant intra-district and inter-district transfers to the superintendent or his/her designee.

A. The district will consider transfer requests under the following circumstances:

- Students living in any given attendance area will have first choice for school membership in that area.

- The parents/guardians desiring to transfer a child to a school in another attendance area must submit a request in writing to the superintendent or his/her designee by August 1 of each school year. This request must be made on the “Request for Transfer/Release” form and must specify the school they wish their child/children to attend.
- Principals from both schools will be in agreement with the transfer of the student. In the case of a handicapped student, the IEP Committee must also be in agreement with the transfer. If both of the schools’ principals are not in agreement with the transfer of the student, the superintendent may rescind the decision of either principal.
- If the transfer is granted, all of the school rules must be observed. If school rules are not followed, the student will be returned to the school in his/her attendance area.
- Students will not be allowed to change schools after the beginning of the school year, except for semester courses, change in residence, or special cases as approved by the superintendent or his/her designee.
- Elementary & Middle – Students may not transfer to a school out of their attendance area, if their enrollment will mean class size will be greater than 25 in academic subjects, or if the requested transfer will cause the size of the class where he/she will be leaving to be less than 15. If the transfer is granted and a new student moves into the attendance area causing the class size to exceed 25 students before the end of the first semester, the last student(s) transferring in must return to the school in his/her attendance area.
- High School – Requirements of the South Carolina Department of Education regulation R43-234 (Defined Program Grades 9 – 12) governing class size will be followed for students requesting a transfer within the district. If class size exceeds this maximum, the student’s request will be denied.
- High School Sports – The high school league guidelines state that if an eligible student in an established residence transfers to a non-residence attendance zone, he/she is not eligible to play sports in that attendance zone for one year. However, if he/she could change place of residence into that attendance zone, he/she may continue to participate in sports.
- Students transferring from their attendance area will provide their own transportation.
- The parent/guardian is required to sign a “Transfer Agreement Form” before being allowed to transfer to the requested school.
- The following transfer requests will receive priority consideration:
  - Lack of course offerings
  - Childcare availability
  - Parental hardship
  - Medical/psychological – superintendent or his/her designee will confer with student and parent

B. Extenuating circumstances under which a transfer may be granted include:

- Transfers necessitated by parental separation that mandate the parent awarded custody to move out of the previous attendance area for the remainder of the school year.
- Death or serious illness necessitating removal to another attendance area for the convenience of the temporary guardian.

- Transfers authorized by the superintendent that are deemed necessary to avoid disturbance of the peace, riot, or civil disturbance.
- Such other circumstances that the district board of trustees through its designee, the superintendent, may deem necessary in order to insure the best interest of the student and the school system in general.

## **XVI. SCHOOL FOOD SERVICE**

### **XVI-1. MEAL OPTIONS FOR STUDENTS**

The District encourages all students to participate in the National School Lunch Program and Breakfast Program. These programs offer students well-balanced nutritious meals that will help them to perform their best throughout the school day.

In the 2018-2019 school year, breakfast will be offered to all students at no cost. Paid Lunch price is \$2.45 and Reduced Lunch price is 40 cents. To pay for meals parents can send cash or check to school or make meal payments online at EZSchoolPay.com.

If you think you may qualify for Free or Reduced Price School Meals, you can complete a Free or Reduced Application form during registration and/or anytime during the school year. Applications are available at each school or you can access an application on the district website. We also have an online service, at EZMealApp.com that allows parents/guardians to submit applications from any Internet accessible computer. The information entered by parents is reviewed by the Food Service District Staff where eligibility is determined based on USDA guidelines. Only one application is need per household.

The qualification for Free or Reduced priced meals is not retroactive to any fees and/or meal charges already incurred for the current school year or from previous school years.

The District discourages schools from allowing students to charge meals. We are **not** required to serve students who receive reduced price or full price meals that do not have money to pay. The District also has the discretion to prohibit students who have an outstanding food service debt from participating in any extracurricular activities such as field trips, beauty pageants, attending prom or dances, and /or marching in graduation. Parents are encouraged to monitor their student's meal account. A student meal history may be requested through the school cafeteria at any time or accessed through EZSchoolPay.com. Statements will also be sent home regularly to parents of students that have a negative balance.

### **XVI-2. MULTIPLE-PURPOSE IDENTIFICATION CARDS (ID CARDS)**

Multiple-Purpose Identification (ID) cards will be provided to all students by the Food Service Department for meal purchases. Each card is printed with the student's name, picture (when available), Abbeville County School District, school name, and a barcode that identifies each student by an individual identification number. Each school can use these cards for student identification, meal purchase, library checkout, etc. Students are solely responsible for their ID card.

### **XVI-3. STUDENT MEAL ACCOUNTS**

#### **Policy EF – Food Services**

The district food service program operates under the current guidelines and standards established by state and federal laws and the South Carolina State Board of Education.

The purpose of the district food program is as follows:

- to maintain and improve the health and physical fitness of students by providing an adequate meal
- to provide a satisfactory learning experience in the food program which will contribute to the overall development of students
- to provide free or reduced-price meals for students from economically deprived families

The administration will establish rules and procedures which conform to state and federal requirements regarding participation in programs for free and reduced price meals and supplementary food. The administration will report such regulations to the board from time to time for its approval.

Eligibility for students to receive free or reduced price meals will be determined by current federal and state laws. Schools will make every effort to eliminate any social stigma attached to the program and prevent the overt identification of students who are eligible for free or reduced price meals.

The district will not deny any child who a principal or teacher believes is improperly nourished a free lunch, milk, or other food simply because the district has not received proper application from the child's parent/legal guardian.

The board, with the recommendation of the food service supervisor, sets meal prices for students annually based upon South Carolina Department of Education guidelines.

Students/parents/legal guardians wishing to initiate a complaint concerning discrimination in the delivery of benefits or services in the district's school nutrition program should go to the link below or mail a written complaint to the U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.S., Washington D.C. 20250-9410, or email, [program.intake@usda.gov](mailto:program.intake@usda.gov).

[http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html)

Adopted 06/13/17

#### **Administrative Rule EF-R – Food Services**

##### **Student Meal Accounts**

All cafeteria purchases should be prepaid before meal service. The district offers a variety of methods for parents/legal guardians to fund their students' meal accounts including cash, check, and online using credit/debit.

### *Charge accounts*

A student may charge up to three meals maximum. A student who charges a meal may not charge any à la carte items or additional items that would result in a cost above and beyond the base meal cost. Parents/Legal guardians will receive at least one written notification and/or phone message prior to a student being denied the ability to charge meals. Faculty and staff of the District may **not** charge meals.

Food service employees and each building principal will work together to prevent meal charges from accumulating. Parents/Legal guardians are expected to pay all meal charges in full by the last day of the school year. Negative balances that remain will be carried forward to the following school year. Unpaid balances at the beginning of a school year will result in a student being prohibited to participate in extracurricular activities, including athletics, field trips, prom, senior activities and marching in graduation. The Department of Social Services (DSS) may be contacted in relation to child neglect.

### *Alternate meals*

Once a student has received the maximum number of charged meals, he/she will be provided with an alternate meal consisting of a sandwich, fruit or vegetable, and milk. Students will be charged for alternate meals at the price of \$1.00. In order to safeguard the dignity and confidentiality of students, reasonable efforts must be used to avoid calling attention to a student's unpaid balances and/or inability to pay.

No student will be denied an alternate meal. If a student comes to school with no lunch and no money on an ongoing basis, food service employees or other mandated reporters will report this information to the building principal as this may be a sign of abuse or neglect, and the proper authorities will be contacted.

Modifications will be made to alternate meals to ensure that any students with medically documented special dietary needs are provided with appropriate accommodations.

### *Unpaid balances*

Students with unpaid balances will not be denied a meal if they have money in hand for a meal on a given day. No "special sales" may be purchased by students who are over their allowed balance.

The food service manager and other school personnel will coordinate communications to parents/legal guardians to resolve unpaid balances in meal accounts. Communication to parents may be in the form of emails, phone calls, letters, etc. These communications will include providing families with information about the free and reduced lunch programs and the programs' application process.

Parents/legal guardians are encouraged to discuss payment arrangements with the food service manager and building principal. In establishing the terms of repayment plans, the district will assess each household's particular circumstances and will consider factors including, but not limited to, family size, employment status, family member medical circumstances, etc. Negative balances not paid in full **within 30 days of the last instructional day** of the school year will forfeit the ability for students to participate in extracurricular activities, including but not limited to, marching in graduation, field days, prom, etc. Negative balances not paid in full within 30 days of the last instructional day will be turned over to the Director of Child Nutrition/Food Service or his/her designee to initiate formal collection efforts, up to and including legal action if appropriate, to recover the costs for unpaid meal charges.

### *Surplus balances*

At the end of the school year, surplus balances in student meal accounts for those students who pay full price for meals will be carried forward to the next year. Students who qualify for reduced price lunch will receive a full refund of any surplus balances.

Students who graduate or withdraw will be notified by mail and given the option to receive a refund or to transfer the surplus meal account funds to students with negative balances. If no response is received within 30 days of the mailing of this notification, the student's meal account will be closed.

### *Dissemination of procedures*

At the beginning of each school year, the information contained in this administrative rule and any associated procedures will be shared with administrators, principals, school food service professionals, and other district stakeholders charged with duties related to the school food services program. Parents/Legal guardians and students will be notified in writing of this rule and any associated procedures at the beginning of the year, upon transferring into the district, or upon transferring into a new school within the district.

### *Other*

Students may not charge during the last 30 instructional days of school.

The District will not combine or have "family" accounts. Each student/faculty member, etc. will have their own account.

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## **Disclaimer**

***All policies and procedures contained within this Students' Rights and Responsibilities Handbook are intended to reflect current Board Policy. In the presence of conflicting information, Board Policy is paramount and always supersedes any information contained within the Handbook.***

### **\*\*\*\*\*Notice to the Public\*\*\*\*\***

In compliance with the Executive Order 11246: Title II of the Education Amendments of 1976; Title VI of the Civil Rights Act of 1964, as amended by the Equal Employment Act 1972; Title IX Regulation Implementing Education Amendments of 1972: Section 504 of the Rehabilitation Act of 1973; and all other applicable federal, state, and local laws and regulations, the Abbeville County School District does not discriminate on the basis of sex, gender, race, sexual orientation, national origin, religion, or disability in the educational programs and activities which it operates.

Any student, parent/guardian, parent or employee who believes that the District has engaged in unlawful discrimination may file a complaint in accordance with the procedures set forth in Board Policy.

